Appendix A

Responses to Public Comments
Pine Valley Fuel Break Environmental Assessment (EA)

The 30-day Notice and Comment period for the EA concluded on June 27, 2003. Below are the responses to comments received during this comment period.

Utah Environmental Congress letter (June 12, 2003)

Comment #1

"An alternative considering the option of working cooperatively with homeowners to assist them in implementing strategies that would protect their property from fire was not considered" (UEC letter, p. 1).

Response

In this particular case, forest fuels adjacent to the Central and Pine Valley communities are the immediate threat (EA, p. 2). Regardless of fuels treatment on private land, we cannot ignore the fuels conditions on National Forest land directly adjacent to these two communities. However, given the existing and desired conditions discussions about this adjacent area (see EA, pp. 1-5), we also believe we have an obligation to support past and current private landowners' efforts. We propose to change fuels conditions to increase firefighter effectiveness in protecting homes from wildland fire damage. Given the project's Purpose and Need, we feel that there is no other effective alternative to address the current situation. Anything less, in our opinion, jeopardizes firefighters' ability to protect the community.

Several comments on this topic were raised during this project's scoping period:

- *Is the Dixie NF providing information and education from the FS's research regarding defensible space in the urban/wildland interface?*
- *Does the National Fire Plan provide funding to homeowners for creating defensible space around their private property? Has this source of revenue been explored by the Dixie National Forest?*

We took these comments seriously in developing this project's analysis (EA, p. 1). These comments helped us develop the No Action Alternative in detail, and they focused our environmental analysis. In preparation of the area's fuels management strategy, we have had a high level of involvement with these two communities. We have helped homeowners address fuels conditions on their private land. We have encouraged homeowners to create defensible space around their homes. Homeowners have received information describing how defensible space would protect their private property from wildland fire. We will continue to work with local fire districts and to provide local residents with educational materials regarding the creation and maintenance of defensible space. Examples of our efforts include:

1. Bi-weekly attendance at local fire district meetings since October 2002
2. Providing technical advice since 2001 to the Washington County Fire Warden as he completed private land assessments for fuel conditions

The results of our involvement have led to:

1. Private land owners treating over 100 acres of private land in these two communities since 2001
2. Establishing a Memorandum of Understanding with Central, UT to dispose of treated fuels with a Forest Service chipper.

Comment #2

"…[T]he failure to consider the cumulative environmental effects of the No Action Alternative, the EA failed to provide any baseline data that could be utilized by both the public and the decision-maker to evaluate the magnitude of impact associated with the proposed action" (UEC letter, p. 1).

Response

As noted in the EA's cover letter, this EA looks quite different from previous documents the Forest Service has prepared. We followed the Council for Environmental Quality's December 9, 2002 interpretation that an EA "[d]escribes sufficient information and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact" (CEQ memo to Sec. Ann Veneman and Sec. Gale Norton; see also explanatory language on page 8 of the EA). This supports CEQ's regulations that "[a]gencies shall reduce excessive paperwork by preparing analytic rather than encyclopedic" documents (40 CFR 1500.4(b)).

Based on this direction, we focused on disclosing the environmental effects that help us determine whether to prepare an environmental impact statement. That information is readily available to the public through our website. Again, as noted in the cover letter, other components in the analysis will be used to make this decision. This analysis will be referenced as the Line Officer details his rationale for making a decision.

Our discussion of the existing condition summarizes the No Action Alternative (EA, pp. 2 and 5). Each specialist report in the project record addresses the No Action Alternative in greater depth. As we noted in the EA's cover letter, "[s]ome of this information is available in the project record and on our website at http://www.fs.fed.us/dxnf/HealthyForest/index.htm." This was also noted on page 8 of the EA. While the EA does not exhaustively describe the No Action Alternative, it is founded on the information in the project record. It is this information that provides the baseline data for the Responsible Official and the public to evaluate this project's effects.

Also, each resource discussion in the EA's environmental impacts section provides context for the subsequent analysis conclusions. For example, under the discussion for Mexican Spotted Owl:

In general, the project area does not include critical breeding or nesting habitat for this threatened species, but might be used during winter months or during juvenile dispersal[1]*. The fuel break would improve foraging habitat during winter/dispersal use on four percent (351 acres) of the available habitat within the 7,870-acre CEA (EA, p. 9).*

The footnote references the reader to the specialist report where discussion that is more detailed exists to support this effects summary. Within each specialist report, a section is devoted to the No Action Alternative where a reader can make the comparison of effects with the project's action alternatives.

