DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT FOR THE BUCKEYE RESERVOIR HAZARD FUELS THINNING PROJECT FINAL ENVIRONMENTAL ASSESSMENT

Forest Service
Intermountain Region

Manti-La Sal National Forest
Moab/Monticello Ranger District

Montrose County, Colorado
San Juan County, Utah

October 2008
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual’s income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA’s TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.
TABLE OF CONTENTS

INTRODUCTION ....................................................................................................................................................1
  Background..........................................................................................................................................................1
DECISION...........................................................................................................................................................2
DECISION RATIONALE ......................................................................................................................................2
  Threatened Or Endangered Species Or Designated Critical Habitat, Species Proposed For Federal Listing Or
  Proposed Critical Habitat, Or Forest Service Sensitive Species .................................................................4
  Flood Plains, Wetlands, or Municipal Watershed: ..........................................................................................4
  Congressionally Designated Areas: ................................................................................................................5
  Inventoried Roadless Areas: ..........................................................................................................................5
  Research Natural Areas: ..................................................................................................................................5
  Cultural or Archaeological Sites and American Indians and Alaska Native Religious or Cultural Sites: ......5
ALTERNATIVES CONSIDERED ..........................................................................................................................5
PUBLIC INVOLVEMENT ......................................................................................................................................5
FINDING OF NO SIGNIFICANT IMPACT ............................................................................................................6
FINDINGS OF CONSISTENCY ............................................................................................................................7
IMPLEMENTATION DATE AND APPEAL RIGHTS .............................................................................................8
CONTACT ...............................................................................................................................................................8
APPENDICES ..........................................................................................................................................................1
  APPENDIX A - LITERATURE CITED ................................................................................................................1
  APPENDIX B - MAPS ........................................................................................................................................1
  APPENDIX C - DESIGN FEATURES & MONITORING ....................................................................................1
  DESIGN FEATURES............................................................................................................................................1
    Noxious and Invasive Plants ..........................................................................................................................1
    Rangeland Allotment ..................................................................................................................................1
    Wildlife Resources ......................................................................................................................................1
    Fuels and Fire Behavior ..............................................................................................................................1
    Recreation ...................................................................................................................................................2
    Visual Landscape .......................................................................................................................................2
    Cultural Resources .....................................................................................................................................2
    Forest Vegetation .....................................................................................................................................2
    Transportation System ...............................................................................................................................2
    Watershed/Soils ..........................................................................................................................................3
  MONITORING ....................................................................................................................................................4
INTRODUCTION

This Decision Notice (DN) document describes my rationale and decision regarding the Buckeye Reservoir Hazard Fuels Thinning Project on the Moab District of the Manti-La Sal National Forest. My decision and findings are based on the analysis documented in the Buckeye Reservoir Hazard Fuels Thinning Project Final Environmental Assessment (EA) (USDA Forest Service 2008a) and its supporting Project Record which are incorporated by reference in this document. This analysis and decision tier to the Manti-La Sal National Forest Final Environmental Impact Statement and the Manti-La Sal National Forest Land and Resource Management Plan (1986, as amended).

The proposal for development of an EA under authority of the Healthy Forest Restoration Act of 2003 (HFRA) was presented to the public in March 2008. The purpose of this proposal is to reduce fuel loading, stand and crown/canopy density, and resultant fire hazard to forest vegetation, administrative sites, the public, and private property within this Wildland Urban Interface area.

Background

Beginning in the 1990s, numerous reports of the destructive effects of catastrophic fire, particularly in the western States, increased awareness that many Federal forests and rangelands were considered at high risk of sustaining large-scale insect or disease epidemics or catastrophic fire. The severity of the problem was recognized by the U.S. Congress in 2001 and measures were taken to address these concerns; including funding of the National Fire Plan, development of A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: 10-Year Strategy Implementation Plan, authorization of new categorical exclusions to expedite the NEPA process, and to further expedite hazardous fuels reduction projects the HFRA was passed in 2003.

In 2005, during a rapid assessment process, a Manti-La Sal National Forest Interdisciplinary team identified the Buckeye Reservoir Recreation Area as a priority area to reduce hazard fuel conditions (USDA Forest Service 2005a). Due to the exclusion of fire, forested stands (primarily Ponderosa pine) within the project area have fuel loadings, densities, ladder fuels (shrubs and young trees), and continuous crown canopies that predispose the stands to excessive damage from large fires. Some past precommercial thinning activities have also contributed to fuel loading in the project area.

A Fire Regime, Condition Class assessment was completed on this watershed in February 2005 (USDA Forest Service 2005b). This project is in an area where shrubs and ponderosa pine are common and representative of Fire Regime I and are in Condition Class 3; descriptive of an area of frequent historic fire return interval, with a significant departure from the historic condition, and a corresponding high risk of ecosystem damage as well as a serious risk to public safety attached to fires started or burning under extreme fuel and weather conditions. A risk of loss of key ecosystem components and high risk of damage to private property or interior improvements exists in Condition Class 3 lands.

