



# SIX SHOOTER AND BLACK DEER VEGETATION MANAGEMENT PROJECT

## Decision Notice and Finding of No Significant Impact

U.S.D.A., Forest Service, Gila National Forest  
Catron County, New Mexico  
April 26, 2005

### BACKGROUND

This project was developed to facilitate the return of a more natural fire regime, to manage for healthy forest and grasslands, to provide quality wildlife habitat, and to provide social and economic values that provide sustainable resources. A disproportional amount of the project area consists of small diameter, crowded stands. Dense stocking is presently impairing tree growth and vigor due to competition for space, sunlight, moisture and nutrients. Understory vegetation and wildlife habitat diversity is limited. Grasslands are being encroached by trees. Because of the risk of stand replacement fire, fire cannot play its natural role in ecosystem maintenance. Should the area be left alone, ecological integrity would continue to decline increasing the risk of insect and disease infestation, drought mortality, and stand replacement fire.

### DECISION

Upon reviewing the Six Shooter Black Deer Vegetation Management Project Environmental Assessment, the associated public scoping and comments, I have decided to implement Alternative 2.

The primary goals of the Six Shooter Black Deer Vegetation Management Project are to shift trends of vegetation structure and composition to natural patterns; to restore fire adapted ecosystems and reduce the threat of uncharacteristic response to wildfire events; to manage for healthy forests that are resilient to insect and disease; to provide quality wildlife habitat; and to provide social and economic values that provide sustainable resources across the project area. Of the range of alternatives to choose from, Alternative 2 may best meet these goals while maintaining stands with the best available old growth characteristics, insuring areas of dense canopy habitat for migratory birds and other species, and leaving travel corridors for wildlife.

My decision addresses the two significant project issues identified through internal and public scoping (EA pg. 8-9).

- Issue 1 (**Opening closed roads to implement project activities is unnecessary to meet project objectives**) will be addressed through following Best Management Practices, closing roads after use, and decommissioning roads that are causing resource damage and/or are unnecessary. Reopening existing closed roads was found to best meet the goals of reducing the risk of catastrophic wildfire across the project area.
- Issue 2 (**Removal of large diameter, mature or old growth ponderosa pine reduces the amount of old growth**) will be addressed because there will be no harvest of the oldest trees which are characterized by yellow, platy bark (hereafter referred to as yellow or yellow barked pines). Thinning trees will improve forest health and will reduce fire risk by opening the canopy. Because no identified old growth stands occur in the project area, components of stands with old growth characteristics are being left throughout the area. Twenty-six stands (2,640 acres, 21% of the project area) will be managed for Old Growth, and no stands which are predominately made up of trees greater than 23.9 inches diameter breast height (VSS 6) will receive mechanical treatment. Also, in Mexican Spotted Owl restricted habitat, which consists of 52% of the project area, in addition to the restriction on removal of yellow barked pines, no trees greater than 23.9 inches diameter breast height will be harvested.

In making this decision, I intend that all mitigation measures and constraints listed in the Environmental Assessment (EA pg. 13-15 and 16-18) be implemented where appropriate to prevent or mitigate adverse impacts. All practical means including Best Management Practices (BMP's) to avoid or minimize environmental harm will be implemented.

Two alternatives were developed by an interdisciplinary team to respond to the significant project issues and meet the intent of the National Environmental Policy Act, which requires the evaluation of a “no action” alternative.

Alternative 1 – No Action.

- No vegetative treatments would occur to restore forest, woodlands, or grasslands
- No fuels treatments or prescribed burns would occur
- Wildlife habitat diversity would remain limited
- No opening of closed roads would occur
- No decommissioning of roads would occur

Alternative 2 – This alternative was developed to address issues identified by internal scoping, and Issue 2.

- Thin 3,068 acres of ponderosa pine, remove no yellow pines on all acres, and in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.
- Group select and thin 1,221 acres of ponderosa pine stands, remove no yellow pines on all acres, and in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.

- Group select only on 201 acres of ponderosa pine, remove no yellow pines on all acres, and in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.
- Thin small diameter trees (less than 9 inches) on 671 acres of mixed conifer stands and remove no yellow pines.
- Thin 150 acres of pinyon-juniper woodlands.
- Restore 207 acres to meadow/grassland vegetation.
- Designate 2,640 acres to be managed for old growth characteristics.
- Conduct prescribed burning on 10,387 acres of the project area.
- Utilize 32 miles of open roads, open 24.8 miles of closed roads (and close following the project), and decommission 2.8 miles of roads. (EA pg. 15).

Alternative 3 – This alternative was developed to address Issue 1.

