

Decision Memo

Tri-State Generation and Transmission Association Upper Power Line Fuels Treatment

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

Summary of Decision

This decision memo addresses fuels reduction planned for a transmission line operated by Tri-State Generation and Transmission Company (Tri-State). This is a 115 kV transmission-class line that delivers power to local and regional energy providers such as DMEA and San Miguel Power Company. Additionally, 8 communications sites are located at the Raspberry electronics site in the southern end of the project.

The Tri-State fuels reduction project is located on the Uncompahgre Plateau, approximately 25 miles southwest of Montrose Colorado and is shown on Figure 1. In 2002, the U.S. Forest Service (FS) and the Bureau of Land Management (BLM) conducted a joint vegetation management assessment of the Spring Creek and Dry Creek watersheds. The Dry Creek and Spring Creek watersheds were selected for analysis and planning through a collaborative community involvement effort with the Public Lands Partnership and an interagency planning team. Documentation of the assessment, titled Dry Creek/Spring Creek Vegetation Management Strategy, is available for review at either the Forest Service office in Delta, Colorado or at the Public Lands office in Montrose, Colorado.

From the Dry Creek/Spring Vegetation Management Strategy, selected treatment proposals were identified to take forward into the NEPA process for consideration for implementation in the next five to ten years. These proposed treatments included prescribed fire and mechanical treatments in the lower portions of Spring Creek/Dry Creek watersheds, and treatments to protect two power lines which traverse the Uncompahgre Plateau. Fuels and vegetation treatments other than power line proposals were addressed in an Environmental Assessment and Decision Notice in 2003, and have essentially been completed. This left the power lines to be completed.

The eastern-most power line corridor is a 345 kV transmission-class line owned and operated by the Western Area Power Administration (Western). This line transmits power that originates mainly from federal hydro-generation facilities in Colorado and transports this energy to demand in Nevada and California. The Forest Service prepared a decision memo in November 2005 for the Western line; implementation will begin in the Fall of 2006.

The project treatment design and methods are shown in Figure 2, described in Table 1, and summarized in Table 2 of this DM. The Tri-State Project will:

1. Include fuels treatments on about 720 acres to include commercial and non-commercial tree cutting and mechanical treatment of live and dead vegetation to reduce the ability of trees to maintain a high-intensity crown fire in the vicinity of the power lines.

2. Include approximately 174 acres of prescribed fire to reduce the intensity of a ground fire near the power line.
3. Include about 104 acres of maintenance treatments to reduce surface, ladder, and canopy fuels in the area immediately adjacent to power lines
4. Protect soils by avoiding saturated soils and limiting mechanical treatment during spring snowmelt.
5. Protect riparian and streamside zones by consulting the Forest Hydrologist during layout and, where prescribed fire, commercial harvest, or mechanical treatments will occur, observing buffers of 100 feet along perennial stream channels and around natural springs.
6. Clear fuels from the base of large diameter snags and cull trees prior to ignition to protect them from fire.
7. Reduce the spread of noxious weeds by requiring contractors to clean equipment prior to commencing project work.
8. Treatments will be designed to improve esthetics along the following trails:
 - a. Units T-1A, T-2A, T-2B, T-4C Buck Trail #149
 - b. Units T-4A, T-4B, T-6B, T-5, T06 No name #150
 - c. Units T-7A, T-12, T-12A, No name #151
 - d. Units T-30, T-28, No name #140
 - e. Units T-26, T-42 No name #139
 - f. Units T-19, T-20 No name #540.1A1
 - g. Units T-2B, T-2B1 Dry Creek Spur #114.1b
9. Log haul will be confined to non-holiday weekdays.
10. Access routes into project areas will be confined to existing two tracks and travel paths where possible.

I find that this action may be categorically excluded from documentation in an environmental impact statement or an environmental assessment. It falls within the category of actions of Category 10 of Forest Service Handbook (FSH) 1909.15, Sec. 31.2.

Extraordinary Circumstances

To first address extraordinary circumstances, I have considered each of these factors, or potential circumstances, and I find that they either do not occur within the project area, or they are not affected by proposed treatments in any significant way.

1. Steep slopes or highly erosive soils – not present, no effect.
2. Threatened and endangered species or their critical habitat – Biological Evaluation completed and a “No Adverse Effect” on T&E Species.
3. Floodplains, wetlands, or municipal watersheds – not present – no effect.
4. Congressionally designated areas – not present – no effect.
5. Inventoried Roadless Area – not present – no effect.
6. Research Natural Area – not present – no effect.

