

**DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT**

Sulphur Forest Restoration Project

**US Forest Service
Cibola National Forest, Sandia Ranger District
Bernalillo County, NM
June 2014**

Decision Notice

Decision

Based upon my review of the proposal, the analysis and process described in the Environmental Assessment (EA), public comments, and the project record, I have decided to select Alternative B and associated design criteria for the Sulphur Forest Restoration Project for implementation with the following changes:

This decision includes approximately 613 acres vegetation treatments within pinyon-juniper and ponderosa pine forest types, equally divided between the project's two subunits A & B. Individual tree selection within four recreation areas is also included in this decision. This decision does not cover vegetation treatments proposed for mixed conifer forest type and riparian areas, or trail relocations; these actions are deferred and will be covered by a future decision.

The existing condition for both ponderosa pine and P/J woodland is deficient of trees greater than 16" diameter at breast height (DBH) and diameter at root collar (DRC). This project proposes to not cut any trees over this diameter to assist in moving the area to desired condition.

Retain all large oaks and native deciduous hardwoods (10" DRC and greater) and promote natural regeneration by removing competing conifers.

Pinion-Juniper Treatments - Management will be to create or maintain uneven aged stands while maintaining large trees consistent with uneven aged stand conditions. Designated individual trees will be selected for cutting, leaving a residual of 55 - 92 trees per acre (TPA) on lands outside Northern goshawk post fledging area (PFAs), 119-138 TPA in PFAs and in Northern goshawk nesting areas. All large alligator juniper is preferred for retention. Treatments will maintain the relative abundance of pinion-juniper within the groups so that one species is not favored above another for removal. Ponderosa pine, white fir, and Douglas-fir occurring in

pinion-juniper woodlands will be maintained as groups or stringers as appropriate to meet wildlife habitat improvement objectives. On average at least two snags and 5-7 tons of down woody debris per acre (including large downed logs) will be retained.

Ponderosa Pine Treatments – Treatments will establish groups of trees with interlocking crowns, typically 0.25 to 0.75 acres in size but ranging from a few trees to two acres. Temporary openings will be created for young tree regeneration purposes on approximately 10% of the area. Openings will be up to four acres in size with a maximum width of 200 feet. Three to five reserve trees per acre will be maintained in these openings. Temporary openings will be located away from roads and system trails to maintain visual corridors and provide wildlife security. Within groups, designated trees will be individually selected, leaving a residual of 73-110 TPA on lands outside PFAs, and 119-138 TPA in PFAs and in nesting areas. All large alligator juniper is preferred for retention. On average at least two snags and 5-7 tons of downed woody debris per acre (including 3 large logs per acre) will be retained.

In both vegetation types, individual tree selection will be accomplished by mechanized harvesting equipment, by hand, and/or mastication, based on soil condition, slope, and stand location (see Table 1). Personal-use fuelwood permits and stewardship contracts will be offered to remove the wood in Subunit A.

Prescribed burning to reduce hazardous fuels would occur on approximately 613 acres. In masticated areas prescribed fire would occur after monitoring data shows that the masticated material has decomposed and fine fuels, such as grasses and forbs are occupying the site. Until that process has occurred no prescribed burning would take place. This process typically takes 3-7 years and this time period between masticating and prescribed burning is needed to reduce the potential of tree mortality due to prescribed burning. The portions of the Faulty Trail that are located within the project area will also be used as a fuel break (see map). No treatments will be applied to and no product removal will occur in the irregular (0-1,200-foot) strip of land between the Faulty Trail and the Wilderness boundary. Removal of forest product east of Faulty will not involve crossing the trail.

Some additional hand line construction will also be necessary. These hand lines will vary in width from 1 foot to 5 feet, depending on the surrounding vegetation and topography, and will be dug down to unburnable soil. Hand dug control lines will be rehabilitated once the unit is burned. Rehabilitation work on these hand lines could include seeding, water barring, or piling woody material on the hand line. Roads, utility rights-of-way, streamside zones, and riparian areas would be used as control lines, where feasible, to minimize the construction of fire lines.

Subunit B - only mastication and prescribed burning (as described in the “Prescribed Burning” section above) will occur. An area of pinion-juniper and ponderosa pine transition zone will also be treated (see map). The pinion-juniper portions (the mid-story of the ponderosa) will be treated with mastication, chainsaw cutting, and/or prescribed burning. Fuelwood removal will not be permitted in this area.

