

## **DECISION MEMO**

### **BRYANT'S FORK FUEL BREAK**

#### **USDA - FOREST SERVICE UINTA NATIONAL FOREST HEBER RANGER DISTRICT WASATCH COUNTY, UTAH**

### **INTRODUCTION**

The Bryant's Fork Shaded Fuel Break project was initially included as part of the Strawberry Hazardous Fuels Reduction project, for which an environmental analysis was initiated. Work on the Strawberry Hazardous Fuels Reduction project has been suspended due to a lack of funds. As this project is physically separate from and not connected to or with other proposals included in the Strawberry Hazardous Fuels Reduction project proposal, a separate environmental analysis for the Bryant's Fork Shaded Fuel Break project has been conducted. The Forest Service recognized a higher priority for analysis and treatment of this area due to the Bryant's Fork Summer Homes Tract. These homes are located on National Forest System Lands and are under special use permit with the Uinta National Forest. This analysis considered and references the analysis done as part of the original Strawberry Hazardous Fuels Reduction project proposal.

### **PROPOSED ACTION**

The Forest Service proposes to reduce accumulations of fuels in and around the Bryant's Fork Summer Home Tract ([see attached map](#)). Cabin owners are responsible for maintaining firebreaks and reduced fuel loads on their lots. However, the Bryant's Fork Summer Home Tract includes 5 vacant lots. The proposed action consists of pruning tree limbs, thinning understory trees, and removing brush on the 5 vacant lots (Lots #12, #14, #22, #26 and #42). The proposed action also includes a similar treatment within a strip (the "Shaded Fuel Break") approximately 100 feet in width surrounding (adjacent to but not encompassing any lots) the Tract. The strip treatment will utilize current and natural fuel breaks whenever possible. The road and creek to the north and the power line corridor to the east will form parts of the fuel break. To the south and west the fuel break will follow natural openings and contours in the existing vegetation as much as possible to minimize the impacts to larger trees and visual quality. Slash created will be piled for burning, chipped or left next to the road for firewood collectors where it is large enough to be utilized as firewood. The area encompassed by the fuel break is approximately 75 acres of which approximately 10 acres will receive an actual treatment.

The project will be implemented after July 15<sup>th</sup> to avoid any potential impacts to migratory birds nesting in the area.

## **PURPOSE AND NEED**

The purpose of this project is to reduce the severity of a wildfire within and immediately surrounding the Summer Home Tract by reducing accumulated fuels and thus increasing the level of public safety. The need arises from the accumulation of fuels over time in the area which could increase the severity of a forest fire in and around the summer homes.

## **DECISION AND REASONS FOR MY DECISION**

It is my decision to implement the project as described above. My decision is based on the following factors and issues brought forward during the scoping process:

1. The project will increase the level of safety for the cabin owners and for the public using the area by providing a more fire safe environment. The project will make protection of the structures easier and safer (i.e., firefighter safety). In the event of a wildfire in the surrounding area, the reduction of surface and ladder fuels will slow the spread of a fire approaching the cabins, reduce the chance of the surface fire moving into the crowns, and make defending the homes more efficient through this pre treatment of the fire line area.
2. There will be minimal ground disturbance. All work will be performed using chainsaws and manual labor. No vehicles will be used off classified roads.
3. A survey for cultural resources was conducted, and no historical or archeological sites of any kind were found. (Documentation of finding is in project folder filed at the Heber Ranger District office)
4. No private land will be impacted by this activity.
5. No roads will be constructed and no herbicides will be used for this project.
6. The proposed action will have no effect on Federally listed threatened or endangered aquatic or terrestrial wildlife species or on Forest Service - Region 4 listed sensitive aquatic or terrestrial wildlife species. (Documentation in project folder filed at the Heber Ranger District office)
7. The proposed action will have no effect on Federally listed threatened or endangered plant species. (Documentation of finding is in project folder filed at the Heber Ranger District office)
8. The proposed action will accomplish the purpose and need for this project previously described in this document.

## **CATEGORICALLY EXCLUDING THIS PROJECT**

The proposed action is categorically excluded from documentation in an environmental impact statement or environmental assessment. Forest Service Handbook 1909.15 states that *“a proposed action may be categorically excluded from further analysis and*

documentation...only if there are no extraordinary circumstances related to the proposed action and if:” ... “ the proposed action is within a category listed in section 31.1b or 31.2.” (FSH 1909.15, section 30.3 (ID\_1909.15-2002-2)) The proposed action is within two of the Forest Service Chief’s categories for categorical exclusion (Forest Service Handbook 1909.15, Section 31.2, No. 6 and No. 10):

6) “Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction. Examples include but are not limited to: ...”

“b. Thinning or brush control to improve growth or to reduce fire hazard including the opening of an existing road to a dense timber stand”.

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”.

The project is within Wildland Urban Interface (WUI), is not in wilderness, contains no new or temporary road construction and will not involve the use of pesticides or herbicides.

FSH 1909.15, Section 30.3 (WO Interim 1909.15-2002-2) lists the following as ‘extraordinary circumstances’:

- 1 Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The Forest Service has determined that this project will not adversely affect any federally protected species or critical habitat (documentation in project file).
- 2 Floodplains, wetlands, or municipal watersheds – The Forest Service has determined that this project will not adversely affect floodplains, wetlands or municipal watersheds. While there are wetlands within the project area, there will be no activity within them.
- 3 Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – The project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any congressionally designated areas.
- 4 Inventoried roadless areas (IRAs) – The project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any inventoried roadless areas. (IRAs are mapped in Appendix C to the FEIS for the 2003 Forest Plan. The nearest IRA is the Two Tom Hill Roadless Area which is shown on page C-9 in the FEIS for the 2003 Revised Forest Plan).
- 5 Research natural areas – The project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any research natural areas.

- 6 American Indians and Alaska Native religious or cultural sites – Based on site investigations during the summer of 2002 and scoping, the project area is not known to include, and the project would not have any direct, indirect or cumulative impacts on any American Indian religious or cultural sites.
- 7 Archeological sites, or historic properties or areas - As indicated by a survey for cultural resources conducted during the summer of 2002, the project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any archeological sites, or historic properties or areas.

The proposed action will be of limited context and intensity and capable of producing little or no significant environmental effects (40 CFR 1508.4) individually or cumulatively on the quality of the human environment; is within a category listed in FSH 1909.15; and there are no extraordinary circumstances related to the proposed action.

## **PUBLIC INVOLVEMENT AND SCOPING**

An interdisciplinary team of Forest Service specialists reviewed this project. Input from this team was incorporated in the design of the proposed action.

A request for comments was published in the *Provo Daily Herald* on September 3, 2003. In addition, on December 12, 2003 a scoping letter was sent to interested parties listed on the Heber Ranger District's mailing list as well as the Bryant's Fork cabin owners. These documents, notices and responses are contained in the project file located at the Heber Ranger District Office. The responses were generally supportive of the proposal. Potential affects to TES and the ineffectiveness of the project in regards to decreasing structure flammability were cited as issues .

## **FINDINGS REQUIRED BY OTHER LAWS**

This project area lies within the Strawberry Reservoir Management Area as identified in the 2003 Uinta National Forest Land and Resource Management Plan (Forest Plan). The management prescriptions for the project are 8.4 - Recreation Residences (Forest Plan, page 5-132) within the actual tract, and 5.2-Forested Ecosystems – Vegetation Management (Forest Plan, page 5-132) to the south and west. The project area is overlain with management prescription 7.0 – Wildland Urban Interface (Forest Plan, page 5-132). The ROS (Recreation Opportunity Spectrum) designation for the area is 'Roaded Modified' (Forest Plan, page 5-133). The VQO (Visual Quality Objective) is 'Partial Retention' (Forest Plan, Page E-7).

