Final Decision Notice and Finding of No Significant Impact for the Mitchell Spring Vegetation Improvement Project

USDA Forest Service
Escalante Ranger District
Dixie National Forest
Garfield County, Utah

Introduction

This Decision Notice (DN) document describes my rationale and decision regarding the Mitchell Spring Vegetation Improvement Project on the Escalante Ranger District of the Dixie National Forest. My decision and findings are based on the analysis documented in the Mitchell Spring Vegetation Improvement Project Environmental Assessment (EA) (USDA 2015a) and its supporting project record (USDA 2015b) which is incorporated by reference in this document. This analysis and decision tier to the Dixie National Forest Land and Resource Management Plan, as amended (USDA 1986). The purpose for this project is to: (1) establish and maintain desired conditions for vegetation within the Mitchell Spring project area to improve forage and habitat for wildlife; (2) reduce wildfire intensity and create defensible space around the wildland urban interface (WUI), and protect forest resources from unwanted fire; and (3) provide access to the Mitchell Spring area for public and administrative purposes.

Project Location

The Mitchell Spring project area is located within Garfield County, Utah, approximately 13 miles northwest of the City of Escalante and located within T34S R1W Sections 13, 14, 22, 23, 24, 25, 26, & 27, T34S R1E Sections 17, 18, 19, 20, 30, 31, 32, & 33, and T35S R1E Sections 4 & 5 of the Salt Lake Base and Meridian (see Vicinity Map, Figure 1). The access to the project area is Forest Highway 17 (FH-17, Main Canyon Road) off of Utah State Route Highway 12 (SR-12), approximately 4 miles west of Escalante. Main Canyon Road can also be accessed from the west, via Johns Valley Road (CR-1660) and Escalante Canyon Road (FH-17), which leaves Johns Valley Road in Widtsoe, Utah. The southern-most portion of the project area abuts private land along Main Canyon Road. The project area is located mostly within the Birch Creek subwatershed, although a small portion is within the North Creek subwatershed. There are no designated wilderness areas or inventoried roadless areas (IRA) within the project area. The Jake Hollow IRA is adjacent to the eastern project area boundary.

Decision

After considering information provided in the EA, comments received from the public, and internal input from an interdisciplinary team (IDT) of Forest Service resource specialists, I have selected Alternative 2, the Modified Proposed Action (see Modified Proposed Action Map, Figure 2). The following actions will occur as part of these treatments:

Action 1 – Pinyon-Juniper Control

Up to 30 acres of shrublands will have encroaching pinyon and juniper removed to improve vegetation structure and composition, and to improve forage for wildlife. A combination of mechanical methods will be used, including hand thinning, mastication, and mowing.

Action 2 – Ponderosa and Mixed Conifer Group Selection

About 647 acres of ponderosa pine stands and 124 acres of mixed conifer stands, for a total of 771 acres, will be treated with a group selection regeneration harvest. Of the 771 acres designated to be treated with a group selection regeneration harvest, up to 154 acres will consist of a series of patch cuts to provide conditions favorable for natural regeneration of conifers. Each patch cut will be from ½ to 2 acres in size. This will increase vegetation structural stage (VSS) class 1 and 2 representation while decreasing VSS 3 and 4 representation and move these stands towards VSS desired conditions to improve northern goshawk habitat. To improve growth and vigor of trees between the group selection openings, individual trees will be removed to a target density of 60 sq. ft. of basal area within ponderosa pine stands and 80 sq. ft. of basal area within mixed conifer stands in areas outside of goshawk post-fledgling areas (PFAs). Within PFAs, individual trees will be removed to a target density of 80 sq. ft. of basal area within ponderosa pine stands and 90 sq. ft. of basal area within mixed conifer stands. Non-commercial size trees will be thinned down to approximately 300 trees per acre to improve species composition and manage dwarf mistletoe (*Arceuthobium spp.).* Following harvest activities, the cutting units will receive a prescribed fire treatment to remove activity generated surface fuels, prepare created openings for natural regeneration by seed, and reduce understory densities of white fir and juniper.

Action 3 – Artificial Reforestation with Site Preparation

Treatment Unit 8 will receive a fill-in planting over the 108-acre area with 1 year old containerized ponderosa pine seedlings. Tree seedlings will be from locally collected seed similar to the original stand. Seedling spacing will be 13 feet, which equates to 258 trees per acre.

The treatment unit is currently dominated by a manzanita understory. One to two years prior to the planting, a site preparation treatment will be undertaken to reduce competition from manzanita. This will be accomplished using prescribed fire and/or mowing.

