



File Code: 1950-1

Date: June 21, 2006

Dear Friends and Neighbors:

For the Gallinas Municipal Watershed Wildland-Urban Interface Project, I have decided to select Alternative 1 (Mechanical in Place). The reasons for my decision are attached in the enclosed Decision Notice. I have determined that the project would not have a significant effect on the environment, as explained in the enclosed Finding of No Significant Impact. In making my decision, I considered the comments received during the Notice and Comment period.

This decision is subject to appeal pursuant to 36 CFR 215. Appeals must be filed with the Appeal Deciding Officer within 45 days following the date of publication of the legal notice in the Albuquerque Journal. The publication date of the legal notice is the exclusive means for calculating the time to file an appeal (36 CFR 215.15(a)); those wishing to appeal should not rely upon dates or timeframes provided by any other source. Individuals or organizations who submitted comments during the comment period may appeal (36 CFR 215.13, *Wilderness v. Rey*).

Appeals must be submitted to: Gilbert Zepeda, Appeal Deciding Officer / Forest Supervisor, Santa Fe National Forest, 1474 Rodeo Road, Santa Fe, NM 87505; 505-438-7834 (fax); or e-mailed to: [appeals-southwestern-santafe@fs.fed.us](mailto:appeals-southwestern-santafe@fs.fed.us) (.doc, .rtf, .pdf, or .txt). Hand-delivered comments may be delivered to the Santa Fe National Forest at 1474 Rodeo Road in Santa Fe between the hours of 8:00 am and 4:30 pm.

If no appeals are filed within the 45-day time period, implementation of the decision can begin on, but not before, the 5<sup>th</sup> business day following the close of the appeal-filing period. If an appeal(s) is filed, implementation can occur on, but not before, the 15<sup>th</sup> business day following the date of the last appeal disposition.

Sincerely,

JOSEPH G. REDDAN  
District Ranger

Enclosure

cc: Gilbert Zepeda, Forest Supervisor, Santa Fe National Forest  
Allen Fowler, Forest NEPA Coordinator, Santa Fe National Forest  
Dolores Maese, Public Affairs Officer, Santa Fe National Forest



## Decision Notice and Finding of No Significant Impact

# Gallinas Municipal Watershed Wildland-Urban Interface Project

USDA Forest Service  
Pecos/ Las Vegas Ranger District, Santa Fe National Forest  
San Miguel County, New Mexico

## Decision

Based upon my review of the alternatives and effects described in the Environmental Assessment (EA) for the above-referenced project and comments submitted, I have decided to select Alternative 1 (Mechanical-in-Place) for implementation (EA, pp. 26 - 37). A summary of actions to be taken under Alternative 1 is attached.

## Reasons for My Decision

In making my decision, I considered several items. First, I weighed the short- and long-term consequences of undertaking an action against not undertaking an action. Next, I looked at how well each alternative met the purpose and need described on page 1 of the EA. Then, I considered how well each alternative addressed the key issues and other environmental effects. Finally, I reviewed and considered comments from the public (discussed below under Public Involvement).

## Balance of Effects

The balancing of short- and long-term effects to an ecosystem is a concept raised in the Healthy Forests Restoration Act of 2003 (HFRA) (Public Law 108-148, H.R. 1904, Title 1, Section 106). It states:

As part of its weighing the equities while considering any request for an injunction that applies to an agency action under an authorized hazardous fuel reduction project, the court reviewing the project shall balance the impact to the ecosystem likely affected by the project of--

- (A) the short- and long-term effects of undertaking the agency action;  
against
- (B) the short- and long-term effects of not undertaking the agency action.

Though this project is not being proposed under the authorization of the HFRA, I believe the balance of effects applies because this project is a community at risk under the National Fire Plan (Federal Register, Vol. 66, No. 3, January 4, 2001, PR #17).

New Mexico residents, living in a state prone to drought, are aware of the importance of a stable and uncontaminated public water supply. In Las Vegas, where over 90 percent of the domestic water comes from the Gallinas Municipal Watershed (PR #168), a large-scale, high-intensity wildfire would interrupt the supply and delivery of water. The current state of the watershed presents a clear and present danger for the residents and municipal officials of Las Vegas and San Miguel County (EA pp. 71-87, 92-114). It would be irresponsible for the District to take no action to reduce the risk of high-intensity crown fires. To do nothing poses the greater risk for disrupting a dependable, high-quality supply of municipal water; therefore, the No Action Alternative is not a suitable choice because it does not meet the Purpose and Need (EA, p. 1). The Council on Environmental Quality's regulations require us to analyze the No Action alternative as a baseline.

