

DECISION MEMO
USDA - Forest Service

Indian Run Fuels Reduction and Wildlife Habitat Improvement Project

Yampa Ranger District
Medicine Bow-Routt National Forest
Routt County, Colorado

(Township 3 north, Range 89 west, and sections 9, 10, 11, 14, 15, 16, 17, 20, 21, and 22)

I. DECISION TO BE IMPLEMENTED

A. Description of Decision

I have decided to implement activities within units 3 and 4 of the Indian Run Fuels Reduction and Wildlife Habitat Improvement Project area (Appendix A). Through the Indian Run Landscape Assessment, the Indian Run Project Area was identified for habitat improvement needs that coincide with hazardous fuel reduction. Vegetation cover types and age classes were identified and prioritized where prescribed fire could benefit elk and deer winter range by regenerating decadent aspen and shrub communities (Appendix B). The majority of the mountain shrub, oakbrush, and aspen habitats are decadent or in the mid to late-seral stage creating a homogeneous fuel profile. The aspen stands are at the climax stage and either have poor understory regeneration occurring or the entire clone is beginning to deteriorate creating additional accumulation of fuel. Although mature communities are used by a variety of wildlife species, an excess of mature communities reduces wildlife habitat effectiveness for species that prefer a diversity of seral stages such as elk, deer, snowshoe hare, Columbian sharp-tailed grouse, and other bird species.

My decision includes conducting a series of prescribed burns and minor mechanical treatments designed to improve wildlife habitat, reduce hazardous fuels, and return fire to a fire-adapted landscape. Prescribed fire will be used to regenerate decadent mountain shrub, oakbrush, and aspen communities. Within priority cover types, the Forest Service anticipates 50-70% of the vegetation would burn and the pattern created would be a mosaic of age classes and habitat structural stages.

The analysis area or project area has identified 3,029 acres of potential prescribed burning. The unit boundaries can be considered the maximum manageable area or project area boundary. The two units on National Forest (Units 3 & 4, Appendix B) are a mix of the three habitat types: mountain shrub, pure oakbrush, and aspen. The mountain shrub community is made up several species which include: serviceberry, chokecherry, snowberry, oakbrush, sagebrush, and rabbit brush. If appropriate conditions exist for prescribed burning, it is the Forest Service's objective to treat in the following priority order:

1. Late-seral aspen (Aspen, L, 4B¹) and pure, decadent oakbrush stands (Shrub, L, 3S) that have limited regeneration occurring;

¹ Abbreviations for priority cover types: Cover Type [Aspen or Shrub]; Successional Stage [tree or shrub size= (S)mall, (M)edium, (L)arge]; Habitat Structural Stage [1=grass-forb, 2=shrub-seedling, 3=sapling-pole, 4=mature]; and Canopy Cover Density [A=0-40%, B=40-70%, C=70-100%, S=shrub].

2. Mountain shrub stands (Shrub, M, 3S) that are succeeding into pure, decadent oakbrush stands; and
3. Aspen stands that are currently classified as mid-seral (Aspen, M, 3B and Aspen, L, 4A).

Where riparian communities are adjacent to priority cover types, and where feasible, the Forest Service may regenerate portions using low intensity prescribed fire. Some treatments may occur in low, priority cover types (Priority 4-6, Appendix B), due to their proximity on the landscape to priority cover types (Priority 1-3, Appendix B), but will not be specifically targeted for treatment.

Treatments will include prescribed broadcast burning, with limited mechanical thinning or clearing where needed to provide for prescribed fire feasibility, control and safety measures. Mechanical treatments are expected on less than 100 acres. Mechanical treatments may occur for line construction if needed for prescribed burning. Other mechanical treatments, that meet the purpose and need, may include mowing on (less than 40%) slopes to lessen fire intensity to protect sagebrush communities or spread of noxious weeds. Burns will occur in either spring or fall which will give flexibility and increase prescribed burn window options. Existing roads, natural vegetation breaks, topographic breaks, black-lining, and potentially minimal amounts of constructed handline will be used for prescribed fire feasibility. Snowline will also be utilized extensively during spring burning. Line construction will be determined on a case-by-case basis and further field analysis prior to implementation may be necessary for completion of burn plans.

My decision includes the following design criteria:

1. Within priority cover types, no more than 70% of cover type would be burned to create a mosaic of age classes and habitat structures.
2. Across priority cover types, prescribed burns will occur in a spatial-temporal pattern or a mosaic across the landscape with no more than 1,000 acres burned annually.
3. Handlines will not be wider than 2 feet in terms of soil disturbance and dozerlines will not be used.
4. Areas with unstable soils have been excluded from the proposed action.
5. Maintain a ¼-mile “no disturbance” buffer and avoid all fuels reduction activities within that buffer zone around all active raptor nest locations. This would apply to all activities from March 15 until August 30. Early fledgling of brood may allow for modification of disturbance time period when coordinated with the wildlife biologist.
6. Avoid stands of sagebrush that are greater than five acres during ignition to provide habitat for grouse species.
7. Deferring livestock grazing across burned areas for two years is recommended. However, in order to minimize impacts to livestock permittees, no more than 20% of the suitable acres in any one allotment will be burned in a single year.
8. Avoid noxious weed patches greater than one acre. Follow-up monitoring for noxious weeds will occur to assure success of treatment and identify need for noxious weed spraying.
9. Do not operate any heavy equipment on slopes over 40%
10. Avoid crossing any perennial, intermittent, or ephemeral draws with mechanical equipment unless approved by a watershed specialist.
11. Minimize sharp turns by heavy equipment on slopes during mowing operations to avoid soil disturbance.

