

**Decision Notice**  
and  
**Finding of No Significant Impact**  
for the  
**Perfecto Creek Timber Sale 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 Perfecto Creek Timber Sale. The Perfecto Creek Timber Sale 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 Perfecto Creek Timber Sale project is located near Stewart Peak approximately 32 air miles south of Gunnison, Colorado, and is within the Gunnison Ranger District of the Gunnison National Forest.

**Purpose of and Need for Action**

The purpose and need of this initiative is to apply silvicultural treatment to stands in the Perfecto Creek Project Area moving them toward a healthy, more vigorous and diversified condition. There is a need to decrease the risk of insect and disease infestation to provide improved stand health both now and in the future. There is a need to follow-up on silvicultural treatments previously initiated in the Perfecto Creek area to continue long-term improvements in stand health and vigor. There is a need to promote diversity on sites within the Project Area to provide a balance of species and habitat. There is also a need to provide commercial forest products from National Forest lands

suitable for such purpose to local dependent industries. The Gunnison Ranger District proposes to utilize the commercial timber sales program to accomplish these goals as stated on pages III-1 through III-5 of the Forest Plan. The Perfecto Creek proposal would also provide opportunities to accomplish or improve upon several other goals stated in the Forest Plan. The project will help create a supply of personal-use firewood for local residents. It will help provide economic stability for local timber industry dependent on forest outputs. Improvements of livestock forage conditions will be accomplished in a portion of the forest that emphasizes livestock grazing. Enhancement of wildlife habitat diversity will be accomplished. An inventory of old growth stands was completed providing an opportunity to implement silvicultural practices that will maintain or establish an appropriate balance of old growth values. The local transportation system was analyzed to evaluate opportunities to provide the most efficient, economical, and environmentally sound system serving management needs in the area. Water quality and soil productivity will be protected and recreation opportunities will be maintained at current levels.

## **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 into the process. News releases were distributed on March 31<sup>st</sup> 2005, 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 - *Commercial Vegetation Management*, emphasized vegetation management, road reconstruction and road closures. Alternative 3 - *Commercial Vegetation Management with Old Growth Retention and Aspen Stand Improvement*: a modification of the proposed action, emphasized vegetation management, aspen stand improvement, road reconstruction, road closures and old growth stand structure retention. A complete description of these Alternatives is provided on pages 1-10 of the EA.

Based on careful consideration of the analysis documented in the EA, it is my decision to implement a modified version of Alternative 2, which emphasizes commercial vegetation management, road reconstruction, and road closures. All aspects of Alternative 2 as described in the EA will be implemented under this decision with the exclusion of cutting unit 5. (see attached map DN-1). The excluded area was proposed for group selection treatment and totals 197 acres.

In total, 713 acres will be treated with a combination of Group Shelterwood, Group Selection, Sanitation and Salvage, Selection and Aspen Rehabilitation prescriptions, yielding an estimated 5,217 CCF of commercial wood volume.

Also incorporated within this decision is the inclusion of all design criteria and mitigation measures described on pages 11-15 of the EA relative to Alternative 2.

My decision is documented in 1) this document (including map), and 2) the Perfecto Creek Timber Sale 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 forest health, wildlife/TES species, transportation safety and opportunities, the supply of wood fiber to local markets, timber production, spread of invasive species, potential soil impacts and road closure effectiveness. It is my judgment that Alternative 2 (as modified) will allow us to meet the goals of the project in the most efficient and effective manner, as compared to both Alternatives 1 or 3.

Our analysis showed that the full implementation of Alternative 2 would not meet the GMUG Forest Plan Standards based on the Habitat Capability Index for the Three-toed Woodpecker and the Brown Creeper. By implementing this modified version of Alternative 2, these habitat standards will be met. To fully implement Alternative 2 a non-significant Forest Plan amendment is required. Specifically, the Forest Plan standard to maintain a minimum potential habitat capability index value of 0.40 (HABCAP model) would need to be amended for the Brown Creeper and the Three Toed Woodpecker. The amendment would need to allow post treatment habitat conditions for these two species to fall below the minimum index value within the project area. It is my intention to collect public comments related to such an amendment to help guide a future decision about whether to make the amendment or not. After this scoping process, if we decide to amend the Forest Plan to allow a lesser potential habitat capability index and add cutting unit 5 back into the project, a separate decision notice will be made and published at a future time.

Any potential future decisions related to this project and the analysis in the Perfecto Creek Timber Sale 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. Provide about 5,217 CCF of timber to local dependent markets.
2. Improve forest health in treated stands by increasing resistance to insects and disease, improving growth and vigor of residual trees, and establishing regeneration on treated sites.
3. Maintain forest cover type diversity through the conifer removal in an aspen stand that is currently losing dominance to shade tolerant conifer tree species.
4. Reduce road related resource damage that is occurring in the project area and improve the cost effectiveness of road management.
5. Maintain the quality of wildlife habitat.
6. Maintain recreation opportunities and visual quality.
7. Maintain or improve the quality of soil and water resources.
8. Protect cultural resources.