### **Purpose and Need**

Based on the environmental analysis contained in the EA, I have decided that Alternative 1 (Mechanical in Place) best meets the purpose and need stated on page 1. It provides the most complete treatment of any of the alternatives in that it covers a large acreage and thins most of the lands to be prescribed burned. The Proposed Action does not meet the purpose and need as well because it proposes to prescribe burn, without thinning first, about 3,280 acres; burning in unthinned stands poses the greatest risk for an escaped fire (EA, p. 92). Alternative 2 (Less Thinning, Less Prescribed Burning) does not meet the purpose and need as well as Alternative 1 because it treats the fewest number of acres, leaving the greatest amount of untreated areas where a large, high severity wildfire could occur (EA, p. 108, PR #207). Alternative 3 (Thin from Below, Contour Falling) also does not meet the purpose and need as well as Alternative 1 because a crowning wildfire entering stands treated with a diameter cap is not expected to drop to the ground, as it would in Alternative 1 (EA, p. 109).

### **Key Issues and other Environmental Effects**

Having eliminated No Action as a viable choice, I looked at how well the alternatives addressed the key issues. Three key issues were identified by the Interdisciplinary Team (ID Team) (EA, pp. 8-9):

*Key Issue 1: Water Quality.* Using ground-based mechanical equipment, creating skid trails, allowing public collection of wood products, and blading road surfaces compacts and exposes soil. Compacted and/or exposed soil is more likely to erode; some soil could erode into nearby streams (sedimentation). Sedimentation degrades water quality.

*Key Issue 2: Air Quality/Smoke.* Prescribed burning, especially broadcast burning, produces smoke. Under certain atmospheric conditions, the smoke could settle in areas where people live,

work, or recreate. The smoke could cause respiratory problems for some people, and also create a safety hazard by limiting visibility.

*Key Issue 3: Potential for Escaped Fire.* Prescribed burns may escape control measures and threaten the water supply and resources in and around the watershed. Burning in unthinned stands may pose the highest risk of fire escape.

For the key issue of Water Quality, I found that all four of the action alternatives would meet the State of New Mexico's Water Quality Standards, thereby satisfying requirements of the Clean Water Act (EA, pp. 78, 80, 81, 84; PR #207). Alternative 1 (Mechanical-in-Place) is expected to generate less sediment than two of the other action alternatives while best meeting the purpose and need of the project (EA, pp. 67 – 68). Alternative 1 (Mechanical-in-Place), along with the Proposed Action and Alternative 3 (Thin From Below, Contour Falling), manages about 73% of the acres of the live and dead fuels available for treatment that contribute to wildfire conditions (PR #207), as opposed to the 29% proposed by Alternative 2 (Less Thinning, Less Prescribed Burning). This is important because the sedimentation generated by Alternative 1 (Mechanical-in-Place) is minimal compared to the No Action with Wildfire scenario. We did receive a comment about a purported violation of Total Maximum Daily Loads (TMDLs) for temperature; I address this below in the Public Involvement Section.

For the key issue of Air Quality/Smoke, emissions from prescribed burns conducted by the Forest Service are regulated by the New Mexico Environment Department's Air Quality Bureau to meet the Clean Air Act. Thus, I found that the key issue of Air Quality/Smoke would be essentially the same - minimal - for all the action alternatives. The mitigation measures apply to all the alternatives (EA, pp. 64-65). Weather and season limit the number of days when we are able to conduct prescribed burns, so the number of days of burning per year would likely be the same under any of the action alternatives, the only difference being that Alternative 2 (Less Thinning, Less Prescribed Burning) would have the fewest consecutive years of prescribed burning since it would prescribe burn the fewest number of acres. Further, residents in or bordering the forest are accustomed to prescribed burns. Finally, we did not receive any comments about air quality or smoke.