12. All mechanical and hand constructed control lines will have waterbars or other drainage structures installed during construction.
13. Unless identified by a watershed specialist, riparian areas would not be intentionally ignited during firing operations, and a sufficient buffer strip would be left to filter increased sediment and ash loads that may result from burning operations. This includes riparian areas adjacent to perennial or intermittent channels, and ephemeral draws containing riparian vegetation. If fire backs into the ephemeral draw or buffer strip area after ignition, direct suppression actions would not occur unless a chimney scenario were to develop.
 - *Stream channel* is defined as a scoured bed that is at least one foot wide.
 - *Ephemeral draw* is defined as a linear drainage that flows water during major runoff events, but does not have defined bed or banks, and is typically vegetated.
14. Avoid the following cultural resource sites:
 - a. Site 5RT.510 should be considered during the burn plan in the event of a runaway prescribed burn due to its perishable nature.
 - b. Excessive smoke should be minimized in the vicinity of the Ute pictographs at site 5RT.698
 - c. Hand lines and mowing should not be implemented proximate 5RT.1292.
15. Coordinate construction of handlines and mowing with archaeologist in areas with slopes less than 30 degrees, unless previously surveyed.
16. To mitigate potential erosive effects to buried cultural deposits stemming from prescribed burning activities, project personnel should report substantial erosion events within the APE to Forest Service archaeologists. Archaeologists can review the areas for potential loss of cultural deposition on existing or previously unrecorded sites.
17. Cultural Resource Discovery and Education Clause:
 - a. All persons associated with operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed.
 - b. If cultural resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery and notify the archaeologist for further direction.

A. Purpose of Decision

Within the Indian Run analysis area it is anticipated that naturally occurring fire events and disturbance regimes have likely been altered over time due to general land management practices, fire suppression policies, the proximity of private lands and various values at risk. These actions may have limited opportunities for stand regeneration in the area that are important for big game and other wildlife species.

The purpose of the project is to:

- Restore fire to a fire-adapted landscape where past intervals have likely been altered to improve wildlife habitat and reduce hazardous fuels.

The benefits of the project include:

- Regenerate decadent shrub and aspen communities to create a heterogeneous landscape with a mosaic of vegetation cover types and age classes for use by

wildlife. This diversification of vegetation classes will simultaneously provide reduced fuel conditions adjacent to, and along National Forest boundaries providing improved fire fighter safety, response, and management options.

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture. These categories can be found in 7 CFR part 1b.3, or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15, Chapter 30. Directive 1909.15-2007-1, FSH 30.3, states that *“The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is (1) the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and (2) if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist”*. To fit into a categorical exclusion there must not be extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the Project Record.

A. Category of Exclusion

This decision is within a category of exclusion published in the Federal Register on February 15, 2007. The category is found in the Forest Service Handbook (FSH) in 1909.15, Environmental Policy and Procedures, ID 1909.15-2007-1.

31.2.10 Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching and mowing not to exceed 1,000 acres”. Such activities:

- Shall be limited to areas (1) in wildland-urban interface, or (2) Condition Classes 2 or 3 if Fire Regime groups I, II, or III, outside wildland urban interface;
- Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-year Comprehensive Strategy Implementation Plan;”
- Shall be conducted consistent with agency and Department procedures and applicable land resource management plans;
- Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness;
- Shall not include the use of herbicides or pesticides or the construction of new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction.

31.2.06 Timber stand and/or wildlife habitat improvement activities that do not include the

use of herbicides or do not require more than one mile of low standard road construction (Service Level D, FSH 7709.56). Examples include but are not limited to:

- a. Girdling trees to create snags.
- b. Thinning or brush control to improve growth or to reduce fire hazard including the opening of an existing road to a dense timber stand.
- c. Prescribed burning to control understory hardwoods in stands of southern pine.
- d. Prescribed burning to reduce natural fuel build-up and improve plant vigor.

B. Relationship to Extraordinary Circumstances

1. Steep Slopes or Highly Erosive Soils -

Areas with unstable soils or areas that are prone to landslides have been excluded from the proposed action. This decision excludes ground-based heavy equipment on slopes greater than 40%.

2. Threatened and Endangered Species or Their Critical Habitat -

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with this Act, potential effects of this decision on listed species have been analyzed and documented in the Biological Assessment/Evaluation for the project.

It was determined that this decision will have a "*May Affect, but Not Likely to Adversely Affect*" on the Canada lynx. A determination of "*No Effect*" was made for the Bald Eagle, Bonytail chub, Colorado pikeminnow, Humpback chub, Razorback sucker, and Pallid sturgeon.

3. Floodplains, Wetlands, or Municipal Watersheds -

This decision will not affect floodplains, wetlands or municipal watersheds (Hydrologist Specialist Report: Water, Riparian, and Wetland Input). Design Criteria pertaining to riparian, wetlands, or watersheds are included in the Proposed Action.

4. Congressionally Designated Areas -

This decision does not affect Wilderness, Wilderness Study Areas, or National Recreation Areas.

5. Inventoried Roadless Areas (IRA) -

The project area is within an inventoried roadless area (Pagoda Peak Roadless Area). Per Forest Service Handbook Directive 1909.15-2007-1, Chapter 30.3 (issued February 15, 2007), inventoried roadless areas are one of several resource conditions that may trigger additional analysis and documentation of decision in an Environmental Assessment or Environmental Impact Statement. However the Directive also states that "*The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is (1) the existence of a cause-effect relationship*

between a proposed action and the potential effect on these resource conditions and (2) if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist". This project would not result in a change to existing road conditions or construction of additional roads.

Prescribed burning will not affect the character of the Pagoda Peak Roadless Area. Fire historically burned large portions of this landscape shaping the vegetation and species composition. The reintroduction of fire will mimic the natural fire regimes of the past. It would not affect the roadless status of these lands or alter the boundaries of the IRAs in anyway. Therefore, no extraordinary circumstance exists. For further documentation of analysis, refer to Appendix C.

6. Research Natural Areas –

This decision does not affect Research Natural Areas.