As for considering cumulative effects of the No Action Alternative, each specialist report contains information on the activities (past, present, and reasonably foreseeable) that may have an impact on that particular resource. We note that this project focuses on treating the fuel conditions adjacent to local communities that would lead to fire behavior difficult to suppress. However, the actual wildland fire event that could occur adjacent to the Central and Pine Valley communities is an unpredictable one. No method exists to predict precisely the timing, location, and magnitude of such an event. So, for this project, we did not consider a wildland fire event as part of the No Action Alternative. We believe to do so would be speculation about events that may or may not happen.

Comment #3

"The status and trend of various wildlife and plant populations within the area is not discussed, and the potential consequences of not constructing the fire break for both the environmental and communities are touched on lightly at best, focusing primarily on the threat to the communities" (UEC letter, pp. 1-2).

Response

The effects disclosure in the EA incorporated by reference status and trend discussions for various wildlife and plant populations. However, this specific information is contained within the Terrestrial Wildlife and Plant Species Report. As noted in the EA's cover letter, this report is available at both the district office and the following URL on the Pine Valley Fuel Break website: http://www.fs.fed.us/dxnf/HealthyForest/PDFs/TW_and_P_report.PDF. For example, on pages 11-12 of this report, "[d]ata from the North American Breeding Bird Survey (BBS) indicates a decreasing trend for this species *(black-throated gray warbler)* in the state of Utah (Sauer et al. 2001)." (clarification in italics added)

As mentioned above, each specialist report discussed the No Action Alternative in detail. The EA, in turn, summarized these reports' analysis for the No Action Alternative (pages 2 and 5). The Terrestrial Wildlife and Plant Species Report addresses the No Action Alternative's direct and indirect effects on pages 26-27 and the cumulative effects of the No Action Alternative on page 30.

Finally, the Environmental Impacts section indeed focuses on changes to potential fire behavior adjacent to the local communities. This represents how the Line Officer chose

[1] L. Allen, p. 5

to frame the fuels problem around those communities. He is most concerned with the threat to human life and property with the potential fire behavior that exists with the fuels conditions (refer to page 2 of the EA for a picture of the potential fire behavior). He is also concerned with the inability for fire suppression crews to effectively fight that fire behavior and protect human life and property. Hence, this is the reason the district staff has engaged these local communities for the past three years to address fuels conditions on both private and public land. The specific elements of the Purpose and Need focus on the ground conditions that would lead to fire behavior that would threaten the communities. This is namely the current fuel heights, fuel spacing, and fuel loads (EA, p. 5). It is the effects associated with changing these conditions the EA's Environmental Impacts section focused on – the findings from this analysis helped determine whether an environmental impact statement was needed for this project.

Comment #4

"In this case, the EA contains a section entitled 'Environmental Impacts of the Proposed Action' but absolutely no analysis of the No Action Alternative…We are…given no information that provides any indication baseline conditions have been considered or even analyzed through consideration of the No Action Alternative. This is a serious violation of NEPA that must be remedied through completion of an additional EA" (UEC letter, p. 2).

Response

This has been addressed in detail above in the responses to Comments #2 and #3. Again, the EA was not meant to contain all the information for this particular project, only the information necessary to make a finding of no significant impact. People who were interested in further details regarding baseline conditions were directed to contact the district office or visit the project's website for the available specialist reports.

Comment #5

"The EA spends a great deal of time praising the benefits of 'fuels reduction' but little to no space is provided regarding the role of fire within the ecosystem" (UEC letter, p. 2).

Response

From the beginning, this project focused on the wildland urban interface - "the highest priority area for hazardous fuels treatment in the National Fire Plan (http://www.fireplan.gov/)" (EA, p. 1). Additionally, "Pine Valley and Central are two of the top ten communities at risk from wildland fire in Utah" (EA, p. 1). The fuels conditions within the wildland urban interface for these communities were instrumental in designating these communities as "at risk" (EA, pp. 1-2). We do not dispute the role of fire in the ecosystem. However, this project was not designed to disrupt fire's role over the **entire** ecosystem, only for the portion adjacent to the communities. We acknowledge that the potential for a wildland fire to start remains unchanged outside of the communities. Our concern lay with the fire behavior adjacent to the communities as

fuels were consumed by a fire event. By constructing a fuel break around the communities, we can consider allowing fire to play a more natural role in the surrounding ecosystem by reducing "the potential for fires moving into or through the wildland urban interface" (EA, p. 4).

