



United States  
Department of  
Agriculture

Forest  
Service

September 2013



## **Bud Project**

## **Decision Notice**

**Brush Creek/Hayden Ranger District**  
**Medicine Bow-Routt National Forests**  
**Carbon County, Wyoming**

**T13-15N R86-88W**

**Responsible Official:**

**Melanie Fullman**  
**District Ranger**

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**Bud Project**  
**USDA Forest Service**  
**Medicine Bow-Routt National Forests**  
**Brush Creek/Hayden Ranger District**  
**Carbon County, Wyoming**  
**T13-15N R86-88W, 6<sup>th</sup> Principle Meridian**

## **Summary**

This Decision Notice authorizes approximately 4,335 acres of vegetation, fuels, and habitat treatments and travel management actions designed to improve ecosystem health and forest productivity in the Bud Analysis Area. The rationale behind the decision is based on and supported by the analysis documented in the Bud Project Environmental Assessment (EA) and Finding of No Significant Impact (FONSI), completed in September 2013.

Within the Bud Analysis Area, vegetation, fuels, and habitat treatments are needed because there are:

- hazardous trees in high priority areas;
- poor age class diversity and high fire hazards in shrublands and aspen/conifer communities;
- continuous, high-hazard fuel conditions in high timber production areas;
- opportunities to improve Colorado River cutthroat trout habitat and maintain aspen stands needed for plant diversity and wildlife habitat;
- limited regeneration of lodgepole pine in suitable timber stands;
- overstocked timber stands with limited growth and vigor; and
- opportunities to provide merchantable timber products for sale from designated timber units.

Travel management actions are needed because:

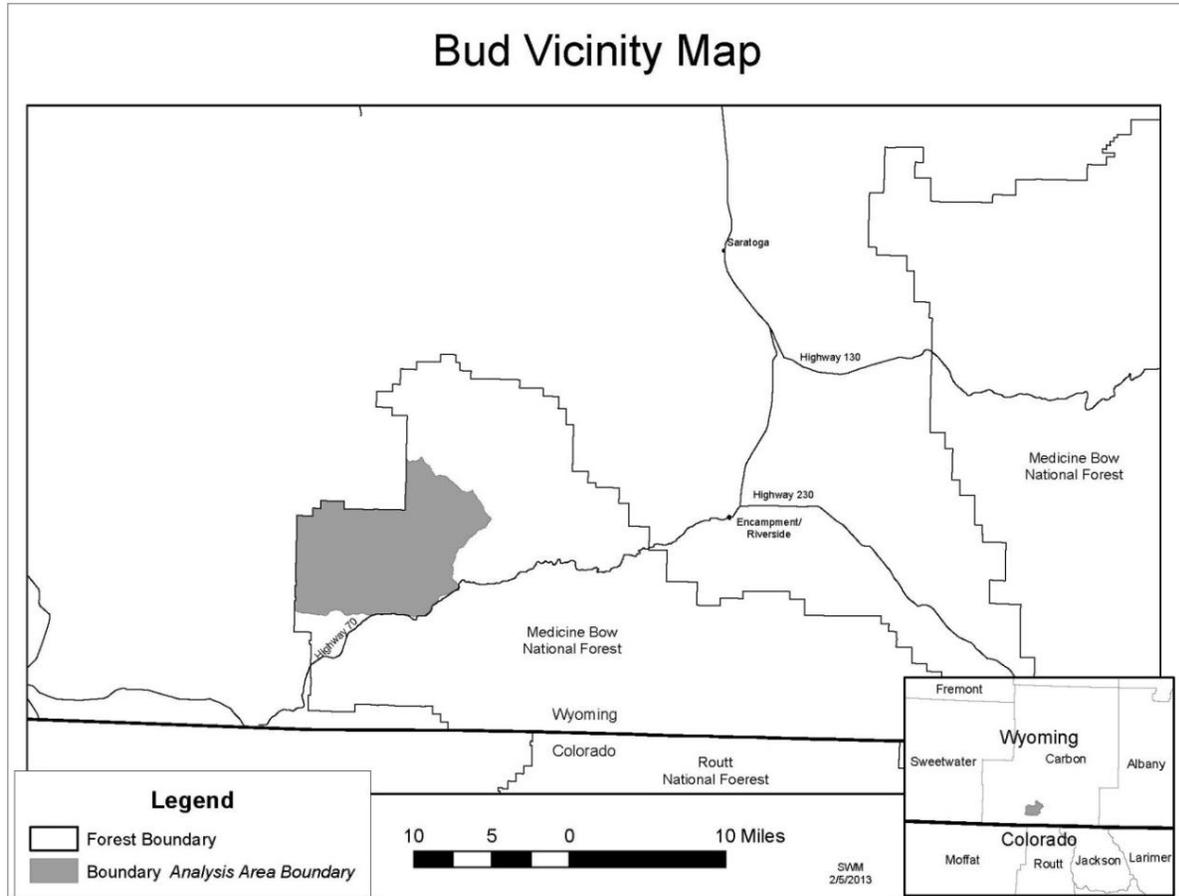
- existing road systems are contributing to degraded resource conditions or are detrimental to watershed health; and
- opportunities exist to improve long-term transportation system management.

Both the 2010 Savery Alternative and the 2013 Bud Alternative were designed to meet the purpose and need of the project, as described in the EA.

## **Analysis Area**

The Bud Analysis Area is located in Carbon County, WY, approximately 20 miles west of Encampment on the Sierra Madre portion of the Brush Creek-Hayden Ranger District (“the District”). The legal description is T13-15N, R86-88W. The analysis area lies north of Battle Highway (Hwy 70) and south of the Forest boundary, and encompasses the Dirtyman Fork, Middle Savery, Big Sandstone, and Little Sandstone Creek watersheds (Map 1).

The analysis area of approximately 51,869 acres includes 50,837 acres of National Forest System land (98%) and 1,032 acres of private land (2%). Inventoried Roadless Areas (IRAs) account for 57% percent of the analysis area. Elevation ranges from approximately 7,000 feet to just over 9,500 feet at Singer Peak. Management actions within the analysis area would occur only on National Forest land.



**Map 1. Bud Project vicinity map.**

## **Public Involvement**

The Bud Project was initiated in April 2010 as part of the Savery Analysis. A notice of intent to publish an environmental impact statement (EIS) and opportunity to comment were printed in the Federal Register on April 16, 2010. In January 2013, the Responsible Official made a decision to analyze only the westernmost four watersheds of the original Savery analysis area and to document the “Bud” analysis in an EA.

