

Decision Notice and Finding of No Significant Impact
Treatment of Dead Trees in the Wildland/Urban Interface
Resulting from the Rodeo-Chediski Fire

USDA Forest Service
Black Mesa, Lakeside and Pleasant Valley Districts
Apache-Sitgreaves and Tonto National Forests
Coconino, Gila and Navajo Counties, Arizona

Background

An environmental assessment (EA) for the treatment of dead trees in the Wildland/Urban Interface (WUI) resulting from the Rodeo-Chediski Fire of 2002 has been prepared in response to Judge Martone's Order of July 9, 2003, filed in United States District Court, District of Arizona (Phoenix). The EA was prepared to analyze the effects of treating dead trees in the WUI previously authorized in a Decision Memo approved December 23, 2002. The treatments approved under this Decision Memo were not enjoined by Judge Martone or in a subsequent decision issued by the Ninth Circuit Court of Appeals on September 29, 2003. These treatments are currently being implemented in conjunction with four timber sales and other actions underway to reduce these future hazards to the public.

This project responds to the need for public safety by reducing fuel loading on National Forest System lands within one-half mile of private lands. The need for action is the difference between the existing and desired condition. Existing standing dead fuel loadings range from 49 tons per acre to more than 91 tons per acre. The desired fuels condition for National Forest lands within the WUI is 4.8 to 7.8 tons per acre of down woody material. Dead trees pose a threat to public safety as they fall down and over time, the dead trees will become a wildfire hazard that could threaten the public and private land improvements in the long-term.

A one-half mile defense zone (or safety zone) was chosen to allow suppression crews to remain in place and extinguish spot fires that would otherwise spread in receptive fuel beds and threaten homes and communities. Without treatment within this zone, future fire suppression crews would not be able to remain in the area due to hot gases and intense radiant heat that can travel ahead of the main fire.

The purpose of this project is to reduce fuel loading within the Wildland-Urban Interface in a manner that:

- ? is consistent with applicable land management policies and plans;
- ? does not pose a risk of significant adverse effects; and
- ? is economically feasible.

The environmental assessment (EA) documents the analysis of two alternatives to meet this need. Since the treatments approved in the Decision Memo signed December 23, 2002 were not enjoined, only two alternatives were analyzed in the EA. The No Action alternative and a

Proposed Action alternative, representing continued implementation of the approved treatments authorized by the Decision Memo, were analyzed and the effects described in detail. Project implementation has continued during the process of preparing the EA and subsequent notice/comment and appeal provided for by 36 CFR 215.

Decision and Reasons for the Decision

Based upon our review of both alternatives, we have decided to continue implementing the Proposed Action alternative that provides for treatment of dead trees within one-half mile of private land boundaries to provide defense zones against future wildfires. It is anticipated that about 56 percent of the area will be treated to reduce fuels. The remaining 44 percent will not be treated because areas were either unburned or burned at low severity levels, occurred on slopes exceeding 40 percent, or because impacts to environmental resources may occur. Large-scale maps of proposed treatment areas may be found in the project record (PR) located at the Black Mesa Ranger Station, Apache-Sitgreaves National Forests in Overgaard, AZ.

Dead trees are being removed from the project area or left on-site. Dead trees are defined as having no living green needles visible on the limbs or bole. All means of treatment are being utilized such as salvage logging, chipping, chunking, and making them available for firewood and other forest products. Site-specific resource conditions dictate the type of treatment applied within the project area.

The Proposed Action alternative will remove approximately 17 million board feet of commercial sized sawtimber over 3,875 acres and commercial specialty products will be removed from 3,185 acres upon completion of this project. Treatments such as chipping, chunking and crushing of non-commercial small sized woody materials are taking place over 12,400 acres to rearrange fuels remaining after salvage activities are completed. This will reduce rates of spread and flame lengths of a future wildfire to where initial attack crews will be able to suppress wildfires adjacent to the WUI. Average fuel loading of 49-89 tons per acre is being reduced to 11-72 tons per acre to reduce flammability and intensities that otherwise would inhibit successful initial attack if left untreated. Removal of some of this material as specialty products and fuelwood with follow-up treatments of lopping, chipping, chunking, and crushing will further reduce the average fuel loading in these defense zones, meeting the purpose and need for this project.

The direct, indirect and cumulative effects described in the DEIS completed for the Rodeo-Chediski Fire Salvage Project were considered and are incorporated by reference into this decision. The beneficial effects of treating salvage logging slash and non-commercial small sized woody materials to soils were also a strong consideration in the selection of this alternative. Chipping, chunking and crushing this material provides badly needed woody debris that is incorporated into the soil during these treatments. These treatments also benefit soils by disturbing hydrophobic soils resulting from the fire, creating ground cover to reduce erosion, and providing moisture retention and shade for new plants. Mitigation measures are in place to protect and benefit all resources found within the project area (see EA pages 8-11).

This alternative meets the requirements of both the Apache-Sitgreaves and Tonto National Forest Plans and applicable laws, regulations and policies as described in detail in the DEIS and are incorporated by reference herein.

Other Alternatives Considered

In addition to the selected alternative, the No Action alternative was considered in arriving at this decision. A comparison of these alternatives can be found in the EA on pages 12-14. Under the No Action alternative, current management plans would continue to guide management of the project area. The disastrous consequences of **not** treating dead trees within the WUI currently underway in areas burned at moderate and high severity levels weighed heavily in this decision.

Current fuel loading and predicted fuel loading and fire behavior was described for both the short-term and long-term for the No Action alternative (PR #25 at pages 24-26). Selection of the No Action alternative, that of suspending the current timber sales and mechanical fuel treatments now underway, would result in placing the public and private landowners in the WUI at risk from falling dead trees and future wildfire events (see EA, pages 16-18).