7. Native American religious or cultural sites, archaeological sites, or historic properties or areas – surveys were conducted and a “no properties affected” determination was made.

Public Involvement

This project is the product of extensive collaboration with a number of interest groups and publics including the Public Lands Partnership. The Public Lands Partnership represents state, federal agencies, local county and city governments, environmental groups, business interests, recreational groups, and the public at large from Montrose, Delta, and Ouray Counties. The Public Lands Partnership supports this project and assisted the Forest Service with input to the project as well as planning field trips to the project area. A partial list of the meetings and field trips that have been associated with public information and project development:

- 8/14/04 public meeting sponsored by Public Lands Partnership to Burn Canyon and Western and Tri-State power lines
- 10/14/04 Meeting with National Network of Forest Practitioners
- 11/3/04 Public Lands Partnership field trip
- 6/29/05 Public Lands Partnership field trip

The proposal has also been listed in each of the Schedules of Proposed Actions published since January 2003.

The Forest Service received eleven letters or phone comments during scoping. Also, in response to concerns raised during the scoping process, District personnel met in April 2006 with representatives of High Country Citizens Alliance and Colorado Wild to discuss the project. The Forest Service received a letter in early May from the two groups in which four issues were raised, as follows:

1. The use of Categorical Exclusions for NEPA documentation and concern for cumulative effects analysis.
2. Concern that the Tri-State line would be subject to future fire suppression and that wildland fire use should be allowed/included in the Forest amendment/revision.
3. The treatment corridor width and lack of scientifically-documented benefits of resistance to wildland fire.
4. Lack of monitoring and published results of efforts elsewhere to address the effectiveness of treatments.

The use of a Categorical Exclusion is appropriate in this case due to the following: it fits one of the categories in the Department of Agriculture regulations listed in Section 31.2 of Forest Service Handbook 1909.15; there are no extraordinary circumstances related to the proposed action; and scoping did not reveal any extraordinary circumstances.

The GMUG NF's is working on a Forest Plan amendment/revision to allow Wildland Fire Use (WFU) to achieve positive resource benefits for the National Forest. We agree that WFU would be beneficial for maintaining long-term fire protection of the Tri-State Power line. However, without first reducing fuels from current levels, as proposed in this Decision, protection of the power line would be difficult to safely achieve through WFU alone. Currently, utility corridors and electronic sites are within Management Area 1D of the GMUG Land Management Plan for

which Standards and Guidelines recommend prompt control of all wildfires. While we agree that this guideline should change, this can occur only after adoption of a Forest Plan amendment or Plan revision allowing WFU, a decision that is beyond the scope of this decision.

In the project record is a detailed analysis of the likely environmental effects of this project. The project is well designed and appropriate for long-term protection, to include maintenance, utilizing prescribed burning, WFU, and mechanical treatments as necessary.

Effectiveness monitoring will be conducted through the Environmental Management System recently implemented on the GMUG NF's. Effectiveness monitoring will be conducted to determine whether this decision is implemented as described in this document. In addition, we have discussed with Tri-State the potential for their role in long term monitoring to include condition of power lines following various fires as they would occur.

Findings Required By and /Or Related to Other Laws and Regulations

Forest Plan Consistency

No Forest Plan amendment, site-specific or otherwise, would be required for implementation of this project. All actions are consistent with the Forest Direction and Management Area Standards and Guidelines of the Plan.

Endangered Species Act

A Biological Assessment was prepared in accordance with Section 7 of the Endangered Species Act to determine the effects of the proposed action on federally listed threatened, endangered, proposed, and candidate species. During the analysis process, informal consultation was conducted with the U.S. Fish and Wildlife Service. Based upon this analysis and consultation, it was determined that the proposed action may affect, but is not likely to adversely affect, the Canada lynx. Under the Counterpart Regulations developed for the President's Healthy Forest Initiative, additional review or consultation was not necessary for this project.

A Biological Evaluation was prepared in accordance with Forest Service Manual direction to determine the effects of the proposed action on Forest Service sensitive species. Based upon this analysis, it was determined that the proposed action may adversely impact individuals, but is not likely to result in a loss of viability on the planning area, or cause a trend to federal listing or a loss of species viability range-wide for several of the species evaluated. Species affected in this manner include the flammulated owl, northern three-toed woodpecker, olive-sided flycatcher, fringed myotis, pygmy shrew, and American marten.