7. Native American Religious or Cultural Sites, Archaeological Sites, or Historic Properties or Areas -

A sample cultural resource survey was conducted following the sampling strategy outlined in two programmatic agreements (Advisory Council on Historic Preservation et al. 2001a, 2001b). According to the 2004 revised regulations [36 CFR 800.4(d) (1)] for Section 106 of the *National Historic Preservation Act* (16 U.S.C. 470f) the determination for the proposed action is “*no historic properties adversely affected*”. No tribal concerns were identified for this project. Design Criteria pertaining to cultural resources are included in the Proposed Action.

8. Other Issues Raised During Scoping

No extraordinary circumstances related to the project were identified during the scoping process, (Refer to Response to Comments, Appendix D).

III. PUBLIC INVOLVEMENT

Public Scoping and the formal comment period were initiated on February 18, 2007 and concluded on March 18, 2007. The scoping letter combined with request for formal comments was sent to 76 potentially interested and concerned individuals, organizations, and affected stakeholders. Two letter responses and one in-person response were received. Responses to comments can be found in Appendix D of this document.

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Routt National Forest Land and Resource Management Plan 1997 Revision

The LMP has been reviewed in consideration of this project and this decision is consistent

with desired condition, standards, and guidelines identified:

- *Pagoda Geographic Area*: The desired condition is to have healthy oakbrush communities, with a variety of age classes to provide high-quality winter range for big game. Natural processes and vegetation patterns will be apparent as a result of natural disturbance events or vegetative manipulation to simulate natural events. Some evidence of human-caused disturbance will be visible in the small areas allocated to general forest and rangelands, big game winter range, and backcountry motorized recreation.
- *5.41 Deer and Elk Winter Range*: The desired condition is vegetation composition and structure managed to meet the needs of deer, elk, and other species on their winter range without being disturbed by human activities during winter and spring. Management of the area will be coordinated with Colorado Division of Wildlife and other agencies responsible for wildlife management. Some human development and management activity, such as prescribed burning, is evident.
- *3.31 Backcountry Recreation Year-round Motorized*: The landscape will have a predominantly natural appearance and be relatively undisturbed or slightly disturbed by human activity. Vegetation will be influenced by fire according to site-specific objectives. Emphasize fish and wildlife habitat improvement projects which benefit threatened, endangered, and sensitive species and habitats. Improvements will blend with the natural landscape. Use perimeter control or prescription control as the wildland fire management strategy in this Management Area.
- *1.32 Backcountry Nonmotorized with Winter Limited Motorized*: The landscape will have a predominantly natural appearance and be relatively undisturbed or slightly disturbed by human activity. Forested vegetation patterns and successional condition will generally be influenced by natural disturbance processes including, but not limited to fire, insects, and disease. Emphasize fish and wildlife habitat improvement projects which benefit threatened, endangered, and sensitive species and habitats. Improvements will blend with the natural landscape. Use perimeter control or prescription control as the wildland fire management strategy in this Management Area.

National Forest Management Act

This decision is also consistent with the National Forest Management Act and the requirements for management prescriptions and regulations found in 36 CFR 219.

Sensitive Species (Forest Service Manual 2670)

Forest Service Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation. Design Criteria 5-8 were included to protect sensitive wildlife habitats in the project area.

A determination of “*may adversely impact individuals, but not likely to result in a loss of viability on the planning area, nor cause a trend to federal listing or a loss of species viability rangewide*” was made for the Brewer’s sparrow, Columbian sharp-tailed grouse,

flamulated owl, loggerhead shrike, Northern goshawk, purple martin, Colorado River cutthroat trout, and Narrowleaf moonwort (*Botrychium lineare*).

Management Indicator Species and Other Wildlife Species

Management Indicator Species (MIS) as well as other wildlife species are discussed in the “Wildlife and Fisheries Specialist Report for the Indian Run Fuels Reduction and Wildlife Habitat Improvement Project”, which is part of the Project Record. Vesper sparrow was selected as the MIS for evaluation and “*the project is not expected to affect these populations*”. Rocky Mountain Elk and Greater sagegrouse were also evaluated in the Wildlife and Fisheries Specialist Report. *The project is anticipated to redistribute elk on winter ranges and is not expected to affect populations. No impacts are anticipated for sagegrouse*, because sagegrouse habitat is not present in the analysis area. The effects to Columbian sharp-tailed grouse are explored in greater detail in the Biological Evaluation (also refer to Section IV: Sensitive Species).

National Environmental Policy Act

This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

V. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

Those who provided comments during the formal comment period are eligible to appeal the decision pursuant to 36 CFR part 215 regulations.

VI. IMPLEMENTATION DATE

This project will be implemented as soon as conditions warrant and continue for at least four years, until objectives are met.

VII. CONTACT PERSON

Further information about this decision can be obtained by contacting Melissa Miller, Team Leader, or Oscar Martinez, District Ranger, at (970) 638-4516 during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.); or by email at: melissamiller@fs.fed.us, or omartinez@fs.fed.us.