Although it is not next to a large community, the campground, administrative facilities, forest visitors, and adjacent private lands with summer cabins, trailers, and other out-buildings are potentially at risk from fire. Dense, layered ponderosa pine stands have proven susceptible to fire due to heavy down dead and live fuel layers (gambel oak and other shrub species) that have increased with lack of natural fire activity.

In August 2005, following collaboration efforts, this project was presented to the public for comment and subsequently a decision was made to implement in July 2006. This project was originally analyzed and a decision made (USDA Forest Service 2006a) under authority of Categorical Exclusion 10 for Hazardous Fuel Reduction (FSH 31.2 – 10).

On December 5, 2007 the United States Court of Appeals for the Ninth Circuit issued a ruling precluding further implementation of Forest Service Categorical Exclusion 10 for Hazardous Fuel Reduction. Subsequently, it was
determined that the Decision Memo for the Buckeye Reservoir Hazard Fuels Thinning Project signed by Lee Johnson on July 26, 2006 was not valid, necessitating completion of an EA.

**DECISION**

I have decided to implement Alternative B – Proposed Action (see EA 2.2.3 and Appendices B and C of this decision notice). This decision authorizes the reduction of fuel hazards within the Buckeye Reservoir Recreation area by reducing tree and deciduous shrub densities through thinning, weeding, and prescribed burning on approximately 780 acres of a 2,500 acre project area. The following will be implemented through a combination of timber sale contract, personal service contract, stewardship contract, or force account crews (Forest Service):

1. Within about 650 acres, ponderosa pine will be commercially thinned from between 370 and 530 acres. Eight inch DBH (diameter at breast height) and larger ponderosa pine trees will be removed to thin ponderosa pine stands to create or maintain open, park-like forest structures with reduced susceptibility to the occurrence of stand-replacing fire. Trees will be thinned to densities between 60 and 90 square feet BA (basal area). Removal of included timber to reduce large woody fuels would be through ground-based systems (i.e. tractors, mechanized harvesters, forwarders).

2. About 780 acres (inclusive of the commercial thin area) will receive precommercial thin and weeding treatments (thinning/weeding of non-commercial size trees and shrubby hardwoods utilizing chainsaw or machine shear/chop equipment) to reduce layering from deciduous shrubs (gambel oak and other shrub/brush species) and small ponderosa pine trees. Gambel oak cut will be less than 6 inches DBH and ponderosa pine cut will be less than 8 inches DBH in areas outside of commercial thin areas. These trees and shrubs will generally be removed from within a 20 feet radius of desirable ponderosa pine greater than 12 inches DBH and 15 feet radius of desirable ponderosa pine trees less than 12 inches DBH. Spacing may vary as much as 50% to provide a natural stand structural appearance. Yellow-bark character ponderosa pine will be treated as described in item 5, below.

3. Utilize existing system roads and between 0.5 and 0.7 miles of temporary road for log haul. Temporary roads include about 0.2 miles of new construction and between 0.3 and 0.5 miles of existing unclassified roads. These unclassified road segments are about 1.2 miles total in length. Unused portions would be obliterated along with new temporary road construction (about 0.2 miles) and the 0.5 miles of unclassified road actually used for log haul. These unclassified road segments are roads that are not being considered for use in proposed campground reconstruction.

4. Maintenance of National Forest System Roads (NFSR) utilized for log haul will be accomplished commensurate with need under existing authorities. This includes, but is not limited to, shaping and blading, repair and maintenance of drainage structures, and repair of intersections/approaches.

5. Old (yellow-bark character) ponderosa pine trees will not be cut unless they are determined to pose a hazard to public safety at campsites, along travel ways, or to improvements.

6. Conifer trees may also be removed from within or around the edge of aspen clones (within a distance of 1½ tree lengths of the clone) in order to retain aspen for its benefits for fire management, biodiversity, and aesthetic values.

7. An area 30 to 40 feet in radius around yellow-bark character ponderosa pine (individual trees or groups) will be cleared of smaller trees and deciduous shrubs (less than 6 inches DBH) to reduce ladder fuels and competition to these trees. This, combined with thinning treatments, will promote open, park-like stand structures and provide for the retention of these tree characteristics within this landscape.

8. Thinning treatments (commercial and non-commercial weed and thin treatments) will follow Forest Plan recommendations for management of Abert squirrel and Northern goshawk, as well as other standards and guidelines applicable to this area.

9. Activity created and existing fuels will be treated through the following methods: a) lop and scatter about 780 acres; b) pile (hand and machine) slash on about 160 acres (includes about 10 acres of landings) to maintain visuals along main road corridors and within or adjacent to camping areas (200 feet from edges); and c) piles will be burned and treatment stands will be underburned by prescribed fire to reduce fuels to acceptable levels.
10. Stump heights will be 6 inches or less within 200 feet of the existing and proposed campground and primary roads. Stump heights in other areas will be 12 inches or less.

11. Slash depth of lopped materials will generally be 18 inches or less in height.


DECISION RATIONALE

This decision was made after careful consideration of the proposal, public involvement, the EA, and the supporting project record. The EA and record incorporate best science and includes a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete and unavailable information.