The 15 comments received during the 2010 scoping period were used to develop two action alternatives: the 2010 Savery Alternative and the 2013 Bud Alternative. Both alternatives apply to a smaller analysis area than proposed during scoping, eliminating several watersheds of concern and recreation use areas from the proposal.

The Notice of Proposed Action was released in July 2013, initiating the formal 30-day comment period for the Bud Project. The seven comment letters received were used to strengthen the effects analysis and further refine the alternatives, including project design features.

## **Decision**

Based upon my review of the alternatives, the analyses documented in the EA, direction in the Medicine Bow National Forest 2003 Revised Land and Resource Management Plan, and comments received from the interested public, it is my decision to implement vegetation treatments as described by the 2013 Bud Alternative. I have chosen to implement a combination of travel management proposals from the 2010 Savery Alternative and the 2013 Bud Alternative.

The action alternatives presented in this EA specifically address timber salvage needs in the Green Ridge area, generally in stands that are the most productive, have the highest current volume, and have the least deterioration of dead trees. Although there are other locations within the analysis area that are ready for timber harvest, this proposal is designed to expedite salvage only within Green Ridge due to time and funding constraints. The two action alternatives do not include proposals for timber salvage in lower priority timber stands within the analysis area.

### ***Vegetation Treatments***

Based on the analysis for the 2013 Bud Alternative, my decision includes implementation of (Table 1, Map 2):

- Clearcut with Reserve Trees and Overstory Removal treatments for timber salvage,
- Mechanical fuelbreaks and three prescribed burning units for vegetation and fuels management,
- Aspen regeneration treatments for wildlife and fish habitat improvement, and
- Hazard tree clearing along several fencelines.

Portions of the aspen regeneration treatments, fenceline clearing, and prescribed burning would occur within Inventoried Roadless Areas (IRAs) (Table 4, Map 4).

### ***Travel Management***

Based on the analysis for both the 2010 Savery Alternative and the 2013 Bud Alternative, my decision includes implementation of (Tables 2 and 3, Map 2):

- Construction of temporary roads to access timber harvest units,
- Reroute of one Level 2 system road,
- Decommissioning of user-created routes and some Level 2 system roads,
- Reconstruction of one Level 2 system road
- Designation of a temporary route to access an existing fish barrier on Mill Creek.

**Table 1. Bud Decision vegetation, fuels, and habitat treatment acres.\***

Management Area (MA)	MA Description	MA Acres in Analysis Area (AA) (% AA)	Bud Decision Treatment Acres (% of MA treated in AA)
3.31	Backcountry recreation, year-round motorized	13,263 (26%)	Aspen Regeneration – 107 Fenceline Clearing – 13 Total – 120 (<1% of MA in AA)
3.5	Forested flora or fauna habitat, limited snowmobiling	12,541 (24%)	Precommercial Thinning – 1 Fenceline Clearing – 24 Prescribed Burning – 37 Total – 62 (<1% of MA in AA)
3.56	Aspen maintenance and enhancement	4,080 (8%)	Precommercial Thinning – 33 Fenceline Clearing – 8 Total – 41 (1% of MA in AA)
3.58	Crucial deer and elk winter range	3,141 (6%)	n/a
4.2	Scenery	982 (2%)	Precommercial Thinning – 47 Fenceline Clearing – 39 Total – 86 (9% of MA in AA)
5.13	Forest products	11,218 (22%)	Clearcut with Reserves – 1,622 Overstory Removal – 176 Mechanical Fuelbreak** – 69 Precommercial Thinning – 786 Aspen Regeneration – 15 Fenceline Clearing – 94 Prescribed Burning – 15 Total – 2,708 (24% of MA in AA)
5.15	Forest products, ecological maintenance and restoration considering the historic range of variability	5,521 (11%)	Clearcut with Reserves – 942 Mechanical Fuelbreak** – 52 Precommercial Thinning – 157 Fenceline Clearing – 14 Prescribed Burning – 170 Total – 1,283 (23% of MA in AA)
8.6	Administrative Sites	91 (<1%)	Fenceline Clearing – 1 Total – 1 (1% of MA in AA)
PVT	Privately Managed	1,032 (2%)	n/a
<b>TOTAL</b>		<b>51,869</b>	<b>4,335 (8% of AA)</b>

\*Treatment acres may vary slightly on the ground to facilitate project implementation.

\*\*Treatment acres for mechanical fuelbreaks are accounted for in the Clearcut with Reserve Trees and Overstory Removal treatments, so they are not added into total treatment acres.

**Table 2. Bud Decision transportation system and travel management activities.**

Travel Management Action Description	Existing Condition	Bud Decision Travel Management
Temporary access to fish barrier with full restoration	Evidence of original access route	<b>1.14 miles</b> for fish barrier access; not open to public motorized use. Rehabilitation after use will result in little to no evidence of access route upon completion.
Construct temporary road for vegetation treatments, then decommission	No known existing road template.	<b>3.73 miles</b> for timber management access; not open to public motorized use.
	Existing road template at location; no legal motorized use.	<b>2.99 miles</b> for timber management access; not open to public motorized use.
Construct Level 1 road for vegetation treatments	No known existing road template.	None
	Existing road template at location; no legal motorized use.	None
Designate Level 2 road	Existing route at location; no legal motorized use.	Reroute 822.1B from designated location to user-preferred location (adding <b>0.13 miles</b> ).
Decommission road or route	Existing NFS road at location; open to public motorized use.	<b>0.78 miles</b> of existing NFS Level 2 roads will be closed to motorized public use and decommissioned (includes 0.34 miles from 822.1B reroute). <b>0.49 miles</b> of road in uncertain status will be closed to motorized public use and decommissioned.
	Existing route at location; no legal motorized use.	<b>1.98 miles</b> of existing unauthorized route will be closed to public motorized use and decommissioned.
Reconstruct road	Existing Level 2 road at location; open to public motorized use.	Reconstruct <b>1.91 miles</b> for resource protection; open to public motorized use.

