

DECISION MEMO

RED CANYON FUELS REDUCTION

USDA Forest Service
Flaming Gorge Ranger District, Ashley National Forest
Daggett County, Utah

The project area is located on the Flaming Gorge Ranger District / NRA in T1N, R21E, Sections (partial) 4 and 5, and T2N, R21E, Sections 14, 19-23, 26-30, and 31-35. The project area is designated in the Forest Plan as Management Area - Flaming Gorge National Recreation Area.

I. DECISION TO BE IMPLEMENTED

I have decided to implement fuel reduction activities on approximately 4,400 acres in the Red Canyon area of the Flaming Gorge Ranger District and Flaming Gorge National Recreation Area. Similar treatments have been initiated in the general vicinity over the course of 10 – 15 years. Public and private developments within or adjacent to the project area include the privately owned lands (all with houses, associated ranch buildings, corrals and fences, etc.), the Red Canyon Visitor's Center and associated facilities, The Red Canyon Lodge and associated cabins and outbuildings, three Forest Service campgrounds, a Forest Service administrative housing complex and related facilities, a water treatment facility, power lines, and numerous log worm/buck and pole fences, trails and two lakes with docks, interpretive trails and parking areas. As shown on the attached map a mosaic of treatments will be applied throughout the project area.

Specific purposes for this project are:

1. Reduce fuel loadings in the Ponderosa pine within the general project area to approximately 5 tons per acre, where current conditions exceed this amount, to reduce severity of potential wildfire. In the area south of the Eagle Creek private land, reduce fuels to about 17 tons per acre on approximately 178 acres.
 - Move the area from Condition Class II to Condition Class I – (or trend in that direction).
2. Reduce tree densities in small patches as they occur throughout the area,
3. Remove encroaching conifers from shrub/grassland communities, and
4. Promote aspen restoration, but provide for maintenance of existing clones in good health

The use of a categorical exclusion is appropriate in this situation because there are no extraordinary circumstances having the potential to significantly affect the environment. I considered comments received during public scoping and the specialist responses to those comments in reaching my decision.

By this Decision Memo I am authorizing a combination of understory prescribed fire and treatments using hand tools such as chainsaws or brush cutters to be used in the Red Canyon Fuels Reduction Project to reduce fuel ladders and excessive ground fuels, and to thin dense conifer stands or remove encroaching conifers within prominent shrub/grassland and/or aspen areas. Large Ponderosa pine trees will be preserved under all treatments. Consequently, some thinning to remove small trees and brush surrounding and beneath larger Ponderosa pine trees may be necessary to eliminate potential fuel ladders and prevent prescribed fire from climbing into the crowns of larger trees. The resulting slash from this thinning will be scattered away from residual trees, piled in openings, or chipped and/or removed from the site. Treatments will be applied over a two to five year period with an expected maintenance return interval of approximately 10 years – a new analysis and decision would be required at that time.

The expected outcome of this project is that timbered stands within the project area will be less susceptible to excessive damage from wildfire. Public and private users, and developments within and adjacent to the project area will have a reduced risk of adverse affects from wildfire, and shrub/grassland and aspen communities will be maintained or enhanced.

My decision is based on several factors including the contents of this Decision Memo, site-specific resource information, and supporting documentation contained in the project record.

Direction contained in the Ashley National Forest Land and Resource Management Plan (Forest Plan), Supplemental Direction for the Flaming Gorge National Recreation Area (NRA) lists, by Ecological Component, specific actions that may be taken, and that are compatible with the purpose for which the NRA was established. A short, but not necessarily all-inclusive, list of some of this direction follows:

1. Under Ecological Component 5; Vegetation (3) “Manipulate vegetative cover where appropriate to improve ground cover, preserve natural beauty, increase diversity, and reduce fire hazard.” (pg. A-5, Forest Plan)
2. Vegetation (5) “Direct efforts towards maintaining uneven-aged forest stands to enhance natural beauty and diversity.” (pg. A-5, Forest Plan)
3. Under Ecological Component 6; Wildlife and Fish (12) “Manage pinyon-juniper and other forested lands to provide for maximum wildlife habitat and esthetics.” (pg. A-6, Forest Plan)

Certain mitigation has been built into the proposed project from its inception. Specifically:

- Actions will be consistent with legislation creating the NRA, and compatible with supplemental direction contained in the Forest Plan.
- A list of specific visual design features provided by the Landscape Architect is included in the project file and will be built into each phase of project implementation.
- A cultural resource survey of the project area was completed in May and June of 2004. The Forest Service will negotiate with Utah SHPO (State Historic Preservation Office) to develop a mitigation plan for the National Register of Historic Places-eligible sites that have been identified within the project area. Mitigation may include site recordation, avoidance, removal or reduction of fuels on site or other measures to lessen or eliminate impacts of the proposed action.