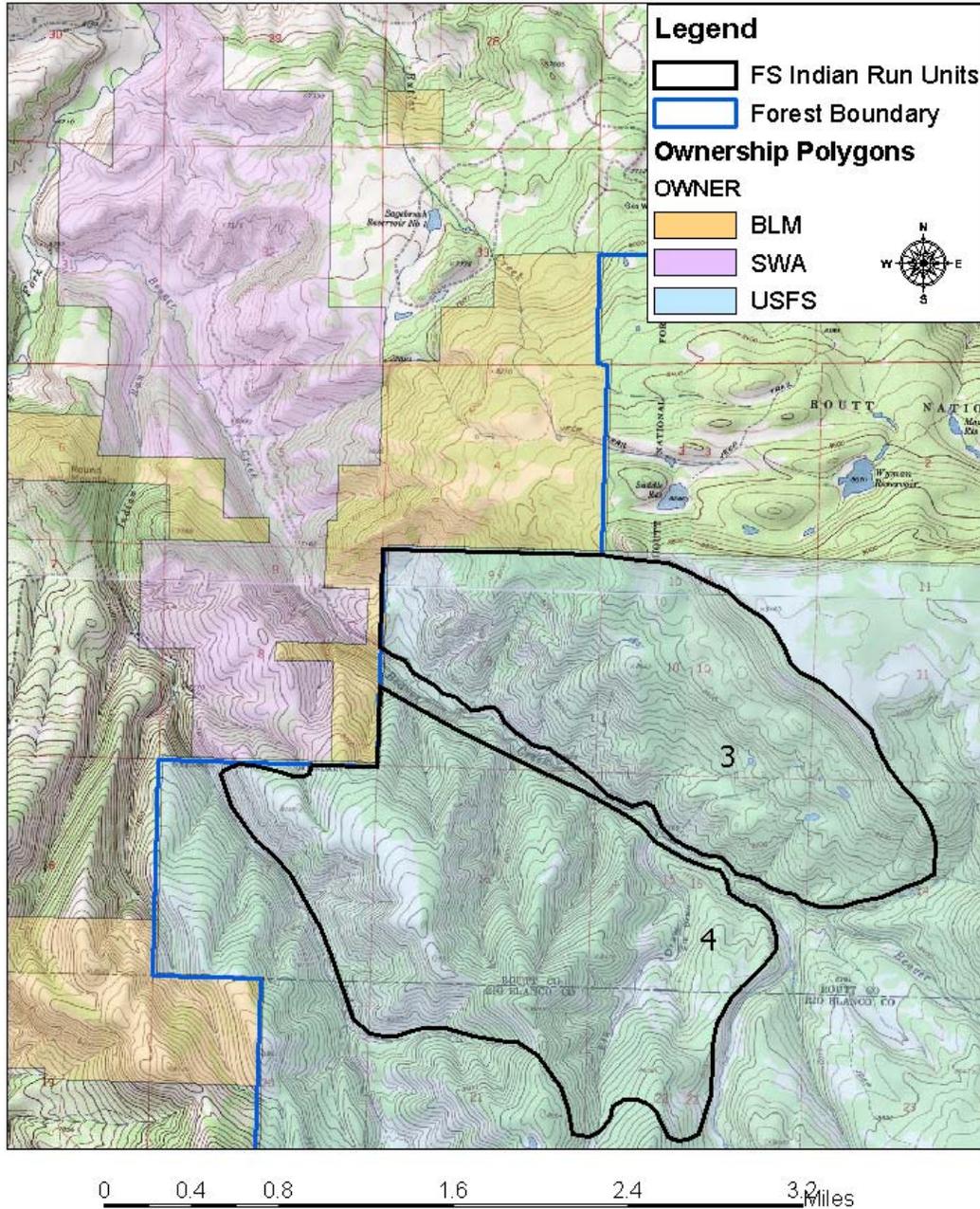
VIII. SIGNATURE AND DATE

/s/ Oscar P. Martinez
Oscar P. Martinez
Yampa District Ranger

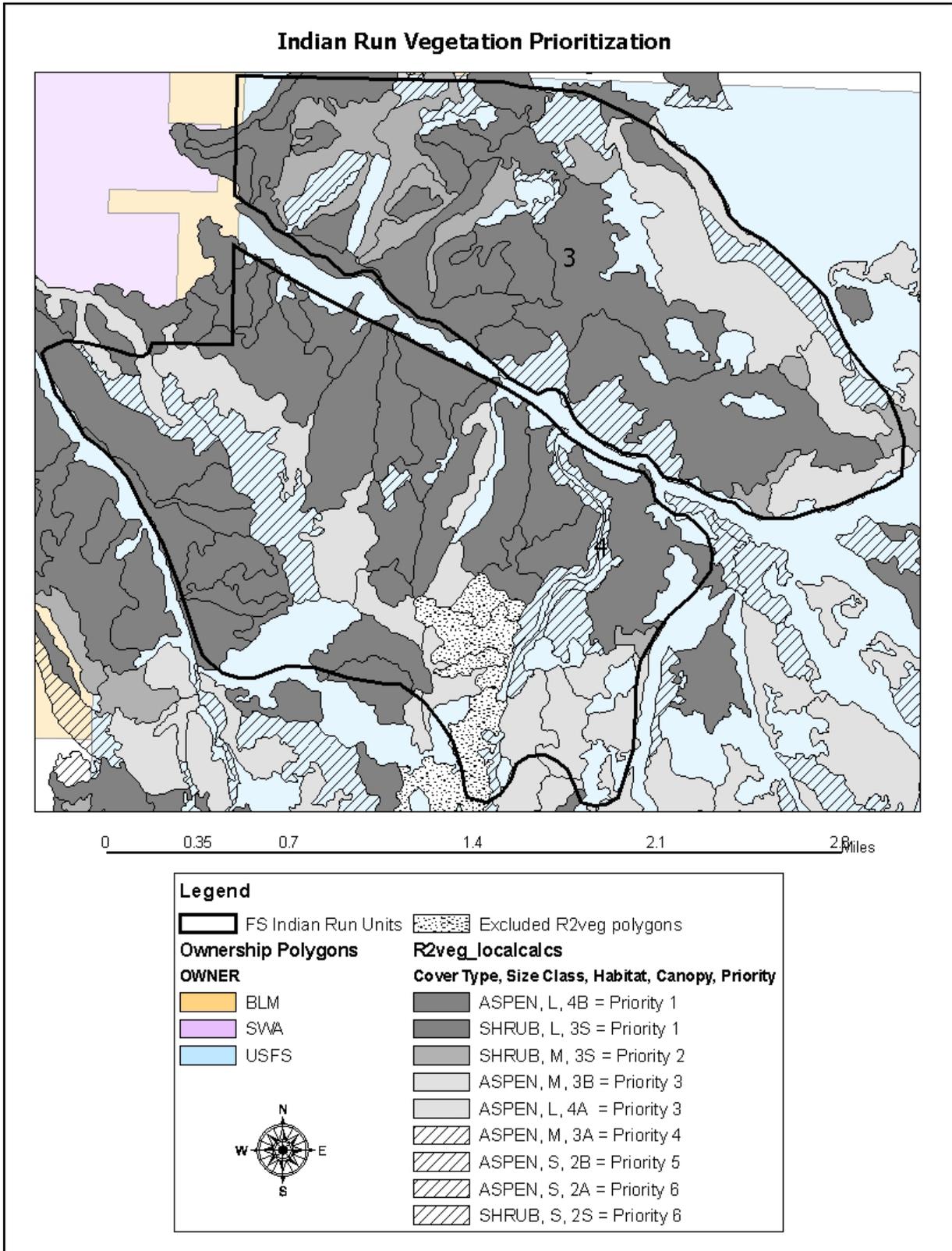
April 25, 2007
Date

APPENDIX A: Indian Run Project Map

Indian Run Fuels Reduction and Wildlife Habitat Improvement Project Yampa Ranger District



APPENDIX B: Vegetation Prioritization for the Indian Run Project Area



APPENDIX C: Inventoried Roadless Area (IRA) Report for the Pagoda Peak Roadless Area

For Routt NF Roadless Area information see RNF FEIS for the Land and Resource Management Plan 1997 Revision pp. 3-179 to 3-187 and Appendix C. As part of the Roadless Area analysis, the effects of the proposed project on nine characteristics were considered.

1. High quality or undisturbed soil, water, and air:

o Description of Characteristic within Project Area.

Soil, Water, Air

o Existing Condition.

Soil: "Soils in the area are generally loams to clay loam derived from sandstones, shales, and basalt. When saturated, these soils are subject to slippage, particularly at the point of contact with the underlying shale. The entire area is characterized by slumps that have occurred over a period of many years. Disturbance of the soil increases the probability of additional soil displacement." RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C-Roadless

Water: Watersheds currently considered to be in condition Class 1 (FSM 2521.1) relative to the geomorphic setting. Some impacts were noted from roads and trails, but these would not be affected by the proposed action.

Air: No existing condition on air is stated in the RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C-Roadless

o Effects on characteristic from project.

Soil: As part of the Indian Run Project Design Criteria, "Areas with unstable soils have been excluded from the proposed action". No effects on characteristics of soil are anticipated as a result of the proposed action.

Water: The Hydrologist Specialist Report: Water, Riparian, and Wetland Input specifies potential effects from the project. None of these are significant, and may improve conditions over the long-term. Project specific design criteria as well as design criteria from the Watershed Conservation Practices Handbook (FSH 2509.25) have been incorporated into the project to ensure that all actions will meet the intent of the Clean Water Act and maintain or improve those resources critical to maintaining good water quality including riparian area conditions.

Air: Short-term effects are anticipated due to smoke from the prescribed fire. The proposed action will not change the quality of air within the Pagoda Peak Roadless Area.

o Evaluator(s): Liz Schnackenberg, South Zone Watershed and Aquatics Program Manager

Date: 4-20-07

2. Sources of public drinking water:

o Description of Characteristic within Project Area.

None of the water from the Indian Run analysis area has been directly identified as a source of public drinking water. Water from the analysis area may contribute to public drinking water supplies downstream, but any effects from the proposed action would be diluted with increasing drainage area.

o Existing Condition:

See 'The Hydrologist Specialist Report: Water, Riparian, and Wetland Input' for the existing condition.

o Effects on characteristic from project.

There would be no notable effects to public drinking water from the proposed action. Project specific design criteria as well as design criteria from the Watershed Conservation Practices Handbook (FSH 2509.25) have been incorporated into the proposed action to ensure minimal effects to water quality.

o Evaluator(s): Liz Schnackenberg, South Zone Watershed and Aquatics Program Manager
Date: 4-20-07

3. Diversity of plants and animal communities:

o Description of Characteristic within Project Area.

Diversity of Vegetation Types and Summer Range for Elk within the Pagoda Peak Roadless Area

o Existing Condition.

Plant Communities: "The Pagoda Peak Roadless Area is covered with extensive stands of aspen with its associated understory vegetation. The aspen stands are interspersed with open parks, composed of a mixture of grass/forbs and shrubs. The upper reaches of drainages are covered with stands of spruce-fir (beetle-killed) with an understory of spruce-fir regeneration." RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C-Roadless

Animal Communities: "The area offers excellent summer range for big game. It supports a large herd of elk and a moderate number of deer. The area is considered critical for elk calving. There is some big game winter range on the north end." RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C-Roadless

o Effects on characteristic from project.

Plant Communities: The project proposes to maintain the diversity of vegetation types: aspen, grass/forb, and shrub communities. The project will not change the character of the vegetation types, but provide diversity of seral classes within these vegetation types.

Animal Communities: The area will continue to offer excellent summer range and some winter range for elk. This project proposes to improve habitat conditions for elk in the project area.

o Evaluator(s): Melissa Miller, Wildlife Biologist Date: April 10, 2007

4. Habitat for threatened, endangered, proposed, candidate, and sensitive species, and those Species dependent on large undisturbed areas of land:

o Description of Characteristic within Project Area.

Habitat for the Canada Lynx (Threatened) and Region 2 Sensitive Species

o Existing Condition.

The existing condition for the Canada lynx and Region 2 Sensitive Species (Brewer's sparrow, Columbian sharp-tailed grouse, flammulated owl, loggerhead shrike, Northern goshawk, purple martin, Colorado River cutthroat trout) and their habitat were evaluated in the Indian Run Biological Evaluation & Assessment. Refer to the project record for detailed analysis. The proposed project "May impact individual(s)...Brewer's sparrow, Columbian sharp-tailed grouse, flammulated owl, loggerhead shrike, Northern goshawk, purple martin, and Colorado River cutthroat trout, but is not likely to cause a trend toward federal listing or a loss of viability for Region 2 Sensitive Species." In summary, the Biological Assessment arrived at a "May affect, but not likely to adversely affect" to the Canada lynx.