Action 4 – Ponderosa Pine Stand Improvement

About 201 acres of ponderosa pine stand are identified for a pre-commercial thinning to reduce tree densities, improve species composition, and provide opportunity for increased growth and vigor for the retained trees. The treatment is designed to reduce pinyon-juniper tree densities within the ponderosa pine forest understories. The targeted stand density index is 140 which equates to about 134 trees per acre with the focus on retention of ponderosa pine. To reduce hazardous fuels adjacent to open roads, slash within 100 feet of a road will be lopped and piled for subsequent burning (in Treatment Unit 12, adjacent to the Jake Hollow Inventoried Roadless Area (IRA), piles will be made on north side of FSR 30151). Cut tree boles will be retained and made available for personal firewood use.

Action 5 – Wildland Urban Interface Treatment

Shaded fuel breaks will be created on an estimated 395 acres adjacent to private lands for the purpose of reducing potential wildfire intensity and creating defensible space.

Action 6 – Use of Roads and Update to the Transportation Plan

Temporary Roads

This decision will require use of an estimated 1.92 miles of temporary roads. All of the proposed temporary roads are closed routes or temporary roads from past harvest entries.

All temporary roads will be reconstructed to the minimum standard to allow a loaded log truck with tractor and trailer to safely negotiate the terrain from the log landing to the haul road. All temporary roads will be decommissioned following harvest activities. Road decommissioning will follow one or more of the methods defined within FSM 7734.1: Decommissioning Treatments Road Reclassification.

Road Reclassification

Approximately 6.30 miles of roads will be added to the National Forest System. Another 4.27 miles will be converted from an open road to a motorized trail. Adding 6.30 miles and subtracting 4.27 miles gives a net gain of open roads of 2.03 miles.

The 6.30 miles of proposed new road were identified as needed for implementation of the Mitchell Spring Vegetation Improvement Project as well as for future forest resource management (USDA 2012). The new roads also restore motorized recreational opportunities within the project area. Former FSR 30150 (5.36 miles) and former FSR 30538 (0.79 miles) were closed in the 2009 Motorized Travel Plan (MTP) Record of Decision (ROD); these former roads will be reopened. A 0.15 mile section of former FS 30150, currently classified as a non-motorized trail, will be opened to shared use (Griffin Point Trail section). The total of these three sections of road is 6.30 miles.

About 4.02 miles of former FSR 30150 will be managed with a seasonal restriction to benefit wildlife habitat needs. Specifically, the road segment will be closed to vehicles during times when goshawk nests are active or the territory is occupied.

FSR 30151 (4.27 miles) is currently an open forest road and will be used to access treatment areas during project implementation. Following project completion, FSR 30151 will be converted from an open road (high clearance vehicles) to a motorized trail.

Decision Rationale

In reaching my decision, I have sought to carefully and objectively assess all the public comments and the analysis of issues disclosed in the EA and the project record. I selected the Modified Proposed Action because it comprehensively addresses the purpose and need of the project as described in the following paragraphs.

Meeting the purpose and need for removing encroaching conifers from shrublands to maintain desired vegetation structure and composition and to improve forage conditions for wildlife.

Meeting the purpose and need for improving and maintaining desirable forested conditions such as growth rates, vigor, stocking, structure, species composition, resilience to agents of disturbance, and VSS classes for northern goshawk habitat.

Meeting the purpose and need for reducing risk of severe fire behavior within the wildland urban interface (WUI) that could impact people, property, and natural resource values.

Meeting the purpose and need for updating the Dixie National Forest Travel Management Plan to meet the variety of uses occurring within the project area while protecting the natural resources.

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives. A comparison of these alternatives can be found in the EA on page 35.

No Action

Under the No Action Alternative, current management plans would have continued to guide management of the project area. Changes to the Forest's travel management plan would not have occurred. No vegetation treatments such as timber harvest, stand improvement thinning, or artificial reforestation would have been implemented to accomplish project objectives. Also there would not have been any means to affect the potential impacts to the WUI, unauthorized road use, declining forest growth, and insect and disease outbreaks.

Alternative 3

Action 1 – Pinyon-Juniper Control

Same as Modified Proposed Action.

