

Decision Notice
& Finding of No Significant Impact
Pinyon Osborn Vegetation Treatments Environmental Assessment

USDA Forest Service
Pinedale Ranger District, Bridger-Teton National Forest
Sublette County, Wyoming

Decision and Reasons for the Decision

Background

The purpose of this project is to move toward the Desired Future Conditions (DFCs) stated in the Forest Plan and the Upper Green Landscape Scale Assessment. Some specific DFCs in this project area include reducing fuel loadings, creating more age class diversity in vegetation types, maintaining aspen stands, reintroducing fire to the landscape, enhancing range and watershed conditions, providing forage for livestock and wildlife, and improving wildlife habitat. The purpose and need arose initially back in the early 1990's from proposals made by Wyoming Game and Fish Department and has continued to present time through several iterations of NEPA documents and field surveys which confirm the original proposal. The Pinyon Osborn Vegetation Treatments Environmental Assessment (EA) documents the analysis of two alternatives.

Decision

Based upon my review of all alternatives, I have decided to implement Alternative 2 which would include all actions within the Proposed Action (starting on page 1-2 of the EA). Portions of the Proposed Action will be implemented over multiple years to reduce impacts to permittees, recreationists, and the environment. My decision to implement Alternative 2 (Proposed Action) includes mechanical and/or prescribed fire treatments on up to 24,289 acres to reduce and restore shrub, aspen, and conifer vegetation. A more specific description and analysis of the Proposed Action can be found in the EA.

When compared to Alternative 1 (No Action), Alternative 2 (Proposed Action) will meet the purpose and need of the project by moving landscapes toward the DFCs. Utilizing manual (human) ignition following a Prescribed Fire Plan will reintroduce fire in the proposed area to follow a more natural fire regime, aid succession of fire dependent vegetation, and reduce fuel loadings. Mechanical treatments will alter existing vegetation types to create younger age classes, reduce or increase fuel loadings, and sustain pure aspen stands. Moreover, mechanical treatments will be utilized to prepare for prescribed burning in some areas and will be utilized where prescribed burning alone proves insufficient due to lack of ground fuels in other areas.

Issues raised internally prior to scoping were confirmed by interested public. These issues outlined in the EA have been addressed to acceptable levels through analyses, project design, and mitigation measures. All of the mitigation measures in the EA are also part of this decision (starting on page 2-3 of the EA). Additional documents that aided my decision include the Upper Green River Landscape Assessment, Moose Gypsum Environmental Impact Statement, and Bridger-Teton National Forest Land Management Plan. This alternative and the analysis in the EA meets requirements under all applicable laws, regulations, and policies.

Other Alternatives Considered

In addition to the selected alternative, I considered Alternative 1 (the No Action Alternative). A comparison of these alternatives can be found in the EA starting on page 2-4.

Alternative 1

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. Moving toward the DFCs would not occur in a managed progression, if at all. Vegetation would remain at high percentages of old age classes and regeneration of new vegetation would not occur in a timely manner. The only disturbance tool that would mimic treatment of the project area would be wildfire which would have the potential of some undesirable effects including: larger acres burned, private property and structures threatened or burned, area closures to mitigate public safety, soil and water quality effects due to erosion, and or large expanses of stand replacement fire versus mosaic burned and unburned.

Public Involvement

As described in the background, the need for this action arose in the early 1990's and the need still exists today. A proposal of mechanical and prescribed fire treatments to reduce and restore shrub, aspen and conifer fuels along the Upper Green River Corridor was listed in the Schedule of Proposed Actions in January 2008. The proposal was provided to the public and other agencies for comment during scoping which was mailed out on January 25, 2008. In addition, as part of the public involvement process, the agency has held meetings and solicited comments under Moose Gypsum Environmental Impact Statement where this project area was analyzed initially.

In accordance with 36 CFR 215, the description of the Proposed Action was sent to the public and the legal notice starting the 30 day comment period was published in the Casper Star-Tribune on January 30, 2008. Using the comments from the public, other agencies, and internal concerns the interdisciplinary team identified a few issues regarding the effects of the proposed action. Main issues of concern included watershed health, vegetation management, threatened endangered species, sensitive species and wildlife habitat, and fire management and ecosystem sustainability. To address these concerns, the Forest Service created the alternatives described above and analyzed the effects of the proposed action with emphasis on the issues raised. Mitigation measures for the project were also developed to reduce or negate the issues raised.

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.
2. There will be no significant effects on public health and safety for implementation of the proposed action. Improved safety of recreationists would occur after treatments since the

risks of future catastrophic wildfire would be reduced. (See comparison of alternatives on page 2-5 of the EA under Forested Management and Recreation – Wilderness.)

3. There will be no significant effects on unique characteristics of the area because the project has been designed to avoid any impacts to unique features or avoid any unique areas such as Kendall Warm Springs and Osborn Mountain Research Natural Area. (See Wilderness / Inventoried Roadless Analysis section on page 3-51 of the EA and mitigations on page 2-3 of the EA.)
4. The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy over the impacts or effects of the project. (See Effects and Cumulative Effects under each resource area in Chapter 3 of the EA).
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 risk. (See comparison of alternatives starting on page 2-4 of the EA.)
6. The action is not likely to establish a precedent for future actions with significant effects, because any future actions needed will be similar in nature to the proposed action that has been analyzed in this EA.
7. The cumulative impacts or effects are not significant. Effects are disclosed in Chapter 3 of this EA and I have determined that they 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. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources. (See Heritage Resources section in the EA starting on page 3-52.)
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. (See Wildlife section in the EA starting on page 3-54 and Fisheries section in the EA starting on page 3-35.)
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. The action is consistent with the Bridger-Teton National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

This decision to implement the Proposed Action for this EA is consistent with the intent of the 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.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at: Appeal Deciding Officer, USDA Forest Service, Intermountain Regional Office, 324 25th Street, Odgen, UT 84401; or by fax to 801-625-5277 or emailed to: appeals-intermtn-regional-office@fs.fed.us.

The office business hours for those submitting hand-delivered appeals are: 8:00 a.m. through 4:30 p.m. Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Casper Star Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Casper Star Tribune, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Mark Randall, Asst. Fire Management Officer / Fuels, Pinedale Ranger District, P.O. Box 220, 29 E. Fremont Lake Rd., Pinedale, WY 82941, (307) 367-4326.



Thomas Peters
District Ranger
Pinedale Ranger District

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Date

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