

DECISION NOTICE

Forest-wide Hazardous Tree Removal and Fuels Reduction Project

Medicine Bow-Routt National Forests

Albany and Carbon Counties, Wyoming

Routt, Jackson, Grand, Rio Blanco, Moffat,
and Garfield Counties, Colorado

August 2008

Lead Agency:

USDA Forest Service

Medicine Bow-Routt National Forests &
Thunder Basin National Grassland

Responsible Official

Mary H. Peterson, Forest Supervisor

**For Further Information
Contact:**

Melissa Martin, Project Leader
Medicine Bow-Routt National Forests
2468 Jackson Street
Laramie, WY 82070
(307) 745-2371
mmmartin@fs.fed.us

I. DECISION SUMMARY

I have decided to implement the **Proposed Action – Modified**, as described in the *Forest-wide Hazardous Tree Removal and Fuels Reduction Project Environmental Assessment* (May 2008 EA, pages 15 – 16), **with minor adjustments**. Design criteria and monitoring requirements, as outlined on Decision Notice (DN) pages 6 - 10, will also be implemented as part of my decision.

Prior to making my decision, I reviewed information from the following sources:

- The analysis described in the Forest-wide Hazardous Tree Removal and Fuels Reduction Project EA and associated administrative record;
- Issues identified during public collaboration and scoping;
- The June 25, 2007 Mountain Pine Beetle Epidemic Declaration; and
- Direction from the Medicine Bow National Forest Revised Land and Resource Management Plan (Forest Plan 2003) and the Routt National Forest Plan (1998).

A. Adjustments to the Proposed Action – Modified

Adjustments to the Proposed Action – Modified are based on collaborative discussions between interested parties and the Forest Service during the 30-day objection period for the EA. They include:

Hazardous Tree Definition

- Tree specific criteria used to determine hazardous trees, as outlined on EA page 3, will apply to campgrounds, picnic grounds, trailheads, and administrative sites only.
- The following tree specific criteria will be used to determine hazardous trees along roads and trails:
 1. Dead trees of any species, with the exception of Engelmann spruce. Sound, dead Engelmann spruce will be retained as wildlife trees.
 2. Dying lodgepole pine trees
 - a. About 1/3+ dead limbs and branches*
 - b. Foliage transparency 40% (thin crown, off-color, or dwarfed foliage)
 - c. Borer attacks obvious and abundant - *the presence of insect activity, such as bark beetles or mountain pine beetles, may indicate that a tree has been weakened by other agents*

*Trees that fall into categories 2.a and 2.b above will only be felled and/or removed if they are determined to have a high potential for tree failure.

Proposed Action – Modified

- The hazardous tree felling corridor has been reduced from 1 ½ tree heights (up to 150 feet) from the centerline of roads and trails (EA page 15) to “the height of the tallest tree plus an additional 10 percent for a safety margin, provided no trees fall on the roadway, ditch, and/or cut or fill slope.”
- The priority for scheduling treatments (EA page 16) has been adjusted to include: “c) maintaining safe access on motorized trails.”

Design Criteria

- Design Criteria 34, 35, 37, and 38 (EA pages 19 and 20) have been re-worded as shown on Decision Notice page 9.

I believe that the adjustments outlined above will afford greater resource protection in certain areas of the National Forests (NFs) while still reducing threats to public safety posed by hazardous trees. All other aspects of the Proposed Action - Modified remain the same in this decision.

B. Decision Description

Under my decision, the Forest Service may fell and/or remove hazardous trees that are the height of the tallest tree plus an additional 10 percent for a safety margin provided they do not fall in the road, road ditch, and/or cut or fill slopes of: 1) Forest Service roads open to public travel (Maintenance levels 2-5); and 2) state and county roads that cross the Forests. Hazardous trees in and adjacent to Forest Service campgrounds, administrative sites, and Forest Service trailheads may also be felled and/or removed. Hazardous trees may be felled, but not removed, along Forest Service trails. Healthy, stable, live trees (e.g., spruce-fir, aspen, and lodgepole pine), clumps of regeneration, and dead and dying trees leaning away from the roads and trails and other aforementioned sites will be retained unless they pose a safety hazard in the felling/removal operation. My decision has the potential to impact approximately two (2) percent of the forested acres on the Medicine Bow-Routt NFs.

