

Decision Notice  
& Finding of No Significant Impact

## **Larson II Timber Sale and Fuels Reduction Project**

USDA Forest Service  
Hahns Peak/Bears Ears Ranger District, Medicine Bow-Routt National Forests  
Routt County, Colorado  
T9&10N, R86W

### **Decision and Reasons for the Decision**

#### **Background**

The purpose of the Larson II project is to improve forest health conditions, regenerate stands, and reduce hazard fuels within the analysis area. Maintenance and improvement of forested stands growth and vigor in the project area through silvicultural methods is prescribed through the Forest Plan in 5.13 Management Areas. In 7.1 Management Areas hazard fuel reductions are prescribed around the growing residential/forest interface in the project area to reduce potential fire line intensities and provide for safe and effective suppression strategies.

There is a need to work with state and private partners to reduce hazard fuels to develop adequate defensible space, while protecting the scenic values of the area. There is also a need to maintain and improve aspen stand health, to provide roundwood and sawtimber products for sale, to thin overstocked sawtimber stands and release regeneration, and to remove infested and high hazard trees.

The environmental assessment (EA) documents the analysis of alternatives to meet this need, see attached EA.

#### **Decision**

Based upon my review of all alternatives, I have decided to implement **Alternative 3** with the design criteria listed in the Environmental Assessment dated November 2007.

Alternative 3 would treat approximately 647 acres of mature and overmature forested stands in the analysis area where the emphasis is to reduce hazard fuels, improve forest health conditions and provide forest products. This action includes hazard fuel vegetation treatments occurring on approximately 232 acres. This would include shaded fuel breaks on approximately 150 acres, aspen maintenance treatments on approximately 55 acres, canopy density reduction along selected roadsides to create potential fire control lines on approximately 28 acres, and a Christmas tree cutting area of approximately 36 acres. The timber harvest would include selective harvest of approximately 220 acres, overstory removal on approximately 121 acres, and clearcuts of approximately 38 acres. No release and weed treatments will be implemented with Alternative 3.

Hazard fuel treatments include shaded fuel breaks which may involve mechanically removing or altering the vegetation, whether live or dead, to provide a zone of lessened fuel loading in close proximity to the forest boundary and existing structures.

Downed woody material would be treated similarly. The defensible space treatments would work in conjunction with similar efforts occurring on adjacent private and state lands. Canopy treatments along certain roadways would include thinning along a road corridor to provide additional space between tree canopies to provide a potential fire break. Aspen treatments would include conifer removal and regeneration to promote aspen stands which provide natural fire breaks in the area.

When compared to the No Action Alternative, this alternative will provide for forest products, reduce hazard fuels, maintain and improve aspen stand health, remove infested and high hazard trees, thin overstocked sawtimber stands and release regeneration, and improve growth and vigor of stands in the project area.

## **Other Alternatives Considered**

### Alternative 1 - No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. The purpose and need for the project area would not be addressed with this action.

### Alternative 2 – Proposed Action

Alternative 2 proposed to treat 711 acres with silvicultural treatments of clearcutting, overstory removal, shelterwood, sanitation/salvage; and fuel treatments of shaded fuel break, aspen maintenance, and canopy density reduction.

The District wildlife biologist determined that the proposed action (alternative 2) was inconsistent with the direction in the Lynx Conservation Assessment and Strategy due to the proposed release and weed treatments that may negatively affect snowshoe hare habitat.

## **Public Involvement**

A proposal to treat 711 acres was listed in the Schedule of Proposed Actions during the last two quarters, 4/1/07 – 6/30/07 and 7/1/07 – 9/30/05. The proposal was provided to the public and other agencies for formal comments on 11/19/2007. In addition, as part of the public involvement process, I met with the Homeowner Associations around the project area to discuss any concerns. Additional field trips were requested by the public and accommodated by Forest Service specialists. A legal notice was posted for the request for comments in the *Steamboat Pilot*, the paper of record.

We received five comment letters addressing the proposed project and had 50 individuals attend meetings with Homeowner Associations in the project area. Using comments from the public, other Federal and State Agencies, and local groups, the interdisciplinary team developed a list of important issues to address. Main issues of concern included noxious weeds, lynx habitat, slash treatments, management indicator species, and defensible space (see EA pages 10-14). To address these concerns, the Forest Service refined the alternative described above.

## **Finding Of No Significant Impact**

I have reviewed the direct, indirect, and cumulative effects of the proposed activities in the Environmental Assessment for the Larson II Analysis Area. I have also reviewed the project record for this analysis and the effects of the proposed action and alternatives as disclosed in the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of effects. Significant, as used in NEPA, requires consideration of both context and intensity.

*A. Context.* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short-and long-term effects are relevant (40 CFR 1508.27): The disclosure of effects in the EA found the actions limited in context. The project area is limited in size and the activities limited in duration. Effects are local in nature and are not likely to significantly affect regional or national resources.

