

**DECISION MEMO**  
**Logan Mountain Hazardous Fuels Reduction Project**

**USDA FOREST SERVICE**  
**Shoshone National Forest**  
**North Zone/Wapiti Ranger District**  
**Park County, Wyoming**

**T53N, R104W, Portions of Sections 3, 4,9,10,15,16, 21 to 27, and 34 to 36**

**Summary of Decision**

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It is my decision to implement the Logan Mountain Hazardous Fuels Reduction Project. The intent is to treat hazardous fuels and vegetation by prescribed burning. The project will reduce the risk of wildland fire to developments in the wildland-urban interface area of the Logan Mountain and Rattlesnake Creek corridor and provide for improved public and firefighter safety. The decision is to implement burning on a maximum of about 2, 000 acres (involving three units) out of a 3, 032-acre project area to reduce fuels and change fire behavior that has been compounded by drought and insect and disease (analysis area is 10,745 acres). I considered the input and concerns of the interdisciplinary team and input from the public in my decision.

This project is in conformance with the Shoshone Forest Land and Resource Management Plan management area direction, including that contained under management prescription 2A, 3A and 9A (Chapter III, Forest Plan); it also is in conformance with and will implement key components of the National Fire Plan's *10-year Comprehensive Strategy and Implementation Plan and Healthy Forests – An Initiative for Wildfire Prevention and Stronger Communities* ([www.fireplan.gov](http://www.fireplan.gov)).

The prescribed burning treatments will be completed within a three-year period; burning will occur in the spring and fall. Approximately 1,000 acres are planned for implementation in the spring of 2004.

**Background**

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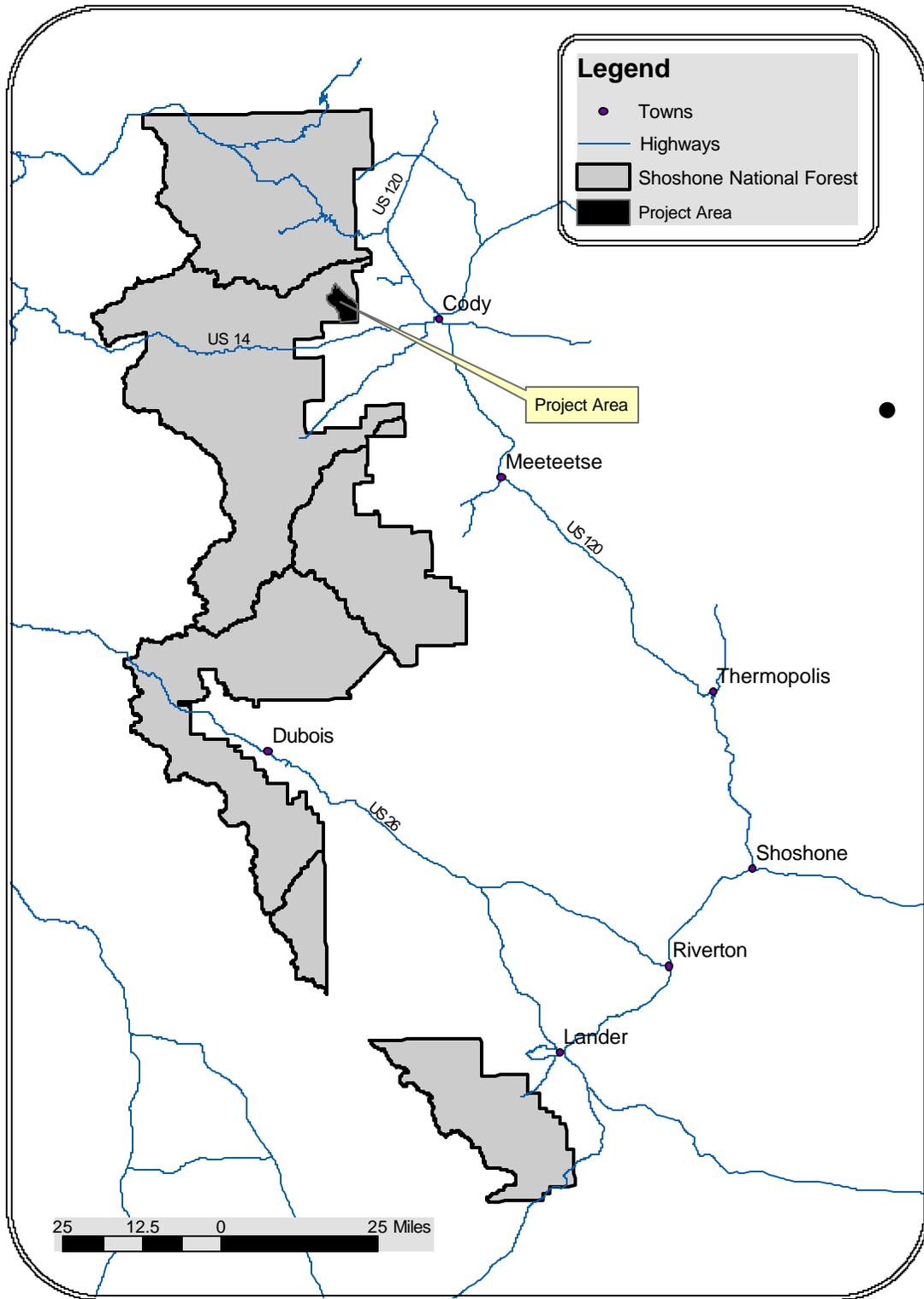
Under the National Fire Plan, the Shoshone National Forest has proposed numerous fuels and vegetation management projects on the North Zone to address growing concerns related to fire and fuels. Priority project areas were identified to protect values at risk in the wildland-urban interface. This project was analyzed as Categorical Exclusion, and a project record and Decision Memo prepared. Background materials are contained in the Project File located at the Wapiti Ranger District, Cody, Wyoming.

