

Decision Notice
and
Finding of No Significant Impact
Taylor Sheep Prescribed Burn Project

USDA Forest Service
Grand Mesa, Uncompahgre and Gunnison
National Forests
Gunnison Ranger District
Gunnison, Colorado

Introduction

The purpose of this Decision Notice is to document the management alternative I have selected for implementation and the rationale for my choice. My decision is based on an environmental assessment (EA) prepared for the Taylor Sheep Prescribed Burn. The Taylor Sheep Prescribed Burn EA describes the effects of two alternative ways to treat vegetation, close roads, maintain wildlife habitat, maintain recreational values, protect soil and water quality, protect threatened, endangered, and sensitive species, and protect heritage resources. In accordance with the National Forest Management Act (NFMA), an interdisciplinary team of Forest Service resource specialists (ID Team) conducted the analysis and documented the results in the EA. The document on which I have based my decision is available for review at the Gunnison Ranger District office in Gunnison, Colorado.

The Taylor Sheep Prescribed Burn project is located within the Taylor River and Spring Creek drainages approximately 12 air miles northeast of Gunnison, Colorado, and is within the Gunnison Ranger District of the Gunnison National Forest.

Purpose of and Need for Action

The purpose of the Taylor Sheep Burn Project is to improve habitat connectivity as well as visual detection of predators by opening travel corridors between bighorn sheep (Taylor River Herd Unit S26) seasonal and transitional ranges. Plant community succession, particularly on transitional ranges, is a habitat concern for the Taylor River Herd. Fire suppression allows vegetation to grow and obstruct visibility, creating densely forested areas that provide little forage and poor visibility for bighorn. The goal is to use fire as a management tool to produce and maintain sub-climax grassland and parkland habitats that provide greater visibility for bighorn sheep, as well as improve foraging habitat.

In addition to improving habitat for bighorn sheep, the proposed action is expected to improve habitat conditions for other wildlife species over the long term, as well as aid in

the restoration of native vegetation by restoring fire's natural role on the landscape. The proposed action will reduce fuel loading within treatment areas, reducing the amount of downfall that may be hindering bighorn sheep movements. The proposed action will also reduce the threat that wildfires pose to the forest due to extensive fuel buildup.

Scoping and Public Involvement

The scoping process described on page 6 of the EA, was used to gather information regarding the potential environmental effects and issues surrounding the proposal. This was the 30 day comment period in accordance with 36 CFR 215.1b and 215.6. The Forest Service ID Team, other resource specialists, and members of the public provided input for the process. News releases were distributed on April 5, 2007, and public notification was provided through the GMUG NF Schedule of Proposed Actions. Scoping letters were also mailed to individuals, groups and organizations during that time. Comments were received, and response to those comments has been appended to the EA (Appendix B).

Decision

The ID Team analyzed 3 alternatives in detail. Alternative 1 was the '*No Action*' alternative. Alternative 2 – *Proposed Action* identifies a 22,858 acre primary burn area. Alternative 3 – *Adjusted Proposed Action* identifies a 17,619 acre primary burn area, adjusts unit boundaries further away from private lands, and identifies additional fuel breaks to provide for additional private land protection. A complete description of these Alternatives is provided on pages 1-14 of the EA.

Based on careful consideration of the analysis documented in the EA, it is my decision to implement Alternative 3, which addresses private property owner concerns for the safety of their property by moving primary burn area boundaries away from private property and constructing additional fire control lines. All aspects of Alternative 3 as described in the EA will be implemented under this decision.

This alternative anticipates using prescribed fire to burn in a mosaic pattern inside a 17,619 acre primary burn area. Within the 17,619 acre primary burn area, there are 14,892 acres of lodgepole, 1,968 acres of aspen, 468 acres of Douglas fir and small, isolated pockets of ponderosa pine intermixed with Douglas fir.

Also incorporated within this decision is the inclusion of all design criteria and mitigation measures described on pages 12-14 of the EA relative to Alternative 3.

My decision is documented in 1) this document (including map), and 2) the Taylor Sheep Prescribed Burn EA, including all appendices. These documents, taken together, represent my decision. In the event of any contradiction among these documents, this listing is the order of precedence for determining which shall prevail.

Rationale for the Decision

During the scoping process, issues surfaced that formed the basis for the development, analysis and comparison of alternatives. These issues included potential effects the proposal would have on roads and trails, wetlands, riparian habitats, and fisheries, exotic plant species, wildlife/TES species, air quality, and the protection of private property. It is my judgment that Alternative 3 will allow us to meet the goals of the project in the most efficient and effective manner, as compared to both Alternatives 1 and 2.

Any potential future decisions related to this project and the analysis in the Taylor Sheep Prescribed Burn EA are independent of the decision stated in this document, and as such this decision stands alone as a separate action.

Given the depth of this analysis, I have determined that my selected alternative will be effective in meeting the Forest Plan goals, objectives, and requirements. It complies with the Clean Water Act, the Endangered Species Act, and the National Historic Preservation Act. In summary, the alternative I have selected will:

1. Remove barriers to movement and improve foraging habitat for bighorn sheep over 17,619 acres.
2. Protect private property adjacent to or near the project area.
3. Enhance or maintain the quality of habitat for other wildlife species.
4. Maintain the quality of soil, water, and fisheries resources.
5. Protect cultural resources.
6. Maintain recreation opportunities

Other Alternatives Considered

Alternative 1: No Action. This alternative provides a baseline on which the action alternatives can be compared. Under this alternative no maintenance of previous burns, enhancement of bighorn sheep habitat, enhancement of habitat for other wildlife species, or reduction of fuel loadings would occur. Recreation opportunities, grazing, personal-use firewood cutting, road and trail use, and other management activities would continue under current direction.