- There are no known Threatened, Endangered or Sensitive plant species, or their habitats, within the project area. A BA/BE (Biological Assessment/Biological Evaluation) that effectively clears this project has been prepared and is available in the project file.
- Hand piling, and over-winter burning of selected large logs and piles would be used to reduce fuels in the area to the south of the large block of private lands near Eagle Creek, on the west side of the project area. Thinning and removal of standing trees near A-frame cabin after September 1 and before April 1. Space residual crowns 20 feet apart; cut and pile ladder fuels from beneath the dripline of remaining trees. Piles must be located well outside the dripline.
- Fire will not be introduced into the steep slopes and perennial portions of the Skull Creek drainage. Fireline will be constructed around the Skull Creek drainage on both the east, and west boundaries to prevent fire from dropping down into Skull Creek.
- Fire will not be purposely ignited in those intermittent portions of Skull Creek, East Fork Eagle Creek, Lake Creek and those riparian areas adjacent to East and West Greens Lake and those riparian areas southeast of the large block of private property. However, if prescribed fire enters these riparian areas suppression measures are not necessary from a fisheries standpoint.
- Any actions taken during holding will use water from only designated sources to avoid spread of whirling disease spores.
- Mitigation for wildlife species is contained in the project record, but is also listed here due to the importance of these issues to respondents. An evaluation of Management Indicator Species (MIS) has been conducted, with a record of that evaluation contained in the project record.

General Mitigations and Management Recommendations:

Recommendations and mitigation measures are described in the body of this evaluation on a species by species basis. A summary of mitigations include: (1) no burning within the Skull and Eagle Creek drainages, (2) protect and retain existing snags greater than 18 inches dbh using slash pullback, and no nearby ignitions, (3) no burning during the spring and summer (i.e., April – August) during migratory bird and raptor species nesting seasons and (4) no intentional ignition within sagebrush/grasslands.

Species specific mitigation recommendations:

Goshawk (*Accipiter gentilis*), Flammulated owl (*Otus flameolus*), and Great gray owl (*Strix nebulosa*)

Mitigation measures applied to reduce potential impacts to these species include: (1) complete visual nest search surveys prior to work initiation in underburn areas, (2) protect and retain existing snags greater than 18 inches dbh, (3) where practical, retain an average of one brush pile per

acre in interior portions of stands to help to help maintain cover for prey species (i.e., greater than 300 feet from existing roads).

Three-toed woodpecker (*Picoides tridactylus*)

Mitigation measures included to reduce potential impacts to this species include: (1) avoiding the use of fire within the Skull Creek drainage, and (2) protect and retain existing snags greater than 18 inches dbh using slash pullback, and no nearby ignitions, and (3) in the area south of the Eagle Creek private land, winter burning of down logs and hand piles, and leave about 17 tons per acre down woody debris on approximately 178 acres.

Mexican Spotted Owl (*Strix occidentalis*)

Mitigation measures: Defer burning in Mexican Spotted Owl (MSO) habitat until two years of surveys have been completed, and provided no owls are found.

If any MSO's are found, then consultation would be reinitiated with the US Fish and Wildlife Service.

Background

The project area is entirely within the Flaming Gorge National Recreation Area, administered by the Flaming Gorge Ranger District, Ashley National Forest.

The project area contains primarily Ponderosa pine, with minor components of aspen, and some scattered sage/grassland openings. This area contributes to an increased risk of intense or rapid fire spread near public and private developments. This increased risk is characterized by stands of Ponderosa pine and minor amounts of other conifers that have sufficient understory fuels (young conifers, pinyon/juniper (P/J), low limbs, deep needle beds, small diameter slash and large shrubs) that would allow fires to reach the crowns of the larger trees. Once crown fires occur the spread is rapid and difficult to control, which could threaten public and private developments within the area. Extensive tree mortality also occurs as a result of crown fires.

The encroachment of conifer species into aspen stands and sage/grassland openings is also undesirable since the aspen and sagebrush will gradually be displaced by the conifer encroachment through natural succession. This encroachment and subsequent loss of aspen can be halted or, in some cases, reversed by management intervention as detailed above.

Congress has provided tools and direction to the Forest Service to reduce hazardous fuels in and near communities deemed "at risk" through the Healthy Forests Restoration Act of 2003. The Healthy Forest Restoration Act provides tools (Categorical Exclusions, definitions, etc) and direction on the use of these tools to protect communities at risk and to protect forest infrastructure from the effects of potentially damaging wildfires. Utah State Division of Forestry, Fire, and State Lands has identified the Red Canyon area as an "At-Risk Community".