A Management Indicator Species (MIS) report was also prepared in accordance with 36 CFR 219.19 and Forest Service Manual (FSM) 2620. The purpose of MIS analysis is to estimate the effects of alternatives on fish and wildlife populations. A review of Forest-wide monitoring for MIS occurring in the analysis area suggests that the proposed action would not have negative consequences to MIS populations from the standpoint of affecting the viability at the Forest-level. Through habitat alteration and/or disturbance, the project may temporarily displace or alter how individuals use affected habitats, but these effects will not result in a change in population numbers or trends at the project or Forest scales.

National Historic Preservation Act

All treatment areas have been surveyed for cultural and historic resources. Through avoidance, those sites which were identified will not be affected by this project. The State Historic Preservation Officer has concurred with this determination with a letter which is part of the project record.

Prime Farmland, Rangeland, and Forestland

Adverse effects on prime farmland, rangeland, and forestland not already identified in the Forest Plan EIS are not expected from implementing the alternatives. There are no prime farmlands within the project area.

Floodplains and Wetlands

The proposed alternatives would have no impact on floodplains or wetlands as described in Executive Orders 11988 and 11990.

Environmental Justice

With the implementation of any of the alternatives, there would be no disproportionate adverse human health or environmental effects on minority or low-income populations. The actions would occur in a remote area and nearby communities would mainly be affected by economic impacts as related to timber harvest or contractors implementing treatment activities.

Consumers, Civil Rights, Minority Groups, and Women

The proposed alternatives would not adversely affect consumers, civil rights, minority groups, or women. Timber sale and other contract provisions include non-discrimination requirements.

The proposed alternatives would not have a disproportionately high or adverse human health affect on any identifiable low-income or minority population.

Appeal Opportunities

On Sept.16, 2005, the United States District Court for the Eastern District of California issued an order clarifying its July 2, 2005 ruling. Certain forest projects, including this one, using a categorical exclusion (CE) must now have formal public notice, be available for public comment and give the public the option of appealing the decision. This was confirmed in a separate case Wilderness Society v. Rey in the Federal District Court of Montana.

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. Appeals must be filed within 45 days of the date of legal notice of this decision in the Montrose Daily Press. 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.

The publication date of the legal notice in the Montrose Daily Press 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 7:30 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.

Implementation Date

If no appeal is received within the 45-day time period, implementation of this decision may begin on, but not before, the 5th business day following the close of the appeal-filing period.

Contact Persons

For additional information, contact Tim Garvey, Ouray Ranger District, 2505 South Townsend, Montrose CO, 81401, (970) 240-5401.

My decision is based on information presented in this document and the entirety of the Planning Record.