Action 2 – Ponderosa and Mixed Conifer Group Selection

Treatment Unit 4 - Mixed Conifer Prescription (140 total acres)
Treatment Units 5, 6, 7 - Ponderosa Pine Prescription (312 total acres)
Implementation of this alternative (specifically relating to northern goshawk nest area(s)) would have resulted in treatment of about 312 acres of ponderosa pine stands and 140 acres of mixed conifer stands for a total of 452 acres with a group selection regeneration harvest. Up to 90 acres would have had ¼ to 2 acre openings created in the overstory for the purpose of providing conditions suitable for natural regeneration of conifers. All other components of Action 2 of Alternative 3 are the same as the Modified Proposed Action.

Action 3 – Artificial Reforestation without Site Preparation

Treatment Unit 8 (108 total acres)
With this alternative, there would have been no use of prescribed fire or mowing to reduce competing vegetation such as shrubs or other trees prior to planting pine seedlings. All other components are the same as the Modified Proposed Action.

Action 4 – Ponderosa Pine Stand Improvement, No Treatment in Unroaded/Undeveloped

Implementation of this alternative (specifically no treatments within the Dixie NF draft unroaded/undeveloped area) would have resulted in no acres treated in Treatment Units 9, 10, 11, and 12 (which occur in their entirety within unroaded/undeveloped).

Action 5 – Wildland Urban Interface Treatment

Same as Modified Proposed Action except no treatment would have occurred in Treatment Unit 14 within unroaded/undeveloped.

Action 6 – Use of Roads and Update to the Transportation Plan

Existing Roads

Same as the Modified Proposed Action.

Road Reclassification

With this feature of Alternative 3, approximately 5.36 miles of roads (former FSR 30150) would have been added to the National Forest System as administrative use routes to provide access for current and future forest management (as opposed to the Modified Proposed Action plan to Open to All with seasonal restriction for wildlife). Following project completion, 4.27 miles of FSR 30151 would have been closed and decommissioned (as opposed to Modified Proposed Action to convert it into a Motorized Trail). Former FSR 30538 would have been decommissioned per the 2009 MTP ROD. There would have been no motorized route access to the IRA (via former FSR 30150 and FSR 30151).

Public Involvement and Scoping

The Mitchell Spring proposal was listed in the Schedule of Proposed Actions on June 21, 2014. The proposal was provided to the public and other agencies for comment during scoping (June 21, 2014 to July 21, 2014). Two letters were received and 72 comments were extracted from the letters. The interdisciplinary team reviewed all 72 public comments to identify issues for this proposal. Several issues or unresolved conflicts were identified through scoping that would indicate a need for additional alternatives. Also, based on public and internal comments, the Proposed Action was modified and Alternative 2 was renamed to Modified Proposed Action.

The initial proposal in the scoping notice listed seven actions, one of which proposed removal of pinyon-juniper from a cottonwood-willow stand along Birch Creek. One commenter questioned whether this action was needed, suggesting that the action had already been taken. Forest Service analysis concluded that the commenter was referring to an earlier pinyon-juniper treatment completed under the Birch Creek Riparian project. It was also determined that the actual area available for pinyon-juniper removal was much smaller than had been stated in the scoping notice. To avoid confusion with the previous project, and in recognition of the limited gain to be made by implementing this action on such a small area, that action was removed from the Proposed Action. Therefore, Alternative 2 is now the Modified Proposed Action.

The Modified Proposed Action, as described the EA, contained six actions. The six actions were the same as in the scoping notice, although the descriptions were, in some cases, revised to more clearly describe the action being proposed.

The Forest Service identified the five topics below raised during scoping as key issues.

1. **Unroaded/Undeveloped:** Treatments that are proposed within unroaded/undeveloped designated areas could result in land character change which removes these acres from that designation.

2. **Reforestation without Site Preparation:** Prescribed fire or mowing site preparation actions within the reforestation unit could damage established regeneration and interrupt the successional development in the stand that exists.

3. **Transportation Plan:** With the exception of FSR 30151 and FSR 30150, the actions decided in the Dixie Motorized Travel Plan Record of Decision should be implemented in order to protect the resources that led to that decision. Because FSR 30151 is poorly located it should be closed and the acres restored. FSR 30150 should be designated an administrative route so that fire protection actions can proceed.

4. **Temporary Roads:** Construction of temporary roads could increase soil disturbance.

5. **Northern Goshawk Nest Areas:** Vegetation treatments within the nest areas could negatively affect goshawk habitat.

To address these concerns, the Forest Service created the alternative described above.

Finding of No Significant Impact (FONSI)

After consideration of the environmental effects described in the Mitchell Spring Vegetation Improvement Project EA, the project record, and as further documented within this DN, I have determined that this is not a major federal action individually or cumulatively that will significantly affect the quality of the human environment: therefore, an Environmental Impact Statement is not needed. This determination is based on analysis of the context and intensity of the environmental effects, including the following factors.