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA) when conditions of one of the categories identified by the U.S. Department of Agriculture are met. These categories can be found in 7 CFR part 1b.3, or as identified by the Chief of the Forest Service in the Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, or within a category established on June 5, 2003 or July 27, 2003. To fit into a categorical exclusion there must not be extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriately categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) as it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the project record.

I believe that concerns raised by the public during the scoping process have been responded to in a manner sufficient to show that no significant affect to the quality of the human environment will result from implementation of this project. See attached **“Public Involvement”**.

A. CATEGORY OF EXCLUSION

The decision qualifies for the following exclusion under FSH 1905.15, Chapter 30, 31.2, Categories of Actions for Which a Project or Case File and Decision Memo Are Required, Category 10 – Hazardous Fuels Reduction.

10. Hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities:

- a. Shall be limited to areas;
 - (1) In wildland-urban interface; or
 - (2) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface;
- b. Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-Year Comprehensive Strategy Implementation Plan”;
- c. Shall be conducted consistent with agency and Departmental procedures and applicable land and resource management plans;

- d. Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; and
- e. Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction.

The decision meets requirements for exclusion from an EIS or EA, but does require a Project Record and Decision Memo (FSH 1909.15 Chapter 30, section 31).

B. FINDING OF NO EXTRAORDINARY CIRCUMSTANCES

Extraordinary circumstances include, but are not limited to, the presence of Federally listed (or proposed for listing) threatened or endangered species or their critical habitat; flood plains, wetlands, or municipal watersheds; congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas; inventoried roadless areas; research natural areas; American Indian and Alaska native religious or cultural sites; or archeological sites, or historic properties or areas. Where these items are present, but are not affected by proposed actions, or potential effects can be mitigated and are thus not significant, then extraordinary circumstances do not exist.

I have determined that the categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects, which may significantly affect the environment. I have determined this based on an analysis of the issues raised through scoping, comments received, and appropriate specialist reports contained in the project record.

III. PUBLIC INVOLVEMENT

Public Scoping was initiated on March 24, 2004. A scoping letter was sent to 128 potentially interested and concerned individuals, organizations, and affected stakeholders, Seven (7) responses were received. Three responses were received via email. Each substantive comment has been summarized with a specific response in the attached **Public Involvement** document.

Additionally, an evening meeting was held at Red Canyon Lodge April 21, 2004 with local landowners and the owner/operator of Red Canyon Lodge for the purpose of explaining the proposed action and receiving feedback in the form of comments from a local perspective. Comments received pertained to timing of the proposed action, appropriate weather conditions for implementation, cleanup of past and possibly future blackened trees for visual concerns, and advance notice of implementation.

See separate document detailing responses to comments received during scoping.

IV. FINDINGS REQUIRED BY OTHER LAWS

My decision will comply with all applicable laws and regulations. I have summarized some of the pertinent laws below.

This decision is consistent with the Ashley National Forest Land and Resource Management Plan (Forest Plan) as required by the National Forest Management Act. This decision is designed in consideration of the goals, objectives, standards, and management area direction of the Forest Plan. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines for the Flaming Gorge National Recreation Area.

A Biological Assessment and Evaluation contained in the project record reveals that the circumstances and potential effects of this proposal as mitigated are not considered a threat to Threatened, Endangered, or Sensitive animals and plants, or to their habitat. The required consultation process has been conducted with the U.S. Fish and Wildlife Service.

A cultural resource survey of the project area was completed in May and June of 2004. The Forest Service will negotiate with Utah SHPO to develop a mitigation plan for the National Register eligible sites that have been identified within the project area. Mitigation may include site recordation, avoidance, removal or reduction of fuels on site or other measures to lessen or eliminate impacts of the proposed action.

V. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is not subject to appeal or a higher level of review pursuant to 36 CFR 215.12(f) Decisions for actions that have been categorically excluded from documentation in an EA or EIS pursuant to FSH 1909.15, Chapter 30, section 31.

VI. IMPLEMENTATION DATE

This project may be implemented immediately. Implementation is expected to occur on or after August 16, 2004.

VII. CONTACT PERSON

For additional information concerning this decision or the Forest Service appeal process, contact: Robbin Redman, Forest NEPA Coordinator, Ashley National Forest, 355 N. Vernal Avenue, Vernal, UT 84078, (435) 781-5177.

 /s/ Jeff E. Schramm
Jeff E. Schramm
District Ranger
Flaming Gorge Ranger District

 8-16-2004
Date