Treatments along roads and in developed recreation sites (e.g. campgrounds, picnic grounds, and trailheads) and administrative sites will involve salvage treatments. The majority of the salvage treatments (i.e. dead tree removal) will impact lodgepole pine trees, although small amounts of Engelmann spruce, sub-alpine fir, and aspen may also be felled and/or removed. Depending on the severity of the beetle infestation and the resultant tree mortality, salvage treatments may include: removal of individual hazardous trees; removal of overstory trees infested with mountain pine beetles (MPBs) while leaving the understory vegetation; removal of clumps of hazardous trees; or removing all hazardous trees along roads that are the height of the tallest tree plus an additional 10 percent for a safety margin. In all cases, treated areas will be allowed to regenerate naturally.

Forest products will be removed (where feasible) from roads, developed recreation sites, and administrative sites or fuels will be treated on site. Fuel treatments along road ways and in campgrounds and administrative sites may include chipping, lopping and scattering slash to an 18 or 24 inch depth, roller chopping, machine trampling, and/or broadcast burning. Hand piling, pile burning or mulching may occur in select units to mitigate fuels or visual concerns. Where feasible, fuel treatments along trails will consist of hand piling the felled material and burning it. Commercial timber sale contracts, non-commercial service contracts, free use permits and contracts, Forest Service "Force Account" projects, and Stewardship contracts may be used to fell and/or remove the hazardous trees in these areas.

It is my intent to encourage the ranger districts to utilize existing partnerships and to develop new partnerships to assist us with trail clearing by adopting various motorized and non-motorized trail sections, frequently monitoring conditions, and aggressively clearing fallen trees from trails on a regular basis. If we can find individuals, groups, or organizations who will partner with us to regularly maintain trails to keep them clear and safe throughout the trail use season, we may not need an aggressive hazard tree falling project for some non-motorized trails.

This would be my preference for treating non-motorized trails in the back-country. We will appreciate any partnerships that would help us in this endeavor.

Design criteria will be applied to protect sensitive areas including, but not limited to, streamside management zones, old growth and late succession forests, wildlife resources, and Special Interest Areas during felling and/or removal operations. Winter logging may also be considered in specific areas, and on a case-by-case basis, to further protect sensitive resource areas.

The Forest Service will begin implementing the Proposed Action – Modified during the summer of 2008 and continue implementation over the next 10 years across the two forests. Priority for scheduling treatments will be determined annually by: a) the severity of bark beetle infestation, tree mortality, and the severity of safety hazard posed; b) maintaining safe access to important recreation sites; c) maintaining safe access on motorized trails; d) maintaining requested ingress/egress to private inholdings; e) public desires for maintaining access into the national forests; f) protection of facilities eligible for inclusion or listed on the National Register of Historic Places; and g) protection of administrative sites, particularly those used to house seasonal employees.

C. Decision Rationale

My decision to implement the *Proposed Action – Modified, with minor adjustments*, represents an attempt to balance all interests, to consider all environmental factors, and to establish a reasonable plan for managing hazardous tree conditions and public safety concerns on the Medicine Bow-Routt NFs. As is documented in this DN and the May 2008 EA, the Forest Service has conducted extensive public involvement and has completed comprehensive environmental analysis to support this decision. While it is impossible to please all interests, this is my best effort to most reasonably accommodate all uses, consistent with our mandates under law, regulation, and policy for managing the NFs.

Important considerations that influenced my decision included how well it responded to: 1) the Purpose and Need for Action (EA pages 6 – 7); 2) comments received from the public during the 30-day formal comment period; and 3) issues raised during the 30-day objection period for the EA.

1) Purpose and Need for Action

The primary purpose of the Forest-wide Hazardous Tree Removal and Fuels Reduction Project is to reduce threats to public health and safety posed by dead and dying trees along roads and trails and in developed recreation sites and administrative sites. These hazardous conditions are the result of a MPB epidemic that has been plaguing the Medicine Bow-Routt NFs for the last several years. The epidemic was documented in Report LSC-07-06, completed by entomologists from the Lakewood Service Center in Lakewood, Colorado (June 2007), and by the issuance of a Mountain Pine Beetle Epidemic Declaration by the Rocky Mountain Regional Office of the USDA Forest Service on June 25, 2007.