- Thin 2,051 acres of ponderosa pine, in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.
- Group select and thin 873 acres of ponderosa pine stands, in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.
- Group select only on 131 acres of ponderosa pine, in Mexican spotted owl restricted habitat limit cut trees to 23.9 DBH. A clumped distribution of trees would be emphasized in those stands where structural diversity is needed.
- Thin small diameter trees (less than 9 inches) on 671 acres of mixed conifer stands.
- Thin 150 acres of pinyon-juniper woodlands.
- Restore 207 acres to meadow/grassland vegetation.
- Designate 2,640 acres to be managed for old growth characteristics.
- Conduct prescribed burning on 10,248 acres of the project area.
- Utilize 32 miles of open roads, and decommission 2.8 miles of roads. (EA pg. 18).

All project activities associated with this decision will occur on National Forest System land. The Project Area is located southeast of the Village of Reserve entirely within the Reserve Ranger District, Catron County, New Mexico.

The Six Shooter Black Deer Vegetation Management Project Record, which includes the Environmental Assessment document, is available for review at the Reserve Ranger District Office and online at [www2.srs.fs.fed.us/r3/gila/projects](http://www2.srs.fs.fed.us/r3/gila/projects).

#### RATIONALE:

I have chosen Alternative 2 because I feel that this mixture of activities will best transition resources in the Six Shooter Black Deer Project Area towards the site-specific desired resource conditions expressed in the Six Shooter Black Deer Vegetation Management Project Environmental Assessment (EA pg. 4-7). The conditions were identified using guidance in the Gila National Forest Land and Resource Management Plan as amended by the Record of

Decision for Amendment of Forest Plans Arizona and New Mexico, June, 1996 and the Negrito Ecosystem Analysis Report, 1997.

Alternative 2 restores 207 acres of meadow/grassland vegetation by cutting the encroaching trees. This activity was analyzed in the EA (EA pg. 44) and may improve forest health by increasing biodiversity. The areas of grassland restoration will also serve as firebreaks and the reduction in tree cover will reduce fuel loadings in these areas.

Silvicultural prescriptions in the ponderosa pine cover types and the corresponding density reductions and effects on forest health will include approximately 4,490 acres (including thin, group selection/thin, and group selection treatments). All yellow-barked ponderosa pine will be retained, and there will be a size limitation of 23.9 inches diameter breast height for trees that will be cut in Mexican spotted owl restricted habitat. There is no size limitation for the area outside the Mexican spotted owl restricted habitat. Selecting Alternative 2 will open stands of ponderosa pines, increase diversity between stands, reduce ladder fuels and ground fuel loading, improve forest health, and increase vertical and horizontal structural diversity in treated stands. Over time stands will move closer to achieving the recommended stand structural diversity found in the Gila National Forest Land and Resource Management Plan as amended by the Record of Decision for Amendment of Forest Plans Arizona and New Mexico, June 1996.

Of the 4,490 acres of harvest treatment in ponderosa pine under Alternative 2, approximately 2,045 acres are in Mexican spotted owl restricted habitat (non-threshold), which has a 23.9 inch dbh upper diameter limit cut. Effects of Alternative 2 on stands designated to be managed for Mexican spotted owl threshold characteristics are increased growth of larger size class ponderosa pine and increased habitat protection by decreasing the risk of catastrophic fire (EA pg. 44). The remaining acres of the harvest treatment area has no upper diameter limit but yellow barked ponderosa pines trees will not be included in the thinning projects. A clumped distribution of older and larger trees will be emphasized where structural diversity is needed. Gambel oak, which is important for wildlife habitat and food, may be released from competition of the surrounding adjacent species by thinning. Depending on the existing vertical stand diversity, a combination of thinning from below and free thinning will be used to reduce the ladder fuels and where needed, to maintain structural diversity, and to sufficiently open up the stand canopy. Select trees may also be removed to create openings to obtain desired stand structure, to promote ponderosa pine regeneration, and to reduce tree density in isolated areas where current density may create an increased fire risk (EA pg. 35). Trees to be cut may be those exhibiting signs of disease and insect damage, those with poor genetic form or characteristics, and those which may provide social and economic values.

Silvicultural treatments in the woodland cover types for Alternative 2 will occur on 150 acres. Effects of treatments may be an increase in stand openings, reduced density of pinyon/juniper, increased herbaceous plant diversity and density, increased diversity between stands, and decreased erosion. (Project Records 47, 48, and 55).