Alternative 2 (Less Thinning, Less Prescribed Burning) is technically the best at meeting the key issue of Risk of Escaped Fire; however, I decided that Alternative 1 (Mechanical-in-Place) would be the optimal balance between affording protection from wildfire at a landscape level while minimizing the potential for an escaped prescribed fire. Alternative 1 (Mechanical-in-Place) mechanically pre-treats about 1,600 acres more than the Proposed Action (EA, p. 66), lowering the risk of escaped fire on those acres (EA, p. 92). I arrived at this decision after reading several comments recommending as much pre-treatment as possible and questioning the efficacy of the "prescribed burn only" units outlined in the Proposed Action. On about 2,880

acres where there is an 8- or 9-inch diameter limit on cutting, Alternative 3 (Thin From Below, Contour Falling) is expected to leave a more closed canopy (EA, p. 109). From my experience, prescribed burning under closed canopies requires much stricter prescription parameters, which would translate into fewer days available for burning and subsequently more time to complete the project.

Only one of the other effects, cost-benefit analysis, differed enough between alternatives to warrant consideration. The cost of implementing Alternative 1 (Mechanical-in-Place) is potentially greater than the other alternatives due to the cost of treating material via mastication (EA p. 148). I am convinced that the cost is merited, given the value of the Watershed to the 17,000 people that depend on Gallinas Creek for water - a belief substantiated by the City of Las Vegas.

## **Other Alternatives Considered**

In addition to the selected alternative, I considered four other alternatives. The following is a summary of the differences between the selected alternative and the other alternatives. A detailed comparison of these alternatives can be found in Chapter 2 of the EA.

### **No Action Alternative**

The No Action Alternative would not remove any trees or brush from the watershed via mechanical treatment and/or prescribed burning. Other routine and on-going management activities would continue as they do at present. I did not select the No Action Alternative because it does not meet the project's Purpose and Need (EA, p. 1).

### **Proposed Action**

The Proposed Action would treat 105 more acres than Alternative 1 (Mechanical-in-Place). It also proposed to treat about 1,600 acres with prescribed fire only. These acres are situated by Wolf Creek, Bitter Creek, Calf Creek, and Gallinas Creek (EA, p. 16). Another main difference is that the southwestern boundary of the project area would be thinned to an average 40% canopy cover rather than be maintained as a fuel break as prescribed in Alternative 1 (Mechanical-in-Place). Though this alternative would meet the project's Purpose and Need (EA, p. 1), the comments of many individuals and the City of Las Vegas' Water Department showed that they wanted the assurance of mechanical treatment combined with prescribed fire to lessen the risk of escaped fire.

### **Alternative 2 (Less Thinning, Less Prescribed Burning)**

Alternative 2 would treat about 4,850 fewer acres than Alternative 1. Alternative 2 would focus on creating fuel breaks along ridge tops only and not treating as many interior acres (EA, pp. 38-

48). This alternative is the least effective at meeting the project's Purpose and Need (EA, p. 1) because most of the project area's internal acres would be left untreated.

### **Alternative 3 (Thin from Below, Contour Falling)**

Alternative 3 has a large component of treatments, about 2,880 acres or about 36% of the proposed treatment area, with either an 8- or 9-inch diameter limit. It also proposes that, on about 2,220 acres, trees be fallen on the contour over about 10% of the ground to prevent soil erosion should a wildfire occur. I did not choose this alternative for two reasons. First, in the areas with an 8- or 9-inch diameter limit, a crowning wildfire entering would not drop to the ground as with Alternative 1. Second, diameter limits foster evenly-aged stands, and uneven-aged stands are preferable for wildlife habitat and visual quality.

## **Public Involvement**

Public involvement has been extensive and comprehensive throughout the development of this project, and is listed below:

- Listing the project on the Santa Fe National Forest's Schedule of Proposed Actions as of November 2001 ([www.fs.fed.us/r3/sfe](http://www.fs.fed.us/r3/sfe)).
- Mailing two notices that provided information and sought public comment, the first in May 2001 and the second in August 2001. The mailing list consisted of about 280 names, including Federal and State agencies, Native American tribes, municipal offices, businesses, special interest groups, and individuals. The Forest Service received a total of 26 written responses to the notices.
- Public meetings were held in May 2001 and August 2001 to introduce the project, present the Proposed Action, and discuss local concerns and interests that should be addressed in the analysis. About 30 people attended the first meeting, and about 10 people attended the second meeting. The meetings generated almost 50 comments about the Proposed Action.
- The Forest Service met on a regular basis with the Gallinas Watershed Technical Management Group, which is comprised of the city of Las Vegas, San Miguel County, the State of New Mexico Forestry Division, the Office of the State Engineer, the New Mexico Environment Department Surface Water Quality Bureau, the Fish and Wildlife Service, and others. The technical group provided the Forest Service with valuable insight and helped shape the Proposed Action before its presentation to the public.
- Announcements about the project were printed in the Santa Fe New Mexican. Press releases were forwarded to the Las Vegas Optic.
- Met with homeowners in Calf Canyon (September 2, 2001) to present the project and answer questions.
- Presented the project at a Las Vegas City Council meeting (May 8, 2001).
- Presented the project at a San Miguel County Commissioner's meeting (July 11, 2001).