As of 2007, aerial and ground survey data specific to the Medicine Bow-Routt National Forests (NFs) showed that over 350,000 acres on the Routt NF and 178,000 acres of lodgepole pine trees on the Medicine Bow NF have been impacted by MPBs. Research indicates that the epidemic will continue its current course unless a period of prolonged and severe low temperatures (<-30° F) occurs during late fall-winter-early spring months. Research also indicates that dead, mature lodgepole pine trees begin to fall after three years and that the majority of trees fall within 14

years (Mitchell and Preisler 1998). It is anticipated that many of the dead trees on the Medicine Bow-Routt NFs will fall across roadways, in administrative sites, across trails, and in developed recreation sites. Given this situation, I believe there is an overwhelming need to actively reduce potential hazards to public safety and structures. My decision will do just that.

The predicted impact of taking no action is not acceptable to me, nor do I believe that it would be acceptable to the majority of people who utilize or live within the Medicine Bow-Routt NFs. Without action, roads and trails deemed unsafe due to the presence of hazardous trees would need to be closed to public travel. These closures could impact a single road/trail or potentially entire systems. Many of the developed and dispersed recreation sites and administrative sites would have to be closed as well. Moreover, leaving the dead and dying trees in place would increase fuel loadings across the NFs which could lead to extreme fire conditions. As a land manager, it would be irresponsible of me to discount these threats.

Given current conditions, I believe my decision to fell and/or remove hazardous trees along roads and trails and in developed recreation sites and administrative sites fully addresses and responds to the purpose and need for action, as described on EA pages 6 – 7, and to the goals and objectives contained in the Medicine Bow and Routt National Forest Plans. My decision will ensure public and firefighter safety by reducing the risk of persons or property being struck by falling trees and by keeping travel corridors open with adequate clearance for traditional firefighting equipment, recreation vehicles, and automobiles. My decision will also reduce the risk of high intensity/high severity wildfires within treatment areas by reducing hazardous fuel loadings associated with beetle killed trees. Finally, my decision will minimize the effects of tree mortality on overall health, scenic quality, and condition of forested areas along roads and trails and in and adjacent to developed recreation sites and administrative sites.

2) Responsiveness to Public Comments Received During the 30-day Formal Comment Period

Public involvement was extremely important throughout the analysis process for the EA as evidenced by the number of Open House meetings and field trips that were held and the variety of methods used to inform the public about the proposal. Comments submitted in response to these efforts, including the formal 30-day comment period, resulted in modifications to the Proposed Action, as described on page 15 of the May 2008 EA; the modifications were incorporated to respond to comments regarding the width of the felling corridor and the protection of mapped and inventoried old growth, late succession forest, and wildlife habitat. While I was not able to address every concern raised, the decision authorized herein represents my best effort to reasonably accommodate public desires consistent with law, regulation, and policy for managing National Forest System lands.

3) Responsiveness to Issues Raised during the 30-day Objection Period for the EA

Following public review of the EA, additional concerns were raised by interested parties. These concerns dealt primarily with the width of the felling corridor, modifying criteria used to determine hazardous trees along roads and trails, and clarifying or making minor modifications to some of the design criteria. In an effort to alleviate the concerns, I collaborated and worked closely with the interested parties to make minor adjustments to the Proposed Action – Modified that were acceptable to all parties involved. Descriptions of the adjustments are outlined on Decision Notice pages 2 and 3.

D. Design Criteria Associated with the Decision

The Interdisciplinary Team (ID Team) identified design criteria to reduce or prevent undesirable effects resulting from management activities. Design criteria include such measures as Best Management Practices (BMPs), Watershed Conservation Practices (WCPs), Forest Plan standards and guidelines, and other environmental protection required by laws and regulations. They are as follows:

Developed Recreation Sites, Trails, Trailheads, and Administrative Sites

1. Minimize damage to designated infrastructure from tree felling operations.
2. Felled hazard trees and slash shall be removed from the corridor of roads and other mowed or maintained areas within developed recreation sites and scattered outside the developed site in areas designated by the Forest Service. Felled trees will be whole tree skidded to designated landings outside of the developed site.
3. Coordinate closure of heavily used trailheads, administrative sites, campgrounds, and travel corridors with District recreation staffs to minimize impacts to the public. Provide information to the recreating public on the purpose and duration of the closure as well as on alternative recreation opportunities in the vicinity.
4. Where feasible, fresh cut ends of logs that are felled, but not removed, will not be visible from the trail in MA 1.2. When cutting trees that fall naturally across trails in MA 1.2, lop and scatter logs and limbs outside the corridor as to provide and maintain the naturalness of trail corridor and meet Preservation VQO and Very High SIO.