I believe that authorizing this project and its actions are clearly better than not taking action (doing nothing). This decision provides a good combination of physical, biological, social, and environmental benefits with acceptable resource effects, while attaining the stated purpose and need when combined with specified design features and monitoring measures. It employs actions to reduce fuel loading, stand and crown/canopy density, and fire hazards that threaten resources, administrative sites, private property, and the public within this Wildland Urban Interface area.

My decision is in accordance with provisions of Title I of the Healthy Forests Restoration Act (HFRA) for areas inside the wildland-urban interface and within 1.5 miles of the boundary of the Buckeye Resort Wildland-Urban Interface area, the Buckeye Reservoir Developed Recreation Site, and the Buckeye Guard Station Administrative Site. The area has been determined to be Fire Regime 1, Condition Class 3 and the developments, infrastructure, and transportation system combined with the adjacent private properties meet the definitions in HFRA of an at-risk community. The project is a qualifying project under HFRA (EA 3.3.12).

This proposal (780 acres total mechanical treatment and 780 acres prescribed burning) will reduce live and dead fuels within the treatment area and around the interior meadow areas, restoring fire regime condition class on about 870 acres.

Within commercial thinning (logging) areas, we estimate that treatment should result in basal area (BA) densities of less than 70 square feet BA per acre on 10-30% of the area (due to a combination of existing low density areas combined with thinning and clearing around old character trees), 10-30% of the area should have densities exceeding 90 square feet BA per acre, and 30-80% of the area should have densities between 70 and 90 square feet BA per acre following treatment. These stand densities should result in more open crown canopies and reduced potential of fire spread from crown to crown.

These treatments, combined with those decided in an earlier decision (USDA Forest Service 2001) will result in changed condition class in the basin and some adjacent area of about 2,500 acres cumulatively; providing a zone surrounding the campground where fire can burn at historic, lower intensities, while providing fire fighters the opportunity to suppress fires under conditions that allow for fire fighter safety and protection of life, property, and improvements. This improved condition class and reduced fire risk will benefit National Forest lands and improvements by aiding in protection from fires (natural and man-caused) which spread from private lands, developed recreation areas, dispersed recreation areas, and other areas of the National Forest. It will also aid in the protection of private properties which lie at the top of this basin and drainage from fires that initiate on and spread from the National Forest. This does not negate the responsibility of the State of Utah and San Juan County to promote fire safe planning for their constituents or private land owner’s responsibility to provide fire safe fuel conditions and structures on their own properties.

The EA identifies that all newly constructed temporary roads and existing, unauthorized routes used to access and remove timber will be closed/obliterated following use. Not all of the existing unauthorized routes will be used in proposed commercial logging (thinning) treatments. It is most appropriate for a decision regarding other roads to be made under the Buckeye Reservoir Recreation Site Construction and Reconstruction Project environmental assess-
ment that will determine those routes necessary for management of the recreation area. At the time this project was proposed there was not a firm determination of routes needed for recreation management in the area. Therefore, this project only addresses road access applicable to project needs and will close/obliterate a total of about 1 mile of road (0.2 miles of new temporary road and 0.8 miles of existing unauthorized routes). Since initiation of this project recommendations have been made for management of remaining roads in the project area. This project could close, in combination with other unauthorized routes currently proposed for closure under the Buckeye Reservoir Recreation Site Construction and Reconstruction Project (about 4.5 miles), a total of about 5.3 miles of existing unauthorized routes (EA 2.2.4). These projects and the roads analyzed are not connected actions. This project will result in improved management of the road system of this area by closing/obliterating unauthorized access that is directly affected by this project. The campground analysis should provide further reductions of unauthorized motorized use in the area that will improve management of the area and be of benefit to resource values.

Detailed discussions of potential direct, indirect, and cumulative effects of the Proposed Action are summarized in the EA and discussed in specialist reports that are included in the Project Record (USDA Forest Service 2008a) and were made available to the public through posting on the Forest website (http://www.fs.fed.us/r4/mantilasal/projects/projects_moabmonticello/buckeye/ea_index.shtml). We determined through interdisciplinary team reviews and analysis that there were no issues related to the proposal that could not be addressed and minimized through application of project design features and Forest Plan standards and guidelines to be implemented with the project. This determination is substantiated in the EA, the Issue Analysis (USDA Forest Service 2008c) document in the Project Record, in the information provided in pertinent specialist reports, and in the Biological Evaluation/Biological Assessment (USDA Forest Service 2008d) completed for the analysis that are available for public review.

Modifications in forest structure through application of thinning and prescribed fire treatments open the forest canopy, triggering changes in surface vegetation and fuels. More light usually triggers growth of grasses, forbs, and where present shrubs that begin to fill open spaces created by the removal of the larger trees. Trees will also seed into and reestablish within these openings. This concept is inherent in the concept of Fire Regime and Condition Class. Plants will grow and fuels will accumulate following treatments, but over time, occurrence of natural disturbances, implementation of prescribed fire, and sometimes additional mechanical treatments, within the frequent disturbance interval estimated for this and other similar areas (5-10 year fire return interval) will maintain disturbance intensity and severity at low levels with fewer negative impacts to soil, water, wildlife, and vegetation resources, as well as protecting lives and property values associated with this area.