- Met with New Mexico Wilderness Alliance on September 17, 2001 to go over the Proposed Action in detail.
- Invited the city of Las Vegas to attend a prescribed burn on the Pecos/Las Vegas Ranger District (October 2002).
- Held an open house after the publication of the February 2004 version of the EA (March 10, 2004). Solicited comments from attendees by letter (March 17, 2004).
- Met with the mayor of Las Vegas and concerned citizens to discuss the February 2004 version of the EA (March 31, 2004).
- Escorted Las Vegas Citizens for Peace and Justice on a field trip of the Gallinas Watershed project area prior to the end of the appeal period (August 12, 2004).
- On September 27, 2004, the June 2004 decision was reversed by the Regional Office.
- Accepted and analyzed an alternative submitted by the Gallinas Watershed Council (see Alternative 3 in Chapter 2).
- Presented project to various local groups, such as the Las Vegas Board of Realtors, Las Vegas Rotary Club, and New Mexico Behavioral Sciences Hospital (Spring and Summer 2005).
- The district ranger appeared on two local radio talk shows to discuss the proposed project (Summer 2005).
- Participated in a conference called "Approaches to Forest Restoration" held at New Mexico Highlands University (June 2005).
- Provided a field tour for Las Vegas Mayor Henry Sanchez, City Manager John Avila, Councilman Michael Montoya, and Utility Director Richard Trujillo (July 30, 2005).
- The interdisciplinary team leader presented the project to the Sunrise Kiwanis (March 14, 2006)
- The district ranger appeared on a local radio call-in talk show to announce the availability of the April 2006 version of the Environmental Assessment.
- Held an open house after the publication of the April 2006 version of the EA (May 11, 2006). Solicited comments from attendees by letter (April 18, 2006).

### **Consideration of Comments**

In reading the public's comments, I noted that nearly all were in favor of some kind of action; only one commenter suggested that nothing at all be done, and another wanted to see the Forest Service prepare an Environmental Impact Statement. Most of the letters expressed support for treatment but did not choose a preferred alternative.

Several important themes were raised in the comment letters, and I will address them individually. Consideration of comments is found in PR #206 and PR #207.

#### **Restoration versus Fire Behavior**

Several commenters stated that restoration, rather than merely changing predicted wildfire behavior, should have been a part of the purpose and need, especially in light of the recently published "New Mexico Forest Restoration Principles". The EA is clear throughout that changing wildfire behavior is the purpose and need, not restoration. Restoration principles and/or practices, however, will be used in implementation where appropriate.

#### **Fire Frequency**

Some people misunderstood the Forest Service to claim that this proposal would reduce the frequency of wildfires. In no way do we make such a claim, since we cannot control the sources of ignition. Rather, this project is intended to slow the spread and reduce the intensity of wildfires in treated areas.

#### **Watershed Protection / Fire Risk**

Some commenters claimed that the purpose and need does not provide a benchmark for sufficient reduction in the potential for high-severity wildfire across the project area and, as such, there is no way of knowing how well the purpose and need statement has been met by the alternatives. In other words, these commenters were concerned that the EA does not provide a basis for choosing between alternatives because it does not quantify how much of the watershed outside of the treated areas would be protected as a result of the treatments.

The Forest Service anticipates that the project will afford hazard reduction in two ways: 1) by slowing the spread of high-intensity crown fires across the project area in certain fuel types; and 2) by lessening the severity of wildfire occurring on treated acres. Having treatment units overlap, as proposed, is predicted to slow a fire in its heading direction (Finney 2001). The proposed treatments have been demonstrated to be effective in reducing wildfire severity (Cram et al 2006).