Heritage Resources

5. Heritage resource sites that are discovered within areas identified for mechanical treatment will be evaluated for National Register eligibility. Sites that are eligible for, or listed on, the National Register of Historic Places will not have mechanical treatment occur within the site boundary plus a 50 foot buffer around the site. If treatment is necessary these sites, and the 50 foot buffer, will be hand-treated for hazard trees and accumulated fuel build up.

Invasive Species

6. Off-road equipment shall not be moved onto the sale area without having first taken reasonable measures to make sure each piece of equipment is free of soil, seeds, vegetative matter, or other debris that could contain or hold invasive seeds.
7. Revegetation on any area may be required where ground cover is disturbed (e.g. landings, burned slash pile sites, skid trails, etc.). As a general guideline, ground cover should recover to its normal range of variability for the landtype and geoclimatic area by the end of the third growing season. Native plant species should ultimately dominate the site, although introduction of non-persistent species may be used to ensure vegetation cover initially.

Inventoried Roadless Areas (IRAs)

8. Hazard trees may be felled but left in place in all IRAs. Lop and scatter slash to a height of 24 inches above the ground.

Old Growth and Late Succession Forest

9. Hazard trees within mapped and inventoried old growth areas and in those polygons identified in the old growth strategy on the MBNF will be hand felled and left in place. If necessary, felled trees may be stabilized to prevent movement onto a roadway. Lop and scatter slash to a height of less than 24 inches above the ground. Do not designate landings in these areas.

10. This design criterion applies to the following Geographic Areas on the Routt National Forest: Arapahoe Creek, Corral Peaks, Encampment River, Owl Mountain, Pinkham Mountain, Willow Creek, Little Snake, Sand Mountain, Slater Creek, Upper Elk River, Gore and Red Dirt. In MA 5.13, dead and dying trees will be hand felled and left in place on 35 percent of the total treatment area of the lodgepole pine and spruce-fir stands with trees of larger diameter (trees mostly > 9" dbh). If necessary, fallen trees may be stabilized to prevent movement onto a roadway. These areas of "hand fall and leave in place" can be located mostly within spruce-fir stands where there will be more residual green timber after hazard tree removal and/or combined with wildlife connectivity needs. Lop and scatter slash to a height of less than 24 inches above ground. Do not designate landings in these areas. Trees will be felled adjacent (or on top of each other) to each other wherever possible to reduce movement impacts to elk.

Public Safety

11. On Level 3 – 5 roads and on county and state highways, warning signs and traffic control shall be in accordance with the "Manual of Uniform Traffic Control Devices."
12. Level 2 roads will be temporarily closed to general public access during felling and/or removal operations.
13. Erect barricades and/or proper signs at any traffic hazards left in or adjacent to the road at the end of each workday. All felled trees and slash shall be removed from the bladed, mowed, or brushed road corridor each day before crews leave the work area for the day.

Riparian Areas/Aquatic Protection

14. Locate staging areas and refueling locations at least 100 feet away from streams and wetlands.
15. The Forest Service will designate heavy equipment crossings for streams that have definable beds and banks.
16. Stream crossings and other instream structures will be designed to provide for passage of flow and sediment, withstand expected flood flows, and allow free movement of resident aquatic life.
17. Any hazard tree and associated debris cut down or lying within 200 feet upstream of a perennial or intermittent stream/road culvert crossing, that has the potential to obstruct a bridge or culvert, will be moved at least 100 feet upslope away from the stream. Ground based equipment can be used up to the edge of, but not within riparian areas, wetlands or hydric soils. This design criterion takes precedence over design criteria 8 and 31.
18. Trees within 100 feet of tie driven streams will not be removed if they provide a potential source of large woody debris to the stream system. Felled hazard trees should be left in place.
19. Ground based equipment will not be permitted within 100 feet of identified riparian areas or within 200 feet of identified wetlands/fens (by GIS or located on ground during implementation); hand felling of hazard trees is permitted in the 100 foot riparian buffer and the 200 foot wetland buffer. Felled trees will either be left in place in riparian areas or may be removed by winching where there will be no disturbance such that bare ground is exposed. If tree removal (including whole tree yarding) is not possible, slash may be lopped and scattered to a height of less than 24 inches above ground level.
20. Ground based equipment will not be permitted on identified hydric soils¹ (by GIS or located on ground during implementation); hand felling of hazard trees is permitted in the hydric