As compared with the No Action alternative, objectives for improving forest health, maintaining aspen in the project area, providing wood fiber to society, reducing the impact of roads, improving the cost effectiveness and the efficiency of road management will all be satisfied. As compared with the full implementation of Alternative 2, and Alternative 3, my selected alternative offers a more limited opportunity to provide a supply of wood fiber to local dependent markets, however, it will meet Forest Plan wildlife standards.

## **Other Alternatives Considered**

Alternative 1: No Action. This alternative provides a baseline on which the action alternatives can be compared. Under this alternative no vegetation management, road reconstruction, or road closures would occur. Recreation opportunities, grazing, personal-use firewood cutting and road use would continue under current direction.

Alternative 3: Commercial Vegetation Management with Old Growth Retention and Aspen Stand Improvement. This alternative proposed to accomplish vegetation management on 780 acres. This alternative was designed to retain a larger percentage of forest cover in the old growth structural stage, and treat 107 acres for aspen retention. Activities related to road reconstruction and decommissioning are the same as Alternative 2.

## **Public Response to Alternatives**

The ID Team received two comment letters during the public comment period. Comments included questions about the purpose and need for the project, the depth of analysis, and if procedural requirements were met. Comments also included concerns about the analysis area considered, reforestation success, impacts to water quality, the adequacy of the MIS assessment, and invasion by noxious weeds. 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.

### **Clearcutting and Even-aged Management**

My decision involves the use of the group shelterwood silvicultural method on a total of 54 acres of the spruce-fir forest type. Based on forest condition and the objectives of this project, this system is the best method of treatment for these stands. One stand (17-acres) south of Chavez Creek is in too poor of condition to be successfully managed using group selection. The stand was previously harvested with the first entry of a three-step group shelterwood in 1990. The harvested areas have abundant spruce and fir regeneration at rates of 1,500 to 6,000 one-foot tall seedlings per acre in 2005. It is proposed that the second entry of the three-step group shelterwood be implemented, removing 40 to 45% of the remaining overstory in groups of ¼-acre size. The treatment could be done at approximately the twentieth year since the previous harvest (2010). The final overstory removal would be conducted about 2030. The other spruce stand under this treatment is in very poor condition with third of the overstory already dead and down. In a sense, nature has already conducted the first-entry of removal. The proposed treatment is to remove 40 to 45% of the overstory in groups this entry, then remove the rest of the overstory in twenty years (about 2030).

## Vegetative Manipulation

The seven requirements in 36 CFR 219.27(b) for management prescriptions that involve vegetative manipulation are:

1. **Be best suited to the multiple-use goals for the area.** *This is addressed in Rationale for my decision. It is also referenced in the EA, under Purpose and Need for Action.*
2. **Assure that lands can be adequately stocked.** *Evidence from past similar treatments on similar sites indicates that regeneration objectives will be easily obtained.*
3. **Do not choose an alternative primarily because it provides the greatest dollar return or the greatest output of timber.** *My selected alternative provides the opportunity to combine vegetation management and resource improvement to satisfy Forest Plan objectives for the area.*
4. **Be chosen after considering potential effects on residual trees and adjacent stands.** *These considerations are reflected in my decision. Forest health is improved through treatment to reduce the potential spread of insects and disease, and increasing growth and vigor of residual trees. I have not precluded any future management options within the analysis area.*
5. **Avoid permanent impairment of site productivity and insure conservation of soil and water resources.** *No units lie on unstable soils. No riparian areas will be directly affected. My selected alternative provides for long-term improvement of soil and water resources. Site productivity should be enhanced through implementation of the selected alternative.*
6. **Provide desired effects on...wildlife habitat, regeneration of desired tree species, forage production, and other resource yields.** *The Environmental Consequences section of the EA details the desired effects on the above. The chosen alternative will enhance forage production and maintain wildlife habitat capabilities in both the short term and long term.*
7. **Be practical in terms of transportation and harvesting requirements.** *Proposed road improvement will increase the long-term economic efficiency of road management in the area and closure roads will improve soil and water resources without compromising transportation needs in the area. No major harvesting, sale preparation or administration problems were evident during site visits by the ID Team.*

## **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 March of 2005.

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](mailto: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 Matt Etzenhouser, Gunnison Ranger District, 216 N. Colorado, Gunnison, Colorado, 81230, or call (970) 642-4422.

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James R. Dawson  
District Ranger

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Date

Map DN-1:  
Alternative 2 (modified)  
Selected Action  
Perfecto Creek Timber Sale



**Legend**

Roads (maintenance level)

- 1 - CLOSED (in storage)
- 2 - HIGH CLEARANCE VEHICLES
- 3 - SUITABLE FOR PASSENGER CARS

Sale Area Boundary

Treatment

- 3 Step Group Shelterwood (2ndSW3G)
- Aspen Rehabilitation (AS REHAB)
- Group Selection (GS)
- Selection (ITS)
- Sanitation/Salvage (SS)
- 2 Step Group Shelterwood (SW2G)

**2** Cutting Unit ID Number  
**GS** Treatment Code



March 26, 2007 (MJE)