- o Effects on characteristic from project.
 - “The quality of habitat for the Canada lynx and Sensitive Species may be lowered over the short-term; however over the long-term this project will benefit the Canada lynx and Sensitive Species by creating a diversity of seral stages and habitat structural stages in priority cover types and a landscape pattern consistent with the historical range of variability.” Biological Evaluation & Assessment for the Indian Run Fuels Reduction and Wildlife Habitat Improvement Project
- o Evaluator(s): Melissa Miller, Wildlife Biologist Date: April 10, 2007

5. Primitive, semi-primitive, non-motorized, and semi-primitive motorized classes of dispersed recreation:

- o Description of Characteristic within Project Area.
 - Primitive, Dispersed Recreation within the Pagoda Peak Roadless Area
- o Existing Condition.
 - “Opportunities for primitive recreation are rated as moderate. Numerous opportunities exist but the primitive nature of the activity may be somewhat constrained by the number of adjacent roads and amount of available public access in the southern portion of the area ~ White River National Forest.” RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C
- o Effects on characteristic from project.
 - The proposed action will not be affecting the primitive, recreation character of the Pagoda Peak Roadless Area.
- o Evaluator(s): John Anarella, Recreation Date: April 10, 2007

6. Reference Landscapes:

- o Description of Characteristic within Project Area.
 - Scenic Features of the Pagoda Peak Roadless Area
- o Existing Condition.
 - “The scenic features of the area are rated as moderate. The area does contain some distinctive landscapes but much of the area can be characterized as common”. RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C
- o Effects on characteristic from project.
 - No changes to scenic features are anticipated under the proposed action. “Natural processes and vegetation patterns will be apparent as a result of natural disturbance events or vegetative manipulation to simulate natural events”. RNF Land and Resource Management Plan (1997 Revision)
- o Evaluator(s): Melissa Miller, Wildlife Biologist Date: April 10, 2007

7. Natural appearing landscapes with high scenic quality:

A landscape character description was developed along with associated integrity levels. Scenic integrity levels were assigned to each Management Area based on the intent of the Management Area direction. The landscape character description (included in the geographic and management area desired condition goals) becomes a goal and the scenic integrity levels become Scenic Integrity Objectives (SIO). Scenic integrity levels are a set of measurable goals for management of grassland and forest scenic resources. The scenic integrity levels include:

- Very High: generally provides for ecological change only.
- High: human activities are not visually evident.
- Moderate: landscapes where the character “appears slightly altered”.
- Low: landscapes where the character “appears moderately altered”.
- Very Low: landscapes where the character “appears heavily altered”.

- o Description of Characteristic within Project Area.
Naturalness of the Pagoda Peak Roadless Area
- o Existing Condition.
The RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C rates the naturalness of the Pagoda Peak Roadless Area as “High” (*i.e., human activity is scarce and widely dispersed*).
- o Effects on characteristic from project.
The character of the Pagoda Peak Roadless Area will be maintained. No roads will be built during this project. The natural and scenic quality of the roadless area will be maintained. Human activity will remain scarce and widely dispersed.
- o Evaluator(s): Melissa Miller, Wildlife Biologist Date: April 10, 2007

8. Traditional Cultural properties and sacred sites:

- o Description of Characteristic within Project Area.
There is the potential for TCPs within the project area, as there is evidence of a Ute cultural signature in the form of teepee ring sites and rock art. As potential TCPs, the teepee ring sites will be avoided by ground disturbing project activities.
- o Existing Condition.
There are no traditional cultural properties as identified by affiliated tribes within the roadless area portion of the Indian Run project.
- o Effects on characteristic from project.
Effects to teepee ring sites as potential TCPs will be mitigated through avoidance.
- o Evaluator(s): Angie KenCairn, Archaeologist Date: April 13, 2007

9. Other locally identified unique characteristics. (Identified in Forest Plan FEIS):

- o Description of Characteristic within Project Area.
Primitive Character of the Pagoda Peak Roadless Area
- o Existing Condition.
“The area is attractive because of its very primitive character and undeveloped nature and because of the excellent primitive recreation opportunities, notably big game hunting, it offers. The area possesses some beautiful scenery and is one of the largest non-wilderness areas in Colorado.” RNF FEIS for the Land and Resource Management Plan 1997 Revision Appendix C
- o Effects on characteristic from project.
The primitive character of the Pagoda Peak Inventoried Roadless Area will be maintained. No roads or other developments (oil/gas, timber, recreation, etc.) will occur under the proposed action.
- o Evaluator(s): Melissa Miller, Wildlife Biologist Date: April 10, 2007

APPENDIX D: Response to Comments

Three comments were received in response to the scoping letter and request for formal comments for the Indian Run Fuels Reduction and Wildlife Habitat Improvement Project. One walk-in comment/question and two letters were received commenting on the project. The in-person comment/question was received from Halbert Tuttle during the week of February 19, 2007. Two letters were received: 1) Wendell Funk dated February 24, 2007 and 2) Group comment from Colorado Wild, Southern Rockies Ecosystem Project, Center for Native Ecosystems, Biodiversity Conservation Alliance, Rocky Mountain Chapter of Sierra Club, and The Wilderness Society dated March 9, 2007. To respond to the group comment, this group will be referred to as Colorado Wild.