Alternative 2: Proposed Action. This alternative was designed to use prescribed fire to burn in a mosaic pattern inside a 22,855 acre primary burn area. The goal is to burn approximately 1,000 acres per year, but the amount burned each year will vary depending on environmental conditions (i.e., soil moisture, fuel moisture, weather, etc.) and other

factors. Within the 22,855 acre primary burn area, we anticipate a mosaic of 40-60% burned with burned and unburned areas distributed throughout the primary burn area to maintain habitat heterogeneity and connectivity. Burning will be implemented primarily in lodgepole pine, with stand replacement likely to occur in some areas depending on fuel buildup, fuel type, fire intensity, soil moisture, topography, wind speed, and plant community structure. In addition, there will be opportunities to burn aspen stands to stimulate aspen regeneration. Underburning will also take place in Douglas fir and ponderosa pine stands.

Public Response to Alternatives

The ID Team received fourteen comment letters during the public comment period. Comments provided on the proposal generally fall into five categories: support for the project; concern for private property adjacent to or near burn boundaries, size of the burn, notification of landowners adjacent to burn, and the potential for fire escape; the effects of burning on fisheries and water quality; concern regarding the USFS ability to maintain any new burn areas; and the potential for smoke impacting the area. Appendix B of the EA includes the text of our response to these public comments.

Compliance with the National Forest Management Act (NFMA)

The National Forest Management Act requires documentation of several specific findings at the project level. These findings concerning my selected alternative, are described below.

Forest Plan Consistency

All resource plans are to be consistent with the Forest Plan (16 U.S.C. 1640(i)). The Forest Plan guides all natural resource management activities (36 CFR 219.1(b)). All administrative activity must be based on the current Forest Plan (36 CFR 210.10(E)).

The EA lists Forest Plan management area prescriptions and desired condition goals. My selected alternative is consistent with current Forest Plan management direction.

Finding of No Significant Impact

Analysis of the environmental consequences indicates this is not a major federal action with significant effects on the quality of the human environment. Therefore, an Environmental Impact Statement is not required for this proposal. This determination was made considering the following factors:

1. The proposal conforms to the direction provided in the 1991 Amended Land and Resource Management Plan for the Grand Mesa, Uncompahgre and Gunnison National Forests (see Purpose and Need section of the EA).

2. No irreversible or irretrievable commitment of resources will occur (see the Environmental Consequences and Cumulative Effects sections of the EA).
3. The proposed action will not have a significant effect on the quality of the human environment, either as an individual action or as part of the cumulative effects of other past, present, and planned actions within treatment areas (see the Environmental Consequences and Cumulative Effects sections of the EA).
4. The proposed action does not affect public health and safety (see the Environmental Consequences and Cumulative Effects sections of the EA).
5. The effects of the proposed action on the human environment are not highly uncertain, nor do they involve unique or unknown risks (see the Environmental Consequences and Cumulative Effects sections of the EA).
6. The proposed action is not precedent setting. It does not establish a precedent for future actions that may have a significant effect on the environment. It does not represent a decision in principle about a future consideration (see Chapter 1 and Chapter 2 of the EA).
7. The proposed action will not adversely affect districts, sites, highways, structures, or objects listed in, or eligible for listing in, the National Register of Historic Places. The proposed action will not cause loss or destruction of significant cultural or historic resources.
8. The proposed action was determined to “may affect but not likely to adversely affect” (NLAA) the Canadian lynx, a species listed as Threatened under the Endangered Species Act. The Canada Lynx Conservation Assessment and Strategy (Ruediger et al. 2000) and the Southern Rocky Mountain Lynx Project Decision Tree (Wahl and Patton 2000, last updated June 2004) were used to make the determination of effect for the Canada lynx as per the USFWS Programmatic Concurrence, 7/1/2004.
9. The proposed action will not adversely affect other Threatened, Endangered, or Sensitive species (see the Wildlife section of the EA).
10. This action complies with other federal, state, and local laws and requirements imposed for the protection of the environment.

Implementation Date

If there is no appeal of my decision, implementation of the selected alternative may begin 50 days after publication of the Legal Notice for this decision appears in the Gunnison Country Times newspaper in Gunnison Colorado.

Administrative Review or Appeal Opportunities

A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215.7, and must meet all requirements of 36 CFR 215.14 Appeals must be filed within 45 days of the date of legal notice of this decision in the Gunnison Country Times. To be eligible to appeal this decision on this project, an individual or group must have provided a comment or otherwise expressed interest in this project during the formal comment period in April and May of 2007.

The publication date of the legal notice in the Gunnison Country Times is the exclusive means for calculating the time to file an appeal (36 CFR 215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

Appeals may be delivered by the following means:

For delivery services or hand delivery to a physical street address

Appeals Deciding Officer
U.S.D.A., Forest Service
Rocky Mountain Region
740 Simms
Golden, Colorado 80401

Office hours are 8:00 to 4:30.

For U.S. Postal Service delivery

Appeals Deciding Officer
U.S.D.A., Forest Service
Rocky Mountain Region
P.O. Box 25127
Lakewood, Colorado 80225

For Fax delivery: 303-275-5134

For email delivery of an appeal: appeals-rocky-mountain-gmug@fs.fed.us.

Electronic appeals must be in Microsoft Word, Word Perfect or plain text file format.

Contact Person(s)

For additional information concerning this decision or the environmental analysis, contact Michael Jackson or Jerry Chonka, Gunnison Ranger District, 216 N. Colorado, Gunnison, Colorado, 81230, or call (970) 642-4401 or (970) 642-4422.

/s/ James R Dawson

James R. Dawson
District Ranger

04/22/08

Date