Comment #6

"The EA provides a dramatic picture of the Long Mesa Fire that took place in Mesa Verde National Park, but fails to discuss the role such fires play in providing essential disturbance with ecosystems that have evolved with fire. The absence of any cumulative effects analysis for the No Action Alternative makes it impossible to compare the consequences of fire as opposed to continued and enhanced fire suppression strategies" (UEC letter, p. 2).

Response

As noted in our response to Comment #5, this project never intended to alter wildland fire's role in the ecosystem. Nor did this project focus on fire suppression strategies in the wildland setting. This was stated in numerous places in the EA (emphasis added in bold text):

- *"Pine Valley and Central are in the **wildland urban interface**, the highest priority area for hazardous fuels treatment in the National Fire Plan (http://www.fireplan.gov/)" (EA, p. 1, paragraph 1).*
- *"Because of the growth of wildfire-prone vegetation **close to these communities**, the Forest Service has developed a four-part fuels management strategy" (EA, p. 1, paragraph 1).*
- *"For these communities, **adjacent forest fuels are the immediate threat**" (EA, p. 2).*
- *Figure 1 – Pinyon-juniper and brush fuels in the **wildland urban interface** (EA, p. 2).*
- *"**The desired condition around both communities** is pinyon-juniper and brush (the "fuel profile") that allow small fires with flame lengths of less than four feet" (EA, p. 4, paragraph 1).*
- *"Modifying the current fuel profile by removing overgrown vegetation and increasing spacing between individual trees and shrubs reduces the potential for fires moving **into or through the wildland urban interface**" (EA, p. 4, paragraph 1.)*
- *Figure 3 – Ranchos 1 Fuel Break (both ground and aerial views) **located in the wildland urban interface** (EA, p. 4).*
- *"This project's purpose is to **immediately change fire behavior around those communities**" (EA, p. 5, paragraph 1).*

All of these references are in line with the National Fire Plan (NFP). Specifically, Goal 2 of the NFP ("Reduce Hazardous Fuels) states, "Prioritize hazardous fuels reduction

where the negative impacts of wildland fire are greatest…Ensure communities most at risk in the wildland-urban interface receive priority for hazardous fuels treatment" (A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment, 10-Year Comprehensive Strategy, August 2001, p.9). With the threats to the Central and Pine Valley communities, we believe that addressing the fuel conditions adjacent to these communities is necessary and timely.

Figure 2 (EA, page 2) and Figure 4 (EA, page 9) are intended to visually inform the reader of the project area's potential fire behavior, and its effects, in a wildland setting. As stated in our response to Comment #2, we do not believe that a wildland fire in this particular area is a reasonably foreseeable event - it does not warrant speculative discussion in the cumulative effects analysis. As such, we are not required to have a worst-case scenario for an effects analysis. Future wildland fires are not "agency actions" to be considered in a cumulative effects analysis. They are just "nature." Given that, the pictures do provide evidence of what can happen in this fuel type in the wildland setting absent any fire suppression efforts. If one believes that "a picture is worth a thousand words", these pictures inspire some conclusions of what could happen when a wildland fire occurs in this fuel type. So, rather than trying to describe these effects in words, we provide the visual evidence of those effects. Finally, we believe the reader can effectively compare Figure 2 (showing unabated fire behavior) and Figure 4 (demonstrating that a fuel break protected Mesa Verde National Park buildings from the wildland fire) and determine what the consequences of wildland fire are compared to preventive fuels treatment in a fuel break.

Comment #7

"If the Forest Service intends to employ so called 'masticators' or other equipment which destroys pinyon, juniper, or large shrubs through shredding or cutting this use needs to be disclosed within the EA…While the EA states the action will be implemented in July through autumn to avoid impacts to migratory birds, the fact remains shredding devices destroy nesting and foraging habitat and they do it with incredible speed and force, with significant actual and potential impacts to a variety of resources in the process" (UEC letter, p. 2).