Public Involvement

As described in the background section above, the need for this action arose in June-July 2002. On August 24, 2002, a scoping notice was mailed to 389 groups, organizations and individuals who have asked to be kept informed of activities associated with the Rodeo-Chediski Fire. Thirty-eight replies were received plus 188 e-mail form letters (treated as one letter) expressing opposition to any action within the burn. All scoping responses were evaluated (see Analysis of Scoping Comments, PR #21). This proposed action was circulated for scoping again in August 2003. Two letters were received as a result of this second scoping period.

Several public issues were raised during the two scoping periods. These issues were used to develop design criteria to reduce risk of significant adverse effects. All issues were resolved through mitigation measures and adherence to Forest Plan standards and guidelines. Members of the public suggested two alternatives during the second scoping period that ended in August 2003 and were considered, but eliminated from detailed study (see EA, pages 11-12). The need to address both supportive and opposing relevant scientific research regarding the environmental effects of post-fire salvage logging was requested by the public during both scoping periods. References to scientific literature supportive of salvage logging and other post-fire treatments and opposing salvage logging may be found in many of the resource sections supporting this decision (see EA, pages 6-7).

Finding of No Significant Impact

After considering the environmental effects described in the EA, it has been determined that continued implementation of Alternative 2 will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. This finding is based on the following:

1. The beneficial effects of the action do not bias this finding of no significant environmental effects (see EA, pages 12-23).
2. There will be no significant effects on public health and safety because fuel reduction treatments are being implemented to protect human communities from wildland fires as

well as minimize the spread of fires that might originate on private property. The management objective in the WUI is to enhance fire suppression capabilities by modifying fire behavior inside the zone to provide a safe and effective area for possible future fire suppression activities (see EA pages 16-18).

3. There will be no significant effects on unique characteristics of the project area, because there are no parklands, prime farmlands, roadless areas or designated wilderness areas within the burn perimeter (PR #26, 38 and 89). Analysis of historic and cultural resources revealed that there will be no significant effects (see EA, pages 19 and 21).
4. The effects on the quality of the human environment are not likely to be highly controversial. Several letters received from the public during the scoping process included literature attachments such as scientific commentaries of Beschta et al., and others. These have been addressed in the various resource specialist reports as well as other relevant science considered in the effects analysis. An extensive literature review with emphasis on the relevancy of the scientific documents to the conditions that exist within the Rodeo-Chediski Fire (see EA, pages 6-7).
5. The Forest Service has considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 14-23).
6. The action is not likely to establish a precedent for future actions with significant effects, because it is a site-specific project designed to protect human health and safety by salvage of commercial-sized dead trees and removal or reduction of remaining activity fuels and non-commercial-sized materials to reduce future fuel hazards (see EA, pages 16-18).
7. The cumulative impacts are not significant (see EA page 4, 15 and 18; the cumulative effects discussions occurring in each resource section of the DEIS; and DEIS, Appendix A, List of Past, Present, and Reasonably Foreseeable Activities, pages 251-286).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. Archeologists have reviewed the affected area for Native American religious or cultural sites, archeological sites and historical properties or areas (Determination of No Adverse Effect To Cultural Resources, Linda Martin, October 31, 2002, Project File). No impacts to significant heritage values will result from the proposed action. Concurrence from the State Historic Preservation Officer was received November 8, 2002 (see EA, page-21).
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, because the US Fish and Wildlife Service informally reviewed and concurred with the findings in the biological assessment (F&W letters, December 11 and 20, 2002,). The design features and mitigation measures summarized in the EA and discussed in detail in the project record limit or eliminate significant adverse impacts (see EA, pages 18-21).

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA pages 5-6 and disclosures in the DEIS, pages 220-222). The action is consistent with both the Apache-Sitgreaves and Tonto National Forest Land and Resource Management Plan (See EA, pages 5-6).

Findings Required by Other Laws and Regulations

This decision to treat and/or remove dead trees on National Forest System lands within one-half mile of private lands to create defense zones against future wildfires is consistent with the intent of both Forest Plan's long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for treatment of fuels to reduce fuel loading to desired levels described on pages 107-112 of the Apache-Sitgreaves' Forest Plan and pages 48-50 of the Tonto's Forest Plan.

Consideration was given to Forest Plan standards and guidelines for retention of snags, down logs and woody debris in areas to be treated by this project. Based on our review of the project record, the Forest Plans for both National Forests, the Record of Decision for Amendment of Forest Plans, and case law, Forest Plan standards and guidelines will be met in this project, (see EA, page 20).

This action does not disproportionately affect minority or low-income populations, and therefore does not require further Environmental Justice analysis (Executive Order 12898), (see EA, page 23).

This project will meet, or move the area towards meeting, the goals and objectives established in the Apache-Sitgreaves and Tonto National Forest Land and Resource Management Plans, (Forest Plans) as amended. A timber sale administrator will be assigned to provide daily monitoring to ensure that mitigation measures specified for this project are adhered to should commercial sales occur. Resource specialists will provide other monitoring needs.

Based upon our review, we found no conditions that may significantly affect the environment.

Implementation Date

This project was implemented following the July 9, 2003 Order issued by Judge Martone in the United States District Court, District of Arizona (Phoenix) and will continue until all treatments are completed or halted through other legal actions.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) in accordance with 36 CFR 215. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed pursuant to 36 CFR 215.7. Appeals must be filed by submission to: USDA Forest Service, Southwestern Region, ATTN: Appeals Deciding Officer (RFO), 333 Broadway SE,