Context

The setting of this project is in the Mitchell Spring area with implications for only that immediate area. Project implementation will affect the immediate area surrounding the project over a 5- to 10-year period. The public utilizing these areas will be affected temporarily during brief periods of project implementation including prescribed burning. The short- or long-term effects from this project are restricted to the local area and will have no widespread impacts.

Intensity

Intensity is a measure of severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects based on the following factors.

1. **Resource Commitments or Irretrievable Losses.** Implementing these actions will not cause significant irreversible resource commitment. Project design features (PDF) have been written to prevent any irretrievable losses of vegetation, wildlife habitats, soil productivity, or water quality (see PDFs on p. 30 of the EA and individual specialist reports in the project record).

2. **Public Health and Safety.** These actions will not significantly affect public health or safety. Project activities will comply with all state and federal regulations protecting public health and safety (See individual specialist reports in the project record).

3. **Unique Characteristics of the Area.** There are no unique characteristics of the geographical area that will be significantly affected by the selected action. The project contains no historic or cultural sites, wilderness, inventoried roadless areas, wild and scenic rivers, farmlands, or ecologically critical areas. There are several stream courses and a spring in the project area. Project design features have been developed to ensure impacts to these wet areas will be non-significant (see PDF HS-1 and HS-2 on pp. 31-32 of the EA).

4. **Controversy.** All comments were considered in refinement of the project and are documented in the project record. The comments and environmental analysis identified five key issues discussed above and substantiated scientific controversy over the effects as described (see specialist reports in the project record).

5. **Uncertainty.** The actions described in my decision will not involve effects that are highly uncertain or involve unique or unknown risks. Pertinent scientific literature has been reviewed and incorporated into the analysis process. The technical analyses conducted for the determination of impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Issues of public concern and possible environmental effects of the selected alternative have been adequately addressed in the analysis of this decision.

6. **Precedence.** The implementation of the selected alternative does not establish a precedent for future actions with significant effects. These actions do not represent a decision in principle about a future consideration.

7. **Cumulative Effects.** The Decision was evaluated in the context of other past, present, and reasonably foreseeable actions. When considering other activities within the affected area, the cumulative effects of implementing the selected alternative are anticipated to be minor. This action does not result in cumulatively significant effects (see specialist reports in the project record).

8. **Scientific, Cultural, or Historical Resources.** A review of the project area was conducted by the Forest Archeologist. It was concluded that there will be no effects on significant scientific, cultural, or historical resources from this project (see the State Historic Preservation Office (SHPO) concurrence in the project record received on August 5, 2015).

9. **Threatened or Endangered Species or Critical Habitat.** The Endangered Species Act (ESA) requires that federal activities not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. The potential effects of the Decision on species currently protected under ESA, or their designated critical habitat, have been considered separately with biological assessments (BA) within the project record. The U.S. Fish and Wildlife Service concurred with the findings in the BA. The analyses concluded that implementation of the action may affect, but would not likely adversely affect the Mexican Spotted Owl and will not jeopardize the experimental, non-essential population of the California Condor and will have no effect on the Utah prairie dog (see BA and U.S. Fish and Wildlife Service concurrence received on August 17, 2015 in the project record).

10. **Legal Requirements for Environmental Protection.** This action does not threaten a violation of Federal, State, or local laws or other legal requirements imposed for the protection of the environment. Applicable laws and regulations were considered in the EA. The actions are consistent with the Dixie National Forest Land and Resource Management Plan (see EA pp. 2-4).

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA)

The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines.

Other NFMA Requirements - I have determined the selected alternative is consistent with the following provisions of the National Forest Management Act:

Consistency [36 CFR 219.28]:

1. Timber harvest would occur on lands suited for timber production or would occur in areas where timber harvest is permitted and is necessary to help achieve other resource management objectives; and 2. Silvicultural treatments are consistent with the Forest Plan.

The forest stands proposed for timber harvest using the individual tree or group selection harvest system meet the criteria of being on land suitable for timber production as described by the Forest Plan on page IV-37 and FSH 2409.13, Chap. 20. The interdisciplinary team (IDT) through field reviews (Silviculture and Climate Report, p. 5 and Soils Report, p. 9) has determined that the timber harvest sites are within physically suitable forest lands. With adherence to project design features (such as avoidance of steep slopes over 40 percent) and soil and water conservation practices, the harvest activities can occur without irreversible resource damage to soil productivity or watershed conditions (Hydrology Report, pp. 33-35 and Soils Report, pp. 33-34).