**Threatened Or Endangered Species Or Designated Critical Habitat, Species Proposed For Federal Listing Or Proposed Critical Habitat, Or Forest Service Sensitive Species:**

A biological assessment was completed and determined there would be a may effect but not likely to adversely affect Mexican spotted owl. There will be no effect to other federally listed species, proposed species, or critical habitat. The project complies with the Endangered Species Act consultation requirements using Counterpart Consultation Regulations and the Endangered Species Act. (USDA Forest Service 2008d, 2008h, and USFWS 2008)

A biological evaluation was completed for Sensitive species. This project may impact individuals or habitat of the northern goshawk, three-toed woodpecker, spotted bat, western big-eared bat, peregrine falcon, and flammulated owl but would not likely contribute to a trend towards Federal listing or loss of viability to the populations or species of these Forest Service sensitive species. There was a no impact determination on any other Forest Service sensitive species. (USDA Forest Service 2008d)

**Flood Plains, Wetlands, or Municipal Watershed:**

Although there are wetlands and floodplains or flood prone areas in the project area, no adverse effects are anticipated. Design features have been included in the proposed action that minimize disturbance in these areas and provide for protection. The practices controlling operations are effective in minimizing disturbance when fully and properly implemented. Implementation is typically good for timber sale operations and road construction. The project area is not a municipal supply watershed or drinking water source area (USDA Forest Service 2008b). The action meets the intent of the Clean Water Act and Executive Orders 11988 and 11990 (EA 3.3.4).
Congressionally Designated Areas:
The project area is not within or adjacent to any congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.

Inventoried Roadless Areas:
The project is not within an Inventoried Roadless Area.

Research Natural Areas:
The project area is not within a research natural area.

Cultural or Archaeological Sites and American Indians and Alaska Native Religious or Cultural Sites:
The project area was reviewed utilizing the cultural resource atlas and previous heritage survey information. In addition, the area has been surveyed under direction of District Archaeologists. No American Indian religious or cultural sites exist in the project area, so there would be no effect on any American Indian religious or cultural sites. Identified significant archaeological or historic sites located during surveys will be protected by avoidance, so there would be no effect on any sites. (USDA Forest Service 2006b) (EA 3.3.3)

ALTERNATIVES CONSIDERED
The development of the Proposed Action meets the requirements of HFRA. Per HFRA, the USDA Forest Service is not required to analyze any alternatives to the proposed action with the following exception. When a Community Wildfire Protection Plan has not been developed for the qualifying area, the act provides for the analysis of an additional alternative if it is proposed during scoping or the collaborative process, if the proposed alternative meets the defined purpose and need.

Potential issues with the proposed action were derived from comments received from the public, organizations, other agencies, and Forest Service resource specialists. Following review of comments received during initial scoping, appeal of the 2006 Decision Memo, and the HFRA scoping period and public meetings that initiated development of this EA it was determined that there were no issues that required development of a new alternative (USDA Forest Service 2008c). All issues raised were outside the scope of the analysis, did not meet the purpose and need, were addressed through the No Action alternative, or were addressed in design features included in the proposed action (EA 2.1).

PUBLIC INVOLVEMENT
This project was first presented to the public for notice and comment in August 2005 (Times-Independent 2005a), one field trip was held at the project area upon request of the Red Rock Forests organization representative, an additional 30-day notice and comment period was provided in October 2005 (Times-Independent 2005b), and a decision was made to implement by Lee Johnson, District Ranger (USDA 2006a). The decision was appealed, but was upheld by Alice B. Carlton, Forest Supervisor (USDA Forest Service 2006c).

On December 5, 2007 the United States Court of Appeals for the Ninth Circuit issued a ruling precluding further implementation of Forest Service Categorical Exclusion 10 for Hazardous Fuel Reduction. Subsequently, it was determined that the Decision Memo for the Buckeye Reservoir Hazard Fuels Thinning Project signed by Lee Johnson on July 26, 2006 was not valid, necessitating completion of an EA.

In accordance with Section 104 of HFRA which requires agencies to provide notice of the project to the public and encourages meaningful public participation during preparation, the public was notified of this intent by letter (USDA Forest Service 2008e), by public notice on March 27, 2008 (Times-Independent 2008), and public meetings for the project and HFRA were held on April 7th and 8th, 2008 (EA 1.5). The public was notified that comments received during the initial scoping for the categorical exclusion and appeal comments would be considered in development of the EA.

In August 2008 copies of the EA were mailed to those who had participated in the project and a notice of the availability of the EA and start of the required 30 day Administrative Review (Objection period) was published in the paper of record (Sun Advocate 2008). An Objection was filed by Red Rock Forests on September 4, 2008 (Shep-
herd 2008) which was evaluated in accordance with established procedures. The Objection Review determination, which included direction to the Forest to provide additional information specific to cumulative effects and density (basal area) ranges following treatment, was completed and sent to Red Rock Forests on September 29, 2008 (USDA Forest Service 2008f). In accordance with that direction additional information has been provided in the Final EA and in this document.

