

APPENDIX A

Finding Of No Significant Impact (FONSI)

In accordance with CFR 1508.13 and direction provided in the Forest Service Handbook (FSH 1909.15, Chapter 40, Section 43.1), I have determined that the management actions included in the decision for the Red Whale Project do not constitute a major federal action, and that the implementation of the decision will not significantly affect the quality of the human environment. Accordingly, I have determined that an Environmental Impact Statement need not be prepared for this project. I have followed the implementing regulation for NEPA (40 CFR 1508.27) and other criteria for determining the significance of effects.

Before making my determination, I carefully reviewed and considered the following information:

- The direct, indirect, and cumulative effects of these actions as documented in the Environmental Assessment (EA) for the Red Whale Project.
- The analysis documentation in the Project File of the Red Whale Project.
- Comments received during all scoping, and comments received after the EA was published for this project.
- Past experiences with fuels reduction projects, and wildlife security and habitat improvement projects on the Flathead National Forest.

The Interdisciplinary (ID) Team and I have “screened” the management actions included in the Red Whale Project for “significant impact.” The results of this screen are summarized on the following pages.

Significant, as used in NEPA, requires consideration of both **context** and **intensity**.

Context means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27).

The effects of the proposed actions are limited in context. The project area is limited in size (2,807 acres of mechanical treatments and 1,114 acres of prescribed burning treatments) and the activities are limited in duration (management actions associated with the decision would be completed within a 4-year timeframe, although the prescribed burns may extend past this timeframe if necessary burning conditions do not occur). Effects are local in nature and are not likely to significantly affect regional or national resources.

Many of the treatment units are located adjacent to private property and homes. As such, the forestland surrounding these private lands will be affected by this decision. The people most affected by the project will be the local residents on the adjacent lands. This action is also a continuation of fuels projects, and wildlife security and habitat improvement projects that have

occurred for many years on the Flathead National Forest and elsewhere across the Northern Region and the nation as a whole. Short-term adverse effects will be mitigated through implementation of the Standards and Guidelines in the Flathead National Forest Land and Resource Management Plan (Forest Plan), Best Management Practices, and the design features (Appendix B) developed specifically for this project.

The project design features minimize and avoid adverse impacts to the extent that such impacts are almost undetectable and immeasurable, even at the local level. These design features include, but are not limited to, the following: protection of riparian habitat; seasonal and operational restrictions to avoid impacts to wildlife populations and habitat; screening of units to provide wildlife security; temporary closing of roads to preserve grizzly bear security; protection of sensitive or threatened plant species; protection of the soil resource; reclamation of temporary roads; and noxious weed abatement. Within the context of the landscape as a whole, or at the stand level, the ecological consequences are not found to be significant in the short- or long-term.

Intensity refers to the severity of impact. Responsible Officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following ten aspects are considered in the evaluation of intensity (40 CFR 1508.27):

1. *Impacts may be both beneficial and adverse. A significant effect may exist even if the balance of effects will be beneficial.*

Both beneficial and adverse effects have been taken into consideration when making a determination of significance. While there will be beneficial effects, this action does not rely on those effects to balance adverse environmental impacts. Detailed specialist reports included in the EA and Project File contain comprehensive effects analyses and the findings from these resource specific reports form the basis for my decision.

It is my determination, based on review of these analyses and consultation with specialists, that the decision activities, including mechanical fuel reduction treatments, prescribed burning, burning of thinning slash and natural forest fuels, temporary road construction, and permanent road construction will not have a significant impact on the environment. All effects will be small or short-lived. None is deemed irreversible or irretrievable and do not set in motion further effects. All potential direct, indirect, and cumulative effects are evaluated in the EA, specialist reports, and Biological Assessments and Biological Evaluations.

2. *The degree to which the proposed action affects public health or safety.*

The fuel reduction treatments are designed to increase the efficiency of fire suppression efforts and reduce risks to firefighters, local residents, the public, structures, and natural resources. The implementation of these treatments will result in improved community safety because fuel reduction will increase the chance of suppressing a fire before it reaches private property. All burning of thinning slash and natural fuels will comply with State Air Quality Standards and be coordinated through the Montana Airshed Group. Dust from timber hauling activities will be controlled using the dust abatement requirements within the stewardship/timber sale contract provisions.

Herbicide treatments of weeds will comply with label directions and in accordance with and under decision authority of the Flathead National Forest Noxious and Invasive Weed Control EA and Decision Notice (USDA May 2001), to which the Red Whale Project EA tiers.

Project design features have been developed to address public safety concerns associated with the thinning and prescribed burn treatments. I believe that the selected action is not likely to have any significant impact to public health or safety.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

All or portions of Units C, D, E, and M fall within the Wild and Scenic River boundary of the North Fork Flathead River. This section of the river has been designated for its scenic values. The Recreation Specialist has determined that the project would have no direct or indirect effects on the Wild and Scenic River corridor as the terrain and river channel prevent river users from seeing the units.

Heritage surveys have been completed and no previously undiscovered sites within the project area boundaries were found. The project area includes wetlands and riparian areas, but impacts to wetlands and riparian areas will be avoided during project layout and under contract provisions for vegetation treatments.

