



United States
Department of
Agriculture

Forest
Service

Dixie National Forest
Powell Ranger District

225 E. Center St.
PO Box 80
Panguitch, UT 84759
(435) 676-9300

File Code: 1950-1

Date: December 11, 2003

Dear Interested Citizen,

Enclosed is a copy of the Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the East Fork Sevier River Vegetation Management Project. A legal notice for this Decision was published in The Spectrum on December 11, 2003.

This decision is subject to appeal in accordance with 36 CFR 215.11. A complete description of Appeal Opportunities is included in the Decision Notice.

The Environmental Assessment and associated documentation for this Decision can be accessed on the web at: <http://www.fs.fed.us/dxnf/projects/eastfork/index.shtml>.

Sincerely,

for 
DONNA L. OWENS
District Ranger

Enclosures

cc: Keith D Harris



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United States
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Agriculture

Forest
Service

December 2003



Decision Notice

East Fork Sevier River Vegetation Management Project

Powell Ranger District,
Dixie National Forest
Garfield County, Utah

For information contact: Marianne Orton
Powell Ranger District
435.676.9300

Decision and Reasons for the Decision

Background

This notice documents the decision for the East Fork Sevier River Vegetation Management Project on the Powell Ranger District of the Dixie National Forest. This project proposes to

1. Reduce the potential for wildfires threatening property and facilities on adjacent private land, and Bryce Canyon National Park lands by reducing hazardous fuels on National Forest Lands.
2. Reduce the risk of fire to facilities such as Wilson Peak, campgrounds and power lines.
3. Restore sagebrush, mountain mahogany, bitterbrush, and grasslands in areas where pinyon/juniper and/or ponderosa pine have encroached on these communities and threatens a loss of habitat for Utah prairie dog (federally listed threatened species) and loss of wildlife forage and browse species.

The environmental assessment (EA) documents the analysis of the proposed alternative to meet this need.

Decision Framework

Given the purpose and need, the deciding official reviews the proposed action and the other alternatives in order to make the following decisions:

1. Should the proposed action or alternatives to the proposed action be implemented at this time?
2. Are the proposed action and alternatives consistent with achieving goals and objectives described in the Dixie National Forest Land and Resource Management Plan (Forest Plan) as amended?
3. Do the proposed action and alternatives respond to issues identified through public scoping and by the interdisciplinary team?
4. Whether or not the selected alternative is a major federal action that would have a significant effect on the quality of the human environment?

Decision

Based upon my review of the EA and Finding of No Significant Impact (FONSI), and in accordance with the direction in the Final Environmental Impact Statement and the Forest Land and Resources Management Plan, as amended, it is my decision to implement the Proposed Action. The Proposed Action will use management-ignited fire on approximately 6,825 acres and hand cutting, piling

and pile burning of approximately 1,365 acres. All project design criteria as described in the EA, pages 15-17 are included.

1. Small diameter trees and shrubs would be hand cut and piled, along with existing debris, for later burning. Piles would generally be burned during the winter when snow is present. These treatments allow for reductions in hazardous fuels while protecting nearby facilities and maintaining plant species (curlleaf mountain mahogany) important for wildlife browse. Treatments include approximately 665 acres in pinyon/juniper, 625 acres in ponderosa pine, 45 acres in mixed conifer vegetation type, and 30 acres of mountain shrub.
2. Management-ignited fire would be used on approximately 5,770 acres in ponderosa pine to reduce understory vegetation and accumulated down fuels and to restore fire to ponderosa pine ecosystems.
3. Management-ignited fire would be used on approximately 1,055 acres within sagebrush/grass vegetation to maintain habitat for Utah prairie dog (a threatened species under the Endangered Species Act) and to remove encroaching pinyon pine, juniper and ponderosa pine.

Table 1: Proposed Action by Vegetation and Treatment Type

Vegetation Type	Acres handcut, pile and burn	Acres Management-Ignited Fire	Acres hand cut and chip	Total Acres
Pinyon/Juniper	665	0	0	665
Ponderosa pine	625	5770	0	6400
Mixed Conifer	45	0	0	45
Sagebrush/grass	0	1055	0	1055
Mtn. Shrub	30	0	0	30
Total	1365	6825	0	8190

Reasons for My Decision

My decision to implement the Proposed Action is based on an evaluation of environmental impacts as discussed in the EA (see Chapter 3) and associated analysis reports. It also considers the effectiveness of the Proposed Action in meeting the purpose and need, changing fire behavior, reducing the risk of wildfire to facilities, and restoring plant communities and wildlife habitat.

The reduction of hazardous fuels within the treatment areas will reduce fuel heights and fuel loads, which will result in decreased lengths and fire line intensities. The change in fuels and fire behavior conditions will reduce the risk of uncharacteristically intense and severe wildfire and secondary effects, such as smoke, to the adjacent lands and communities. It will also provide for public and

firefighter safety in these areas and lower probability of property and resource damage. (See EA pages 71-72).