**Table 3. Bud Decision specific route designations.**

Road/ Route	Existing Condition	Bud Decision Management Action	Road Length (miles)
804	Level 2 Road	Reconstruct 1.91 miles	1.91
801.1A	Level 3, former campground road	No change in management; update Forest Service databases; maintain as an open, Level 3 road	0.21
822.1B	Level 2 Road	Reroute. Change in length from .034 miles to 0.13 miles.	0.13
870.1D	Level 2 Road	No change in management; maintain as open, Level 2 road	0.46
872.1E	Level 2 Road	No change in management; maintain as open, Level 2 road	0.77
872.2E	Level 2 Road	Decommission, but do not obliterate	0.20
872.3F	Decommissioned FS road	No change in management; decommission, but do not obliterate	0.14
872.4F	Level 2 Road	Decommission, but do not obliterate	0.04
876.1I	Level 2 Road	No change in management; maintain as open, Level 2 road. Complete road maintenance at 876 junction.	0.55
876.1K- East	Uncertain status	Decommission and obliterate upon completion of timber harvest activities	??
876.1K- West	Uncertain status	Decommission and obliterate upon completion of timber harvest activities	0.49
4094	User-created/ unauthorized	Decommission and obliterate	0.67
4095	User-created/ unauthorized	No action; no established road in this location	0.13
4107	User-created/ unauthorized	Decommission and obliterate	0.07
4108	User-created/ unauthorized	Decommission and obliterate	0.17
4109	User-created/ unauthorized	Decommission and obliterate	0.06
4115	User-created/ unauthorized	Decommission, but do not obliterate	0.72
4128	User-created/ unauthorized	Decommission in Forest Service database. Attempts to locate road on ground were unsuccessful.	0.21
4571	User-created/ unauthorized	No action; no established road in this location.	0.20
4572	User-created/ unauthorized	Decommission upon repair of 876.1I and modifications to 876 junction.	0.15
4573	User-created/ unauthorized	Decommission and obliterate	0.07
4574	User-created/ unauthorized	Decommission and obliterate	0.07

**Table 4. Bud Decision vegetation, fuels, and habitat treatment acres in Inventoried Roadless Areas.\***

Inventoried Roadless Area (IRA)	Total IRA	IRA Acres in Bud Analysis	Bud Decision Treatment Acres
Deep Creek	6,411	5,687	None
Big Sandstone	7,170	7,170	Road Decommissioning <sup>1</sup> – 1
Little Sandstone	5,481	5,481	Fenceline Clearing <sup>2</sup> – 2 Prescribed Burn – 37
Singer Peak	10,491	8,832	Aspen Regeneration – 107 Access Route to Fish Barrier <sup>3</sup> –
Strawberry Creek	5,876	2,738	Fenceline Clearing <sup>4</sup> – 22
<b>TOTAL</b>	<b>35,429</b>	<b>29,909</b>	<b>177</b>

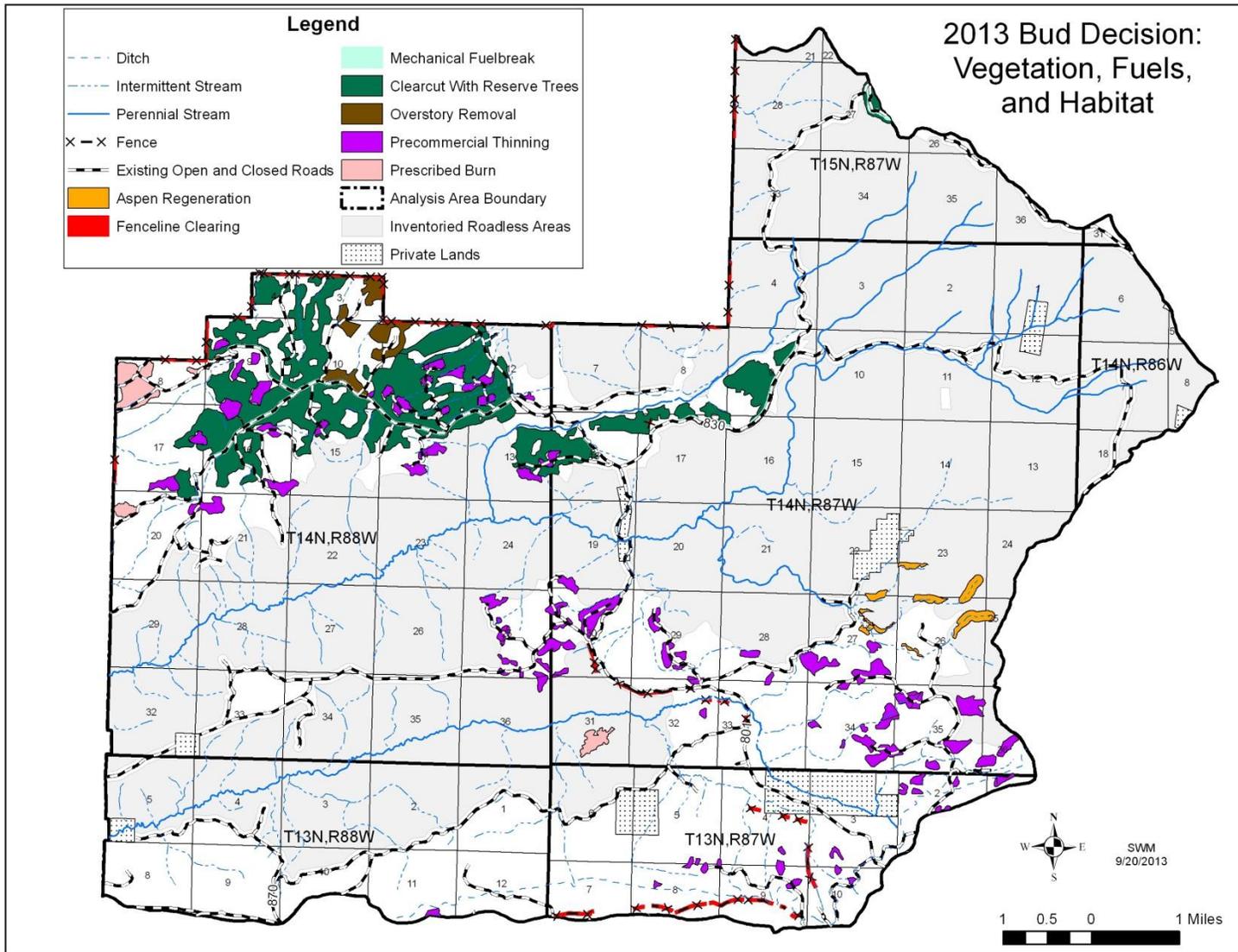
\* Treatment acres may vary on the ground to facilitate project implementation.

1 – 0.7 miles would be decommissioned. This is a user-created route for which the only access is from private land outside the forest boundary.

