BACKGROUND

This decision approves implementation of a project in the ongoing program of hazard tree reduction adjacent to high-use level roads across the Beaverhead-Deerlodge National Forest. These roads have been selected for hazard tree removal because they are used extensively by the public and employees. One of the most basic and important services the agency provides is ensuring that facilities including roads are maintained in a safe condition for use by the public.

Bark beetle tree infestation of lodgepole pine began occurring on the Beaverhead-Deerlodge National Forest (BDNF) over ten years ago. The epidemic-scale progression of tree mortality and decline moved from the north to south over those years. Dead trees can present safety hazards along motorized routes. Hazard tree removal projects have followed that mortality to the south end of the forest including the Dillon District. The forest utilized a Forest-wide Roadside Hazard Prioritization Process in order to assess priority areas for treatment of these safety hazards. This process takes into account tree mortality patterns to identify likely hazard tree locations.

The roads selected for hazard tree removal in this decision were initially identified through the forest process noted above. Field visits to the roads confirmed significant increase in beetle activity, tree mortality, and hazard tree presence. These field visits also refined the list of roads with hazard trees as reflected in Table 1 in the decision section of this document.

PURPOSE AND NEED

The purpose and need for this project is as follows:

- To maintain public safety by mitigating the hazardous conditions created by dead, dying, and structurally unsound trees directly adjacent to high priority National Forest System (NFS) roads as described in Forest Service Handbook direction (FSH 7709.58 – Transportation System Maintenance Handbook).
- To meet the Beaverhead-Deerlodge National Forest Land and Resource Management Plan (Forest Plan) Goal for Infrastructure – Transportation System: Roads and trails are constructed, managed, and maintained to meet land and resource objectives (Forest Plan, pg 23). One of the agency’s top land and resource management objectives is to maintain public and employee health and safety.

DECISION

To achieve the purpose and need, I have decided to implement the following:

- Removal of dead, dying, or structurally unsound trees determined to pose a hazard along several system roads on the Dillon Ranger District as displayed in Table 1 below and the attached decision map.
• Removal of trees within an identified corridor along each road. The corridor would vary, depending on the slope and height of the trees, up to approximately 150 feet maximum distance along both sides of the roadways.
• Whole-tree yard felled trees to landing areas. Where accessible, landing slash may be chipped and removed; otherwise it may be piled and burned to meet fuels and visual standards.
• Existing roads will be used for all activities. No permanent or temporary roads will be constructed. No treatment along unauthorized routes is included in this decision.
• Trees and other vegetation that do not pose a public safety hazard will be retained, and areas along these routes where there are no dead, dying, or structurally unsound trees will be excluded from treatment.
• Removal of roadside vegetation will occur where necessary to meet site distance standards for safety.

Table 1. Roads Proposed for Hazard Tree Removal

<table>
<thead>
<tr>
<th>District</th>
<th>Forest Service Road (FSR) Number</th>
<th>Road Name</th>
<th>Dates Road Open</th>
<th>Miles of Road with Hazard Tree Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dillon</td>
<td>181</td>
<td>BLOODY DICK</td>
<td>Year-round</td>
<td>4.5</td>
</tr>
<tr>
<td></td>
<td>7301</td>
<td>WEST COYOTE CREEK</td>
<td>Year-round</td>
<td>2.6</td>
</tr>
<tr>
<td></td>
<td>7301A</td>
<td>LODGEPOLE RIDGE</td>
<td>Year-round</td>
<td>0.1</td>
</tr>
<tr>
<td></td>
<td>7301A</td>
<td>LODGEPOLE RIDGE</td>
<td>December 3 to October 14</td>
<td>0.3</td>
</tr>
<tr>
<td></td>
<td>7301B</td>
<td>COYOTE RIDGE</td>
<td>December 3 to October 14</td>
<td>0.6</td>
</tr>
<tr>
<td></td>
<td>7340</td>
<td>HORSE PRAIRIE</td>
<td>Year-round</td>
<td>1.1</td>
</tr>
<tr>
<td></td>
<td>7402</td>
<td>BENCH</td>
<td>Year-round</td>
<td>0.3</td>
</tr>
<tr>
<td></td>
<td>7491</td>
<td>EAST SELWAY</td>
<td>Year-round</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>7491</td>
<td>EAST SELWAY</td>
<td>Open July 2 to March 31</td>
<td>5.2</td>
</tr>
<tr>
<td></td>
<td>919</td>
<td>SELWAY CREEK</td>
<td>Year-round</td>
<td>9.8</td>
</tr>
<tr>
<td></td>
<td>919</td>
<td>SELWAY CREEK</td>
<td>Open July 2 to March 31</td>
<td>3.7</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>Miles 28.2</strong></td>
</tr>
</tbody>
</table>

**DESIGN CRITERIA**

• No ground-based mechanized equipment will be allowed within Riparian Conservation Areas (RCAs) (Forest Plan Glossary pg. 300). Prior to application of hazard tree prescriptions in these RCAs, boundaries will be delineated by an aquatics specialist.