Individual tree and group regeneration harvests are consistent with silviculture prescription requirements of the Forest Plan and its management areas (USDA 1986: IV-38 to IV-39, IV-112, and IV-119 to IV-120). The harvest and other silvicultural treatments are consistent with the desired condition expressed through the Mitchell Spring Project's need to improve and maintain a balance of vegetation structural stages within forested stands for wildlife habitat needs; to thin excess vegetation; and to improve and maintain desirable forest and woodland conditions such as growth rates, vigor, stocking, structure, species, and age diversity.

Timber Harvest [16 U.S.C. 1604 (g) (3) (e)]:

1. Soil, slope, or other watershed conditions will not be irreversibly damaged;

The proposed action is unlikely to directly, indirectly, or cumulatively have any measurable effects to hydrology that are contrary to the desired condition Hydrology Report, pp. 33-35). With soils there is likely to be a measurable increase in detrimental soil disturbance; however, this increase in soil disturbance is estimated to be relatively small and very unlikely to exceed regional standards for allowable detrimental soil disturbance with adherence to project design features and soil and water best management practices (Soils Report, pp. 33-34).

2. There is assurance that the lands can be adequately restocked within five years after final regeneration harvest;

Following harvest treatments using individual tree and group selection, the treated stands are expected to remain stocked or be restocked through natural regeneration within five years. This conclusion is based on existing stand conditions, modeled effects analysis, and monitoring of similar treatments on other local forest sites. Project design features include adaptive management provisions if timely and satisfactory natural regeneration does not occur.

3. Streams, stream banks, shorelines, lakes, wetlands, and other bodies of water are protected from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment where harvests are likely to seriously and adversely affect water conditions or fish habitat;

Soil and water conservation practices implemented in project design and timber contracts are effective in minimizing impacts to site productivity and conserving soil and water resources. For instance, project design features embedded within timber sale contract clauses will be used that implement soil

and water conservation practices, such as directional felling, designated skid trails, endlining, etc. (Soils Report, pp. 30-31). Detrimental damage to soils, slopes, or other watershed conditions from the proposed treatments would be minimized when unsuitable soils are excluded from management activities and best management practices are followed (Soils Report, pp. 34-35 and Hydrology Report, pp. 33-35). Monitoring of past timber sales indicate that the design features included with the proposed action is adequate to protect soil and water resources (Soils Report, pp. 32-33 and USDA 2013).

4. The harvesting system to be used was not selected primarily because it will give the greatest dollar return or the greatest unit output of timber;

While forest product outputs were considered in the decision process, other factors related to managing properly functioning ecosystems, reducing surface fuels, and improving wildlife habitat within the project area were the primary factors used to determine the harvesting system.

Even-aged Regeneration Harvests [16 U.S.C. 1604 (g) (3) (f)]:

Even-aged regeneration harvests are: clearcuts (with or without reserves), coppice cuts (with or without reserves), and overstory removal cuts in seed-tree and/or shelterwood methods (FSM 2470.5). Individual tree and group selection harvests are proposed with the Mitchell Spring Project. These treatments are considered an uneven-aged regeneration harvest system, therefore the requirements detailed within 16 U.S.C. 1604 (g) (3) (F) is not applicable.

Culmination of Mean Annual Increment [16 U.S.C. 1604 (m)]: Stands of trees harvested have generally reached the culmination of mean annual increment of growth (CMAI).

"Generally reached culmination" is defined as the age at which the stand achieves at least 95 percent of the cubic foot volume at culmination. The CMAI requirement only applies to even-aged management on lands suited for timber production. The CMAI requirement is applicable at the time of the regeneration harvest. It does not apply to thinning, salvage, or sanitation harvests or to harvests designed to achieve non-timber resource objectives (FSM 1921.12f). CMAI occurs when the periodic annual increment equals the mean annual increment (MAI). MAI is calculated by adding the current stand volume with any mortality and/or previous removal and then dividing by the stand age.

Individual tree and group selection treatments which are an uneven-aged regeneration and harvest system are proposed with the Mitchell Spring Project, therefore the requirements detailed in 16 U.S.C. 1604 (m) are not applicable. This commercial thinning through individual tree selection and group selection is being used to reduce densities of trees, diversify age classes, reduce disease, and improve vigor, growth, and species composition within forest stands. These treatments are designed to create conditions where forests are resilient to agents of disturbance such as drought, wildlife or insects.