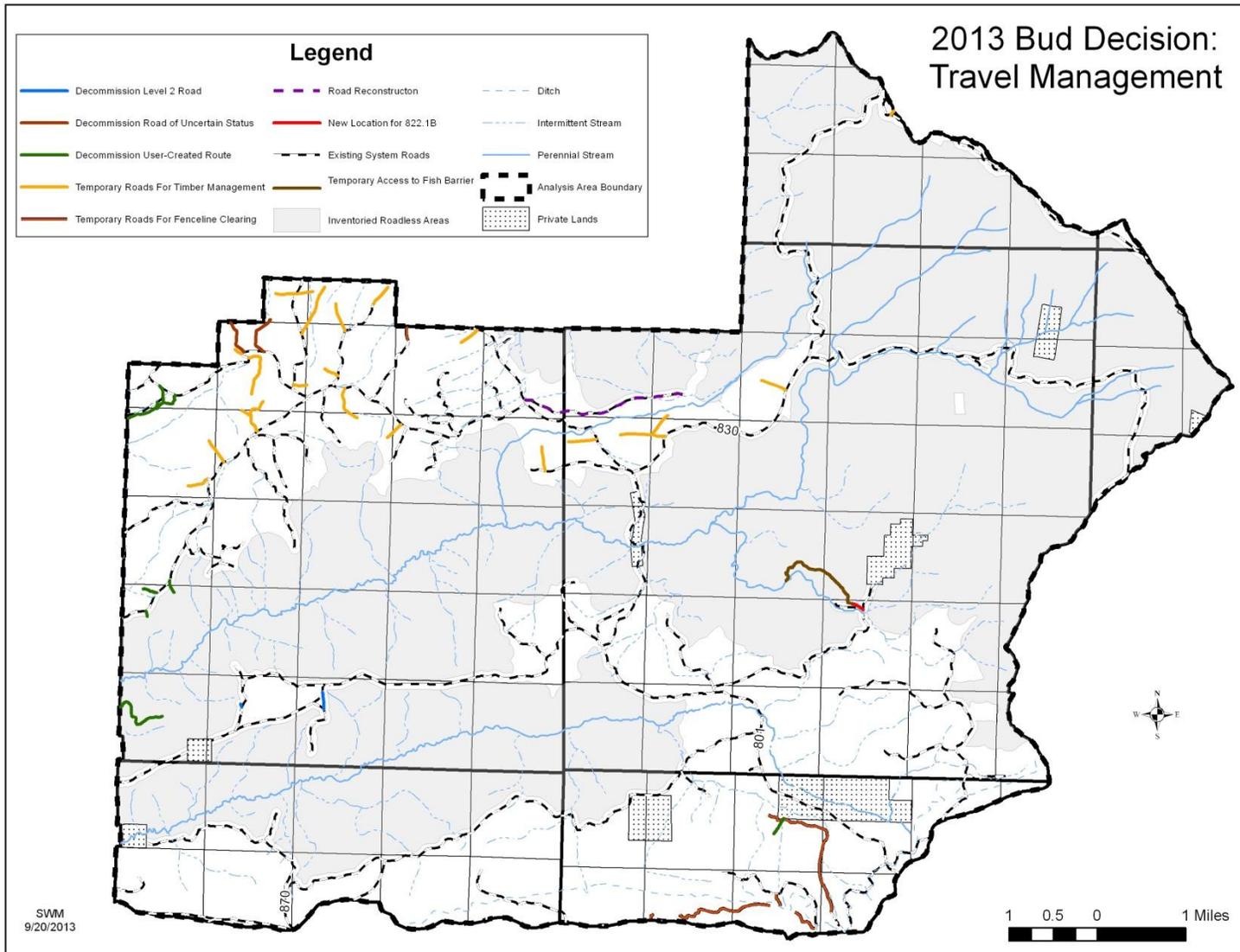
2 – Fenceline extends approximately 0.2 miles into IRA; trees would be cut and removed along fenceline without road construction.

3 – 1.14 miles (approximately 16 feet wide) of cross-country travel with incidental tree removal.

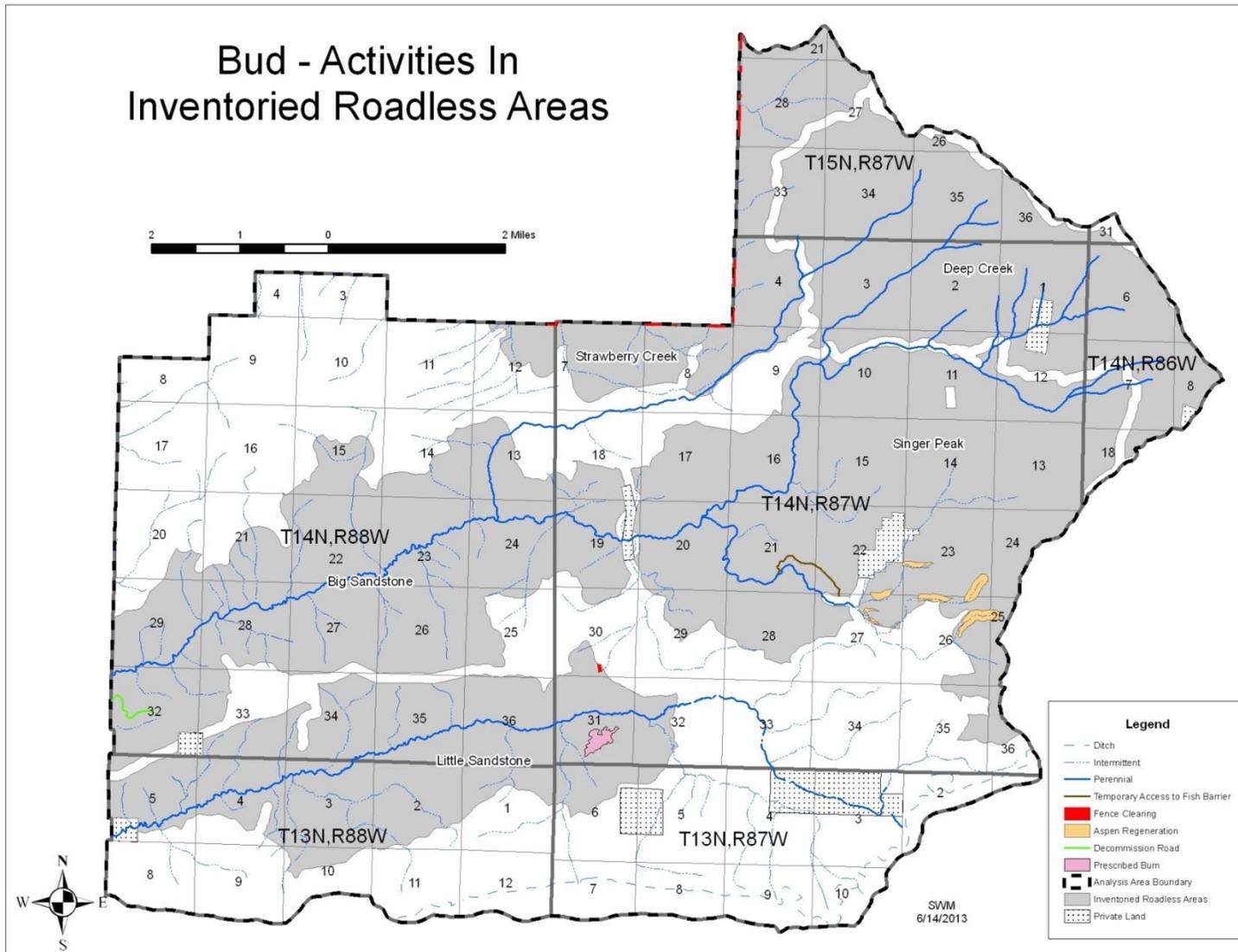
4 – 1.7 miles of fenceline along Forest boundary. Unless access is possible from adjacent land ownerships, trees would be hand-felled then cut to lie within 24 inches of the ground.



**Map 2. 2013 Bud Decision: vegetation, fuels, and habitat treatments.**



**Map 3. 2013 Bud Decision Travel Management.**



**Map 4. Bud Decision activities in Inventoried Roadless Areas**

## **Treatment Descriptions**

All proposed treatments are consistent with management direction set forth in the Forest Plan. In addition, Design Features that outline specific methods for implementation, as well as Forest Service Regional watershed conservation practices that meet the requirements of the Wyoming best management practices in the Wyoming Nonpoint Source Management Plan, will prevent undesirable effects from management activities.

### ***Clearcut with Reserve Trees***

This treatment will be applied to lodgepole pine stands with high levels of dead and beetle infested trees and pockets of understory and/or other species of sawtimber-sized trees. The purpose is to establish healthy, resilient stands of young trees with a high lodgepole pine component. There might not be enough remaining trees to fully stock the stand following harvest, but healthy green trees that can be expected to remain standing following harvest, as well as select overstory “wildlife” trees, will be retained. All unhealthy trees, including understory trees infected with dwarf mistletoe, will be removed to promote healthy regeneration.

After harvest, areas of heavy slash will be treated by a variety of methods, including lopping and hand scattering, machine scattering, roller-chopping, commercial chipping (chips hauled to a manufacturer), or piling and burning. Whole-tree yarding will usually be precluded in Clearcut with Reserve Trees units. Specific slash treatments will be determined in the silvicultural prescriptions developed for each timber harvest unit. Care will be taken to protect reserve trees, retain serotinous cones throughout the site, and maintain large, downed woody debris to protect new seedlings, benefit wildlife, and prevent soil erosion. Stocking surveys will be done to certify regeneration is successful. If not successful, further reforestation treatments, such as planting, will be done. In future years, pre-commercial thinning could be scheduled as needed.

### ***Overstory Removal***

This treatment will be applied to stands in which a reasonably healthy understory already exists. Such stands are expected to be at least 75% stocked with healthy young trees following harvest. Overstory removal harvests generally result in removal of 80 – 100% of the overstory. Healthy, live non-lodgepole sawtimber sized trees such as Engelmann spruce, subalpine fir, and aspen will be retained to the extent possible. Unhealthy trees, including green trees infected with dwarf mistletoe, will be removed to promote healthy regeneration.

Lopping and scattering of harvest slash is typically the most desirable slash treatment in these stands because it best protects residual trees. In large units, there are likely to be under-stocked inclusions that may need another slash treatment, such as machine scattering, roller-chopping, commercial chipping, or piling and burning. Whole-tree yarding will generally be precluded in overstory removal units. Specific slash treatments will be determined in the silvicultural prescriptions developed for each timber harvest unit. As indicated above, care will be taken to protect reserve trees, retain serotinous cones throughout the site, and maintain large, down woody debris. Stocking surveys will be used to determine if further reforestation treatments are needed in under-stocked areas. Release and weed thinning in younger trees will be scheduled as practicable following harvest.

### ***Mechanical Fuelbreaks***

Mechanical fuelbreaks will be constructed on either side of NFSR 801, NFSR 830, NFSR 876, and NFSR 877. These fuelbreaks will be approximately 200 feet wide (100 feet on either side of the road, measured from the ditch) to create strategic locations for wildland fire prevention and response. The preferred slash treatment is whole-tree yarding, where slash is piled and later burned at landings. This will reduce fuels and enhance long-term scenic quality in the immediate roadside zone where “windows” to large vistas and the likelihood of viewing wildlife will increase. Because fuel breaks are considered wildland-urban interface fuel treatments, they will be managed to the lowest tree stocking level allowed in the Forest Plan (150 trees/acre, Forest Plan page 1-36) and are exempt from Snag and Coarse Woody Debris Standards (Forest Plan page 1-37).

### ***Precommercial Thinning***

This treatment will be applied to stands of dense, vigorous, young (sapling and pole sized) lodgepole pine trees. The purpose is to adjust stocking, improve tree growth and vigor, reduce stress from overcrowding and competition, and decrease future susceptibility to bark beetles. Desired spacing is 8 to 12 feet between trees. Most of the proposed thinning units were harvested 15 to 40 years ago.

Harvesting slash is typically lopped and scattered within the unit and/or hand piled for subsequent burning. Commercial timber products are generally not produced in a precommercial thinning, although evolving markets for small-diameter wood, such as wood pellets, biomass, etc., could make some of these trees merchantable.

### ***Fenceline Clearing***

Fenceline clearing will be used to remove mostly dead and dying trees from either side of rangeland fences. The treatment area width will be the height of the tallest tree, plus 10%. Live trees that are likely to fall on a fence after surrounding trees are removed (e.g., because they would be more exposed to wind) will also be cleared. Trees and slash will be removed from within 8 feet of the fence to allow access by grazing permittees. In areas where mechanical removal is feasible (Map 5), fenceline clearing will attain a secondary benefit as a fuelbreak. Most merchantable material will be whole-tree yarded to a landing and the slash piled for later burning; other slash will be lopped and scattered to a height of less than 24 inches. In areas not accessible by machinery, primarily in or adjacent to IRAs, trees will be hand felled, then cut up so they lie within 24 inches of the ground.

### ***Prescribed Burning***

Prescribed burning will be used to improve age class diversity and reduce the risk of wildfire in shrubland and aspen/conifer vegetation types. In shrublands, emphasis will be on creating a mosaic with approximately 30–60% of the targeted acres burned. In aspen stands where conifers are encroaching, emphasis will be on killing the conifers to regenerate young, healthy aspen. Burns will occur when conditions are favorable.

### ***Aspen Regeneration***

122 acres of aspen regeneration treatments will be implemented in the Mill Creek watershed to regenerate aspen, create beaver forage and dam construction materials, and improve habitat for native Colorado

River cutthroat trout . Treatments will include cutting mature aspen, cutting overstory conifers, and reducing understory conifers to stimulate aspen regeneration . To protect future aspen sprouts from browsing by wildlife and domestic sheep, fencing and hinging (incompletely cutting mature aspen about 5 feet above ground to create an informal enclosure) will be used. Some areas may require fencing to reduce browsing and promote regeneration. Up to 7 units will be treated, then monitored to determine how/if treatment of the remaining units should occur. 107 acres of the 122 acres of desired aspen treatments are in the Singer Peak IRA so roads will not be constructed to access the stands and no road grading will occur.

### ***Fish Barrier Access Road***

A 1.14 mile, 16-foot wide access route is needed to perform maintenance on the Mill Creek fish barrier inside the Singer Peak IRA. This fish barrier separates a designated conservation population of native Colorado River cutthroat trout from non-native trout populations downstream. The original access route, built before designation of the Singer Peak IRA, will be reused to the extent possible. Much of it is on stable hillsides away from riparian areas and has naturally revegetated with grasses, sedges, and small diameter trees. The approved route avoids riparian and wetland areas except at the end point that leads to the barrier. Some trees and logs will be cleared to provide safe travel. The route will be used for approximately 3 weeks and then restored.

### ***Road Construction and Maintenance***

Access to proposed vegetation treatment units will require use of existing open and closed system roads, reconstruction/heavy maintenance of system roads, and temporary road construction. To address soil, water, and wildlife concerns, minimum ground-disturbing standards will be incorporated into road designs.

### ***Road Decommissioning***

Temporary roads, some existing user-created routes, and some Level 2 roads will be decommissioned. Decommissioning permanently removes a road from the transportation system. Decommissioned roads are no longer needed for forest management access, duplicate better roads, or are user-created routes that do not benefit the public. The objective is to stabilize and restore the former road to a more natural state and preclude future motorized use. Appropriate drainage and erosion control will be provided, the road surface will be recontoured within 300 feet of perennial streams, and unauthorized re-use will be discouraged through signing, updates to maps, entrance barriers, and enforcement.

### ***Design Features***

The following Design Features will prevent undesirable effects from proposed management activities. These design features, as well as Forest Plan standards and guidelines and the Forest Service Regional Watershed Conservation Practices Handbook meet the requirements of the Wyoming best management practices in the Wyoming Nonpoint Source Management Plan.

## **All Project Actions**

### **General Rehabilitation**

1. Wherever possible, landings, slash piles, temporary roads, and logging camps will be placed in forested (or formerly forested) areas instead of meadows, grasslands, or sagebrush openings to protect such openings from noxious weed infestation.
2. On disturbed sites where the probability of erosion or weed infestation is high, disturbed areas will be seeded with an appropriate mix of native grass species. Areas where duff or slash cover the ground, or where natural revegetation is expected to occur quickly, may not need to be seeded. The intent is to control erosion, prevent weeds, and meet scenic objectives.
3. Main skid trails, temporary roads, and landings will be rehabilitated as needed to ensure less than 15% site disturbance, prevent erosion and runoff, enhance natural revegetation, and improve aesthetics.
4. Burned soil under machine slash piles will be rehabilitated by mixing unburned soil into burned soils. This will probably be done by ripping with a tractor to a depth of 8 to 12 inches and preventing berms that can channel water.

### **Use of Motorized Equipment**

5. Heavy equipment will not be operated outside of unit boundaries unless otherwise authorized by the Forest Service.
6. All off-road equipment will be cleaned and inspected before moving into the project area to reduce the spread of non-native plants.
7. Staging areas and refueling locations will be located at least 100 feet away from streams (with definable beds and banks) and wetlands.
8. Stream crossings will be located on straight and resilient stream banks as perpendicular to flow as practicable, and designed to provide passage of fish and other aquatic life. These crossings will be able to withstand normal flows and to sustain typical bankfull dimensions of width, depth, and slope.
9. Heavy equipment will not be operated off-road when soils are “wet,” to avoid compaction and rutting. A soil is considered wet when it can be molded into a ball that holds together under repeated tosses, OR If the soil can be rolled into a 3 mm thread without breaking or crumbling (*3 mm is approximately the size of this “o” in soil*).
10. Wheeled or tracked equipment will remain outside Water Influence Zones except at designated crossings, when winter logging conditions are met (see below), or when conducting authorized restoration work. In the absence of other indicators or field review by a hydrologist or fisheries biologist, this will be at least 100 feet from perennial and intermittent streams, riparian and wetland areas, lakes, and reservoirs.
11. Heavy equipment will remain out of streams during fish spawning periods (generally March 15 – May 31 for cutthroat and rainbow trout; October 31 – November 30 for brook trout and brown trout).
12. Heavy equipment will not operate on slopes greater than 40%, except for slopes less than 100 feet long.
13. Winter logging is an option on upland soils without additional design features. The following requirements are only for areas where soil wetness makes over-snow logging necessary to protect soil from compaction and where winter logging is not precluded for other reasons.

- a. Heavy equipment will be operated in winter only when frozen soil is  $\geq 4$  inches deep OR snow is  $\geq 12$  inches deep OR a combination of compactable snow and frozen soil is  $\geq 12$  inches in thickness. Snow quality should be such that it will compact and form a running surface for equipment by being moist and non-granular.
- b. Designated skid trails are not required while over-snow logging except to meet other resource concerns.

### **Other Resource Protections**

14. New motorized access routes (e.g., along fencelines) will not be authorized, unless approved by the Forest Service.
15. Motorized use within vegetation treatment areas will be limited to authorized personnel (e.g., permittees for fence maintenance or Forest Service employees).
16. Fences will be protected during harvest, prescribed burning, and fenceline clearing.
17. Threatened, endangered, sensitive, and local concern plant species will be subject to a 30 to 100 foot buffer, in which timber harvest activities may be restricted or limited, to be determined at time of discovery.
18. Archaeological sites in the proposed project area will be identified, and adverse effects to historic properties will be avoided or mitigated as required by the National Historic Preservation Act of 1966 as amended, Antiquities Act, Archaeological Resource Protection Act, and all other applicable laws and regulations.
19. All personnel associated with operations will be told about any cultural, paleontological, or scientific objects or sites, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, and fossils. Such artifacts will not be damaged, destroyed, removed, moved, or disturbed.
20. If any cultural materials are discovered during project implementation, work in the area will be halted immediately and the materials evaluated by an archaeologist or historian meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983).