• Prescriptions within RCAs may include selective harvest, felling of trees and leaving tree boles for large woody debris recruitment, and/or other similar treatments that further riparian management objectives.
• Best Management Practices for reducing road related sediment will be applied at existing sediment delivery points on haul routes.

• All heavy equipment will have an undercarriage wash and be inspected prior to entering National Forest System lands to prevent the spread of noxious weeds.

• Noxious weeds will be controlled following procedures in the Noxious Weed Control Program Record of Decision (2002) for the Beaverhead-Deerlodge National Forest.

• No landings will be located in meadows, parks, or riparian areas.

• Log landings will be located in noxious weed free areas, or if no weed free areas are available, the site will be treated prior to use to minimize noxious weed seed production and spread.

• Disturbed areas will be monitored to ensure soil stabilization occurs through natural revegetation from the soil seed bank. If additional plant seed is required, areas of compacted soil will be scarified prior to seeding and only native species common to the site will be used.

• All seed and mulch material will be certified noxious weed seed free.

• If whitebark pine is found in any harvest unit, it will be protected to the extent possible by: (1) retaining all whitebark pine 3” dbh or greater through avoidance; (2) designating skid trails that avoid whitebark pine; and (3) directionally felling hazard trees to avoid damaging whitebark regeneration.

• If an unknown population of sensitive plants is encountered during implementation, the project will be halted in that area until the Forest Botanist determines appropriate mitigation.

• If currently unknown cultural resources are discovered during project implementation, operations affecting that discovery will be curtailed until the site is evaluated by a Forest Archaeologist.

• Identified cultural/archeological sites will be flagged and avoided, and maps with site locations will be provided to the sale administrator, to ensure sites will be avoided.

• Timing of project activities will be consistent with existing road and travel management.

• If hazard trees adjacent to gates that close routes are removed (thereby creating room for vehicles to drive around gates) earthen or unmovable barriers on either side of the gates may be constructed to prevent motorized incursion in closed areas.

• During summer logging operations, traffic delays will be less than 15 minutes with no hauling or logging activities on weekends, Monday holidays, and after 3:00 pm on Fridays.
• Treatment units along FSR #7491 & 7340 with a high mass movement hazard rating will be reviewed by a Forest Service Soil Scientist prior to harvest activities to ensure soil standards are met.

• Ground based yarding will not occur on slopes exceeding 35 percent that have not had a site-specific evaluation by a soil scientist determining that damage is unlikely and soil goals and objectives would be met.

• Harvest activities will not occur unless soils are dry or frozen and/or adequately snow covered as determined by the Forest Service in order to minimize potential compaction and/or rutting.

• Hazard tree unit boundaries will avoid wet areas. Units that have the potential to remain wet dependent on annual precipitation, will be monitored by a Forest Service Soil Scientist to ensure dry conditions prior to harvest activities beginning.

• Skid trails will be spaced strategically and adequately drained in order to prevent overland water flow. Drainage structures or slash will be placed on skid trails and left over the winter to reduce erosion potential during higher flows associated with the spring season. Slash will be placed on skid trails to prevent erosion and to discourage ATV use.

• All harvest activities, including the location of landings, will avoid the sagebrush habitat type as well as meadows, parks, or riparian areas and no sagebrush will be removed.

• Rubber-tired skidders will be used for skidding logs unless otherwise agreed to by the Forest Service.

• Tracked equipment using the same trail to enter and exit a unit will do so without turning around to avoid excessive soil disturbance.

• Slash at landings will be piled in order to reduce the footprint on the soil and piles will be burned when the soil is cold/frozen and moist.

• Stumps will be cut as low as possible along all roads.

• Dispose of slash piles as soon after treatment as practicable.