Alternative 2 will treat the fuels on 10,387 acres. At the conclusion of project activities, the fire hazard across the project area may be moderate-to-high while harvest slash cures, and may decrease to low once prescribed burning has been accomplished (EA pg. 34). Live and dead

fuels may be reduced by approximately 5 tons per acre in areas that are burned and increased by 10 tons per acre in harvest units (Project Record 51). Although fuels may increase on the ground within harvest areas for the short term, reducing standing live ladder fuels, and opening the stand canopy may aid in reducing the risk of a crown fire spreading to surrounding ponderosa pine and mixed conifer stands (EA pg. 36). Additionally, prescribed burning may reduce the fuels configurations and create conditions that allow wildfire to carry with less damaging intensity.

Harvest and road activities are projected to increase soil erosion slightly during implementation. However, once project activities are concluded, 2.8 miles of roads will be decommissioned and the remaining roads within the project area will be reconditioned resulting in improved drainage and reduced road related erosion.

Moderately open tree canopies may create conditions for seedling establishment and increase the amount and vigor of forbs, shrubs, and grasses by approximately 19% (EA pg. 39). Herbaceous plants may improve in number and vigor with the reduced forest canopy (EA pg. 39).

Ponderosa pine treatment combined with areas excluded from harvest may promote forest density, diversity, fuel hazard reduction, and old growth by moving the forest structure closer to the vegetation structural stage guidelines in the forest plan (EA pg. 44).

Woodland treatment may increase structural diversity, promote an increase in herbaceous vegetation, and decrease erosion. (EA pg. 38 and 50).

I did not select Alternative 1 because resource conditions across the area would not advance toward the desired condition in a timely manner. Alternative 1 would address the two significant project issues as trees would not be cut and roads would not be used for project activities. However, fuels would increase in density and complexity across the area (EA pg. 34) posing an unacceptable risk of a catastrophic wildfire, which could degrade unique resources such as Mexican spotted owl habitat (EA pg. 77), loach minnow habitat (EA pg. 78), and spikedace habitat (EA pg. 78). Tree canopies would continue to merge, reducing conditions necessary for plant and shrub establishment thus potentially decreasing the herbaceous component (EA pg. 43). Meadow/grasslands vegetation would not be restored. Competition between trees in dense stands, especially during droughty conditions, may continue to make stands susceptible to insect and disease attack (Project Record 47).

I did not select Alternative 3, while it addresses the objectives of reducing fuels and restoring forest health, it does so to a lesser degree than Alternative 2. Tree densities and corresponding ladder fuels would remain high across much of the project area, and the overall risk of catastrophic wildfire would remain. Alternative 3 allowed the harvest of high risk yellow-barked pines. This would reduce the number of mature ponderosa pines and would not address issue 1 as well as Alternative 2.

#### SCOPING AND PUBLIC INVOLVEMENT:

The Six Shooter Black Deer Vegetation Management Project has been listed in the Gila National Forest Schedule of Proposed Actions. Individuals interested in the Six Shooter Black Deer

Vegetation Management Project have been invited to participate in the development of the proposed actions as follows:

- June 20, 2002. The Forest solicited comments from interested parties in a scoping letter (Project Record 18).
- 8 May, 2003. The Forest hosted a field trip to the project area (Project Record 68).
- 3 July, 2003. The Forest hosted a field trip to review sample marking (Project Record 89).
- 21 July, 2004. The Forest solicited comments from interested parties by publishing a notice in the Silver City Daily Press requesting comments on the environmental assessment. (Project Record 79).

Several individuals provided comments on the Environmental Assessment during both public comment periods. I have attached an Appendix to the Environmental Assessment to display how each comment was addressed. No new significant issues surfaced during analysis of comments on the Six Shooter Black Deer Environmental Assessment issued July, 21 2004. This decision has been distributed to those who responded to the scoping letter and Environmental Assessment.

#### FINDINGS REQUIRED BY OTHER LAWS:

All management practices and activities of Alternative 2 are consistent with the management direction, including standards and guidelines, in the Gila National Forest Land and Resource Management Plan (June 14, 1986) as amended, and its provisions, which were developed in accordance with the National Forest Management Act of 1976 (16 USC 1604(i) and 36 CFR 219.10(e)).

For timber stands receiving silvicultural treatments that ultimately lead to timber harvest:

1. Soil, slope, and other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i) and 36 CFR 219.27(c)(3)).
2. Lands can be adequately restocked within five years after final harvest (16 USC 1604(g)(3)(E)(ii) and 36 CFR 219.27(c)(3)).
3. Protection is provided for streams, stream banks, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of watercourses, and deposits of sediments (16 USC 1604(g)(3)(E)(iii)).
4. The harvest system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber (16 USC 1604(g)(3)(E)(iv)).

