Finding of No Significant Impact

May 2008

United States Department of Agriculture

Forest Service

Forest-wide Hazardous Tree Removal and Fuels Reduction Project

Medicine Bow-Routt National Forests

Albany and Carbon Counties, Wyoming
Routt, Jackson, Grand, Moffat, Rio Blanco, and Garfield Counties, Colorado

Rabbit Ears Pass – Routt National Forest

Responsible Official: **Mary H. Peterson**
Forest Supervisor

For Further Information Contact: **Melissa Martin**
2468 Jackson Street
Laramie, WY 82070
(307) 745-2371
mmmartin@fs.fed.us

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.

Non-significance Determination

I have reviewed the Environmental Assessment and the project planning record prepared for the *Forest-wide Hazardous Tree Removal and Fuels Reduction Project*. Based on this review, I have determined that the effects of implementing the Proposed Action – Modified would not have a significant effect on the quality of the human environment when considering the context and intensity of impacts (40 CFR 1508.27). Therefore, an Environmental Impact Statement (EIS) will not be prepared.

My determination is based on consideration of the following information:

(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 indicates that the actions proposed are limited in context. The project area is limited to within 150 feet of the centerline of travel corridors, including trails, and to areas in or immediately adjacent to developed recreation sites, administrative sites, and trailheads. Consequently, effects are local in nature and are not likely to significantly affect regional or national resources. The EA also indicates that activities associated with the Proposed Action – Modified are limited in duration (i.e., a 10-year implementation period).

A review of the Public Involvement section of the EA indicates that numerous efforts were made to involve the public in project planning. These efforts included hosting five public field trips and two Open House Meetings in addition to standard news releases and scoping letters. While significant issues did not arise as a result of these efforts, several measures were incorporated into project design to take into account other public concerns. For example, the Proposed Action was modified to reduce the treatment corridor width; further, design criteria to ensure protection of old growth, late succession forest, and wildlife were incorporated into project design. Consequently, I find that the project is responsive to affected interests. Finally, the EA demonstrates that both short-term and long-term effects of the actions were considered (EA pages 23 – 64).

(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 intensity (40 CFR 1508.27):

(1) Impacts that may be both beneficial and adverse: Environmental effects associated with the project are discussed in the Affected Environment and Environmental Consequences section of the EA (pages 23 - 64). These effects are within the range of those identified in the Revised Land and Resource Management Plans (Forest Plans) for both the Medicine Bow and the Routt National Forests.

(2) The degree to which the proposed action affects public health or safety: The proposed project will ensure public and firefighter safety by: a) reducing the risk of persons or property being struck by falling trees; and b) keeping travel corridors open with adequate clearance for

traditional firefighting equipment, recreational vehicles, and automobiles. The project will also reduce hazardous fuel loadings associated with treatments and beetle killed trees, thereby providing lines of defense to fire activity (EA page 35).

(3) **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:** The EA demonstrates that unique characteristics within the analysis area will not be significantly impacted by project implementation (EA pages 23 – 64). Cultural resources will be protected (EA page 38), and design criteria have been developed to protect riparian areas, wetlands, and floodplains (EA page 40). Although roughly 3,605 of the 547,717 acres of Inventoried Roadless Area (IRA) within the analysis area boundary could potentially be impacted, design criterion 26 would limit activities in these areas. Thus, none of the nine features that characterize IRAs would be significantly impacted by project implementation (EA page 44). Design criteria have also been developed to protect Special Interest Areas and old growth and late succession forests; therefore, impacts to these areas would be minimal (EA pages 52 – 56). Finally, Wilderness Areas, Research Natural Areas, and wild and scenic rivers would not be impacted by project implementation. The analysis area does not include park lands or prime farm lands.

(4) **The degree to which the effects on the quality of the human environment are likely to be highly controversial:** The effects of the proposed alternative on the analysis area's resources is not considered to be highly controversial by professionals, specialists and scientists from associated fields of forestry, wildlife biology, hydrology, recreation, etc. In addition, public comments received during the two Scoping periods (40 CFR 1501.7) for this analysis were reviewed and no significant issues were identified (EA page 12). All other comments either resulted in modifications to the proposal or in the development of design criteria (EA page 13). Consequently, I do not believe that there is significant controversy over the effects of this project.

(5) **The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks:** Scoping did not identify highly uncertain, unique or unknown risks. Further, the technical analyses conducted for the determinations of impacts to the resources are supportable with the use of accepted techniques, best available science, reliable data, and professional judgment (EA pages 23 – 64). Therefore, I conclude that there are no highly uncertain, unique or unknown risks associated with the Proposed Action - Modified.

(6) **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:** The activities associated with the Proposed Action – Modified are similar to many that have previously been implemented and will continue to be implemented by Forest Service line officers regarding timber harvest and fuels reduction proposals on National Forest System lands. Further, the activities associated with the proposal are within the scope of the Revised Forest Plans for the Medicine Bow National Forest (2003) and the Routt National Forest (1997) and are not expected to establish a precedent for future actions.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts: The analysis completed for the EA demonstrates that there are no 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 (EA pages 23 – 64).

(8) Properties on or eligible for the National Register of Historic Places: A heritage resource review was completed for the area. The review indicates that properties eligible for the National Register of Historic Places will not be impacted by implementation of the Proposed Action – Modified. It further indicates that all other heritage resources will either be protected by avoidance or by implementation of design criterion 15. This criterion states that project activities will be halted if a discovery is made. It also states that appropriate consultation with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (if necessary) will take place prior to continuation of activities (EA page 38). The Forest is currently waiting on SHPO concurrence for a "no effect" determination.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat: The analysis area does not contain any federally listed aquatic species (EA page 26) nor does it contain occurrences or potential habitat for plant species formally listed or officially proposed under the Federal Endangered Species Act (EA page 27). A **"may affect, but is not likely to adversely affect"** determination was made for Canada lynx (EA page 63). The Forest Service consulted with the US Fish and Wildlife Service (USFWS) regarding the "may affect" determination on May 14, 2008. Although final concurrence has not yet been issued, informal concurrence regarding the "may affect" determination was given at that time.

(10) Legal requirements for environmental protection: The Proposed Action – Modified complies with other Federal, State or local laws and requirements imposed for the protection of the environment. Specifically, implementation of Forest Plan standards and guidelines and Best Management Practices will ensure compliance with the Clean Water Act and with Wetlands and Floodplains Executive Orders (EA page 41).

/s/ Mary H. Peterson — *May 30, 2008*

MARY H. PETERSON — Date

Forest Supervisor