• Create natural appearing, meandering edges, and tie units into existing meadows and clearings, especially in the elements of form and line, along FR181 where coincident with the Nez Perce National Historic Trail. This may require additional clearing width beyond the falling distance of hazard trees.

• Retain smaller, low-branched trees on the edges of the units to minimize a "bole-edge effect", where feasible.
• Currently known nest site locations for threatened, endangered or sensitive raptors (including northern goshawks and great gray owls) that could be affected by project activities will be surveyed prior to implementation. If nest sites that could be affected by project activities are found to be active, limited operating periods and nest buffers will be applied. Example limited operating periods and nest buffers, based on species needs and site-specific considerations are described in Table 2 below.

• If currently unknown active nest sites for threatened, endangered or sensitive raptors (including northern goshawks and great gray owls) are found during implementation, limited operating periods and nest buffers will be applied. Examples of mitigations, based on species needs and site-specific considerations, are described in Table 2 below.

<table>
<thead>
<tr>
<th>Species</th>
<th>Breeding season limited operating period</th>
<th>Nest buffer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern goshawk</td>
<td>4/15 – 8/15</td>
<td>40 acres</td>
</tr>
<tr>
<td>Great gray owl</td>
<td>3/15 – 7/17</td>
<td>30 acres</td>
</tr>
</tbody>
</table>

**DECISION RATIONALE**

Hazard tree removal on forest roads that are designed for and maintained for frequent public and employee use is an integral aspect of the maintenance of these roads. Removal of trees that are dead, dying, or structurally unsound within falling distance of roads is consistent with Forest Service policy as stated *Forest Service Handbook* direction (FSH 7709.58).

I have decided to implement the above described actions on high priority forest roads on the Dillon Ranger District because they support the forest-wide hazard tree program, contribute to the Forest Plan goal for infrastructure and they mitigate hazardous tree reduction and increase safety for both the public and employees travelling on these routes. Therefore, I have decided to implement the decision as described above.

**REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION**

An action may be categorically excluded from further analysis and documentation in an environmental impact statement (EIS) or environmental assessment (EA) if it is within one of the categories identified by the USDA in 7 CFR part 1b.3 or a category listed at 36 CFR 220.6(d) or (e), 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.

This project and decision has been reviewed in accordance with FSH 1909.15 Chapter 30. With assistance from the interdisciplinary team responsible for identifying and documenting potential environmental effects of this action, I have determined that this project fits within the following category:

36 CFR 220.6(d)(4): *Repair and maintenance of roads, trails, and landline boundaries.*

My determination is based on the fact that hazard tree removal is an integral and necessary maintenance action on high-use level roads consistent with Forest Service Handbook direction (*FSH 7709.58 – Transportation System Maintenance Handbook*).
By definition, categorical exclusions do not individually or cumulatively have significant effects on the human environment (40 CFR 1508.4). Resource reports included in the project file document the analyses. These analyses estimate potential direct and indirect effects that could result from implementation of this decision. If direct/indirect effects were projected, these were coupled with past, present, and reasonably foreseeable actions to determine potential cumulative effects at appropriate scales.

The interdisciplinary team performed effects analyses which determine the cause-effect relationship between the proposed action and the resource conditions listed at 36 in FSH 1909.15 Chapter 30 (31.2) to determine whether any extraordinary circumstances exist and thus suitability for a categorical exclusion. The mere presence of one or more of the resource conditions listed in the table below does not preclude use of a categorical exclusion. Rather, the question is whether a cause-effect relationship exists between the proposed action and the degree of potential effect on these resource conditions; and if such a relationship exists, whether the degree of potential effect raises uncertainty over its significance. If the degree of potential effect raises uncertainty regarding its significance then an extraordinary circumstance exists, precluding use of a categorical exclusion.

Table 3 provides final determinations regarding the cause-effect relationship between the proposed actions and degree of potential effect on extraordinary circumstances. Summaries of the determinations of potential effect to the extraordinary circumstances are summarized in the table below. More detailed information that lead to the summary determinations can be found in resource specialist reports in the project file.