¹ Hydric soils are defined as "a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, July 13, 1994)."

soils. Felled trees will either be left in place on hydric soils or winched as specified by the Forest Service. If tree removal is not possible, slash may be lopped and scattered to a height of less than 24 inches above ground level.

Roads

21. No new specified road or temporary road construction will be authorized. No excavated skid trails will be authorized except where necessary to gain access up the cut slope or down the fill slope of an existing road.
22. Decking and landing areas will be designated by the Forest Service.
23. Minimize damage to drainage structures and road features. Repair any damaged drainage structures and road features and rehabilitate any damage to cut and fill slopes.
24. When operating on or along the road prism, do not skid within or across drainage ditches; limit impacts to road surface. When damage is unavoidable, reconstruct and/or replace surfacing as necessary. Engineering will determine post-operation/haul road maintenance, repair, reconditioning, or resurfacing needs on an individual basis.
25. Honor existing seasonal road closures and other road restrictions during hazard tree removal operations for species or resources that are sensitive to disturbance.
26. Remove felled hazard trees and slash from wing ditches, lead-off ditches, tail ditches, and culvert outlets. Place all slash such that it will not fall, roll, or be blown into these areas.

Slash Disposal/Fuels Treatments

27. The preferred slash treatment method for the majority of the potential project area is to whole tree skid and/or removal of the whole tree where the entire tree, including the top and limbs, is removed. The limbs and tops are to be cut off at designated landings and piled for later burning by the Forest Service or chipped and hauled off-site by the Contractor.
28. Where terrain and topography allow: for road clearing operations and at all trailheads, the limbs may also be chipped on-site with the chips left in place; the depth of the chips cannot exceed three inches above the surface. At administrative sites and developed recreation areas, chips resulting from chipping operations must be hauled off-site for disposal.
29. Remove slash from felled hazard trees from stream channels unless otherwise specified by the Forest Service. Lop and scatter slash to a height of less than 24 inches above the ground.
30. After slash piles are initially burned, plan on follow-up re-piling or scattering² of the pile remnants by a dozer equipped with a brush rake. Where re-piling occurs, the piles will be re-burned.
31. Slash treatment shall include lopping/scattering outside the developed area or cut and piled for rental property firewood. Lop and scatter slash to a height of less than 24 inches above ground level.

Special Interest Areas (SIAs), Research Natural Areas (RNAs), and Wilderness Areas

32. Trees may be hand felled in SIAs and boles must be left in place; ground skidding may not occur. Lop and scatter limbs to a height of less than 24 inches above the ground. This design criterion applies to the following SIAs on the Medicine Bow National Forest: Cinnabar Park, Medicine Bow Peak, White Rock Canyon, Kettle Ponds, Sunken Gardens, Ribbon Forest, Platte Canyon, and Brown's Peak. It also applies to the following SIAs on the Routt National Forest: Black Mountain, Oliphant and Welba Peaks, California Park, Camp Creek, Little Snake, and Kettle Lakes.
33. Hazard trees will not be felled and/or removed in RNAs.

² Whether a pile is re-piled for later burning or the pile remnants are scattered is determined by how much unburned slash is left.

34. No active hazard tree falling treatments will occur within Wilderness area boundaries or along trails within Management Area (MA) 1.2 – Recommended for Wilderness; warning signs identifying potential risks associated with hazardous trees will be posted at appropriate Wilderness and other trailheads. Fallen trees may be cleared from these trails during routine trail maintenance activities per Forest Service Manual direction (**Adjustment to the Proposed Action – Modified**).