This project will provide an increased margin of safety to the public, reduce threats to dwellings, structures, improvements, and create areas of defensible space, providing a safer environment for firefighters when fires do occur. Defensible space refers to an area with a lower amount of vegetation and fuels where fire is less likely to burn intensely, and where firefighters have a better chance of stopping a fire.

**Need for Project**

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The Forest proposed prescribed burning activities to achieve the purpose and need for hazardous fuel reduction, incorporating the input from the ongoing public involvement process and collaboration over the last several years:



*Figure 1. Vicinity of Logan Mountain Hazardous Fuels Reduction Project and Project Location.*

Based on Shoshone Forest Plan management direction (pages III-6 through III-10) and the existing condition for the area, the following resource management needs have been identified for the Logan Mountain Fuel Reduction Project:

- Reduce management and suppression costs associated with wildland fire by implementing active management to reduce fire risk and intensity on the Forest and neighboring private lands, structures, and inholdings within wildland-urban interface areas.
- Reduce hazardous fuels by modifying vegetation conditions to enhance wildfire suppression capability and increase firefighter and public safety.
- Provide defensible space to minimize risk of large fires threatening resources, life, and property.
- Sustain or restore fire-influenced ecosystems, specifically grassland/shrub areas being encroached by conifers.
- Manage vegetation types outside of wilderness to provide multiple benefits commensurate with land capability and resource demands. Improve the health and vigor of vegetation types outside wilderness.
- Successfully implement goals of the Forest Plan, the National Fire Plan, and the 2002 *10-year Comprehensive Strategy and Implementation Plan*.
- Manage vegetation succession toward an early seral stage (a transitory stage in an ecologic succession) in selected treatment areas.

In accordance with national direction<sup>+</sup>, the overriding reasons for the actions are to respond to the increasing hazardous fuels build-up and the risk of high-intensity wildland fires, which can threaten life, structures, property, resource values, and to improve the safety and capabilities for fire fighters in fire suppression activities. A key priority of the *10-year Comprehensive Strategy and Implementation Plan* is increased forest and rangeland management to reduce the accumulation of fuels and to restore ecosystem health.

Specifically, the Logan Mountain Fuel Reduction Project is aimed at reducing natural fuel build-up and the effects of future wildfires. The Forest will conduct prescribed burning in strategic areas to reduce wildfire severity and intensity to protect resources, life, and property. The project addresses fuel continuity between National Forest System lands and private lands along the Forest boundary. Decades of fire exclusion have changed the character of once open grasslands now being encroached with conifers and dense sagebrush, providing fuel for wildfires.

Current fuel accumulations and fuel continuity are such that a wildfire start on the Forest could develop into a wildfire that would threaten life and property on adjacent private lands. Fuels targeted to burn and create fuel breaks include sagebrush, down and dead trees, organic litter accumulation, and encroaching trees.

Using prescribed fire under specific, controlled conditions, the Forest Service will treat these areas to move units from a high-risk category to a lower risk category and/or maintain those areas that are already within desirable standards for fuel accumulations. The proposal mimics the historical fire pattern by creating a mosaic of burned and unburned vegetation. Implementing the management actions will minimize the possibility of losing large acreages of rangeland, wildlife habitat, and entire forested stands to wildfires that may burn across the entire landscape with resource impacts from soil sterilization, erosion and watershed impacts, and wildlife habitat loss.

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<sup>1</sup> A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment-Ten-Year Comprehensive Strategy Implementation Plan (DOI/USDA)

## Description of Decision and Project Design

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**Location.** The project would occur on the Shoshone National Forest, Wapiti Ranger District in Park County. The prescribed burn involves designated burn units north of Buffalo Bill Reservoir on Logan Mountain. The project is approximately 15 miles west of Cody, Wyoming. The enclosed maps show the location of the project on the Wapiti Ranger District. The legal description is T53N, R104W, portions of Sections 3, 4, 9, 10, 15, 16, 21 to 27 and 34 to 36.

**Project Design.** Prescribed burning could begin as early as the spring of 2004, and will be conducted in spring or fall burning periods over the next three years, weather allowing. Burning will be scheduled to minimally affect other uses of the area.

I have decided to implement the planned action as described, including project design features (PDFs) and mitigation measures to minimize environmental effects. PDFs are integral and critical elements of the planned action; their purpose is to reduce potential impacts and ensure that the proposed fuel reduction treatments are consistent with the management objectives for a variety of resources (e.g., wildlife, watershed and botanical). Their basis includes the management direction of the Shoshone Forest Plan, as amended to which the project is tiered, pertinent best management practices, and the professional expertise of the interdisciplinary planning team.

Soils, topography, slope and aspect, elevation, access, recreation, wildlife and other environmental considerations are part of the PDFs for the planned action, along with additional concerns and issues identified through scoping. An interdisciplinary team of resource specialists was involved with project design, and reviewed and analyzed the planned action for compliance with the limitations for categorical exclusions, extraordinary circumstances, applicable laws and commensurate with the issues and concerns raised from the scoping, public involvement and collaboration process.

Areas proposed for treatment are outside of identified potential lynx habitat, and outside the grizzly bear recovery area. No timber harvest or temporary road construction is being proposed in RARE II areas, and no action is being proposed in designated Wilderness. No permanent roads are being proposed.

Project design features for wildlife, visual, soil and watershed [including Best Management Practices (BMPs)] are described here. All required conservation measures and practices or grizzly bear conservation, as documented in the Biological Evaluation for listed species would be implemented. These design features would carry over into any applicable contracts, agreements and implementation of the project.

**Prescribed Burning.** Under the management actions, the project area would receive fuel reduction treatment by the use of prescribed fire (broadcast burning). Actions would enhance natural fuel breaks such as rock areas, meadows, or other natural fire barriers. Areas with excessive tree mortality and hazardous fuel buildups would be reduced in strategic areas near the Forest boundary, private inholdings and developments. Prescribed burns will occur in portions of RARE II area 0244-Trout Peak.

Prescribed burning is the only action being proposed. The specifics of the proposed action and project implementation include project design for compliance with laws and state requirements, and resource protection methods to minimize environmental effects include the following descriptions.

**Acres and Fuel Types.** The boundary of the project area contains 3,032 acres (approximately five square miles), concentrating in areas of continuous fuels of grasslands, sagebrush and encroaching conifers adjacent to the Forest boundary and private inholdings. Only a portion of these 3,032 acres will actually be burned in a mosaic pattern to protect watershed and habitat values. The action will not be implemented at one time, but over a two to three year timeframe. As proposed, 30 to 60% of the area may burn and the rest will remain unburned. This will result in a range of approximately 1,000 to 2,000 acres (approximately one to three square miles) that would actually be treated.

Areas of continuous fuels and encroaching conifers adjacent to the Forest boundary and private in-holdings/personal property (wildland-urban interface) are the primary focus areas for fuel reduction.

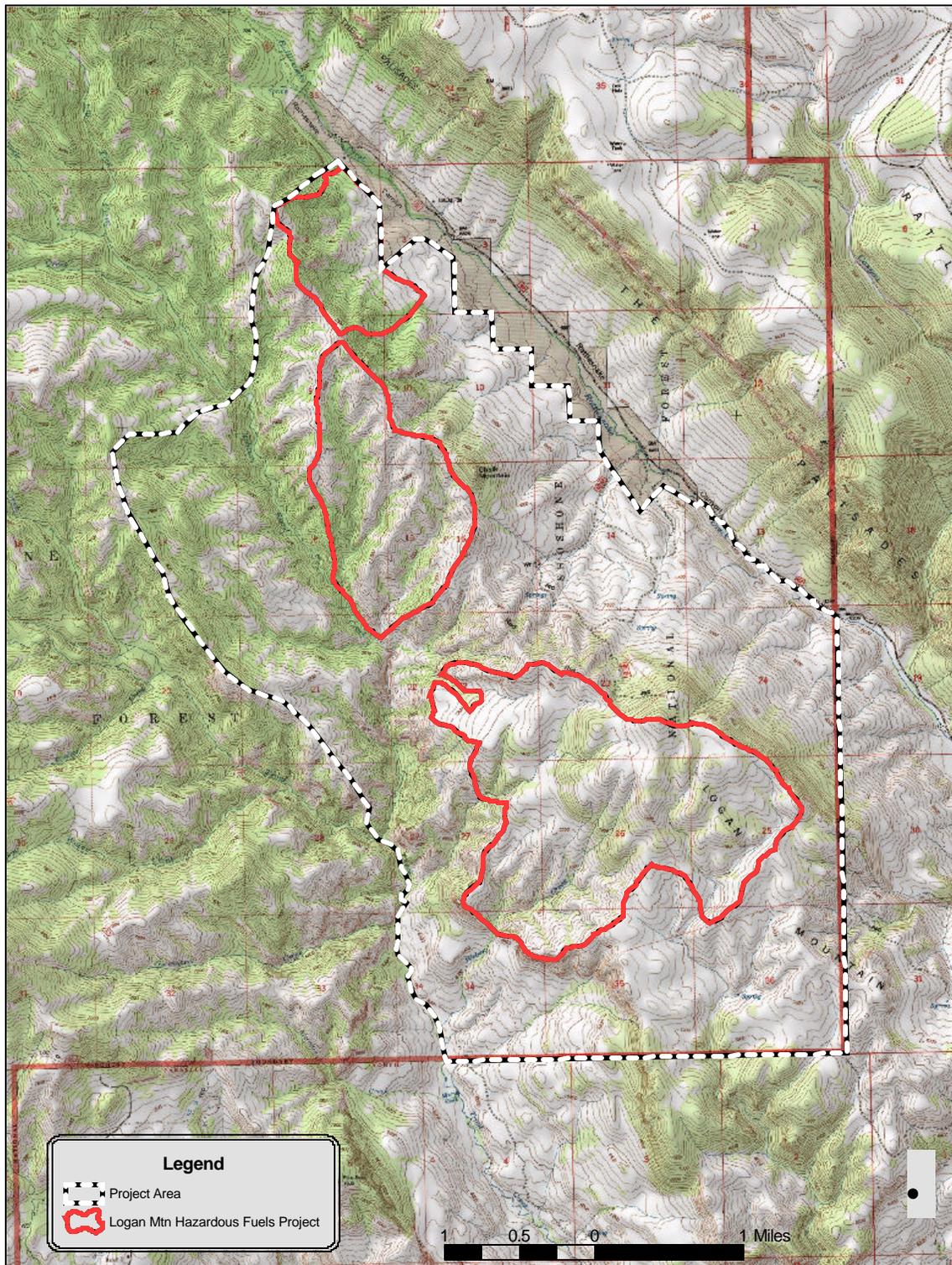


Figure 2. Logan Mountain Project treatment areas (three total) within project area.

**Ignition Type and Prescribed Burn Plan.** A combination of aerial (helicopter) and ground (handheld torches) ignition systems will be utilized for safety and efficiency. All prescribed burning will be conducted under a Prescribed Burn Plan that will specify conditions under which the burn can safely occur. Air quality and smoke management will be addressed in project burn plans. Federal and state standards will not be exceeded.