<table>
<thead>
<tr>
<th>Extraordinary Circumstances</th>
<th>Degree of Potential Effect</th>
</tr>
</thead>
</table>
| Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. | *Endangered, Threatened, Proposed Species:* May affect but not likely to adversely affect **Grizzly Bear** and **Canada Lynx**.  
*Sensitive Species:* May impact individuals or habitat, but would not contribute to a trend towards federal listing or loss of viability to the population or species for the following **wildlife species:** black-backed woodpecker, flammulated owl, grey wolf, wolverine, west slope cutthroat trout, boreal toad, and western pearlshell mussel.  
The following sensitive **plant species** have potential to occur within the project area, Lemhi penstemon (*Penstemon lemhiensis*) and Whitebark pine (*Pinus albicaulis*). The potential effect to both are: May impact individuals or habitat, but would not contribute to a trend towards federal listing or loss of viability to the population or species.  
No impact to any other sensitive wildlife, aquatic, or plant species. |
| Floodplains, wetlands, or municipal watersheds                                             | No ground-based mechanized harvest activities would occur within 50 feet of perennial streams and within Riparian Conservation Areas (RCAs); wet areas would be excluded from the project unless trees can be removed without affecting the soil and vegetation (e.g. winter logging over frozen ground) as described in the design features section of the proposed action; there are no municipal watersheds in the project area. Therefore, no negative impacts to floodplains, wetlands, municipal watersheds are projected. |
| Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas | The Nez Perce National Historic Trail runs through the project area. The trail in this case is coincident with FSR 181 however negative impacts to the trail are not anticipated. The Continental Divide National Scenic Trail runs along the western boundary of the project area however no actions are proposed near |
Extraordinary Circumstances | Degree of Potential Effect
--- | ---
Inventoried roadless areas or potential wilderness areas | this trail therefore no impacts are expected. Therefore no Congressionally designated areas would be negatively impacted by this proposal.

Three Inventoried Roadless Areas (IRAs) overlap spatially with hazard tree removal areas adjacent to roads proposed for treatment. These IRA’s include:

<table>
<thead>
<tr>
<th>IRA Name</th>
<th>IRA Size</th>
<th>Treatment acres &amp; Percent of area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saginaw Creek (No. 1-004)</td>
<td>8,825 acres</td>
<td>15 acres 1.7%</td>
</tr>
<tr>
<td>West Big Hole (No. 1-943B)</td>
<td>15,069 acres</td>
<td>4 acres 0.03%</td>
</tr>
<tr>
<td>Tash Peak (No. 1-005)</td>
<td>64,866 acres</td>
<td>120 acres 0.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>139 acres in IRA</strong></td>
<td></td>
</tr>
</tbody>
</table>

None of these IRAs were recommended for Wilderness designation in the 2009 Beaverhead-Deerlodge Forest Plan.

Dead, dying, and structurally unsound hazard trees are proposed for removal within a corridor up to 150 feet from the road edge on the roads identified Table 1. These activities will occur within a narrowly specified corridor where current roadless values are low due to: existing roads, motorized use occurring on these roads, and other development and/or use that currently occurs on the 139 acres proposed for hazard tree removal. These conditions that create low roadless area values are expected to continue regardless of the proposed action. The proposed hazard tree removal will not further degrade these values. As such, no measurable effects to the roadless and wilderness attributes of these IRAs are expected as a result of the proposed action.

Research Natural Areas (RNA) | Horse Prairie RNA is along the lower edge of the project area, however hazard tree removal is not proposed on that section of road that access the RNA. Therefore, negative impacts to the RNA are not projected.

American Indians and Alaska Native religious or cultural sites | Cultural and/or archeological sites will be flagged and will be avoided. Maps of known site locations will be provided to ensure sites are avoided. Therefore, negative impacts to religious or cultural sites, archaeological sites, or historic properties or areas are not projected.

I have reviewed the reports for detailed descriptions of the methods and data used to come to the determinations of potential effect summarized in Table 3. Based on extensive past experience implementing roadside hazard-tree removal projects on forest, site-specific environmental analysis using the best available science, sound methodologies and readily available data used by resource specialists to perform effects analyses, I am confident that this project would have no significant effect on the human environment, individually or cumulatively, and no uncertainty exists regarding the significance of the degree of potential effect. Therefore, no extraordinary circumstances exist that would preclude use of a categorical exclusion.

In addition to the absence of any extraordinary circumstances, the actions authorized in this decision fit within the 36 CFR 220.6(d)(4): Repair and maintenance of roads, trails, and landline boundaries category as discussed above and therefore this decision may be categorically excluded from documentation in an EA or EIS.
SCOPING AND PUBLIC INVOLVEMENT

The proposal was added to the Schedule of Proposed Actions (SOPA) for the BDNF in March 2015. A cover letter and document describing both the proposed action and preliminary environmental effects were sent to ninety-five individuals, organizations, governments, adjacent landowners, and other potentially interested or affected parties on April 14, 2015. We received no written or verbal responses or comments in response to scoping.