The following concerns were brought forward by respondents:

1. Halbert Tuttle was concerned that prescribed burning may impair livestock grazing within the project area and decrease the amount of suitable grazing acres during or following implementation of a prescribed burn. **Response...** The Forest Service will notify the public and permittees (livestock and outfitter/guide) when prescribed burning will occur to assure for the safety of the public, permittees, and livestock. The amount of suitable grazing acres may be lessened up two years following implementation (Design Criteria 7). However, no more than 20% of the suitable acres in any one allotment will be burned in a single year to reduce impacts on livestock permittees.
2. Wendell Funk commented that special consideration be given to Threatened, Endangered, or Sensitive (TES) species. **Response...** An inventory for TES species was completed within the project area during the 2005 and 2006 field season. A Wildlife and Fisheries Biological Evaluation/Assessment was completed for the project which adequately discloses the risks anticipated for Threatened, Endangered and Sensitive species in the project area (Refer to section II: B, 2: Threatened and Endangered and section IV: Sensitive Species). In addition, TES species have been given special consideration in designing the Indian Run Project (Design Criteria 5-8).
3. Wendell Funk and Colorado Wild recommend that the Forest Service reduce or eliminate livestock grazing. **Response...** Over half of the analysis area is within the Beaver Creek Wildlife Management Area (1,869 acres) which is not authorized for livestock grazing. In the remainder of the analysis area, deferring livestock grazing across burned areas for two years is recommended (Design Criteria 7).
4. Wendell Funk commented that water quality and watershed function are areas of increasing concern. **Response...** Reducing the fuels load would reduce the potential for a major wildfire which, depending on the duration and intensity, could result in irreversible effects to the water resource (Hydrologist Specialist Report). Cumulatively, the effects of prescribed burning to water quality or watershed function will be much smaller in magnitude than a wildfire. Impacts to water quality and watershed function have been addressed through project specific design criteria and detrimental impacts would not occur (Design Criteria 9-13).
5. Wendell Funk and Colorado Wild comments that pertain to the Beaver Creek Road and Pagoda Peak Roadless Area include: No roads within the Pagoda Peak Roadless Area; the Beaver Creek Road should be closed to motor vehicle use; and Forest Service should not allow an opportunity for the road to be converted to a trail to provide for off-highway vehicle access. **Response...** The proposed action is not making any decision on travel management for the Beaver Creek Road. This comment is outside of the scope of the

analysis.

6. Colorado Wild expressed concerns for the portion of the proposed action that includes using mechanical treatments on "less than 100 acres" for logging in the Pagoda Peak Roadless Area. **Response...**No logging will be implemented under the proposed action and is outside of the scope of the analysis.
7. Colorado Wild expressed concerns for the portion of the proposed action that includes using mechanical treatments on "less than 100 acres" for fire line construction or use of equipment for mowing operations in the Pagoda Peak Roadless Area. **Response...**Fire line construction will be limited across the analysis area. Existing roads, natural vegetation breaks, topographic breaks, black-lining, snowline, and potentially minimal amounts of constructed handline will be used. Line construction will be determined on a case-by-case basis. Fire lines will not be consistently found around the perimeter of the project area and will not create additional trails, roads, or habitat for noxious weeds. The project is designed to use mowing operations to lessen fire intensity, protect sagebrush communities, reduce spread of noxious weeds. In addition, impacts due to mechanical treatments in the Roadless Area will not occur with implementation of Design Criteria 3 and 8-12.
8. Colorado Wild focused on the ability of the Forest Service to maintain the visual quality objective for Management Area 1.32, which states "the area will have a predominantly natural appearance and be relatively undisturbed by human activity". **Response...** Firelines will not be visible from any view shed and the visual quality objective will be maintained within the Management Area 1.32.
9. Colorado Wild commented that it is questionable that prescribed burning be done at all, especially given that cheatgrass (*Bromus tectorum*) is present in the analysis area, there are no plans to control cheatgrass, and follow-up monitoring should be completed. **Response...** Cheatgrass prefers sights that are drier and lack competing vegetation. In the mountains of Northwest Colorado, cheatgrass is often constrained by elevation, slope, aspect, moisture and/or snow levels. Within the analysis area, cheatgrass is isolated to the low elevation, steep, south facing, rocky or barren slopes that often have an overstory of decadent oakbrush or sagebrush. Within the analysis area, cheatgrass is not found on slopes that are higher in elevation; on gentler slopes; aspects of east, north, or west; or on sites that have an abundance of grasses, forbs, and shrubs. The project design is to create a mosaic of age classes and habitat structural stages within the mountain shrub, oakbrush, and aspen communities. In the first year following the prescribed burn, it is anticipated an abundance of native grasses and sprouting shrubs will provide competition for cheatgrass lessening the spread. It is also anticipated that cheatgrass will not spread into higher elevations; onto gentler slopes, aspects of north, east, or west; or areas that receive higher amounts of snow or moisture. Also refer to Design Criteria 8.
10. Colorado Wild commented that treatment on steep, slump-prone slopes could cause irreversible damage. **Response...** A qualified soil scientist surveyed the project area during the 2006 field season. Areas with unstable soils have been excluded from the proposed action (Design Criteria 4 and refer to Appendix B: Excluded R2Veg Polygons). No soil disturbing activities are proposed on steep slopes (Design Criteria 9).
11. Colorado Wild commented that aspen will be tough to burn, but aspen might serve as an adequate fire break. **Response...** Fire can be applied within specific constraints to