Response:

As stated in the Proposed Action on page 6 of the EA, "[t]he fuel breaks would be created using *chainsaws*. Debris generated during fuel break construction would be *hand* piled and burned or cut for fuelwood" (emphasis added).

In developing this proposal, the interdisciplinary team discussed various methods to create a fuel break around the Central and Pine Valley communities. Given the terrain (sometimes in excess of 50% slope), the team determined that heavy equipment use would be impractical. If heavy equipment, such as a "bullhog", were to be used, some type of access would have to be created for fuel break construction. The team was concerned with the potential increased OHV use in this area from this access. Thus, they designed the proposal to use hand crews walking into the project area with chainsaws to avoid this problem.

Comment #8

"We remained concerned about impacts to roadless lands in the area. We believe an alternative that involved greater work with homeowners to facilitate property protection would reduce or eliminate the need for all or portions of the planned fuel break. Such an alternative would therefore greatly reduce or eliminate the need for any of the fuel breaks to enter roadless areas. Given the relatively small amount of roadless land involved, we believe the Forest Service could at the very least adjust the boundaries of the fuel break to avoid impacts to these areas" (UEC letter, pp. 2-3).

Response

As noted in our response to Comment #1, we are actively engaging homeowners to address fuels conditions around their homes. To complement these private land activities, we believe we have an obligation to address the fuels conditions on the National Forest. Given the project's Purpose and Need, we feel that we cannot walk away from these fuels conditions, regardless of where they are located. To do so jeopardizes firefighters' ability to protect the community.

When the nearby roadless areas were inventoried in 1979, steep topography (> 60% slope) was included due to the unlikelihood of roads ever being constructed in those areas. In fact, the roadless area boundaries touch the community boundary in some places. Around the Pine Valley community, fuel break treatments would be within two roadless areas – one on the north side and another on the south side of town. At both locations, current fuels conditions consist of dense mountain brush, primarily mountain mahogany and gambel oak. These fuel types exhibit some of the most extreme fire behavior that we know of. In particular, oak brush is of great concern to firefighters for its role in numerous firefighter deaths, including the 1994 South Canyon (Colorado) incident. With these considerations, the interdisciplinary team identified these two locations as the worst location for a wildland fire to occur. If we don't treat either of these two locations, we would not be able to affect the potential fire behavior given the existing vegetation and steep topography.

In both locations, private homes occupy areas immediately adjacent to the National Forest boundary. The landowners at the south end of Pine Valley have already treated the fuels on their property. However, with this fuel type, a treating a single homeowner's lot is not going to reduce the risk of fire damage to that property.

Finally, the presence of these private homes and other improvements greatly reduces the probability that a forest visitor will experience solitude, closeness to nature, tranquility, and self-reliance challenges commonly associated with roadless areas. Furthermore, a forest visitor will readily experience human presence while traversing the roadless area adjacent to the community. With the roadless area boundary so close to the Pine Valley community, a roadless area experience is not realized. The long-term effects of community activities will outlast any temporary effects experienced through constructing a fuel break.

Comment #9

"Finally, the cumulative effects analysis is silent on plans to develop and log portions of the area surrounding the nearby Pine Valley Campground…These fuel breaks should be analyzed in light of these additional plans for the are given the variety of resources (MIS/TES/Migratory Birds) potentially impacted by these combined management activities" (UEC letter, p. 3).

Response

The interdisciplinary team identified the Pine Valley Recreation Area as part of the cumulative effects analysis area for some resources. For example, the Terrestrial Wildlife and Plant Species Report (page 17) notes, "vegetation treatment, reconstruction, and maintenance of the Pine Valley Recreation Area" are "present and future activities within the CEA that may have impacts on wildlife and plant resources." The district's past, and likely future, activities are continued removal of hazard trees created by insect activity within the recreation area. These activities address the district's concern for public safety. The cumulative effects addressing these activities for MIS/TES/Migratory Birds can be found on pages 28-29 in the wildlife report.

The other specialists analyzed future fuels treatments in the Recreation Area, which will be designed to meet goals for the wildland-urban interface and ponderosa pine stand restoration. Treatments will likely be a combination of mechanical (ladder fuel removal with chainsaws) and prescribed fire.