/s/ Tamera Randall-Parker

Tamera K. Randall-Parker
District Ranger
Ouray Ranger District

September 15, 2006

Date

Figure 1: Vicinity Map

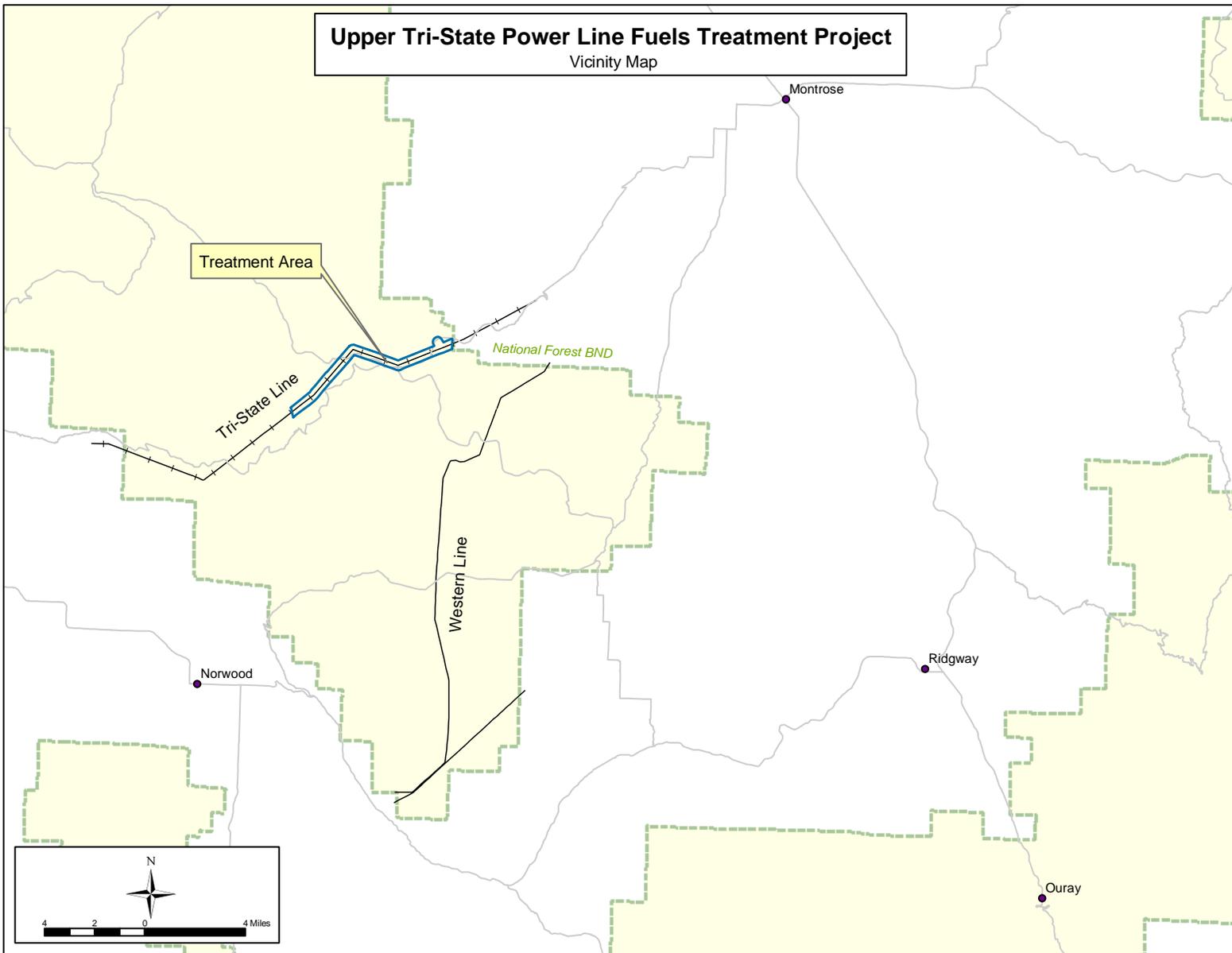


Figure 2: Project Map

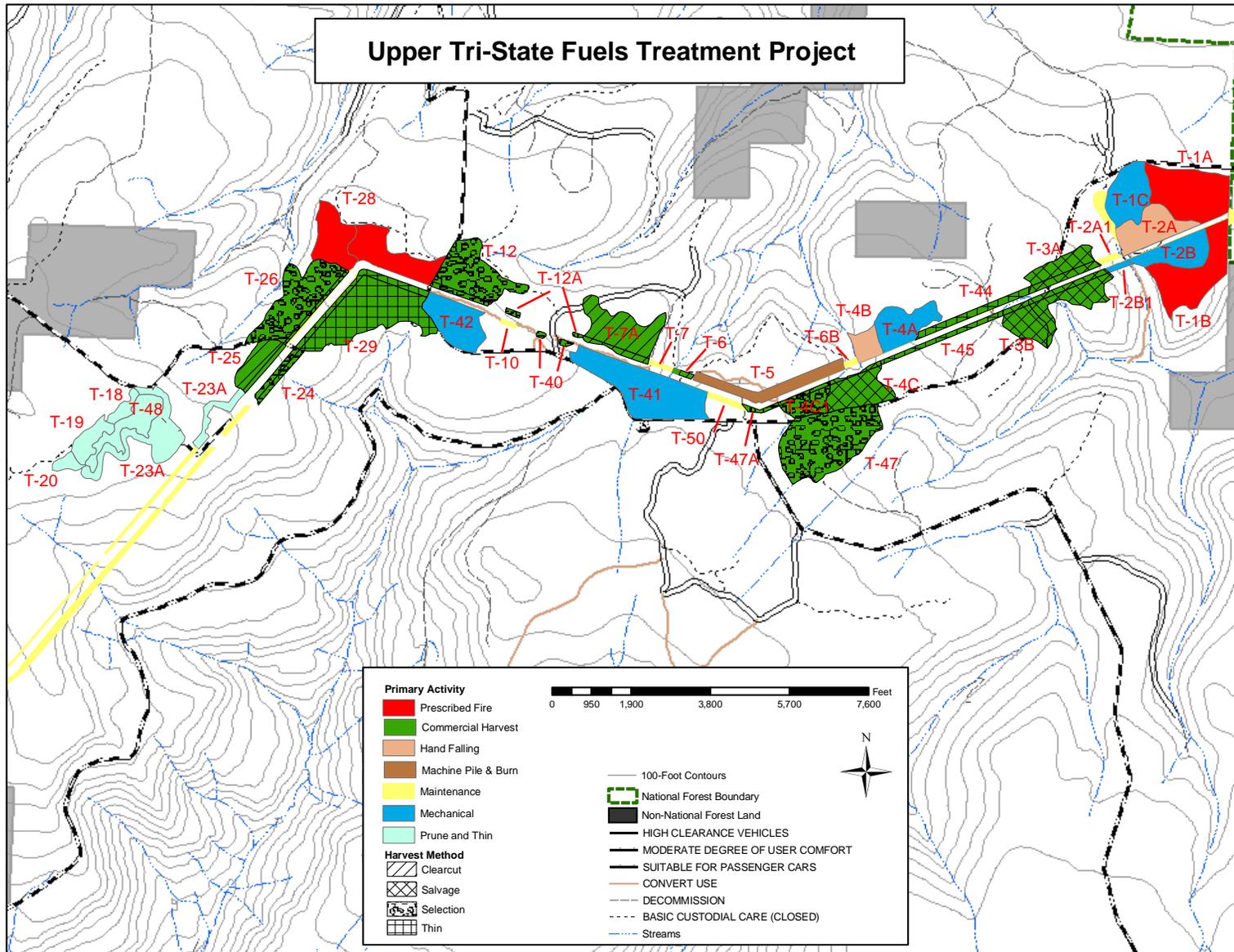


Table 1
Unit Treatment Descriptions

Unit Number	Acres	General Treatment	Specific Description of Treatments
T-1A	48.9	Underburn	Unit is located on National Forest boundary, adjacent to private land. Underburn 40% to 60% of unit area, which will favor Douglas-fir and aspen. There will be some mortality in spruce. To retain wildlife screening, no burning between old Hwy 90 and new Hwy 90. Follow-up with fuelwood cutting to remove mortality that results from underburn.
T-1B	44.3	Underburn	Mechanical pretreatment followed by underburn. Confine treatment to flats and avoid steep area to southwest in drainage.
T-1C	28.0	Mechanical	Mechanical followed by pile burning. Most mortality is in sub-alpine fir, so low commercial timber potential. Unit is located near Silesca ranger station and fuels are heavy.
T-2A	27.5	Hand Falling	Hand-thin conifer understory; lop and scatter slash. Favor aspen and Douglas-fir.
T-2A1	2.1	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-2B	23.3	Mechanical	Mechanically treat mid-canopy conifer.
T-2B1	1.9	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-3A	21.0	Commercial Harvest	Sanitation cut and thin followed by pile and burn. Treat only area within about 500 feet of power line to maintain corridor. Two entries may be necessary to open stand enough without compromising wind stability.