The Forest Service can treat only a small portion of the Watershed for several reasons. First, the Forest Service does not own the entire Watershed. Of the approximately 54,000 acres that comprise the Watershed, the Forest Service owns approximately 33,000. This means approximately 21,000 acres of forested and non-forested land in the watershed are privately owned. Next, of the 33,000 acres managed by the Forest Service, there are about 16,000 acres located in the Pecos Wilderness, where, consistent with the Wilderness Act, no treatments are proposed. Finally, we did not propose treatments in the spruce-fir type, which comprise about 5,700 acres (EA p. 13). The acres remaining available for treatment total about 11,300, of which

3,400 to 8,300 are proposed for treatment depending on the alternative. Thus, the action alternatives propose to change fire behavior on 29% to 73% of the acres available for treatment.

As such, we expect to achieve hazard reduction on those acres we are able to treat, and afford some reduction to those we are unable to treat.

#### **TMDL for Temperature**

One commenter observed that a TMDL for temperature has been developed but the EA did not address effects to temperature, and that this project is inconsistent with the anti-degradation clause of the Clean Water Act.

After reading the details contained within the New Mexico Environment Department-Surface Water Quality Bureau's report titled Final Approved Total Maximum Daily Load (TMDL) for the Pecos Headwaters Watershed, I saw that it states "the most *probable* cause for temperature exceedances are due to the alteration of the stream's hydrograph, removal or riparian vegetation, livestock grazing, and natural causes (emphasis added)" (PR #207, Appendix 3, p. 63). The field sheet for Gallinas Creek, however, considered by SWQB to be "the best available information for the identification of potential sources of impairment in this watershed" lists the causes as 1) natural and 2) removal of riparian vegetation (PR #207, Appendix 3, pp. 64, 67). The NMED cites the probable cause of temperature exceedances as being from beavers creating dams that slow the flow of water (PR #207, Appendix 4). Further, there were no temperature exceedances on National Forest System lands (PR #207). The mitigations in the EA would not permit destabilization of stream banks. No riparian vegetation, such as willows, sedges, alders, and cottonwoods, would be removed and as such keep the stream shaded and cool. Large conifers would be removed via hand thinning and end-lining where appropriate to meet a fuels reduction objective.

#### **Road Decommissioning**

One commenter requested that the Forest Service decommission roads to protect wildlife habitat as a part of this project, disagreeing with the ID Team's decision to consider such action as being out of scope (EA, p. 10). Except for decommissioning the temporary roads, no other roads will be physically decommissioned as a part of this project. The Roads Analysis Process lists the long-term goals for roads in the watershed, and decommissioning is recommended for several of them (PR #161). Decommissioning roads will likely take place under the Forest Service's Travel Management Rule, currently in its planning phase.

#### **Citizen's Restoration Plan**

Some commenters stated that the Forest Service had misconstrued, intentionally or unintentionally, the Citizen's Restoration Plan (CRP) written by the Gallinas Watershed Council when it designed Alternative 3 (Thin From Below, Contour Falling). They claim that the Forest

Service's interpretation of the CRP rendered it ineffective and more harmful to the environment than it had been in its original form. I assure the reader that the Forest Service did its best to accurately represent the CRP as it was presented and where it was within the scope of this project, and it is unfortunate that any misunderstanding occurred. The first version of the CRP given to us was version 2.7, dated December 10, 2004. On December 30, 2004 we received version 3.6, on which we based Alternative 3. On February 15, 2005, one day before our scheduled meeting to review Alternative 3 with the Gallinas Watershed Council, we received version 4.3. The Gallinas Watershed Council was not happy with the Forest Service's interpretation as presented at the meeting on February 16, 2005, and made the unusual request for Forest Service staff time in their offices to prepare a map for them. Because we could not accommodate this request, we acknowledge that Alternative 3 is merely based on recommendations contained in the CRP (EA, p. 13). Version 4.6 was mailed to us on the last day of the 2006 comment period. A chronology of the development of the CRP is found in PR #156.

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

This decision to implement Alternative 1 (Mechanical in Place) is consistent with the intent of long-term goals and objectives of the Forest Plan (Forest Plan, pp. 17-24, 34, 46-49). This project was designed in conformance with the Land and Resource Management Plan's standards and guidelines for Management Areas C and J (Forest Plan, pp. 106-111, 139-142).