**FINDING OF NO SIGNIFICANT IMPACT**

After consideration of the environmental effects described in the Buckeye Reservoir Hazard Fuels Thinning Project Environmental Assessment, the Project Record, and as further documented within this Decision Notice, I have determined that this is not a major federal action individually or cumulatively that will significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination is based on analysis of the context and intensity of the environmental effects, including the following factors:

1. **There are no known significant irreversible resource commitments or irretrievable losses of vegetation, wildlife habitats, soil productivity, or water quality.** Based on the evidence contained in the EA and its Project Record, the activities described in this decision do not include any significant adverse impacts to any resource (40 CFR 1508.27(b)(1)). Implementation of my decision will not create significant resource commitments or any significant irretrievable losses of vegetation, soils, water, or wildlife and fish habitats. The project will employ project design features and incorporates Best Management Practices, Soil and Water Conservation Practices, and Forest Plan standards and guidelines that provide adequate protection of Forest resources.

2. **There are no significant effects on public health and safety.** Project safety on Forest Service managed lands is guided by FS Handbook 6709.11 (Health and Safety Code Handbook). By following Project Design Features identified in Appendix A, the activities described in my decision will not significantly affect public health or safety (40 CFR 1508.27(b)(2)). All work activities will follow OSHA requirements.

3. **There are no unique characteristics of the geographical area that will be significantly affected by the selected action.** There are no known unique features within or adjacent to the treatment areas (such as park lands, prime farmlands, wetlands, Wilderness, Wild and Scenic Rivers, or ecologically critical areas) that may be impacted by my decision (EA). Cultural resources will be avoided or mitigation measures implemented to reduce the risk of damage during project activities; the State Historic Preservation Offices have concurred with our determination and applicable design features (EA 3.3.3).

4. **The effects of this action on the human environment are not highly controversial.** The effects of the project are limited to the project area. There are no known scientific controversies over the impacts of the project. While some individuals have disagreed with parts of the project, no evidence has been provided that indicates that the environmental effects of the project have been wrongly predicted; therefore the effects are not likely to be highly controversial.

5. **The environmental analysis revealed no effects on the human environment that are highly uncertain or involve unique or unknown risks.** Activities proposed and analyzed in the EA do not involve uncertain risks. No uncertain or unique/unknown risks were identified. The Forest Service has extensive past experience with density management and hazardous fuel reduction treatments, its connected actions, and with the environmental effects associated with these actions.

6. **This action is not precedence setting.** The action is not likely to establish a precedent for future actions which may have significant effects, nor does this represent a decision in principle about a future consideration. A decision to implement this decision does not establish any future precedent for other actions within or outside the project area. Future actions will be evaluated through the NEPA process and will stand on their own as to the environmental effects and project feasibility. This finding is demonstrated through the analysis documented in the EA and supporting Project Record.

7. **There are no known significant cumulative effects from this action.** All known actions, which have occurred or are likely to occur in the reasonably foreseeable future, were considered in the analysis. These are documented in supporting specialist reports in the Project Record and in the EA. Analysis considered direct, indirect, and cumulative effects of the proposal. There are no significant cumulative impacts. These actions are not related to other actions that, when combined, will have significant impacts. There is no off-
site soil erosion, impacts to overall watershed or changes to forest vegetation that would be cumulative to impacts from other activities. There are no adverse effects to cultural resources and therefore no cumulative effect. Effects to wildlife habitat and threatened, endangered, sensitive, and other species of interest are described in the EA and supporting BE/BA (USDA Forest Service 2008d) and wildlife specialist report (USDA Forest Service 2008g) and are generally minor and not significant when considered with other activities in the general area.

8. **There are no effects on significant scientific, cultural, or historical resources.** The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible to the National Register of Historic Places. Identified and isolated cultural resources will remain unaffected by my decision. Project survey and implementation requirements are documented in the EA and Project Record (EA 3.3.3). All significant documented sites will be avoided during mechanical treatment activities. Fire intolerant sites will be avoided or protected during prescribed fire activities. The project will not cause loss or destruction of significant scientific, cultural, or historical resources, and will increase protection from the risk of wildfire through fuel reduction in or around eligible historic properties. SHPO concurrence documents are located in the Project Record (Contiguglia 2005 and Martin 2005).