Other Laws and Regulations

Endangered Species Act. The Endangered Species Act of 1972 requires that actions of Federal agencies do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to species' designated or proposed critical habitat. The Act also requires that actions that may have potential effects be documented in a Biological Assessment (BA). No critical habitat for any listed species would be impacted with implementation of the Modified Proposed Action.

Executive Order 13186. Executive Order 13186, signed January 10, 2001, directs federal agencies to protect migratory birds by integrating bird conservation principles, measures, and practices into agency activities and by avoiding or minimizing, to the extent practical, adverse impacts on migratory birds resources when conducting agency actions. The National Forests in Utah entered into an agreement with the USFWS in August, 2007 and developed a strategy on how to address impacts from agency actions on migratory birds in NEPA documents. Project proposals that follow the strategy identified in that agreement will be considered compliant with the MBTA and E.O. 13186 (USFWS 2007). In addition, the Forest Service entered into a national MOU with the USFWS regarding the MBTA in 2008. Following the Utah agreement will satisfy requirements under the national MOU.

Clean Water Act. The Clean Water Act (CWA) requires each state to implement its own water quality standards. The State of Utah's Water Quality Antidegradation Policy requires maintenance of water quality to protect existing instream Beneficial Uses on streams designated as Category 1 High Quality Waters. All surface waters geographically located within the outer boundaries of the Dixie National Forest, whether on private or public lands, are designated as High Quality Waters (Category 1). This means they will be maintained at existing high quality. New point sources will not be allowed, and non-point sources will be controlled to the extent feasible through implementation of Best Management Practices (BMPs) or regulatory programs (Utah Division of Water Quality 1994). The State of Utah and the Forest Service have agreed through a 1993 Memorandum of Understanding to use Forest Plan Standards & Guidelines and the Forest Service Handbook (FSH) 2509.22 Soil and Water Conservation Practices (SWCPs) as the BMPs. The use of SWCPs as the BMPs meets the water quality protection elements of the Utah Nonpoint Source Management Plan. The Modified Proposed Action is designed to not change or add fill to waters anywhere within the project area.

Executive Order 11990. This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts will result.

Executive Order 11988. This order requires the Forest Service to provide leadership and to take action to: (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss; (2) minimize impacts of floods on human safety, health, and welfare; and (3) restore and preserve the natural and beneficial values served by floodplains. In compliance with this order, the Forest Service requires an analysis be completed to determine the significance of proposed actions in terms of impacts to floodplains.

All alternatives comply with the Forest Plan and Clean Water Act by not leading to a measureable degradation in water quality (the no-action alternative could indirectly lead to higher severity wildfires and poorer water quality but since it is nearly impossible to predict that a high severity wildfire will result from the no-action alternative it cannot be considered a violation of the Clean Water Act). Also, as disclosed in the Hydrology Resource Direct and Indirect Effects sections, all alternatives are not likely to measurably impact or alter floodplains or wetlands and therefore comply with Executive Orders 11988 and 11990.

National Environmental Policy Act (NEPA). NEPA directs the Forest Service (and other Federal agencies) to conduct environmental analyses to assess the nature and importance of the physical, biological, social, and economic effects of a Proposed Action and its reasonable alternatives. Public notification and involvement are a key part of environmental analysis. Conclusions are reached about the significance of the effects on the human environment. These conclusions about the significance of effects determine the levels of analysis and documentation. The entirety of documentation for the Environmental Assessment and this decision complies with this Act.

Best Available Science

I am confident that the analysis of this project was conducted using the best available science. My conclusion is based on a review of the record that shows my staff conducted a thorough review of relevant scientific information, considered responsible opposing views, and acknowledged incomplete or unavailable information, scientific uncertainty, and risk. Please refer to the specialist reports in the project record for specific discussions of the science and methods used for analysis and for literature reviewed and referenced.

Pre-Decisional Opportunity to Object

This decision was subject to objection pursuant to 36 CFR 218, Subparts A and B. The legal notice for the objection period was published in The Spectrum on October 3, 2015. A letter was mailed to all commenters on October 2, 2015, to inform them of the objection period, and the Draft DN/FONSI and the EA was posted to the project website at: http://www.fs.usda.gov/project/?project=40232. The 45 day objection period ran from October 3rd to November 17th. No objections were received during the objection period.

Implementation/Objection Review and Final Decision

Since no objections were filed within the 45-day period, implementation of this project may begin on, but not before, the 5th business day following the end of the objection filing period.