The restoration of habitat communities will result in an increase in forage for wildlife habitat. (EA pages 43-46).

Although the use of prescribed fire does involve some level of risk, the specific climatic and vegetative conditions under which burning will occur will minimize the potential for damage. Prior to implementation of prescribed burn activities, a prescribed fire burn plan will be completed which will specify the weather and vegetative conditions under which prescribed burning will occur (see EA project design criteria page 7-9). Conditions such as temperature, humidity, wind speed and direction, and plant moisture content, will be constantly monitored prior to the planned burn period, as well as throughout prescribed burn activities in order to ensure safe and effective burning conditions.

Other Alternatives Considered

The Interdisciplinary Team (IDT) used information from public scoping, including the significant issues identified for the project (EA Chapter 1), in conjunction with field related resource information to formulate different alternative themes. The alternatives represent site-specific proposals developed through intensive interdisciplinary evaluation of current and desired conditions, based on field verification.

Three alternatives to the Proposed Action were considered in detail. One alternative was considered but eliminated from detailed study.

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. No management-ignited fire or mechanical treatments would be implemented to accomplish project goals. It does not preclude activities in other areas at this time, or from the East Fork project area at some time in the future. The Council on Environmental Quality (CEQ) regulations (40 CFR 1502.14d) requires that a "no action" alternative be analyzed in every EA. This alternative represents the existing condition against which the other alternatives are compared.

Alternative 3 – Wildland Urban Interface

Alternative 3 was developed to treat hazardous fuels in key areas and address Issue #1, the effect of smoke on the local economy and human health. Approximately 2,950 acres would be treated through hand felling of hazardous fuels and chipping of the resultant debris. No burning would occur.

Alternative 4 – Mixed Chipping and Piling

Alternative 4 was developed to allow treatment of hazardous fuels over a larger area than Alternative 3 while allowing burning to occur in winter months when economic impacts of smoke on local communities would be reduced. This alternative also addresses issues #1 and 2.

Public Involvement

Public scoping of the initial proposed action was begun in June of 2002. Based on concerns expressed by the public about the effects of smoke on human health, current wildfires in the area, and economic impacts related to loss of tourism, this scoping letter was withdrawn and a revised proposed action incorporating more mechanical treatments was developed.

Public scoping of the current Proposed Action was initiated on December 5, 2002. The scoping letter was sent to 188 individuals, Organizations, State, City, County and Federal agencies. This included consultation with the US Fish and Wildlife Service. Twelve letters were received through these public involvement efforts. A complete mailing list, copies of letters received, summary of the comments and response to comments is located in the project planning record. As a result of these scoping efforts, two issues were identified and three additional alternatives were developed. A detailed news release was printed in The Spectrum newspaper on December 5, 2002.

Issues developed by the public and by interdisciplinary team members were used to develop the alternatives being analyzed in this document. A summary of public comments and issue identification is located in the project planning record.

In accordance with the changes to 36 CFR 215.5 a legal notice of the Notice of Opportunity to Comment was published in The Spectrum newspaper on July 5, 2003. On July 3, 2003 a copy of the Proposed Action was mailed to those who had provided comments during scoping, and also to other government agencies (188 letters). Nine letters were received.

The complete copy of the Proposed Action was published as a News Article in the Garfield County News on July 10, 2003.

Public comments were incorporated into either the proposed action, alternatives, or design criteria. Responses to comments are in the project planning record located at the Powell Ranger District Office.

Findings Required by Other Laws and Regulations

This project was designed in conformance with the Dixie National Forest Land and Resource Management Plan standards and guidelines. As such my decision to proceed with the Proposed Action is consistent with the National Forest Management Act. This decision is consistent with all laws, regulations, and agency policy. The project meets the requirements of the Clean Air Act, Clean Water Act, Endangered Species Act, National Historic Preservation Act, and other Executive Orders, as discussed in the EA pages 19-20.

Implementation and Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.11. Pursuant to 36 CFR 215.13, individuals or organizations that submitted substantive comments during the comment period may appeal this decision. Appeals must meet the content requirements of 36 CFR 215.14, (Content of an Appeal"), as published in the Federal Register on June 4, 2003.

- 1) Appellant's name and address (Sec. 215.2), with a telephone number, if available;
- 2) It is the appellant's responsibility to provide sufficient project or activity specific evidence and rationale, focusing on the decision, to show why the responsible Official's decision should be reversed (paragraph (b) 6-9).
- 3) The appeal must be filed with the Appeal Deciding Officer Sec. 215.8 in writing. At a minimum, an appeal must include the following:
 - a) Appellants name and address (Sec. 215.2), with a telephone number if available;
 - b) Electronic mail may be filed with the appeal;
 - c) When multiple names are listed on an appeal, identification of the lead appellant (Sec. 215.2) and verification of the identity of the lead appellant upon request;
 - d) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
 - e) The regulation under which the appeal is being file, when there is an option to appeal under either this part or part 251, subpart C (Sec. 215.11 [d]);
 - f) Any specific change(s) in the decision with which the appellant disagrees, and explanation for the disagreement;
 - g) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
 - h) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments;
- 4) The Appeal Deciding Officer shall not process an appeal when one or more of the following applies:

- a. An appellants identity is not provided or cannot be determined from the signature (written or electronically scanned) and a reasonable means of contact is not provided;
- b. The appellant has not provided a reasonable means of contact;
- c. The decision cannot be identified;
- d. The appeal is illegible for any reason, including those submitted electronically is a format different from that specified in the legal notice.

Appeals should be submitted to:

USDA Forest Service, Intermountain Region
Attn: Appeal Deciding Officer
324 25th Street
Ogden, Utah 84401
Phone: (435) 676-9300
Fax: (801) 625-5277
e-mail: appeals-intermtn-regional-office@fs.fed.us

E-mailed appeals must be submitted in MS Word (*.doc) or rich text format (*rtf). Appeals may also be delivered to the above address, during regular business hours of 8:00 a.m. to 5:00 p.m, Monday-Friday, excluding federal holidays. Appeals must be filed within 45 days of the date of the legal notice of this decision in The Spectrum.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Marianne Breeze Orton, Team Leader, 225 East Center Street, PO Box 80, Panguitch, UT, 84759, or call (435) 676-9300.



ROBERT R. RUSSELL
Forest Supervisor
Dixie National Forest

12 / 2 / 2003

Date



United States
Department of
Agriculture

Forest
Service

December 2003



Finding of No Significant Impact

East Fork Sevier River Vegetation Management Project

Powell Ranger District,
Dixie National Forest
Garfield County, Utah

For information contact: Marianne Orton
Powell Ranger District
435.676.9300

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After considering the environmental effects described in the attached EA, and my review of public input, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.



ROBERT R. RUSSELL
Forest Supervisor
Dixie National Forest

12/2/2003

Date

I base my finding on the following:

Context

The setting of this project is localized with implications only for the immediate treatment areas. The project is located adjacent to Bryce Canyon National Park and other private lands. This action is a continuation of fuels projects that have occurred for many years on the Powell Ranger District of the Dixie National Forest without significant effects. No significant effects are expected to occur within this project area. (EA, Chapter 3).

Intensity

- 1. Impacts that may be both beneficial and adverse: A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial.**

Beneficial and adverse effects from the selected alternative (Proposed Action) are not significant. The effects described in the EA, Chapter 3, support this determination.

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

This project will have positive impacts for the residents and the structures of Bryce Canyon National Park and adjacent private lands, as well a positive impact for firefighter safety (EA, Chapter 3 and project design criteria page 15-17). These positive impacts are localized, but not significant given the small treatment area.

- 3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

There are no areas within the project area or cumulative effects area, with unique geographic characteristics such as historical or cultural resources, parklands, prime farmlands, wild and scenic rivers, or ecologically critical areas that are significantly affected by the selected alternative. This is documented in Chapter 3 of the EA, pages 73, 75-82, and 94.

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

Based on the limited context of the project and my review of public comments and the project's analysis, I do not find any highly controversial effects to the human environment. I have not been informed of any substantial scientific controversy over the effects of the proposal. These effects are described in the EA, Chapter 3.

5. The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks.

Based on my review of this project's analysis, I find the possible effects on the human environment that are uncertain or involve unique or unknown risks are minimal or non-existent. The risks associated with this project are recognized, familiar, and acceptable (EA, p. 70-72). The analysis is based on our best use of available data on fire behavior and our extensive experience with this type of fuel reduction project.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The East Fork Sevier River Vegetation Management Project represents a site-specific project that does not set precedence for future actions or present a decision in principle about future considerations. Any proposed future project must be evaluated on its own merits and effects. The activities are in accordance with the best available science we have to manage fuels and fire behavior.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

There will be no significant cumulative significant effects between this project and other projects implemented or planned in this area.

- Soils, wetlands, floodplains, water quality, or water quantity (EA, p. 82, 87, 88, 91).

- Inventoried roadless area (EA, p. 99)
- Heritage Resources (EA, p. 94)
- Wildlife and Plants (EA, p. 57-60)
- Air Quality (EA, p. 78-79)

This project does not represent potential cumulative adverse impacts when considered in combination with other past actions or reasonably foreseeable future actions.

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

There are no direct, indirect or cumulative effects from implementing the proposed action (EA, p. 94)

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

No threatened or endangered animal or plant species will be adversely affected by my decision (relevant information is found in the EA Chapter 3, pages 43-67). Additional information can be found in the Biological Assessment and the U.S. Fish & Wildlife Concurrence letter in the project file.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The project meets the above requirements imposed for the protection of the environment and meets disclosure requirements of the National Environmental Policy Act (EA, Introduction). Consistency with the Dixie Forest Plan is referenced by resource in the EA, p.19.