Visuals

35. Minimize damage to natural features such as rock outcrops, young healthy trees, and understories of trees and shrubs; cut stumps as low to the ground as feasible and remove and or treat (lop & scatter, pile & burn, etc.) heavy slash within the immediate foreground (approximately 25 to 200 feet from the edge of a road) of roads located in MAs that are assigned Retention and Partial Retention Visual Quality Objectives and High and Moderate Scenic Integrity Objectives (**Adjustment to the Proposed Action – Modified**).
36. Within developed recreation areas and administrative sites, cut stumps as low to the ground as feasible and remove heavy slash to designated slash piles. Minimize damage to all retaining mature trees that were sprayed, young healthy trees of lodgepole pine and spruce-fir, and the understory of trees and shrubs from ground based equipment within developed campsites and administrative sites for present and future shade and screening, and to maintain high quality recreational setting and desired scenic condition.

Wildlife and Botany

37. Prior to each field season, district wildlife biologists will be provided with GIS layers and hardcopy maps of potential treatment areas. Proposed, Threatened, Endangered, and Sensitive (PETS) species and species of local concern (known or discovered during project layout or implementation) will be individually evaluated as they occur within proposed hazard tree removal projects. The conservation measures and design criteria listed on pages 88 – 89 of the Biological Evaluation for the Routt NF will be implemented, as applicable, based on the presence of PETS species and habitat on the Routt NF (**Adjustment to the Proposed Action – Modified**).
38. District wildlife biologists and botanists will determine consultation and site protection needs on an individual and as needed basis. For any Proposed, Threatened, Endangered, and Sensitive species or species of local concern with identified viability concerns, the wildlife biologist and/or botanist will identify activity restrictions (area, timing, retaining felled trees on-site to provide connectivity/linkage of habitats, etc.) such that implementation will not result in a trend toward Federal listing or loss of population viability (**Adjustment to the Proposed Action – Modified**).

Winter Logging

39. Conduct winter logging operations when the ground is frozen to a depth of six inches or more or when snow cover is adequate to minimize site disturbance.
40. Plow or pack snow in the operating area to minimize the insulation value and facilitate ground freezing; clear enough area to accommodate future snow plowing.
41. When hauling on constructed specified roads, haul only on roads that have been cleared, allowing the ground to freeze and snow to compact on top.
42. Monitor the operating conditions closely after consecutive nights of above freezing temperatures; cease operations on roads and in salvage units if resource damage begins to occur.

43. When daytime temperatures are above freezing, but nighttime temperatures remain below freezing, plan to operate only in the morning; cease operations when ground temperature is above freezing.
44. Return the following summer and build drainage features on any skid trails that are steep enough to erode or over 10 percent.
45. When plowing snow for winter operations, provide breaks in the snow berm to allow road drainage.

E. Monitoring Requirements Associated with the Decision

Monitoring is done to assure that Forest Plan standards and guidelines are being met and adhered to during project implementation. The following specific items were identified by the ID Team as needing monitoring during preparation and implementation of potential projects:

Table 1: Monitoring Requirements

Monitoring Requirement	Monitoring Type	Responsibility	Frequency
BMP and Design Criteria effectiveness	Ocular	Contract Administrator and IDT members	Annual through project completion

II. OTHER ALTERNATIVES ANALYZED IN DETAIL

The NEPA analysis for the project was completed under the Healthy Forests Restoration Act (HFRA), Title I, Section 104. Provisions in Section 104(c) of the HFRA limit the number of alternatives that may be considered in detail. Further, public involvement efforts did not identify any key issues that necessitated the development of alternatives to the Proposed Action – Modified. Therefore, I considered only one other alternative in detail in the EA. A description of the alternative is provided below.

ALTERNATIVE 1: No Action

Under Alternative 1: No Action, hazardous trees along NFSRs, trails, and state and county roads within the Forest boundary would not be felled and/or removed. Hazardous trees in and adjacent to Forest Service trailheads and administrative sites would also not be felled and/or removed. No attempt would be made to respond to the purpose of and need for the proposal; in essence, nature would be allowed to take its course.

As required by Forest Service Manual (FSM) 2332.11 (Public Safety, Hazard Trees), the Forest Service would continue to fell and remove hazardous trees in developed recreation sites (e.g., campgrounds, picnic grounds) prior to their being opened to public use. As budgets allow, the Forest Service would also continue to remove trees as they fall across NFSRs and trails or the routes would be closed to motorized or other public access for safety reasons, as required by the Highway Safety Act of 1966 and FSM 7733.