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

1. Environmental Effects – Environmental effects associated with the project are discussed in the Environmental Consequences section of the EA (pp. 21-41). These impacts are within the range of those identified in the Forest Plan and would not have significant impacts on resources identified and described in the EA.
2. Public Health or Safety – Treatment activities would be conducted in a safe manner to protect the public.
3. Unique Characteristics of the Area – There are no anticipated adverse effects to historic places or loss of scientific, cultural, historical, or other unique resources. This project is in compliance with the programmatic agreement between the State Historic Preservation Office and the Advisory Council on Historic Preservation. The area will be monitored for potential heritage sites that may have been overlooked during project implementation.
4. Controversy – The effects of the proposed alternative on the various resources is not considered to be highly controversial by professionals, specialists, and scientists from associated fields of forestry, wildlife biology, fisheries, and hydrology, etc. I do not believe that there is significant controversy over the effects of this project.

5. Uncertainty – Scoping did not identify highly uncertain, unique, or unknown risks. The technical analyses conducted for determinations of the impacts to the resources are supportable with the use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks.
6. Precedent – This project does not establish a precedent for future action with significant effects.
7. Cumulative Impact – There are not significant cumulative effects on the environment, either when combined with the effects created by past and concurrent projects, or when combined with the effects from natural changes taking place in the environment or from reasonably foreseeable future projects of this type. Refer to Environmental Consequences section of the EA (pp. 21-41).
8. Properties on or Eligible for the National Register of Historic Places (significant resources) – A cultural resource inventory has been completed in the area, and all known cultural resources will be protected.
9. Endangered or Threatened Species – This project would not adversely affect endangered or threatened species or their habitat. Refer to wildlife portion of Environmental Consequences section of the EA (pp.38-41).
10. Legal Requirements for Environmental Protection – This action complies with other Federal, State or local laws and requirements imposed for the protection of the environment.

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the Larson II Project is not a major federal action and that its implementation will not significantly affect the quality of the human environment.

### **Findings Required by Other Laws and Regulations**

This decision to provide forest products address forest health and hazard fuel concerns by treating approximately 647 acres with silvicultural and fuel reduction treatments is consistent with the intent of the Forest Plan's long term goals and objectives listed on pages 1-1 to 1-2. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for management areas 7.1 Residential/Forest Interface and 5.13 Forest Products (Land and Resource Management Plan, pages 2-44 to 2-46 and 2-47 to 2-49).

The analysis area involves no roadless areas, but has roadless areas to the north and south of the analysis area. No proposed alternatives would affect roadless areas or the character of the roadless areas.

## **Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to Federal regulations at 36 CFR 215, “Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities.” Appeals, including attachments, must be in writing and filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the Appeal Deciding Officer (§215.8) within 45 days following the date of publication of a legal notice of this decision in the *Steamboat Pilot*. The publication date of the legal notice in the newspaper of record is the exclusive means for calculating the time to file an appeal (§215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

### **Where to File an Appeal**

USDA Forest Service  
Region 2, Rocky Mountain Region  
Attn: Appeal Deciding Officer  
740 Simms Street  
Golden CO 80401-4720

Fax: 303-275-5134

Hours: Mon-Fri 7:30 am-4:30 pm

E-mail: [appeals-rocky-mountain-regional-office@fs.fed.us](mailto:appeals-rocky-mountain-regional-office@fs.fed.us)

(Acceptable formats for electronic appeals are: rtf, pdf, or word.)

For electronically mailed comments or appeals, the sender should normally receive an automated electronic acknowledgment from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgment of the receipt of the comments, it is the sender’s responsibility to ensure timely receipt by other means.

Pursuant to 36 CFR 215.11 (a), only those individuals or organizations who submitted comments during the formal comment period may file an appeal. It is an appellant’s responsibility to provide sufficient activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official’s decision should be reversed (§215.14 (a)). At a minimum, an appeal must include the following (215.14(b)):

1. Appellant’s name and address (§215.2), with a telephone number, if available;
2. Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
3. When multiple names are listed on an appeal, identification of the lead appellant (§215.2) and verification of the identity of the lead appellant upon request;
4. The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and that date of the decision;

5. The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§215.11 (d));
6. Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
7. Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
8. Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
9. How the appellant believes the decision specifically violates law, regulation, or policy.

Notices of Appeal that do not meet the requirements of 36 CFR 215.14 will be dismissed.

**Implementation Date**

If no appeal is received, implementation of the decision may begin on, but not before, the 5<sup>th</sup> business day following the close of the appeal-filing period (36 CFR 215.15). If an appeal is received, implementation may occur on, but not before, the 15<sup>th</sup> business day following the date of appeal disposition (§215.2).

**Contact Person**

For additional information concerning this decision or the Forest Service appeal process, contact:

Brian Waugh, ID Team Leader  
 Hahns Peak/Bears Ears Ranger District  
 925 Weiss Drive  
 Steamboat Springs, Colorado 80487  
 (970) 870-2185

\_\_\_\_\_  
**Jamie Kingsbury**

\_\_\_\_\_  
 Date

District Ranger  
 Hahns Peak/Bears Ears Ranger District

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer