

Decision Notice & Finding of No significant Impact

Hazard Tree Removal along Highways and Forest System Roads and Trails in the 2006 Warm Fire

USDA Forest Service
Region 3-Kaibab National Forest
Coconino County, Arizona

Background

The Warm Fire was started by lightning on June 8. The fire met the criteria for wildland fire use (WFU) as described in the Kaibab National Forest's land and fire management plans, and federal wildland fire management policies. The Warm Fire was managed as a WFU fire for approximately two and a half weeks.

On June 25, the fire escaped the boundaries established for the WFU and burned about 40,000 additional acres in the central part of the Kaibab Plateau. When the fire exceeded its planned boundaries, fire managers shifted from a WFU management strategy to a suppression strategy. The fire was contained on July 4, 2007. Much of the wildfire area and some pockets of the WFU burned at a high intensity and suffered severe fire effects.

The fire killed trees along Arizona State highways 67 and 89A and adjacent to numerous forest system roads. Trees were also killed in a mosaic pattern on both sides of the Arizona Trail for approximately 14.6 miles.

The Arizona Department of Transportation (Az DOT) owns and is responsible for the right-of-way along the two state highways. Since the dead trees are a public hazard, they initiated cutting and removing the dead hazard trees. The right-of-way is variable in width, and some dead trees outside of the Az DOT right-of-way could fall onto the paved surface and pose a hazard to the public. Hazard trees outside of the Az DOT right-of-way are the responsibility of the Forest Service and are included as part of this project and my decision.

Dead trees along Forest system roads and the Arizona Trail pose a hazard to Forest visitors and employees. These trees could fall onto passing vehicles or fall into the roads and become an impediment to safe passage. Due to the dry conditions during the Warm Fire, trees suffered varying degrees of damage to their root systems. With moderate to high wind intensities that are common on the Kaibab Plateau during the spring and summer months and the reduced tree canopies that would otherwise slow wind speeds, many of these trees will fall soon.

This project's purpose and need is to remove dead trees that pose safety risks along the main highways, system roads and the Arizona Trail in order increase public and employee safety along those routes in the area burned by the 2006 Warm Fire area. This project focuses on hazard abatement for the main arterial and collector roads of the District and the Arizona Trail. It is recognized that there will still be hazard trees within the Warm Fire area and along many of the lesser used roads, but this project addresses those routes with the greatest risk exposure.

Decision

Based on my review of the alternatives considered in the EA and the comments received from the public during this project, I have decided to implement Alternative 2, which provides for felling and removing hazard trees in the Warm Fire along Arizona Highways 67 and 89a (outside of the AzDOT right of way), along certain Forest Service System Roads (see list below) and along the Arizona Trail. Most of the felled trees will be removed although there are several areas where the trees will not be removed. They include areas along the Arizona Trail that are inaccessible to motorized traffic, and areas where there are other resource concerns such as sensitive soils or wildlife habitat concerns. In these areas, hazard trees will be felled but not removed. Some of these same felled trees may be used for erosion control purposes by directionally felling them along slopes. There are many trees along these same roads and trails that were damaged in the fire but are still alive. Some of these trees may survive while others are expected to die from secondary causes. This decision allows for an annual review for dead trees that present safety hazards for approximately five years along these roads and the felling and/or removal of the hazard trees that have died since the last inspection.

Roads To Be Treated

The following Forest Service roads in the Warm Fire will have hazard trees cut and, where feasible, removed: 200, 200A, 205, 205B, 212, 212A, 212B, 224, 225, 241, 259, 261, 263, 263P, 265, 282, 4108, 4110, 4169, 4170, 4171, 4188, 4189, 429, 462, 480, 633, 633D, 633 E, 633G, 633 J, 633L, 641, 641U, 757, 760, 811, 811B. This equates to about 82 miles of system roads and approximately 1990 gross acres. There are also approximately 260 acres along Highways 89A and 67 in scattered areas outside the Az DOT right of way that may require treatment. The acreage estimates are based upon an average 100 foot width on both sides of system roads.

Arizona Trail

There are approximately 14.6 miles of the Arizona Trail within the fire area. A corridor of 50 feet on both sides of the trail or for 100 feet total width will be evaluated for hazard trees. This results in approximately 177 acres to be considered for treatment. Since the fire burned in a mosaic pattern, many of these acres will not require treatment and some areas may require a slightly wider treatment zone.

Red Point Inventoried Roadless Area

A corner of the Red Point IRA is within approximately 200 feet of Highway 67. There are no hazard trees that pose a threat to safety on Highway 76, so no hazard tree cutting will occur in the IRA. Some noise from felling and removal operations outside of the IRA could have short term impacts on persons using the IRA. This is not considered significant since vehicular traffic is fairly constant during the summer months along Highway 67, which is the main access into the North Rim of the Grand Canyon National Park.

Public Involvement

This project was originally developed and scoped as two separate projects, one was called the Highway Hazard Tree Removal Project and the other was called the Forest Service System Road Hazard Tree Removal Project. Due to the similarities and close proximity of the two projects,

they were analyzed as a combined project in the Wildlife Biological Evaluation and within this decision.

The Highway Hazard Tree Removal Project was first listed on the First Quarter FY 07 Schedule of Proposed Actions (October 2006). The project was scoped with a letter to the interested public mailed on September 11, 2006. The Notice and Comment period was initiated with a Legal Notice in the Arizona Daily Sun on September 14, 2006.

The Forest Service System Road Hazard Tree Removal Project was first listed on the Second Quarter FY 07 Schedule of Proposed Actions (January 2007). The project was scoped with a letter to the interested public mailed on October 23, 2006. The Notice and Comment period was initiated with a Legal Notice in the Arizona Daily Sun on October 27, 2006.

A News Release was issued regarding the projects to news media and cooperating agencies. This went to numerous newspapers in southern Utah and northern Arizona. It is unknown exactly how many of them carried the release.

Since the project's inception, there have been various public meetings held in conjunction with the National Travel Management Rule Implementation and Kaibab National Forest Land Management Plan Revision. At these meetings, Interdisciplinary team members were available to discuss the project with the interested public. Comment sheets were made available at these meetings too.

There were meetings held specifically regarding the Warm Fire. Notable among these are the Fieldtrip on the North Kaibab on October 12, 2006 and the public meetings on the Warm Fire Scoping effort, held in Flagstaff on February 8, 2007 and Kanab on February 9.

During the scoping effort and since then, there have been seven letters received with comments about hazard tree removal efforts along the roads and highways. Some of the comments were received in conjunction with scoping efforts for the Warm Fire Recovery Project. One of the comments was received in conjunction with the public distribution of the Warm Fire Assessment of January, 2007. The Kaibab Forest NEPA Coordinator has also made personal contacts to several potentially interested persons, and consistently heard supportive comments.

Throughout all of the meetings and correspondence, the public has expressed support for the need to fell and remove hazard trees from along the roadways and the Arizona Trail. I am not aware of anyone that believes this project should not be implemented.

Other Alternatives Considered

As required by NEPA, the No Action Alternative where none of the hazard trees are cut and removed was considered. Since this alternative does not protect Forest visitors or employees using roads and trails within the Warm Fire area, that alternative is not preferable.

It was also considered to expand the roadside harvest to include more area and dead trees than the ones that endanger users of the main roads and trails. Since the other portions of the wildfire area is being considered for salvage in the Warm fire Recovery Project, potential additional areas and trees are being addressed in that project analysis.

During the initial scoping of the project, it was considered but later dropped to expand this hazard tree removal work to in and around dispersed camping sites that are popular with the public. Due to the number of these and the difficulty in gaining the necessary resource clearances for them, hazard trees around these areas will be felled on an as needed case-by case basis.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions 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. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.

This proposal has beneficial effects for forest safety. Forest visitors and employees deserve the opportunity to recreate and work in the National Forest where recognized hazards have been mitigated.

2. There will be no significant effects on public health and safety if this work is done. While there is still a chance that a fire killed tree could fall on a forest visitor or worker, the risk is lessened by implementing this project.

3. There will be no significant effects on unique characteristics of the area.

Concerns about visual quality for the scenic byway, habitat for wildlife, and protection of cultural resources, have been mitigated by project design. Areas of concern that could not be mitigated have been withdrawn from the project or activities modified to provide protection. Resource concerns have been mitigated with design elements such as restricting removal of felled trees on steep slopes, felling away from the roads to mitigate impacts to visual quality, and conducting lopping and scattering of slash in visually sensitive areas.

The EA describes the effects of Alternative 2 and none of those effects are considered significant.

4. The effects on the quality of the human environment are not likely to be highly controversial. There are no known controversies over the impacts of the project.

The best science available was considered during the preparation of this document. This includes some of the more recent papers that have come out of OSU and elsewhere regarding the effects of salvage logging. I have considered the best available science regarding the Northern Goshawk and the Mexican spotted owl. While this project does not contradict any of the research and common understandings about the resources in the fire area, the main purpose of this project is to reduce the danger to Forest visitors and employees from dead trees that will be falling along travel routes in the Warm Fire area.

Addressing the hazard tree risks may require up to five years or more since many trees along the roads and trails were injured by the fire but are still alive; some of these trees will likely die at a later date from secondary causes. An inspection of the area along the roads and trails will be

done each year to ascertain if more trees have died and need to be felled and/or removed. This project only proposes to remove dead trees, as they present the most risk.

5. We have 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 risks.

There has been a series of larger fires on the North Kaibab and we understand that these dead trees will fall and present potential safety hazard to the public and employees. We also know that trees may continue to die for five years or more after the fire.

6. The action is not likely to establish a precedent for future actions with significant effects.

This project is not connected to or dependent upon any other project being considered in the Warm Fire or on the North Kaibab District.

The removal of hazard trees along the travel ways has limited impacts. When considered with other projects and proposed actions, the cumulative effects do increase. With the project design requirements and mitigation measures, the cumulative effects will be minimized and are not significant.

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 due mainly to project design. The action will not cause loss or destruction of any scientific, cultural, or historical resources.

9. The action will not adversely affect any endangered or threatened species or its critical habitat that has been determined to be critical under the Endangered Species Act of 1973.

There is critical habitat for the Mexican spotted owl designated in a portion the project area. There have never been any Mexican spotted owls detected within the area following years of surveys. Consultation with the US Fish and Wildlife Service has concluded that the project is not likely to jeopardize the continued existence of the Mexican spotted owl or result in adverse modification of their critical habitat.

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment.

All applicable laws, regulations, and the direction provided in the Kaibab National Forest Land and Resource Management Plan have been considered in the development of this project.

Findings Required by Other Laws

This decision is consistent with the Kaibab Land and Resource Management Plan (as amended) as required by the National Forest Management Act. The project was designed in conformance with Forest Plan goals and management direction for Management Area 13.

Implementation Date

If no appeals are filed, this project may be implemented on, but not before, five business days from the close of the appeal period. If appeals are filed, implementation may occur on, but not before the fifteenth (15th) business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to regulations at 36 CFR 215. Individuals or organizations who provided comment or otherwise expressed interest in the proposed action by the close of the comment period may appeal. The appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer. Submit appeals to: Appeal Deciding Officer, Mike R. Williams, Forest Supervisor, Kaibab National Forest, 800 South Sixth Street, Williams, Az 86046, Telephone 928-635-8200, Fax 928-635-8208. Appeals may be filed 45 days from the publication of the legal notice in the newspaper of record (Arizona Daily Sun). If hand delivered, the appeal must be received at the above address during business hours (Monday - Friday 8:00 am to 4:30 pm), excluding holidays. Electronic appeals may be submitted to: appeals-southwestern-kaibab@fs.fed.us (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact: District Ranger Timothy Short, North Kaibab Ranger District, 430 South Main Street, Post Office Box 248, Fredonia, Az 86022, Telephone 928-643-8130.

/s/ Timothy J. Short

July 19, 2007

TIMOTHY SHORT

Date

North Kaibab District Ranger