FOREST PLAN DIRECTION AND CONSISTENCY WITH STANDARDS

This decision is consistent with Forest Plan direction including all applicable standards as documented in each of the specialist reports by resource in the project file. As stated in the Forestwide Goals, Objectives, and Standards introductory paragraph, “These goals, objectives and standards do not alter any legal or statutory rights such as mineral development or private lands access or reduce the need to provide public or employee safety” (FP, page 12) (emphasis added).

Specifically this decision addresses:

**Forestwide Goal:** Transportation System: “Roads and trails are constructed, managed, and maintained to meet land and resource objectives” (FP, page 23). One of the agency’s top land and resource management objectives is to maintain public and employee health and safety.

FINDINGS REQUIRED BY LAW

**National Forest Management Act** - The Forest Plan has been reviewed in consideration of this project and the project meets all applicable management direction found in the 2009 Beaverhead-Deerlodge Forest Plan including consistency with all applicable standards.

**Endangered Species Act** - A Biological Assessment was sent to the U.S. Fish and Wildlife Service on July 8, 2015; concurrence was received from the USFWS on August 31, 2015. This project is consistent with the requirements of the Endangered Species Act.

**Sensitive Species (Forest Service Manual 2670)**¹ - Our review of the potential effects of this decision upon the sensitive species has been completed and the analysis documented in the project file and summarized in Table 3.

**Environmental Justice (Executive Order 12898)** - This Order requires consideration of whether projects would disproportionately affect minority or low-income populations in or around the project area. Based on internal review and public scoping, the proposed action did not identify any adversely impacted local minority or low-income populations.

**Clean Water Act** – The Forest Service complies with this Act through the use of Best Management Practices (BMPs). This decision incorporates Best Management Practices to ensure protection of soil and water resources and complies with the Clean Water Act and State water quality standards.

**Clean Air Act** – Impacts to air quality have been considered for this decision. All burning will be conducted under the guidelines of the Idaho/Montana State Airshed group. Burn permits will be obtained per Montana DEQ regulations.

¹ Regional Forester approved the sensitive species list on February 25, 2011 (updated August 26, 2011 to include white bark pine which reflects the inclusion of species as a candidate for listing on the USFWS TES list for the BDNF as of July 2, 2013.)
The National Historic Preservation Act – As discussed earlier in this document and in detail in the project file, impacts to cultural resources are not expected.

Migratory Bird Treaty Act – There will be no known losses of migratory bird habitat expected from the implementation of this proposal.

National Environmental Policy Act - This document and the project record provide documentation for this decision which supports compliance with this act.

Roadless Area Conservation Rule - Hazard tree removal proposed in this project is excepted from the prohibition on cutting, sale, or removal of timber within IRAs if it is incidental to the implementation of a management activity not otherwise prohibited by 36 CFR 294.13. The management activity that removal of hazard trees is incidental to is:

Any necessary timber cutting or removal or any road construction or road reconstruction in emergency situations involving wildfire suppression, search and rescue operations, or other imminent threats to public health and safety in inventoried roadless areas 36 CFR 294.13(b)(2).

The management actions authorized by this decision are incidental to reducing imminent threats to public health and safety caused by dead, dying, or structurally unsound trees within falling distance of Forest Service system roads and meets the description above of activities excepted. In addition, under 36 CFR 294.12 (c), “Maintenance of classified roads is permissible in inventoried roadless areas.” The decision is in compliance with the rule.

Other Laws or Requirements – The proposed action is consistent with all other Federal, State, and/or local laws or requirements.

IMPLEMENTATION
Implementation of this decision may begin immediately but is scheduled to commence sometime in early fall of 2015.

CONTACT PERSON
Supporting documentation for this decision is available for public review at the Dillon Ranger District Office in Dillon, MT.

Further information about the decision can be obtained from the Dillon District Office during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) in Dillon, MT. Or by phone: 406-683-3988; by mail at 420 Barrett St. Dillon, MT 59725 or by e-mail: at swshuler@fs.fed.us.

RESPONSIBLE OFFICIAL

/s/ Melany Glossa 3 September 2015
MELANY GLOSSA Date
FOREST SUPERVISOR

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