III. PUBLIC INVOLVEMENT

On June 29, 2007, the Forest Service mailed a Scoping (40 CFR 1501.7) letter describing the Proposed Action and Purpose and Need for the Project to 154 individuals, organizations, and agencies. A news release describing the proposal was also mailed to local media stations that same day. Both the Scoping letter and the news release indicated that the comment period would end on July 13, 2007. The Forest Service received 13 comment letters in response to the June 29, 2007 Scoping effort.

On October 19, 2007 the Forest Service re-initiated Scoping for two reasons: 1) the Proposed Action had been modified slightly; and 2) I had determined that the proposal is an “authorized project” under the HFRA, Title I, Sec. 102(a)(4) (insect and disease epidemics). Therefore, the project was transitioned from the NEPA analysis currently underway to the environmental analysis process authorized under Section 104 of the HFRA.

The October 19, 2007 Scoping letter was mailed to 234 individuals, organizations, and agencies. The letter outlined the modifications to the Proposed Action and indicated that the Scoping period would be the only opportunity for the public to comment on the proposal. The 30-day comment period was initiated on October 29, 2007 following publication of a legal notice in the Laramie Boomerang on October 28, 2007.

During the October 2007 comment period the Forest Service hosted five public field trips and two Open House meetings. Field trips were held in Laramie, WY and Yampa, CO on November 6; Steamboat Springs, CO on November 7; Walden, CO on November 8; and Saratoga, WY on November 9. The Open House meetings took place on November 15, 2007 in Steamboat Springs, CO and in Laramie, WY.

By the close of the comment period on November 27, 2007 the Forest Service had received an additional 23 public comment letters for a total of 36 letters between the two Scoping efforts. The Interdisciplinary Team and I reviewed the comment letters and a list of issues to address during the analysis process was developed. The public comment letters were also formally responded to in Appendix A of the EA.

On May 30, 2008, the EA and a Finding of No Significant Impact (FONSI) were made available for public review. At that same time, a legal notice announcing the availability of the EA and FONSI was published in the Laramie Boomerang. The legal notice initiated the 30-day review and objection period for the proposed project.

IV. FOREST PLAN CONSISTENCY AND FINDINGS REQUIRED BY OTHER LAWS

I have determined that the activities approved in this decision are entirely consistent with the Medicine Bow (2003) and Routt (1998) National Forest Plans, as required by the National Forest Management Act (NFMA 1976). The project was designed in conformance with Forest Plan Direction and incorporates appropriate Forest Plan standards and guidelines.

I have also determined that my decision complies with Executive Orders 11988, and 11990, dealing with floodplains and wetlands (EA page 42). It also complies with other laws and regulations such as the National Forest Management Act, Clean Water Act, Endangered Species Act, and the National Historic Preservation Act. This is demonstrated in the Design Criteria section of this Decision Notice (pages 6 -10) and in the May 2008 FONSI. There will be no

adverse effects on any threatened, endangered, and/or sensitive species or on heritage resources (FONSI page 4). Best Management Practices (BMPs) will be applied to meet state water quality standards.

V. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

As mentioned above, the NEPA analysis for this project was completed under the HFRA, Title I, Section 104. Projects authorized under the HFRA are exempt from the notice, comment, and appeal procedures set forth at 36 CFR 215 (§ 218.3). 36 CFR 218, Subpart A (§ 218.1) establishes separate review and objection procedures for projects authorized by the HFRA. The objection process is the sole means by which administrative review of a proposed authorized hazardous fuels reduction project on National Forest System land may be sought. Under this process, the Responsible Official may not issue a decision concerning an authorized project until the Reviewing Officer has responded to all objections. No objections were filed on the *Forest-wide Hazardous Tree Removal and Fuels Reduction Project*.

VI. IMPLEMENTATION DATE

The Forest-wide Hazardous Tree Removal and Fuels Reduction Project, as described in this Decision Notice, may be implemented immediately.

VII. CONTACT PERSON

For further information concerning this decision or the objection process, contact:

Melissa Martin, Project Leader
Medicine Bow-Routt National Forests
2468 Jackson Street
Laramie, Wyoming, 82070
Telephone: (307) 745-2371

/s/ Mary H. Peterson
MARY H. PETERSON
Forest Supervisor
Medicine Bow-Routt National Forests &
Thunder Basin National Grassland

8-12-08
Date

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