9. **The action will not adversely affect Threatened or Endangered species or critical habitat.** The action will not adversely affect any threatened or endangered species or habitat that has been determined to be critical under the Endangered Species Act of 1973. Possible effects to federally listed wildlife species were analyzed in the Forest Service’s Biological Evaluation and Biological Assessment (USDA Forest Service 2008d). The determination for all potentially affected listed species, except for the Mexican spotted owl, was no effect. The determination for the Mexican spotted owl was “may effect, but is not likely to adversely affect”. This project (and its analysis under the National Environmental Policy Act) is being authorized under the Healthy Forest Restoration Act of 2003 (HFRA). Accordingly, these determinations were made under the Section 7 counterpart regulations of the Endangered Species Act (Federal Register, December 8, 2003) and is in compliance with those regulations and the March 2004 Alternative Consultation Agreement between the Forest Service, FWS, and NMFS (USDA Forest Service 2008h). The U.S. Fish and Wildlife Service has concurred with this determination (USFWS 2008).

10. **This action does not threaten a violation of Federal, State, or local laws or other legal requirements imposed for the protection of the environment.** Based on my review of the EA, the Project Record, and the direct, indirect, and cumulative effects of this action, I have determined that my decision is consistent with the Manti-La Sal National Forest Land and Resource Management Plan (1986, as amended) (EA 3.2). The decision complies with appropriate laws, regulations, and agreements. Section 3.3 of the EA summarizes consistency of the selected alternative with applicable laws and regulations relating to federal natural resource management and the Project Record provides supporting information in specialist reports. Appropriate consultations have been completed under the Endangered Species Act and the National Historic Preservation Act. No violations of Federal, State, or local laws or other legal requirements are anticipated.

**FINDINGS OF CONSISTENCY**

To the best of my knowledge my decision complies with all applicable laws and regulations. The project is consistent with the Standards and Guidelines of the Manti-La Sal Forest Land and Resource Management Plan of 1986, as amended. This Healthy Forest Initiative project:

- Reduces fuel loading, stand and crown/canopy density, and resultant fire hazard to vegetation, administrative sites, the public, and private property within this Wildland Urban Interface area.
- Maintains a healthy forest by applying appropriate silvicultural treatments (LRMP III-3).
- Uses timber management to meet other management or resource needs (LRMP III-4).
- Minimizes hazards from wildfire (LRMP III-5).
- Manages trees and shrubs to enhance visual quality and recreation opportunities on existing and proposed recreation facilities (LRMP III-50).
- Removes unsafe and/or dead trees in developed sites (LRMP III-50).
Has a Biological Evaluation and Assessment prepared evaluating the effects on Threatened and Endangered Species. A Wildlife Report was also prepared addressing the effects on Management Indicator Species.

IMPLEMENTATION DATE AND APPEAL RIGHTS

Timber sale contract advertisement is tentatively scheduled to occur in November 2008 with contract award and implementation in December 2008.

The Buckeye Reservoir Hazard Fuels Thinning Project was analyzed under the Healthy Forest Restoration Act of 2003 (HFRA) authority and thus is not subject to appeal (36 CFR 214.12 and 218.3). HFRA Section 105(a) replaces the USDA Forest Service’s administrative appeals process with an objection process. A 30-day objection process for this project was initiated on August 5, 2008 with the issuance of a legal notice of the EA in the newspaper of record (Sun Advocate Price, Utah). The 30-day objection period closed on September 4, 2008. On September 4, 2008 an objection was received from Red Rock Forests. All requirements for response to the objection by the reviewing official have been met.

CONTACT

For further information contact Greg Montgomery at gmontgomery@fs.fed.us, phone number - (435) 636-3348, address - Moab/Monticello District, P.O. Box 820, 432 East Center St., Monticello, UT 84535. A copy of the decision is available on the Manti-La Sal National Forest Internet Site or can be obtained at the District office. The Internet address is: www.fs.fed.us/r4/mantilasal/.

October 23, 2008
Date
APPENDICES
APPENDIX A - LITERATURE CITED


USDA Forest Service 2005e. Montgomery, Greg T. *Field Trip notes.*


APPENDIX B - MAPS

Buckeye Reservoir Hazard Fuels Thinning
VICINITY MAP

Legend
- Highways
- Project Area
- Manti-La Sal NF
- Cities
- Utah
- Colorado

G. Montgomery
8/18/2005
Buckeye Reservoir Hazard Fuels Project Treatment Map

Legend:
- NF System Roads
- Buckeye Reservoir
- Private
- Project Area
- Moab District

TREATMENT:
- Commercial Thin = 370 to 530 of 650 acres
- Precommercial Thin/Fuels Treatment = 780 acres

TOTAL MECHANICAL = 780 acres
TOTAL PRESCRIBED BURN = 780 acres
BUCKEYE RESERVOIR HAZARD FUELS THINNING PROJECT ENVIRONMENTAL ASSESSMENT
Decision Notice and FONSI

Buckeye Reservoir Hazard Fuels Project
TEMPORARY ROADS & UNAUTHORIZED ROUTES

Legend
- Unauthorized Route
- Temporary Roads
- Forest Roads
- Project Area
- Moab District
- Private
- Treatment Area
- Buckeye Reservoir

Greg Montgomery
7/9/2008
APPENDIX C - DESIGN FEATURES & MONITORING

DESIGN FEATURES

The Buckeye Reservoir Hazard Fuel Thinning Project includes the following features designed to better implement the project. All applicable Forest-wide and Management Unit direction identified in the Forest Plan are hereby incorporated by reference unless otherwise stated.