Contact Person

For further information concerning the Mitchell Spring Vegetation Improvement Project, contact Buddie Carroll, Interdisciplinary Team Leader, at 435-826-5421 or buddiercarroll@fs.fed.us during normal business hours.

Approved by:

Angelita S. Bulletts
Forest Supervisor
Dixie National Forest

12/10/2015
Date

Literature Cited

USDA. 1986. Land and resource management plan for the Dixie National Forest. Cedar City, UT: U.S. Department of Agriculture Forest Service, Dixie National Forest.

USDA. 2012. Transportation analysis process (TAP) report for the Mitchell Spring project area. Escalante, UT: USDA Forest Service, Dixie National Forest.

USDA. 2013. Dixie National Forest, five year land resource management plan monitoring report for fiscal year 2006-2010. Cedar City, UT: U.S. Department of Agriculture, Forest Service, Dixie National Forest.

USDA. 2015a. Mitchell Spring Vegetation Improvement Project environmental assessment. Cedar City, UT: USDA Forest Service, Dixie National Forest.

USDA. 2015b. Project record for the Mitchell Spring Vegetation Improvement Project Cedar City, UT: USDA Forest Service, Dixie National Forest.

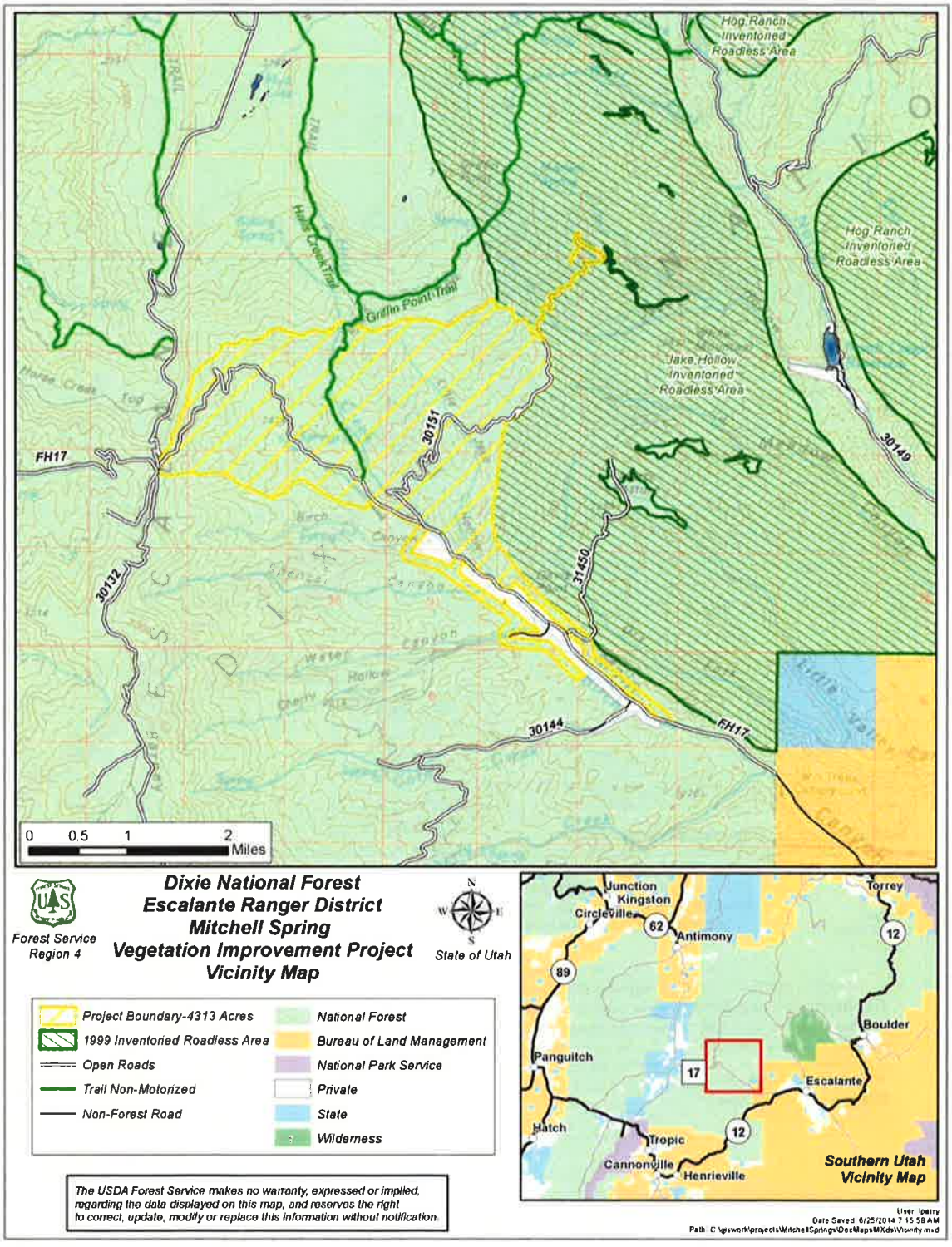

Figure 1. Vicinity map and Inventoried Roadless Areas of the Mitchell Spring project area.