T-3B	42.8	Commercial Harvest	Sanitation/salvage harvest with purchaser piling. Follow with FS pile burning, and post-sale mechanical treatment of ladder fuels. Focus on commercial component. Old clearcut to south-southwest and aspen stand to south will serve as buffer to potential wildfire coming up canyon. Avoid area in draw south of road because it's too steep for logging.
T-4A	25.8	Mechanical	Private land (no structures) to north. Mechanical treatment (chip or pile and burn)
T-4B	10.1	Hand Falling	Steep slopes prevent use of mechanical. Hand-fall, hand-pile, and burn.
T-4C	26.2	Commercial Harvest	Salvage harvest with purchaser piling and FS pile burning. Follow-up with mechanical treatment if necessary
T-4C1	14.8	Commercial Harvest	Group selection and thin; purchaser pile, FS burning.
T-5	22.0	Pile and Burn	Pile and burn. Confine to area within 300 feet of line because of expense. Non-commercially regenerate small aspen patches within 300 feet.
T-6	1.5	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-6B	1.4	Maintenance	Northeast-facing, steep slope, wet soils. Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-7	1.8	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-7A	37.9	Commercial Harvest	Clearcut to regenerate aspen; follow-up with broadcast burn. Install fence for regeneration protection.
T-10	1.1	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-12	42.3	Commercial Harvest	Group selection, salvage, thin, pile and burn. Terminate treatment at 1000-foot mark.