The project is in compliance with the National Forest Management Act and other applicable laws and regulations guiding National Forest System land and resource management. A detailed discussion of NFMA compliance points, as outlined in the Code of Federal Regulations (CFR) 36 CFR 219.27(a) through 219.27(g), is found as PR #196.

The decision is in compliance with Executive Orders addressing floodplains (EO 11988) and wetlands (EO 11990). No floodplains or wetlands will be impacted by this project (EA p. 62, 78-80).

No group of people, including racial, ethnic, or socio-economic, would be expected to bear a highly disproportionate share of negative consequences from this action EO 12898, Environmental Justice (EA, p. 148).

This decision complies with the Final Roadless Rule, published in the Federal Register (69 FR 42648 on July 16, 2004).

## FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that implementing Alternative 1 (Mechanical in Place) 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. My decision is based on the findings described in the next two sections.

### Context

The environmental context of this project is the Gallinas Municipal Watershed on the Pecos/Las Vegas Ranger District and Gallinas Creek from its headwaters to the Las Vegas diversion. The societal context of this project is within the zone of influence of the Santa Fe National Forest Plan, and as such, does not have regional or national effects.

### Intensity

#### 1. Impacts that may be both beneficial and adverse.

There will be no significant beneficial or adverse effects associated with this project (EA, Chapter 3).

#### 2. The degree to which the proposed action affects public health or safety.

There will be no significant threat to public health and safety with Alternative 1 (Mechanical in Place) (EA, pp. 143-151). Alternative 1 would lessen the risk of large-scale, high-intensity wildfire that could threaten public health or safety (EA, pp. 92-114). Such a wildfire could directly threaten the lives of the public and/or firefighters, and would negatively affect the quality of the public water supply (EA, pp. 71-87). Alternative 1 would not prevent wildfires from occurring, but would lessen their severity and slow their spread.

#### 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.

There will be no significant effects on unique characteristics of the area. Historic and cultural resources will be protected (EA, pp. 65-66, 140-142). The project is not located near park lands, prime farmlands, wild and scenic rivers, or ecologically critical areas. Wetlands and riparian soils will be protected by mitigation measures (EA, p. 62 and PR #207) and by participation from the City of Las Vegas in laying out treatment areas.

**4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

The effects on the quality of the human environment will not be highly controversial because there is ample scientific evidence that reducing forest fuels in certain forest types will lessen the risk of a high-intensity crown fire (EA, pp. 4-5).

**5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

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 risk (EA, Chapter 3).

**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.**

This project does not establish a precedent for future actions that may have significant effects; nor does it represent a decision in principal about a future consideration. This project is similar to other fuels reduction projects, such as the Santa Fe Municipal Watershed, that have been implemented by the Forest Service for the last several years. Any future actions proposed by the Forest Service not specifically identified and analyzed in this EA would be evaluated separately through the NEPA process to determine the site-specific environmental effects.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

As disclosed in Chapter 3 of the EA, the project will not result in any cumulatively significant impacts. No other past, present, or reasonably foreseeable future actions in the area will combine with the effects of Alternative 1 to cause any cumulatively significant impacts.

**8. The degree to which an action may affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

Alternative 1 will not adversely affect properties listed in, or eligible for listing in, the National Register of Historic Places, nor will it cause the loss or destruction of significant scientific, cultural, or historical resources (EA, pp. 65-66, 140-142). Appropriate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act for this project has been completed (see project record).

**9. The degree to which the action may adversely affect an Endangered or Threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.**

The project will not adversely affect any listed or proposed Endangered or Threatened species or their habitats (EA, pp. 151-173). In addition to the EA, a biological assessment/biological evaluation (BA/BE) that supports this finding has been prepared for this project (see project record).

**10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for protection of the environment.**

Alternative 1 will not violate any Federal, State, or local laws or requirements imposed for protection of the environment. For example, effects from this action will meet or exceed state water and air quality standards (EA, pp. 71-92).

## **Implementation Date**

Implementation of this decision can occur five business days after the close of the appeal filing period if no appeal is filed. If an appeal is received, implementation shall not occur until 15 days following the date of the disposition of the last appeal filed.