- accomplish resource objectives and is a tool to reduce hazards that might otherwise lead to fires of a more catastrophic nature. Fire can be prescribed to take place in periods with seasonal moisture (spring) or when snow is still present on the ground. In these scenarios aspen serves well as a fire break. Alternatively, aspen can be burned using prescriptions designed to achieve the desired result. Implementation will occur when the cover type will readily burn, but not under conditions that are extremely dry or unsafe. Prescribed fire is only applied after a comprehensive burn plan is prepared, detailing specific fuel, weather and manpower conditions under which the fire may be ignited.
12. Colorado Wild commented that to benefit wildlife, treatment of oakbrush would need to be implemented on a regular schedule and this may be cost prohibitive. **Response...** The objective of the project is to create more desirable conditions for wildlife as well as reduce fuel loads. It is accurate that oakbrush regenerates quickly when compared to other shrub species. It is also accurate that oakbrush needs repeated treatments to reduce the density. The last treatments of oakbrush in the Beaver Creek area were in 1969, 1980, 1997, and 1999. These historic treatments are within the boundary of unit 3 and are proposed for treatment under the Indian Run Project. It has been approximately 8-10 years since the last treatment. The Indian Run Project design is following the objectives of the previous projects to reduce density of oakbrush on a rotation of every 10-15 years. For response to implementation and monitoring funds, refer to Comment #16.
 13. Colorado Wild commented that elk populations may denude the forage in the proposed treatment areas by concentrating elk into areas of renewed forage. Elk browsing may adversely affect aspen regeneration. **Response...** The Forest Service is aware that elk will be drawn to oakbrush and aspen that recently burned due to the abundance of young, leader shoots often considered the “ice cream” food for elk. To deter elk, the Forest Service proposes to treat a large enough area on an annual basis (Design Criteria 1 and 2). The pattern created will be a mosaic within and across priority cover types. From one year to the next, the elk are anticipated to move across the landscape following the disturbance. The elk movement pattern of following the ‘renewed forage’ will provide less pressure on individual aspen or oakbrush stands.
 14. Colorado Wild commented that burning of sagebrush must be carefully evaluated in order to ensure retention of this important ecological community. **Response...** Refer to Design Criteria 6
 15. Colorado Wild commented that establishing and maintaining desired vegetation communities is far from assured. Oakbrush and mountain shrub seeds should be collected in addition to grass seeds. **Response...** Native grass seeds have been collected from the project area and in other locales within the Flat Tops seed zone. Native seeding will be used on a case-by-case basis depending on regeneration of native grasses and forbs. It is anticipated that minimal native seeding of shrubs will be needed due to the response of shrubs within previous treatments (Refer to Comment #12).
 16. Colorado Wild asked the question, “Will money and personnel be available to incrementally implement the project over many years”. It is not advisable to burn all 3,029 acres or even a substantial portion of the project area at one time. **Response...** At this time, the Forest Service has entered into partnerships with the Colorado Division of Wildlife, Rocky Mountain Elk Foundation, and the Northwest Colorado Habitat Partnership Program to implement and monitor the response of the Indian Run Project. In-kind services and funding have been provided through these partnerships for the next

several years. The project area encompasses 3,029 acres and is the maximum managable area. Not all or a significant portion will be burned in one year (Design Criteria 1 and 2).

17. Colorado Wild commented that riparian areas should be protected. Colorado Wild also confused two statements: burning 50-70% of the vegetation and where feasible, this would occur in riparian areas. **Response...** The Forest Service does not plan to burn 50-70% of the riparian areas within the project area. Within priority cover types (Appendix B), the Forest Service anticipates 50-70% of the vegetation would burn and the pattern created would be a mosaic of age classes and habitat structural stages. Where riparian communities are adjacent to priority cover types, and where feasible, the Forest Service may regenerate portions using low intensity prescribed fire. Also refer to Response to Comment #4.
18. Colorado Wild commented that the Forest Service should protect rare plants. **Response...** An inventory for rare plant (TES) species was completed within the project area during the 2005 and 2006 field season. A Botanical Biological Evaluation was completed for the project which adequately discloses the risks anticipated for TES Plant Species in the project area. No T&E Plant Species are found on the Routt National Forest or within the analysis area. Design criteria (13) have been included to avoid risks to Sensitive plant habitats in the analysis area. Refer to section IV: Sensitive Species for determinations for *Botrychium lineare*.
19. Colorado Wild commented that existing wildlife habitat for Greater sagegrouse and Columbian sharp-tailed grouse should be protected. **Response...** A thorough habitat review was conducted for sage grouse in accordance with FSM2600, Chapter 2630 (dated 07/16/2004) and no sage grouse or their habitat were documented within the project area. Sage grouse habitat can be found in lower elevations on private land or the adjacent Indian Run State Wildlife Area. Also refer to Design Criteria 6 and Response to Comment #2. The Indian Run prescribed fire being proposed used conservation actions in the Columbian Sharp-tailed Grouse Conservation Plan (Hoffman, 2001):
 - Early spring and late fall burns will produce the best results with the least impacts.
 - Use repeated fires (5-10 years) within the oak brush type to suppress oakbrush to create openings and encourage growth of serviceberry.
 - Strive to maintain 20-30% of the landscape in deciduous shrub dominated habitats preferably in a mosaic pattern with canopy coverage within these habitats varying from 5-50% and averaging 20-25%.
20. Colorado Wild commented that existing wildlife habitat needs to be protected for Colorado River cutthroat trout and burning too much riparian area could destabilize stream banks and cause sedimentation, degrading trout habitat. **Response...** The Biological Evaluation & Assessment included impacts to fisheries resources (Comment #2). Cutthroat trout and their habitat are found in Beaver Creek and Indian Run. These creeks are not within units 3 or 4 of the proposed action. The disturbance of prescribe burning would not negatively affect fisheries resources. Riparian areas will be evaluated prior to prescribed fire treatment by a watershed specialist (Design Criteria 13).
21. Colorado Wild commented that heritage resources should be protected, cultural heritage resource need to be surveyed for, and artifacts that possess eligibility for the National Register of Historic Places must be avoided. **Response...** A Routt National Forest archaeologist performed a Class II cultural resource inventory during the 2006 field season. A Culutral Resource Specialist Report was prepared for the Indian Run Project

and the determination for the proposed action is *no historic properties adversely affected*. For further protection of cultural resources under the proposed action, refer to Design Criteria 14-17.

22. Colorado Wild recommended that the Forest Service diligently monitor implementation and results of activities and practice adaptive management. **Response...** Refer to Comment #16.
23. Colorado Wild feels strongly that an EA (Environmental Assessment) is needed to evaluate all of their concerns. **Response...** Concerns raised by respondents do not automatically result in a decision to prepare an EA or EIS. The issue of extraordinary conditions potentially affecting the environment must exist. Where potential affects can be avoided in project design the extraordinary condition does not exist. See 'Decision', above, for more on this subject.

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