Individual tree selection in Cienega Canyon, Doc Long, and Sulphur Canyon Picnic Areas, as well as Cienega Horse Trailhead will enhance scenic quality and help lessen the fuel loads. Shade and screening around picnic tables will be maintained. The area in and around Cienega Canyon Picnic Area will be treated first. Individual trees would be selected and removed from about 63 acres (1/4 mile around the picnic area) at this site. An additional gate will be constructed at the front of Cienega/Sulphur Picnic Area. This gate will be utilized during treatments and prescribed fires to close off the entire area.

Design Criteria Associated with Alternative B

In addition to the applicable Standards from the *1985 Amended Cibola National Forest Land and Resource Management Plan* (Forest Plan), the management requirements described below are part of my decision, and will be implemented to lessen adverse effects of Alternative B.

Soils/watershed

- Utilize Best Management Practices (BMP's) outlined in the Forest Service Soil and Water Conservation Practices Handbook (FSH 2509.22) and further described in the BMP appendix to the Soil and Watershed specialist report to limit impacts on watershed, soil, and riparian resources.
- Do not allow pile placement in ephemeral, intermittent, or perennial channels. Soils/watershed specialists will determine appropriate buffers for these actions outside the stream channel.
- Down woody material would be retained or returned to the sites after proposed activities to ensure appropriate levels to maintain soil quality are present.
- The areas where soil condition is less than satisfactory or where erosion hazard is severe would not be open to personal fuelwood collecting to limit the amount of soil disturbance. This measure is built into the treatment types (see Table 1).

Recreation/scenic resources

- To meet visual quality objectives within the immediate foreground areas (up to 300 feet) adjacent to area system trails (actively managed by the Forest Service) and of the three recreation day use sites within the project boundary, slash treatments would be as follows:
- Stumps would be cut flush to the ground if possible or kept to a maximum 6-inch height above ground level/obstacles and the face cut of stumps would be directed away from the trail, where possible.
- Approximately 70% or more of the activity generated slash smaller than three inches in diameter would be hand piled and burned, to meet visual quality objectives.
- Piles created would be burned to achieve 95% or more consumption, and following burning, unconsumed slash would be scattered and the ground would be seeded with the approved seed mixture for this area.
 - Piles created between June and September would be burned in September-November of the same year unless fuel or weather conditions are not conducive to attainment of the 95% consumption objective. These piles would be burned the following spring as soon as conditions permit.

- Piles created during a winter thinning operation would not be burned until the following September-November period.
- Consider options to reduce slash such as chipping and scattering.
- The chipped material in the recreation sites will be spread at a depth of 0-2 inches.
- Leave smaller trees between picnic sites to create a screen giving users privacy while enjoying the facilities.
- Collaborate with recreation staff and/or landscape architect staff to identify and mark these trees.
- Provide for public health and safety by coordinating activities with adjacent land owners and placing warning signs along official system trails and other access points to the National Forest.
- Treatments within the recreation sites would be avoided during peak use periods such as May 15-September 1 and during the Albuquerque International Balloon Fiesta in October.
- Minimize temporary closures to trails by coordinating implementation and staggering treatments.

Wildlife

- Maintain two Abert's squirrel sites per 100 acres, except where basal area of trees over eight inches diameter at breast height (dbh) is between 150 and 200 square feet per acre, then maintain one Abert's squirrel site per 100 acres. Abert's squirrel sites consist of at least six trees 11 to 16 inches dbh in a 1/20 acre group, with interlocking crowns.
- Seed skid trails, landings and other disturbed areas with native grass/forb/shrub seed mix.
- Retain large, downed woody materials (12-inch diameter midpoint and greater) and snags within riparian areas.

Vegetation

- Create activity slash only between July through December, unless woody material 3 inches or greater in diameter, can be removed within 30 days of being created; or unless the potential for *Ips* infestation is determined to be low. Avoid creating activity slash in the same area multiple years.
- Remove as much woody material 3 inches or greater in diameter, from the site as possible.
- Promptly treat slash through lop/scatter, chipping, hand pile burning or prescribed burning.
- Accomplish chipping or masticating in the fall (after August) and early winter when beetles are not actively flying. Don't allow concentrations of chipped/masticated material to accumulate over 4 inches in depth or lie immediately adjacent to live standing trees. Distribute chipped/masticated materials on slopes where they would dry quickly.
- Don't consider burning of woody material to be an effective treatment for Pinion *Ips* unless accomplished before beetles emerge from the woody material.
- Avoid mechanical damage to residual trees and their root systems to reduce risk of attracting bark beetles.
- Monitor slash during and after treatment for *Ips* beetle infestation. If found, contact Forest Silviculturist.
- Monitor potential sources of introduction of noxious weeds into the project area; included are rehabilitation of trails through grass establishment.

- Minimize the introduction of weeds into the project area. Require inspection and cleaning of equipment and vehicles involved in implementation of the project to the extent possible.
- Remove populations of non-native invasive plant species, by non-chemical methods, which are a result of activities within 1-2 years.

Heritage Resources

- For mechanical treatments, all eligible and unevaluated sites should be flagged for avoidance prior to implementation. It is further recommended that all sites should be hand-thinned following mechanical treatments.
- For prescribe burn treatments, various combinations of the following protection measures may be approved by the Forest Archaeologist to protect sites for projects listed in Appendix J of the *First Amended Programmatic Agreement, for Large-Scale Fuels Reduction, Vegetation Treatment, and Habitat Improvement Projects*. The protection measures do not require additional consultation with the New Mexico SHPO. Measures include excluding fire sensitive sites; construction of hand line, black line, or wet line; use of foam retardant or fire shelters; hand removal of heavy fuels; prevent ignition of heavy fuels, such as large stumps.
- Allow burning over non fire-sensitive sites provided: no ignition points within site boundaries, no staging of equipment within site boundaries, and no slash piles within site boundaries.
- Allow construction of safety zones and additional lines in 100% surveyed areas, with archaeological monitoring as appropriate to assure historic properties are avoided.
- It is recommended that all possibly fire sensitive sites are monitored by a professional archaeologist prior to fire treatment plans. Depending upon the estimated fuel load and previous fire exposure, fuel loads and types that would adversely impact cultural material should be removed from sites prior to prescribed burns. It is essential that this effort is coordinated with the district or forest archaeologist. An archaeological monitor may be necessary to ensure that removal of fuels does not result in damage to sites.
- Mitigation measures for chainsaw individual tree selection treatments include: large diameter trees are felled away from all features; materials removed from the site are removed by hand; no dragging of logs, trees, or thinned material across or within site boundaries; no use of vehicles or other mechanized equipment within site boundaries; no staging of equipment within site boundaries; no slash piles within site boundaries.
- It is recommended that an archaeological monitor is present during the thinning of sites with visible architecture.

Timing Restrictions - Subunit A

- Cutting of trees should be staggered from March to May and mid-August to mid-December (peak recreational use periods).
- Mastication should occur from September to December.
- Additional prescribed burning may occur during Monsoon season - July to September.
- Treatments within the recreation sites would be staggered so that not all recreation areas would be impacted at the same time.

Timing Restrictions – Subunit B

- The implementation of any of the proposed activities within Northern goshawk PFAs and nest sites would occur from October 1 to February 28.
 - Avoid all activities that would involve cutting in PFA's from March 1 – September 30.
 - Low intensity ground fires are allowed at any time, but high intensity fires need to be avoided in the PFA's March 1 – September 30.
 - Mastication should occur from October to December.
 - Additional prescribed burning may occur during Monsoon season - July to September
 - Prescribe burning within the PFA areas - November to February.

Alternatives Considered

The following alternatives were considered in detail. They are fully described and contrasted in Chapter 2 of the EA, and a description summary in table form is also given on pages 34-39 of the EA.

Alternative A – This is the No Action Alternative. This alternative does not meet the purpose and need for the project.

Alternative B – This alternative is the Proposed Action, the Selected Alternative, and is described in detail on pages 18-39 of the EA.

Decision Rationale

My decision to implement Alternative B with discussed changes is based on its effectiveness in moving the existing conditions in the project area towards the desired conditions outlined in the Forest Plan. The proposed treatments are needed to create a stand structure that would reduce the potential of uncharacteristic wildfires that would threaten local communities, as identified in the East Mountain Community Wildfire Protection Plan (CWPP), wildlife habitat, and other natural and cultural resources in the area

I have considered the best available science in making this decision. The project record demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. I considered the need to take action and the issues identified during scoping in making my decision. I weighed the effects of individual tree selection; prescribe burning, and fuel break construction and maintenance on the vegetation, soil and water, air, wildlife, and recreational use of the area, and the key issues associated with the project, against taking no action.