### ***Vegetation Treatments***

21. To reduce livestock disturbance in Overstory Removal and Clearcut with Reserve Trees units, harvest will be limited to units or small groups of units in close proximity to each other, between June 20 and Oct. 15. Restrictions will be coordinated with the District Range Conservationist.
22. Vegetation treatment units will follow natural contour lines and create irregular and undulating edges whenever possible. Edges of units will also be adjacent to existing aspen stands whenever feasible.
23. Young, healthy trees, understory trees, and shrubs will generally be retained and protected. Stumps will be no more than 12 inches in height. All slash will be lopped to less than 24 inches above the ground.
24. No tree harvest (excluding aspen treatments) will occur within 100 feet of streams, riparian and wetland areas, lakes, and reservoirs, unless approved by a hydrologist or fisheries biologist.
25. Any cut trees or activity-related debris will be promptly removed from the Belvidere Ditch.
26. At least 65% ground cover will remain 1 year following treatment. Ground cover includes all living and dead herbaceous and woody materials in contact with the ground, rocks greater than  $\frac{3}{4}$  inch in diameter, and biotic crusts.
27. Well-distributed coarse woody debris will be retained in accordance with the ranges specified in the following table:

Downed Wood with a diameter > 3 in. and length > 25 ft		
Spruce/fir	10-15 tons/acre	80% over 10", 50% over 25"(if available)
Lodgepole pine (sawtimber)	5-10 tons/acre	80% over 6"
Lodgepole pine (pole)	1 ton/acre	
Ponderosa pine	5-10 tons/acre	100% over 10", 50% over 25"(if available)

28. Options for erosion control and prevention include but are not limited to placement of slash and waterbars:

Recommended minimum waterbar spacing for roads and trails	
Grade of Road or Trail (%)	Unstable Soils or High Erosion Hazard
2	135 ft
5	100 ft
10	80 ft
15	60 ft
20	45 ft
25+	30 ft

29. All fenceline clearing units and timber harvest units that include goshawk nests or are within ¼ mile of goshawk nests will be surveyed prior to harvest between June 19 and August 4 of the year harvest is expected to occur. Where active nests or territories are identified, the following Forest Plan Standards will be applied:
- a. Within each occupied territory, three nests will be protected by 30 acres of surrounding dense vegetation with the boundaries of each area based on habitat quality. If there are less than three nests in an occupied territory, 30-acre areas with characteristics of nesting habitat will be substitutes. Within each occupied territory, a post-fledging area (PFA) of at least 200 acres will be designated. The PFA will include the three 30-acre nest sites selected and snags, down dead wood, and clumps of trees with interlocking crowns. Management activities that would degrade goshawk foraging habitat are prohibited within this PFA.
  - b. To reduce disturbance to nesting goshawks, construction, drilling, timber harvest, fuel treatments, and other intensive management activities are prohibited within ¼ mile of active northern goshawk nests from April 1 to August 30 unless conditions are such that a lesser distance can be shown to provide the same degree of protection.
30. In Unit 29, which is bisected by NFSR 412 and the motorized part of Continental Divide National Scenic Trail:
- a. Skidding will not be allowed on NFSR 412 and hauling will be minimized.
  - b. The number of skid trail crossings will be minimized and will be perpendicular to NFSR 412.
  - c. The trail will be maintained at its present condition or better and will be open for use by ATVs/OHVs during harvesting activities.
31. Hauling on Hwy 70 will not be allowed while Snowmobile Trail D is active and the road closed for winter, unless agreed to by the State.
32. Burn piles will be as compact and dirt free as possible to facilitate burning.

### **Fenceline Clearing**

33. Merchantable sawlogs and products other than logs will generally be whole-tree skidded to a landing and the slash piled for later burning. Remaining slash will be lopped and scattered to a height of no more than 24 inches.
34. In areas that are not accessible to mechanical removal, trees along the fence will be limbed and tree boles bucked, where feasible, so they lay no more than 24 inches off the ground. Remaining slash will be lopped and scattered to a height of no more than 24 inches.
35. Where fenceline clearing occurs within suitable lynx habitat, operations will retain live understory vegetation to the greatest extent possible. Understory plants are defined here as live trees and other live vegetation 8 feet high or less. This retention does not apply within 8 feet of the fence or 25 feet of the road prism to provide for public safety and maintenance.

**Explanation:** Suitable lynx habitat is usually comprised of aspen, spruce/fir, or mixed conifer with some live trees. Retaining live understory vegetation will provide habitat for snowshoe hares and other prey of lynx. Retaining live understory vegetation will meet guidance in the Southern Rockies Lynx Amendment and revised Forest Plan, including objective HUO5 and guideline HUG8 for promoting human uses while providing for lynx habitat.

### **Prescribed Burns**

36. Prescriptions will be designed for low-severity burns.
37. Direct ignition in riparian and wetland areas will be avoided, but fire will be allowed to burn into these areas in a mosaic pattern.
38. Livestock grazing will generally be deferred for at least 1 year, until after most herbaceous forage plants have matured and set seed. Vegetation response the first year will determine if a second year of deferment is needed.
39. If burned aspen stands receive excessive browsing or trampling by livestock or wildlife, temporary fencing will be used to protect regenerating aspen until they are no longer vulnerable to such damage.
40. Firelines will be rehabilitated as soon as possible after burning.

### **Aspen Regeneration**

41. In the aspen regeneration unit that crosses Mill Creek Meadow (NE ¼ of Section 27, T14N, R87W (unit #13)), logs and/or fence will be configured to allow passage by domestic sheep. On one side of the creek, at least 20 feet will be left between the edge of the timber stand and the logs or fences set up in the adjacent meadow.

### **Travel Management**

#### **Level 1 Roads**

42. Following use of Level 1 roads, adequate drainage will be provided so the roads can endure with little to no maintenance. Culverts will be removed where appropriate and water bars installed where necessary and in such a way so they do not drain directly into perennial or intermittent streams. Stream crossings will be armored and protected as needed. Roads will be outsloped where feasible.
43. Effective groundcover will be established; sites will be seeded or planted where necessary.
44. Fill will be removed from active channels.