5. Prescribed treatments for all stands proposed for harvest are designed to conserve soil and water resources and not allow significant or permanent impairment of the productivity of the land (36 CFR 219.27(a)(1)).
6. All stands proposed for harvest with timber production objectives are on lands suitable for timber production (36 CFR 219.27(c)(1)).

The management prescriptions of this project that involve vegetative manipulation of tree cover will comply with the seven requirements found at 36 CFR 219.27(b). The Forest-wide standards and guidelines and the standards and guidelines for Management Area 6C (Gila National Forest Land and Resource Management Plan pg. 185-192) as amended by the Record of Decision for Amendments of Forest Plans, Arizona and New Mexico, June 1996 have been followed. Additionally, project activities comply with the Endangered Species Act (Project Record 91), the Clean Water Act, and the Clean Air Act.

A complete cultural resource inventory has been accomplished for the affected project area. Cultural resources identified have been evaluated for their eligibility for the National Register of Historic Places. No significant cultural resources have been identified which meet the eligibility criteria. Heritage resources will not be affected by the proposed activities as sufficient protection measures have been provided through project design. A professional cultural resource specialist will monitor the condition of cultural resources during the project and following project completion. The State Historic Preservation Officer has been afforded an opportunity to review the project in accordance with 36 CFR 800 (Project Record 7).

#### FINDING OF NO SIGNIFICANT IMPACT:

In assessing the impacts, I have determined that this project is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement will not be prepared. Specifically, this determination is based upon the following factors:

1. The proposed action is expected to have little effect upon public health and safety (EA pg. 64).
2. There are no unique historic or cultural resources, park lands, prime farm lands, wetlands, wild or scenic rivers, or ecologically critical areas in the vicinity that could be adversely affected (EA pg. 64).
3. Based on public participation, the effects on the quality of the human environment are not likely to be highly controversial (EA pg. 65).
4. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks (EA pg. 65).
5. This action is not expected to establish a precedent for future actions with significant effects or represent a decision in principle about future considerations (EA pg. 66).

6. This decision is not related to other actions which individually have insignificant effects, but that cumulatively have the potential to result in significant impacts upon the human environment (EA pg. 66-87).
7. There is no potential for adverse effects of the action upon sites that are listed in, or eligible to be listed in, the National Register of Historic Places, or, could cause a loss or destruction of significant scientific, cultural, or historic resources (EA pg. 87).
8. There is no potential for the action to adversely affect a species that is sensitive, listed, or is being evaluated for listing, as an endangered or threatened species under the Endangered Species Act of 1973 (EA pg. 87-99). A letter of concurrence from the U.S. Fish and Wildlife Service was received dated 25 January 2005, consultation number 2-22-04-I-478. (Project Record 91)
9. This action does not threaten the violation of Federal, State, or local law or requirements imposed for the protection of the environment (EA pg. 99-101).
10. There are no known effects to consumers, civil rights, minority groups, or women.

ADMINISTRATIVE REVIEW OR APPEAL; IMPLEMENTATION DATE:

This decision is subject to appeal pursuant to the Forest Service regulations at 36 CFR 215.7(b). Any written appeal of this decision must be fully consistent with 36 CFR 215.14, "Content of an Appeal". The written appeal must be postmarked or received by the Appeal Deciding Officer, **Forest Supervisor**, USDA Forest Service, 3005 East Camino del Bosque, Silver City, NM 88061 within 45 calendar days after the date of legal notice publication of this decision in the Silver City Daily Press.

It is the appellant's responsibility to provide sufficient written evidence and rationale to show why the Responsible Official's decision should be remanded or reversed. An appeal must meet the following requirements:

1. That the document is an appeal filed pursuant to 36 CFR 215
2. The appellant's name, address, and telephone number
3. Identify the decision being appealed (include the title of this document, its date, and the name and title of the Responsible Official who signed it)
4. Identify the specific change(s) in the decision that appellant seeks or the portion of the decision to which the appellant objects
5. State how the Responsible Official's decision fails to consider comments previously provided, either before or during the 30-day comment period and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

Your appeal can be dismissed if it fails to meet the minimum requirements of 36 CFR 215.14 to such an extent that the Appeal Deciding Officer lacks adequate information on which to base a decision.

If an appeal is not received on this project, the project can be implemented 5 days after the close of the 45-day appeal period. If an appeal is received, this project can be implemented 15 days after appeal disposition.

CONTACT PERSON:

For additional information concerning this decision or the Forest Service appeal process, contact Rogers Steed, PO Box 170, Reserve, New Mexico 87830 or at (505) 533-6231.

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ROGERS M. STEED  
Reserve District Ranger  
Responsible Official

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Date