## **Administrative Review and Appeal Opportunities**

This decision is subject to appeal in accordance with 36 CFR 215. A notice of appeal must be in writing and fully consistent with 36 CFR 215.14. Appeals must be filed within 45 days following the date of publication of the legal notice of this decision in the Albuquerque Journal. The publication date of the legal notice in the Albuquerque Journal is the exclusive means for calculating the time to file an appeal; those wishing to appeal should not rely upon dates or timeframes provided by any other source. Individuals or organizations that submitted comments during the comment period may appeal this decision (36 CFR 215.13, *Wilderness Society v. Rev*). The appeal must be filed by regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service with the Appeal Deciding Officer.

Please submit appeals to:

Gilbert Zepeda  
Appeal Deciding Officer / Forest Supervisor  
Santa Fe National Forest  
P.O. Box 1689  
1474 Rodeo Road  
Santa Fe, NM 87504-1689  
Fax: (505) 438-7834  
E-mail: [appeals-southwestern-santafe@fs.fed.us](mailto:appeals-southwestern-santafe@fs.fed.us) (Attach appeals in .doc, .rtf, .pdf, or .txt formats only.)

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. The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature can serve as verification on electronic appeals.

When no appeal is filed within the 45-day time period, implementation of this decision can begin on, but not before, the 5<sup>th</sup> business day following the close of the appeal filing period.

## Contact

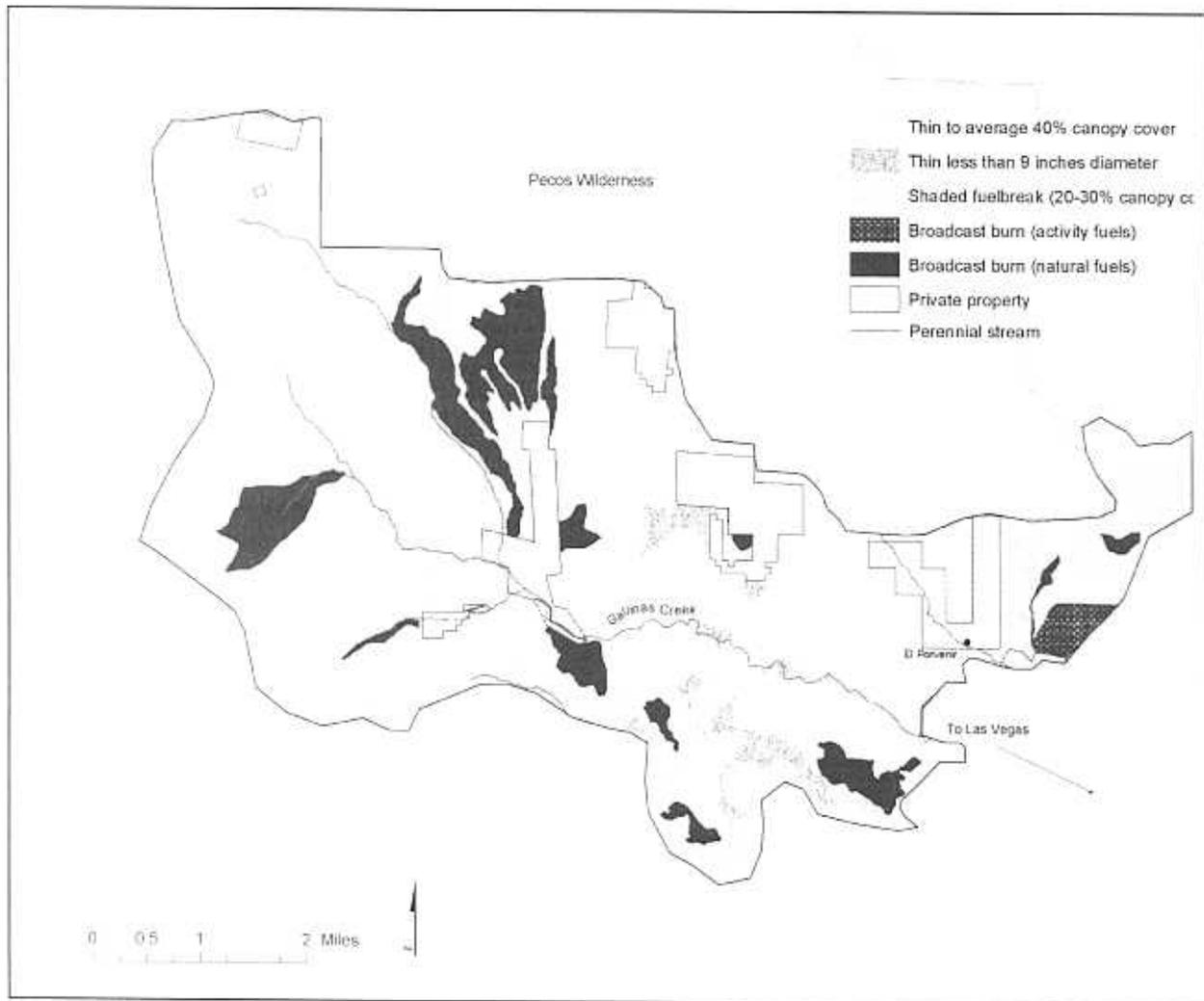
For additional information about this decision or the Forest Service appeal process, contact Julie True, Pecos/Las Vegas Ranger District, Santa Fe National Forest, P.O. Drawer 429, Pecos, NM 87552, 505-757-6121.