45. The roads will be signed as closed to public use, and future unauthorized use discouraged with gates, barriers, berms, woody debris, obliteration to sight distance, or other methods.

### **Temporary and Decommissioned Roads**

46. Temporary roads will be built on ridge tops, stable upper slopes, or wide valley terraces if practicable. Soils will be stabilized on site.
47. Adequate drainage will be provided following use of temporary roads and as part of decommissioning. Culverts will be removed, water bars installed, and the road surface outsloped where feasible.
48. Erosion control following use of temporary roads and as part of decommissioning will include establishment of effective groundcover through straw mulch, seeding, or planting where necessary.
49. The full length of temporary roads and roads slated for decommissioning will be ripped to a depth of 8-12 inches and a minimum 65% of the road surface will be decompacted.
50. Temporary roads will be fully recontoured within 300 feet of perennial streams, including removing all fill from valley bottoms and restoring valley bottoms and stream channels to natural contours, elevations, and dimensions. The rest of the road will be recontoured as necessary where resource concerns exist. Rehabilitation will occur as soon as feasible after use ends, and temporary roads will be stabilized before the end of the operating season.
51. Unauthorized public use of former roads will be discouraged with methods such as barriers, berms, woody debris, or obliteration to sight distance.

### **Project Monitoring**

- Harvest units, prescribed burns, and other sites where native vegetation cover was removed or bare soil was exposed will be monitored for at least the first 5 years after treatment to detect and treat any noxious weeds that become established.
- Fenceline clearing locations will be monitored for establishment or proliferation of new user-created roads. Closure barriers/techniques may be modified to improve effectiveness.
- Burned aspen stands will be monitored for browsing. If browsing or trampling by livestock or wildlife is excessive, temporary fencing or other barriers may be installed to protect regenerating aspen until they are no longer vulnerable to such damage.

### **Other Alternatives Considered**

As described in the EA, I considered two action alternatives, the 2010 Savery Alternative and the 2013 Bud Alternative. In addition, I considered the effects of taking no action, based on the purpose and need for the project and the current condition of the analysis area. In the Bud analysis area, taking no action would not be consistent with the overall management direction in the Forest Plan and would not meet the purpose and need for the project.

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

I have determined that the activities approved in this decision are entirely consistent with the Medicine Bow National Forest 2003 Revised Land and Resource Management Plan, as required by the National Forest Management Act of 1976. The project was designed in conformance with Forest Plan Direction and incorporates appropriate Forest Plan standards and guidelines. The proposal includes monitoring to

ensure the project is implemented as proposed. This decision also complies with the procedural requirements of the National Environmental Policy Act of 1969, as amended.

Vegetation treatments to be implemented in IRAs are in compliance with the 2001 Roadless Rule, which establishes prohibitions on road construction, road reconstruction, and tree-cutting within IRAs, with certain exceptions. This project meets the exceptions described in 36 CFR 294.13.

I have also determined that my decision complies with Executive Orders 11988, and 11990, dealing with floodplains and wetlands. BMPs and the design features described above comply with the Clean Water Act of 1972, as amended, and State of Wyoming Water Quality Standards. Road reconstruction and construction may require a short-term exemption from turbidity standards. The work will be evaluated during road contract preparation, and a waiver secured if needed prior to implementation.

Most road reconstruction and temporary road construction for the project is associated with silvicultural activities and thus, exempt from storm water discharge permit requirements per 40 CFR 122.3(e) and 40 CFR Section 122.27. Road construction will be evaluated during implementation planning, and a storm water discharge permit secured if needed before work begins.

To comply with the National Historic Preservation Act (NHPA) of 1966, the Forest Service is required to inventory for and assess effects to historic properties for all areas potentially affected by Bud Project activities. This project uses Management Protocol B of the Wyoming Programmatic Agreement for compliance with Section 106 of the NHPA. Activities associated with this decision will not be implemented until concurrence is received from the SHPO for the corresponding treatment unit.

To comply with the Endangered Species Act of 1973, as amended, a biological assessment of terrestrial wildlife resources was submitted to U.S. Fish and Wildlife Service. Concurrence was received on September 13, 2013 for a finding of “*may affect, likely to adversely affect*” for the Canada lynx. The determination of is based on the finding that treatments may lead to reductions in prey abundance or prey habitat and lead to decreased fitness, survival, or reproduction of lynx. However, it is expected that landscape connectivity will be maintained in the analysis area since vegetation management changes occur on a smaller scale and do not add to any other large scale fragmentation. Proposed actions will retain recruitment trees, snags, and coarse woody debris to contribute toward future prey habitat.

## **Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to Federal regulations at 36 CFR 215, “Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities.” Appeals, including attachments, must be in writing and filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the Appeal Deciding Officer (§215.8) within 45 days following the date of publication of this legal notice announcing the decision in the Rawlins Daily Times. The publication date of the legal notice in the newspaper of record is the exclusive means for calculating the time to file an appeal (§215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

The notice of appeal shall be sent to:

USDA Forest Service, Region 2  
Rocky Mountain Region  
Attn.: Appeal Deciding Officer  
740 Simms Street  
Golden, CO 80401-4720

Hours: Mon-Fri 8:00 a.m. – 4:30 p.m., excluding holidays

Fax: 307.745.2398

Email: [appeals-rocky-mountain-medicine-bow-routt@fs.fed.us](mailto:appeals-rocky-mountain-medicine-bow-routt@fs.fed.us)

(Acceptable formats for electronic appeals are: rtf, pdf, doc, or docx)

Pursuant to 36 CFR 215.13 (a), only those individuals or organizations who submitted comments during the 30-day comment period for this project may file an appeal. Notification of the 30-day public comment period was published in the Rawlins Daily Times on July 9, 2013. Appeals must meet content requirements of 36 CFR 215.14 (b).

## Implementation Date

Implementation of activities under the Proposed Action will occur under the authority of this Decision Notice. Acreages and locations are approximate and may vary slightly during implementation depending on site-specific conditions. If no appeal is received, implementation of the decision may begin on, but not before, the 5<sup>th</sup> business day following the close of the appeal-filing period (§ 215.9(a)). If an appeal is received, implementation may occur on, but not before, the 15<sup>th</sup> business day following the date of appeal disposition (§215.9(b)).

## Contact

For additional information concerning this decision or the appeal process, contact:

Monique Nelson, Environmental Coordinator  
Medicine Bow-Routt National Forests  
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Email: moniquenelson@fs.fed.us

/s/ Melanie B. Fullman

9/25/2013

**MELANIE B. FULLMAN**  
District Ranger  
Brush Creek/Haden Ranger District

Date