I am not willing to accept the potential effects on wildlife, Wildland Urban Interface (WUI), and Northern goshawk habitat associated with the no action alternative.

Public Involvement

Public scoping began January 18, 2013, in a letter mailed to the Sandia District mailing list describing the Proposed Action and inviting comments on the proposal. The Forest Service received nine responses during scoping. The 30-day Notice and Comment Period began on December 5, 2013 after publication of the legal notice in the Albuquerque Journal. The Forest Service received one response during the 30-day Notice and Comment Period.

The Cibola National Forest routinely consults with twelve American Indian tribes that may have used or may continue to use the Sandia Ranger District lands for traditional cultural or religious activities, and that might attach religious or cultural significance to properties within the Sandia Mountains. The tribes have been consulted regarding the proposed project.

Finding of No Significant Impact

After thorough consideration of the EA, Appendices, the Forest Plan, specialist reports, and comments received, I have determined that implementation of the Selected Alternative is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. In a local context, the short and long term effects of the site-specific actions of the Selected Alternative (Alternative B) are not significant. Therefore, an environmental impact statement is not needed. This determination was based on the following factors:

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the quality of the environment (EA, Chapter 3).
2. The Selected Alternative will not adversely affect public health or safety (EA, page 24).
3. The prescribed actions will not adversely affect any unique characteristics of the geographical area. No wild and scenic rivers or wilderness exist in the area. Floodplains associated with the major streams in the project would not be adversely affected. Heritage resources would be protected (EA, page 26-27 and 130-131). No wetlands have been delineated in the area; if they exist, they would be associated with floodplains along major streams. Project activities would not significantly affect wetlands (EA, page 102-104).
4. I do not expect the effects of the proposed actions on the quality of the human environment to be highly controversial in a scientific context. Pages 16-17 of the EA summarizes the public contacts made in the course of the environmental analysis, and documents the issues identified from these contacts. Broad-level public disputes with forest policy are beyond the scope of this decision.
5. The Selected Alternative does not involve highly uncertain, unique, or unknown environmental risks. The Sandia Ranger District has successfully carried out all prescribed activities in similar situations in the past.
6. This decision does not set precedent for future action with significant effects or represent a decision in principle about a future consideration.
7. These actions do not individually, nor with other activities taken cumulatively within the affected area, reach a level of significance (EA, Chapter 3). Where appropriate, design features are proposed which are known to keep effects to vegetation, soils, wildlife, and other resources below a threshold level of significance (EA, pages 23-27). Cumulative effects of the actions in the Selected Alternative and other foreseeable actions have been evaluated throughout the EA.
8. No known sites listed or eligible for the National Register of Historic Places will be affected by the proposed activities. If heritage resource sites are discovered during actual operations, activities will be stopped until the sites can be protected or evaluated for significance.

Prescribed activities will not cause loss or destruction of significant scientific, cultural, or historic resources.

9. The Selected Alternative will not affect any endangered or threatened species or habitat that has been determined to be critical under the Endangered Species Act. The Forest Service determined there that individual sensitive species may be impacted, but implementation of the project is not likely to result in a trend toward federal listing or loss of viability. (Biological Evaluation, Appendix B).
10. None of the prescribed actions threaten or lead to violations of federal, state, or local environmental laws or requirements imposed for the protection of the environment. This will be ensured by carrying out the selected actions in a way that is consistent with the standards and guidelines, management requirements and mitigation measures established in the Forest Plan. For water quality management, state-approved Best Management Practices will be used for this project. The project will be monitored to ensure BMPs are implemented and appropriate corrective measures will take place, if implementing the BMPs on a specific site results in effects significantly higher than anticipated, because of unforeseen site factors or events. This project will fully comply with state approved BMPs and the Clean Water Act.

Findings Required by Other Laws and Regulations

This decision and its actions are consistent with the forest-wide standards and guidelines (Forest Plan, pages 56-80) and the standards and guidelines for Management Area 2 - Sandia Ranger District, excluding Sandia Mountain Wilderness and military withdrawals, which includes Amendment #7, Regional Mexican spotted owl and Northern goshawk direction (Forest Plan, pages 84-94).

The decision is consistent with other applicable laws and regulations including the National Environmental Protection Act, the National Historic Preservation Act, the Clean Air Act, and the Endangered Species Act. The measures included in the proposal to protect soil and water resources ensure compliance with the Clean Water Act.

This analysis considered the New Mexico Forest Restoration Principles (May, 2006). See pages 28-33 of the EA for a discussion as to how these principles were addressed.

Implementation Date

This project may be implemented immediately.

Administrative Review or Objection Opportunities

This decision has been made in accordance with the procedures described in 36 CFR 218, Subparts A and B. 36 CFR 218, Subparts A and B, provides for a pre-decisional review process.

Legal notice of the opportunity to object to the proposal was published in the Albuquerque Journal on February 10, 2014. The Forest Service received one objection.

Regulations under 36 CFR 218, Subpart B allows for the objector and the agency to meet in order to resolve the issues; however, the objector declined to meet. The Reviewing Officer and I evaluated the environmental assessment and project file. Based on this evaluation, the Reviewing Officer found that "the objection to the Sulphur Forest Restoration Project is inadequate and therefore resolved," in a letter dated April 3, 2014.

As directed by the Reviewing Officer in the April 3, 2014 letter, I have determined that the analysis for this project is in compliance with direction in the Forest Plan and that there is no evidence that preparing an environmental impact statement would be required. Therefore, I have determined that issuing a FONSI is appropriate.

This decision is not subject to further administrative review by the Forest Service or the Department of Agriculture [36 CFR 218.10(b) (2)].

Contact

For further information concerning this decision contact District Ranger Cid Morgan at the Sandia Ranger District Office, 11776 Hwy 337, Tijeras, NM 87059, or phone (505)-281-3307. For additional information concerning Forest Service objection process, contact Cheryl Prewitt, Forest NEPA Coordinator, 2113 Osuna Rd. NE, Albuquerque, New Mexico 87113, or phone (505)-346-3820.

Responsible Official:


CID H. MORGAN

District Ranger
Sandia Ranger District
Cibola National Forest and National Grasslands

June 29, 2014
Date

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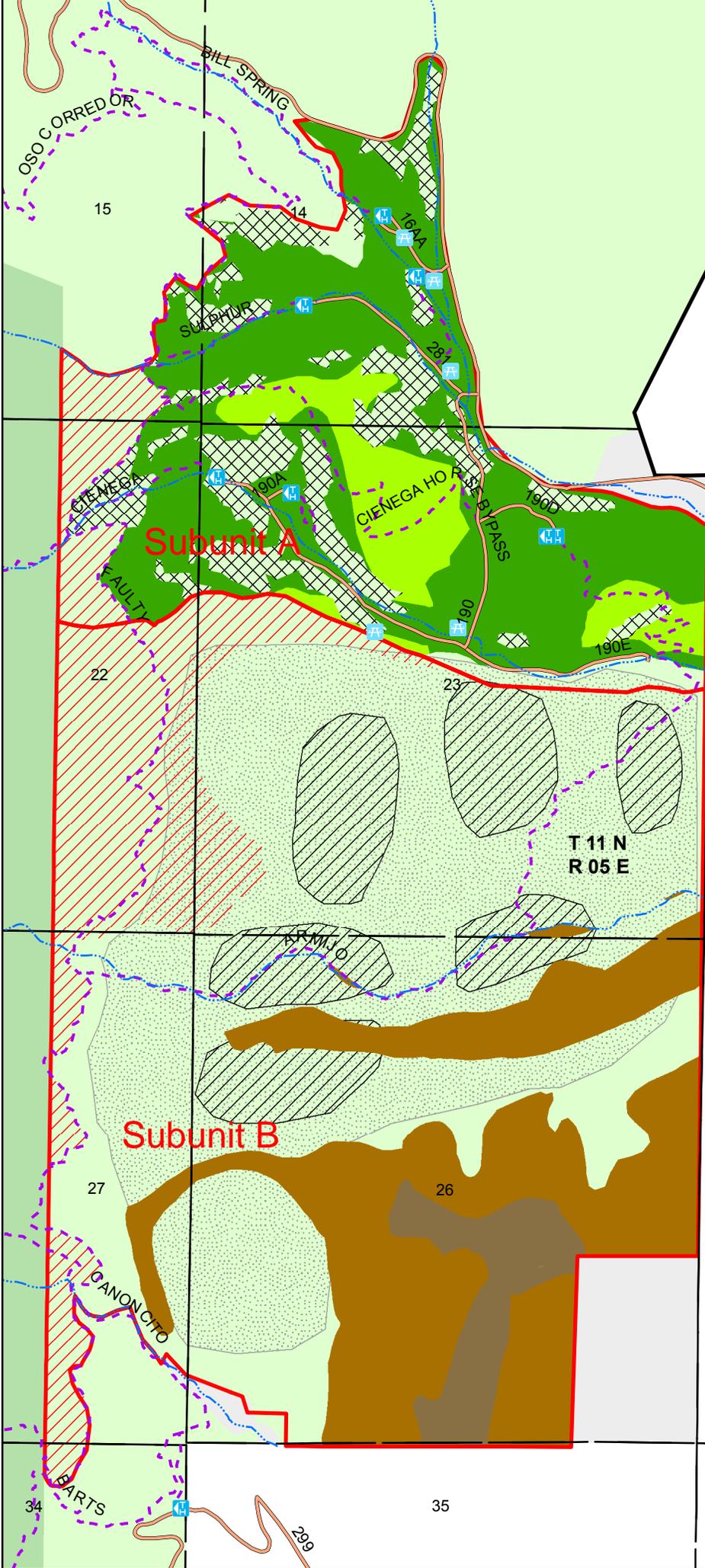
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**Table 1
Proposed Vegetation Treatment Methods***