The project is consistent with Forest Plan Sub-goal G-8-7 - "*Critical Infrastructure, such as roads and administrative and recreation sites, are protected*". The project is also

consistent with applicable standards and guidelines from the Forest Plan including Guideline MP-8.3-2 which states: “*Vegetation management is limited to activities or treatments that provide scenic quality and healthy vegetation while providing for fire prevention and public safety.*” (Forest Plan, Pages 2-22 and 3-51). My decision is consistent with all applicable Forest-wide, Management Prescription, and management area Forest Plan direction.

There are floodplains and wetlands within the project area, but these areas would not be impacted by any activity within them. The proposed action would cause little if any soil disturbance and therefore, would not impact water quality. The project is consistent with the Clean Water Act. Equipment used in implementing the project would generate a very minimal amount of air pollutants, and therefore, the project is in compliance with the Clean Air Act. The site was visited by the Forest Service biologists who determined that there would be “no effects” on threatened or endangered species, and “no effects” on Forest Service sensitive species. Boreal toad, a Forest Service sensitive species, would not be affected. The proposed action is consistent with the Endangered Species Act. No adverse impacts on birds are anticipated, and this decision is consistent with the Migratory Bird Treaty Act or Executive Order 13186. There will be no sub-surface activity; and therefore, no implications on mineral resources. No cultural resources would be affected as no historical or archeological sites are present on the project area. The decision is consistent with the National Historic Preservation Act, the American Indian Religious Freedom Act, and the Native American Graves Protection and Repatriation Act.

There is a currently developing spruce bark beetle (*Dendroctonus rufipennis*) infestation in the spruce stands near or adjacent to the Summer Home Tract. This developing insect infestation will result in a large number of dead or dying trees in the area. A treatment for the spruce beetle infestation including the use of Lindgren Funnel Traps and felling ‘trap trees’ was authorized on May 7<sup>th</sup>, and is currently being implemented. Further management actions for long term management are being proposed. If this infestation and these dead and dying trees are left untreated, fuel loadings in these stands will increase substantially. If additional spruce beetle treatments are initiated, the fuel loadings and associated risk of intense wildfire impacting the Summer Home Tract will likely still be greater than existing levels, but fuel loadings and the risk would be less than with the no spruce beetle treatment option. Because of this and irregardless of if and how the developing spruce beetle infestation is addressed, the Shaded Fuel Break project is important to reduce the risk of intense wildfire damage to the Summer Home Tract. The Shaded Fuel Break will pass through pockets of the developing spruce beetle infestation directly adjacent to Lots #1 and #13. As in the other areas of the Fuel Break, the treatment will focus on removal of ground, surface and ladder fuels. While these two situations adjoin each other, they will not significantly affect each other. The Shaded Fuel Break treatment will have minimal affect on the beetle infestation or any of its possible outcomes. There may be some dead or infested trees removed from the Shaded Fuel Break treatment area during treatment of the infestation. Although the need for the Shaded Fuel Break project is influenced by the recent spruce beetle outbreak, implementation of the Shaded Fuel Break would be separate and independent from (i.e.,

not connected to/with) treatment of the recently developing spruce beetle infestation. If a spruce beetle project proposal is subsequently developed, any additive or cumulative effects of that proposal with those from the Shaded Fuel Break project, would be considered in the environmental analysis conducted for the spruce beetle treatment project proposals.

In accordance with Executive Order 12898, this action will not result in any disproportionate impact to minority or low-income populations.

Implementation of this proposal is consistent with other Federal, State, and local laws for the protection of the environment.

### **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

Pursuant to 36 CFR 215.12 (f), this decision is not subject to a higher level of review or appeal.

### **IMPLEMENTATION**

Implementation of this project may begin immediately. However, the project will not be implemented until after July 15<sup>th</sup> to avoid any potential impacts to migratory birds.

### **CONTACT PERSON**

For further information please contact Interdisciplinary Team Leader Jim Gibson or District Ranger Julie King at the Heber Ranger District Office, 2460 South Highway 40, Heber City, UT, 84032 or by phone at (435) 654-0470.

\_\_\_/S/ Julie K King \_\_\_\_\_  
JULIE K KING  
District Ranger  
Heber Ranger District  
Uinta National Forest

\_\_\_\_\_06/17/2004\_\_\_\_\_  
Date