  
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JOSEPH G. REDDAN  
District Ranger  
Pecos/ Las Vegas Ranger District

19 June 06  
Date

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ATTACHMENT 1



**Table 1. Summary of actions under Alternative 1 (Mechanical in Place). Acres are approximate. Each row represents a unique set of treatments that would occur in combination.**

Prescription	Method of Treatment	Method of Slash Disposal	Type of Prescribed Burn	Acres (approximate)
Broadcast burn (activity fuels)	Broadcast burn only	Broadcast burn only	Broadcast burn only	156
Broadcast burn (natural fuels)	Broadcast burn only	Broadcast burn only	Broadcast burn only	1,683
Shaded fuelbreak	Hand in place	Hand pile	Pile burn and broadcast burn	28

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<b>Prescription</b>	<b>Method of Treatment</b>	<b>Method of Slash Disposal</b>	<b>Type of Prescribed Burn</b>	<b>Acres (approximate)</b>
Shaded fuelbreak	Hand in place	Lop and scatter	Broadcast burn	17
Shaded fuelbreak	Mechanical in place	Machine pile	Pile burn and broadcast burn	630
Shaded fuelbreak	Mechanical in place	Machine or hand pile	Pile burn and broadcast burn	32
Shaded fuelbreak	Mechanical with product removal	Machine pile	Pile burn and broadcast burn	214
Shaded fuelbreak	Mechanical with product removal	Machine or hand pile	Pile burn and broadcast burn	374
Thin to average 40% canopy cover	Mechanical with product removal	Hand pile	Pile burn	166
Thin to average 40% canopy cover	Mechanical with product removal	Lop and scatter	Broadcast burn	445
Thin to average 40% canopy cover	Mechanical with product removal	Machine pile	Pile burn	129
Thin to average 40% canopy cover	Mechanical with product removal	Machine pile	Pile burn and broadcast burn	195
Thin to average 40% canopy cover	Mechanical with product removal	Machine or hand pile	Pile burn and broadcast burn	74
Thin to average 40% canopy cover	Hand in place	Hand pile	Pile burn and broadcast burn	41
Thin to average 40% canopy cover	Hand in place	Lop and scatter	Broadcast burn	64
Thin to average 40% canopy cover	Mechanical in place	Lop and scatter	Broadcast burn	2,864
Thin to average 40% canopy cover	Mechanical in place	Machine pile	Pile burn and broadcast burn	409
Thin to average 40% canopy cover	Mechanical in place	Machine or hand pile	Pile burn and broadcast burn	195
Thin less than 9 inches	Mechanical with product removal	Hand pile	Pile burn	59

DN/FONSI GALLINAS MUNICIPAL WATERSHED WUI

<b>Prescription</b>	<b>Method of Treatment</b>	<b>Method of Slash Disposal</b>	<b>Type of Prescribed Burn</b>	<b>Acres (approximate)</b>
Thin less than 9 inches	Mechanical with product removal	Machine pile	Pile burn and broadcast burn	53
Thin less than 9 inches	Mechanical in place	Machine or hand pile	Pile burn and broadcast burn	32
Thin less than 9 inches	Mechanical with product removal	Machine or hand pile	Pile burn and broadcast burn	149
Thin less than 9 inches	Mechanical in place	Machine pile	Pile burn and broadcast burn	160
<b>Total</b>				8,169