Treatment Type	Cutting Methods How will excess trees be cut or otherwise handled?	Tree Removal Will cut trees be removed from the areas?	Slash Treatment What happens to tree tops and other material that remains on the site after cutting?
1 – satisfactory soils, less than 40% slope (Pinion-Juniper (P/J) & Ponderosa pine – 130 acres) Subunit A	Mechanical mastication Chainsaws – contract or Forest Service Mechanized feller	None where mastication occurs Where good access exists, material removed under permits for personal use firewood and Stewardship Project contracts. No cross country travel permitted where erosion hazard is severe.	Masticated material would be spread on site to a depth of 0"-4", other cut material lopped and scattered to a depth of 18" max. Hand piles may be created where needed and piles will not exceed 10'x10' Broadcast burning and/or pile burning when management prescription conditions are met.
2 - impaired soils with less than 40% slope (P/J & Ponderosa Pine – 68 acres) Subunit A	Mechanical mastication Chainsaws – contract or Forest Service Mechanized feller	None where mastication occurs Personal use firewood permits and Stewardship Project contracts.	Masticated material would be spread on site to a depth of 0"-4", other cut material lopped and scattered to a depth of 18" max. Hand piles may be created where needed and piles will not exceed 10'x10' Broadcast burning and/or pile burning when management prescription conditions are met.
3 - unsatisfactory soils with less than 40% slope** (0 acres under this Decision)	Treatments based on the needs to enhance or maintain the soil condition – mechanized feller, hand felling, or no cutting	None	Cut material will be lopped and scattered to a depth of 18" max. Hand piles may be created where needed and piles will not exceed 10'x10' Broadcast burning and/or pile burning when management prescription conditions are met.
4 – all soils with greater than 40% slope (P/J & Ponderosa Pine - 102 acres) Subunit A	Only hand cutting with chainsaws. Some areas will not be cut.	None	Cut material will be lopped and scattered to a depth of 18" max. Hand piles may be created where needed and piles will not exceed 10'x10' Broadcast burning and/or pile burning when management prescription conditions are met.
5 – P/J habitat type (264 acres) Subunit B	Mechanical mastication or hand cutting	None	Masticated material would be spread on site to a depth of 0"-4". Broadcast burning when management prescription conditions are met.
6 – P/J and Ponderosa Pine transition zone (49 acres) Subunit B	Mechanical mastication or hand cutting	None	Masticated material would be spread on site to a depth of 0"-4". Broadcast burning when management prescription conditions are met.
7 – no treatment areas – mixed conifer set aside for Mexican Spotted Owl restricted habitat (215 acres)	None	None	None

*Treatments only would be applied to pinion-juniper and ponderosa pine forest types

**Treatment 3 is not included in this decision.

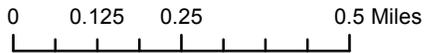


Sulphur Forest Restoration Project

Alternative 2
June 2014

Sandia Ranger District
Cibola National Forest



Legend

-  Trailhead
-  Picnic Area
-  Road
-  Trail
-  Sulphur Project Area
-  Goshawk Nesting Area
-  PFA

Treatment (P/J & Ponderosa Pine)

-  Treatment 1 (130 acres)
-  Treatment 2 (68 acres)
-  Treatment 4 (102 acres)
-  Treatment 5 (264 acres)
-  Treatment 6 (49 acres)
-  Treatment 7 - No Treatment