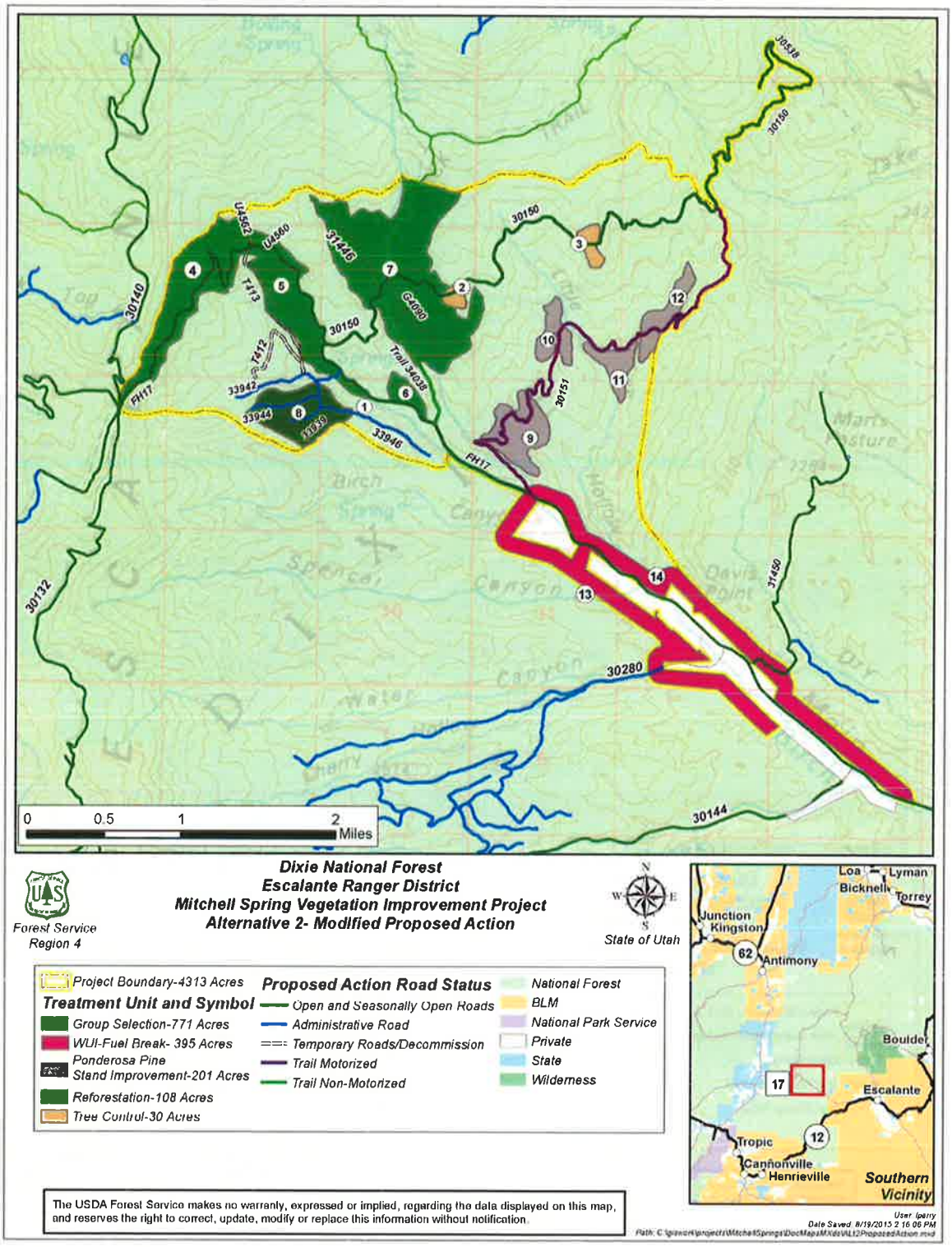

Figure 2. Modified Proposed Action treatment areas.