Noxious and Invasive Plants
- Equipment shall be cleaned of soils, seeds, vegetative matter, or other debris that could contain or hold noxious seeds. Operators will certify in writing that off-road equipment is free of noxious weeds prior to start up of operations.
- Noxious weed free certification will be required for all straw or hay bales used for erosion control, any mulch, and seed applied in reclamation.
- Control noxious weeds as appropriate under existing decisions and agreements.

Rangeland Allotment
- Protect all range improvements from project-caused damage.

Wildlife Resources
- Snags and live replacement trees not identified as a hazard to public safety, property, or improvements will be protected. Where possible snags and live replacement trees will be clumped. Snags may be retained around commonly used turkey roost sites, pre-burn snags, and around existing cavity or nest trees (dead or alive). Snags with broken tops that may be worked around safely should be left whenever possible. Snags shall be at least 1½ tree lengths away from roads, including known temporary road locations, fences, and other improvements. The District wildlife biologist will coordinate with marking crew during sale preparation to provide assistance/training for wildlife tree designation.
- Flammulated owl and bluebird nest boxes may be installed in appropriate habitat sites outside the developed recreation site as determined beneficial by the District Wildlife Biologist utilizing available KV funds, appropriated funds, or other available funds or volunteers.

Fuels and Fire Behavior
- Prescribed burning should result in 40-80% effective burn, low intensity and severity surface fire, consumption of generally fine and small diameter fuels (< 3 inches DBH), duff consumption of 30-50%, minimal overstory mortality (occasional single trees or small scattered groups [2-10 trees] is preferred, but up to 1 acre size openings are permissible if total fire-created openings are less than 10 per 100 acres).
- In non-forested meadow areas ignition will not occur, except in pockets where there are individual or small groups of older PP where it would be beneficial to underburn the trees to reduce needle and duff layers through spot ignition. Fire may creep into meadow areas from outside ignition sources or from internal tree areas.
- Do not directly ignite scattered old rotten logs, old stumps, standing snags, large (> 6” DRC) gambel oak.
- Natural and existing constructed barriers (rock, road and trails, other clear areas, streams, or fire resistant vegetation) will be utilized for fuel breaks during prescribed burning where appropriate. In areas where these barriers are not available, fireline will be constructed to deter fire spread outside the prescription area. Fireline would be constructed by the method (hand or small machine – e.g. Bobcat) appropriate to the slope, soils, and visual sensitivity of the area. As a general guideline, width of machine constructed fireline (bare soil) should not exceed one blade-width of the Bobcat. Fireline will receive appropriate drainage and seeding to minimize erosion. Fireline adjacent to roads or campsites will be obliterated or blocked following burning if its presence/appearance would encourage unauthorized OHV use.
- Larger trees (18”+ DBH) and old character trees with deep, undisturbed needle layers should be raked (stirred up) under the canopy of the tree if not disturbed during skidding or fuel rearrangement treatments the season prior to burning; intent is not to remove needle layers, but to disturb continuity and force fine roots out of the upper organic layers. This, combined with burning while soils are somewhat moist should reduce tree mortality from prescribed fire. Debris and deep needle/duff layers should be cleared away from the base of large (18”+ DBH) snags for a 4 feet radius prior to burning.
- Limbs (live and dead) will be pruned (severed flush with bole of tree) for a height of 5 feet around the base of live trees 3 inches DBH to 8 inches DBH to minimize the potential spread of fire into tree canopies.
- Use techniques to minimize smoke production and impacts from slash burning.
Follow the procedures and requirements in the State Smoke Management Plan.
Follow guidance in Manti-La Sal National Forest Smoke Management Guideline for Prescribed Fire.
Burn when conditions are good for rapid dispersion.
Burn under favorable moisture conditions.
Keep soil out of burn piles.

- Notify area residents and users of activity.

Recreation
- Hauling logs and moving equipment on weekends (from Memorial Day to Labor Day), federal holidays, the 24th of July Utah State holiday, and opening weekends of general deer and elk rifle seasons are prohibited.
- Unless approved by the District Ranger and Contracting Officer, schedule logging so that only one of the three campground sections is closed at a time for log removal. The three sections are defined by the access roads and reservoir configuration (southwest, northeast, and east).
- Special uses and recreation events will be coordinated with District Silviculturist.
- District Recreation staff should review campground areas during sale layout and marking to assist the Silviculturist and Presale Forestry Technician in identification of hazard trees, leave trees and shrubs for campsite screening, and areas where care should be taken to avoid opening adjacent stands to ATVs or where obstacles should be placed to limit access.
- There are ponderosa pine trees within the high water edge of the reservoir that are creating hazard tree problems around campsites. They are a potential wind-throw and breakage problem due to eroded soil, shallow roots, and rot. Mortality of these trees is also high as they are periodically drowned by high water. Trees in these areas should be considered for removal during hazard tree identification.
- District Recreation staff and Silviculturist or Timber Sale Administrator should review areas of potential slash accumulations within the campground to determine where slash should be piled. A decision may be made to leave some smaller pole size material for firewood within the recreation site.
- Whole-tree logging should generally not be allowed, but may be considered within or adjacent to (within 200 feet of) campground areas where it can be accomplished without damaging desirable vegetation and with concurrence of recreation staff. This would limit slash accumulations and subsequent piling needed.