T-12A	1.8	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-18	5.8	Prune and Thin	Adjacent to Raspberry Communications Site. Treat within about 200 feet of meadow edge. (See T-48 prescription).
T-19	11.9	Prune and Thin	Adjacent to Raspberry Communications Site. Located upwind of site. Extend treatment out to within about 400 feet of meadow edge. (See T-48 prescription).
T-20	4.7	Prune and Thin	Adjacent to Raspberry Communications Site. Implement treatment west to road. Non-commercial treatment of standing dead through piling, chipping, or firewood. Cut and treat ladder fuels. (See T-48 prescription).
T-23A	40.0	Prune and Thin	Treat areas within 200 feet of communications facilities as described in T-48 prescription.
T-24	7.9	Commercial Harvest	Individual-tree selection to maintain somewhat open main canopy. Reduce mid-canopy ladder fuels through hand cutting; purchaser slash piling followed by Forest Service pile burning.
T-25	16.5	Commercial Harvest	Stand clearcut followed by broadcast burn. Install fence for regeneration protection.
T-26	49.9	Commercial Harvest	Group selection and thin, purchaser piling, FS burning. Create aspen/conifer mosaic. Locate treatment boundary east of draw.
T-28	26.0	Broadcast Burn	Broadcast burning is best chance at regenerating aspen, which is at 15% canopy cover. Treatment is three broadcast burns over 15-year period with mechanical pre-treatment during dry soil condition.
T-29	74.1	Commercial Harvest	Thin, targeting live sub-alpine fir; purchaser pile, FS burn. Consider hand/mechanical treatment of mid-story.
T-30	32.8	Broadcast Burn	Broadcast burning is best chance at regenerating aspen, which is at 15% canopy cover. Treatment is three broadcast burns over 15-year period with mechanical pre-treatment during dry soil condition.
T-40	1.5	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-41	61.9	Mechanical	Non-commercial cutting of sub-alpine fir followed by piling and burning. Elk travel corridor to the east.
T-42	29.5	Mechanical	Non-commercially treat surface fuels and standing dead, pile and burn.
T-44	10.6	Commercial Harvest	Thin lodgepole pine plantation trees within 200 feet of power line; eliminate trees under the line. Utilize trees for post and poles if possible.
T-45	7.7	Commercial Harvest	Thin lodgepole pine plantation trees within 200 feet of power line; eliminate trees under the line. Utilize trees for post and poles if possible.
T-47	70.0	Commercial Harvest	Salvage harvest soon. In aspen/conifer patches, cut small patch clearcuts to regenerate aspen and develop mosaic that will reduce fire spread potential. Purchaser piling, FS burning.
T-47A	1.9	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.
T-48	21.8	Prune and Thin	Raspberry Communications Site: 1) " <u>islands</u> ": when facility is within 100 feet of a conifer island, prune limbs within 5 feet of surface and remove for pile burning. Burn surface fuels. 2) <u>meadow perimeter and adjacent to facilities</u> : within about 200 feet of perimeter and within 200 feet of an electronics facility, prune branches within 5 feet of surface, pile and burn or chip surface fuels. If needed to decrease ladder fuels and to maintain open crown condition, employ commercial or non-commercial thinning and treat slash mechanically or by burning. See also prescriptions for T-18, T-19, T-20, and T-23A.
T-50	2.9	Maintenance	Hazard trees: cut and either remove or treat to reduce slash hazard; General forest: mechanically treat surface and ladder fuels; thin and commercially remove or treat to reduce slash hazard. Employ prescribed burning, as appropriate.

Note: "Maintenance" as described immediately above is incorporated into all treatments within about 200 feet of the power line. Removal of commercial-size trees under Maintenance will occur in a commercial timber sale or through the public fuelwood program.

Table 2
Treatment Summary

General Treatment	Acres
Commercial Harvest	428
Mechanical	170
Maintenance	104
Underburn	93
Prune and Thin	84
Broadcast Burn	59
Hand Falling	38
Machine Pile & Burn	22
TOTAL	998