Based on this information, I conclude that the decision will have no effects on unique resources.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Based on the limited context of the project, my review of comments received during the scoping of this project, and the analysis documented in the EA and Project File, I do not find any highly controversial effects to the human environment.

I conclude that the effects of the decision are not considered highly controversial by professionals, specialists, and scientists from associated fields of forestry, wildlife biology, soils, fisheries, and hydrology.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

Based on my review of comments received during the scoping of this project, the comments received after the publication of the EA, and the analysis documented in the EA and Project File, I find the possible effects on the human environment that are uncertain or involve unique or unknown risks are minimal or non-existent.

Given the nature of the trees and lesser vegetation to be removed and the large proportion to be left, the effects to the quality of the human environment are not significant. The agency has

considerable experience in such projects and the consequences of such actions are well established and predictable.

A technical analysis (EA and Project File) that discloses potential environmental impacts (which is supportable with use of accepted techniques, reliable data, and professional opinion) has been completed, and I believe that the impacts of implementing this decision are within the limits that avoid thresholds of concern.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The Red Whale Project represents a site-specific project that does not set precedence for future actions or present a decision in principle about future considerations. Any proposed future project must be evaluated on its own merits and effects. The selected actions are compatible with the Forest Plan and the capabilities of the land.

I believe that this action does not represent a decision in principle about a future consideration.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

Connected, cumulative, and similar actions have been considered and included in the scope of the analysis. The analysis accounts for past, present, and reasonably foreseeable actions of the Forest Service, Montana Department of Natural Resources and Conservation, private timber companies, and private landowners within the project area.

Based on my review of the analysis and disclosure of effects in the EA, specialist reports, Biological Assessments/Evaluations, and other analyses in the Project File, I conclude that the Red Whale Project does not represent potential cumulative adverse impacts (EA Tables 3-1 and 3-2; Chapter 3; and individual resource sections in the Project File)

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The Toepel Homestead near Unit BB was recorded and evaluated in 1998 and is considered eligible for listing on the National Register of Historic Places (site number 24FH917). The site consists of two log cabins and a log hay shed, and it will benefit from fuel reductions in and around the structures. The intent of this treatment is to provide protection from future fires and will involve thinning of the dense tree cover within a minimum 100 feet of the structures. No disturbance of the structures themselves will occur during implementation. Personnel responsible for implementation will consult with Flathead National Forest heritage staff and with the Montana State Historic Preservation Office during the implementation phase. Fuels reduction treatment will enhance long-term site preservation, will not adversely affect the site, and is a “no effect” under 36CFR800.

Heritage surveys have been completed in the Red Whale Project area and no previously undiscovered sites within the project area boundaries were found (Section R of the Project File, and the Red Whale EA pages 3-279 through 3-283). The potential for influencing undiscovered sites is mitigated by compliance with Forest Plan standards and guidelines, and through the design features included as part of the decision (Appendix B). In the event such resources are discovered during project implementation, they will be evaluated and protected.

I believe that this action will not have a significant effect on scientific, cultural, or historical resources.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Biological Assessments (BA) for threatened and endangered species have been completed for the decision and are in the Project File. These BAs and supporting documentation led to the following determinations for listed species.

Table 9. Threatened & Endangered Species Determinations

Species	Determination	Project File Exhibit
Grizzly Bear	May effect – but is not likely to adversely affect grizzly bears or their habitat.	N-2
Gray Wolf	May effect – but is not likely to adversely affect gray wolves or their habitat.	N-2
Bald Eagle	May effect – but is not likely to adversely affect the bald eagle or its habitat.	N-2
Canada Lynx	May effect – is likely to adversely affect Canada lynx or its habitat. (The acres adversely affected are within the Forest’s allocation of acres identified in the USFWS 2007 Biological Opinion for the Northern Rocky Mountains Lynx Amendment. Project File Exhibit N-81).	N-2
Bull Trout	For fuels treatments, prescribed burning, and state access: May effect – but is not likely to adversely affect the bull trout. For culvert removals/upsizing: May effect – is likely to adversely affect bull trout or its habitat. (The USFWS, in its BO, found this activity is “Not likely to jeopardize the continued existence of bull trout...not likely to destroy or adversely modify bull trout critical habitat.”)	L-3 and L-6
Spalding’s Catchfly	No effect	H-6
Water Howellia	No effect	H-6

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

As described in the EA (Regulatory Framework and Consistency sections for each resource area in Chapter 3), the selected action is consistent with all applicable federal, state, or local laws or requirements imposed for the protection of the environment, including:

- The National Forest Management Act (NFMA)
- The National Environmental Policy Act (NEPA)
- The Endangered Species Act
- The Clean Water Act and Montana State Water Quality Standards
- The Clean Air Act
- The Migratory Bird Treaty Act
- The National Historic Preservation Act
- The American Graves Protection and Repatriation Act
- American Indian Religious Freedom Act
- The Environmental Justice Act
- The Healthy Forests Restoration Act

The decision is consistent with Forest Plan direction.

I have concluded that the selected action does not violate any federal, state, or local laws or requirements imposed for the protection of the environment.

CATHY BARBOULETOS

Forest Supervisor

Date