Visual Landscape
- Except in locations approved by District Recreation Staff for campground firewood, pile activity created slash (hand or machine) within campground, 200 feet from campsites and access roads, and 200 feet either side of road #50371. Final stump cuts within these areas should be 6 inches high or less.
- Woody slash debris should be spread over skid trails, temporary roads, landings, and other disturbed areas. The treatment should replicate conditions adjacent to the area.

Cultural Resources
- Evaluate, protect, and monitor all National Register eligible sites. These sites will be avoided.
- Discovery of previously unknown sites, on either the surface or subsurface, may occur during project implementation and shall be protected in accordance with the timber sale contract and Federal Laws as cited below.
- Where project activities cannot be modified to protect sites in-place, develop plans to recover scientific data in accordance with the National Historic Preservation Act of 1966 (as amended), Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act. Consult with appropriate Native American entities as necessary.

Forest Vegetation
- Directional felling will be required to protect residual stands, snags, and improvements.
- Employ felling, bucking, and yarding measures to provide protection for live residual tree stands. Limit logs lengths to protect residual stand as needed.
- Firewood gathering in harvest areas will be controlled with appropriate permits following completion of timber sale contract activities utilizing existing Forest System Roads for access.
- Log landing and decking areas will be generally about 1/2 acre in size.

Transportation System
- County and National Forest System Roads will be protected improvements.
- Snow plowing shall be done in a manner to preserve and protect roads to insure safe and efficient transportaton and to prevent unacceptable erosion damage to the road, streams, and adjacent lands.
- Install warning signs and devices on roads commensurate with project and public safety. When necessary, traffic controllers (flaggers) will be used.
- Apply dust abatements on National Forest System Roads classified as necessary based upon air quality, safety, and water quality.
- Vehicle traffic and equipment operation will be restricted during wet periods to prevent rutting in excess of one inch on gravel roads and 2 inches on native surface roads. Vehicle traffic and equipment operation may also be restricted during dry periods if native surface roads become powdered.

**Watershed/Soils**
- Landings and temporary roads shall be ripped and reclaimed after use to a depth of 8-12 inches; scarify other compacted areas (skid trails) to a depth of 2-4 inches to prepare a seedbed after commercial harvest is completed. Skid trails (within a distance of about 300 feet of system roads) and temporary roads and landings shall be seeded with a native grass mixture.
- Grass seed mixtures for erosion control shall include the following certified weed free mixtures and amounts unless otherwise approved through the District Range Management Specialist and District Silviculturist:

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>POUNDS/acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Wheatgrass or Blue-stem</td>
<td>2.0</td>
</tr>
<tr>
<td><em>Agropyron smithii</em></td>
<td></td>
</tr>
<tr>
<td><em>Poa fendleriana</em></td>
<td>1.0</td>
</tr>
<tr>
<td>Bluebunch Wheatgrass *Agropyron</td>
<td>1.5</td>
</tr>
<tr>
<td><em>spicatum</em></td>
<td></td>
</tr>
<tr>
<td>Indian Ricegrass *Oryzopsis</td>
<td>.5</td>
</tr>
<tr>
<td><em>hymenoides</em></td>
<td></td>
</tr>
<tr>
<td><em>Lupinus argenteus</em></td>
<td>.5</td>
</tr>
<tr>
<td>Bitterbrush <em>Purshia tridentate</em></td>
<td>.5</td>
</tr>
<tr>
<td><strong>Total Pounds</strong></td>
<td><strong>6</strong></td>
</tr>
</tbody>
</table>

- Large woody slash debris should be spread over skid trails, temporary roads, and landings.
MONITORING

The general objective of monitoring is to determine if land management activities are being implemented correctly and if the implementation requirements are effective. This is accomplished through project supervision or implementation monitoring and post-project monitoring. Post-project monitoring is defined in the Forest Plan. This project will be monitored as appropriate in accordance with that document (as revised/amended). In addition the following will be accomplished during and following project implementation:

- Day-to-day monitoring of timber sale operations will be completed during contract implementation by a designated Timber Sale Administrator.
- Precommercial thinning, pruning, and fuel rearrangement treatments will be monitored by a designated COR (contract operations) or Forestry Technician (force account) to ensure that implementation is completed in accordance with NEPA and prescription specifications.
- Prescribed burning will be supervised by a qualified Burn Boss to ensure that implementation is completed in accordance with NEPA, Silvicultural Prescription, and Burn Plan.
- Range Management personnel will review the area prior to operations to identify any weed pockets that should be treated or avoided during skidding and hauling. The area will be reviewed the season following timber sale completion to identify any new incursions of weeds. Existing or new weed populations will be treated in accordance with existing noxious weed management decisions.