- **Burn Plan.** All aspects of the prescribed burning would follow a prescribed fire burn plan. This plan is written specifically for the project and considers resource objectives, weather parameters, fuel moisture parameters, pre-burn control actions needed, ignition plan, holding plan, contingency plan, public notification plan, equipment and coordination needs, smoke management plan, safety, risk analysis, and costs and monitoring plan. Each would be analyzed to identify the optimum burn parameters that would accomplish the projects safely. Only qualified burn personnel and resources would be utilized.
- **Burn Patterns.** The intent of the burn strategy would be to create a mosaic vegetative pattern with some areas burning hot and intense while other areas are untouched by fire, giving the appearance of a natural appearing landscape. In non-timbered areas, the intent is to remove any encroaching conifers and/or set back succession for wildlife habitat with prescribed fire.
- **Resource Protection.** For protection of habitat and visual resources, controlling location, sequence, and timing of ignition points, as well as burn strip width, the shape, size, and location of all burns would approximate natural patterns in the characteristic landscape. A mosaic pattern composed of a variety of vegetative types and structures would be created.

**Rangeland.** Commercial livestock grazing allotments and range improvements were considered in project design. Deferred grazing through rest/rotations will be coordinated with permittees; range improvements such as fences and water developments will be protected. At a minimum, there will be one full growing season of rest from livestock grazing following the burn to allow maximum plant reestablishment and to improve plant vigor.

- **Aspen Monitoring.** Monitor aspen to determine if additional actions are necessary, specifically:
- **Wildlife and livestock grazing.** The treatment areas would be monitored for compliance with any specified grazing management practices, including any appropriate measures, e.g. electric fences, herding, etc. implemented to manage wildlife and/or livestock grazing/browsing associated with the treatment areas. If determined during monitoring that cattle or wildlife are unacceptably inhibiting aspen regeneration or retention, additional measures to meet aspen recovery would be implemented per Forest Plan directions, standards, and guidelines.

**Riparian/Aquatic Resources.** To help and protect aquatic resources, portions of riparian areas will be burned mimicking conditions in a fire-adapted community. Fire may back into or through these riparian areas. The low intensity burns would be irregular and create a mosaic. No mechanical or handline construction would occur within riparian areas.

**Best Management Practices/Soil and Water Quality.** Watershed specialists (hydrologist, soil scientist and fisheries biologist) were consulted on how to best implement this project; resulting in the selection of the appropriate Best Management Practices (BMPs) to implement as part of this projects and a watershed map showing erosion hazards and steep slopes for avoidance.

No roads will be constructed as part of the project. Slopes identified as having severe or very severe erosion hazard will be avoided where practical. If burning is required on such slopes, attempts will be made to minimize the burn severity. Burns will be conducted in the spring or fall as cooler burns to protect soil health and may reduce the intensity and size of future wildfires and subsequent erosion events.

Best management practices<sup>2</sup> for water quality protection and soil conservation that relate to prescribed burning would be applied. Mechanized ground disturbing equipment (vehicles) would be limited off existing roads and trails as much as possible. The project would primarily use natural terrain breaks, snow, existing roads, and fireline construction to contain the fire within the project area and limit ground disturbance. Fuel break edges and burned areas would be kept irregular to maintain natural mosaic patterns. An undulating edge would be provided by the burn pattern.

Units would be burned to adhere to regional guidelines for protecting the soil resource (no more than 15% of an area will be left in a detrimentally compacted, displaced, puddled, severely burned, and/or eroded condition (FSH 2509.18-92-1).

Prescribed burning would be conducted when adequate soil moisture exists and at a low to moderate intensity to limit mineral soil exposure. Burning would create a mosaic pattern where all vegetation is not entirely consumed.

**Sensitive Plants.** There are no threatened and endangered plant species in the project area. For sensitive plant species, any areas with sensitive or rare plants discovered during project layout or implementation would be examined by the appropriate specialist(s) and necessary action taken.

**Invasive Plants/Noxious Weeds Treatments.** The burn will be conducted to minimize the threat of invasion by noxious weeds. Invasive weed control will be conducted under the Shoshone National Forest Noxious and Invasive Weed Control EA; current noxious weeds will be pre-treated or evaluated and treated as needed after project implementation in compliance with this existing plan/EA.

**Recreation/Scenic Values.** Changes to the existing vegetation will create a mosaic of openings similar to those following a natural fire event. There is no road building, timber harvest or mechanical harvest of trees proposed, burning activities will meet the Forest Plan's visual quality objectives in the long-term. No developed campgrounds or trails exist within the project area.

**RARE II Areas.** Only existing roads will be used for access to implement the project. The proposed burning will not affect wilderness characteristics.

**Heritage (Cultural) Resources.** A cultural survey will be completed on all proposed areas before implementation of prescribed burning to protect any historical resources. New sites discovered during project implementation would be protected while on-site evaluations of their significance and treatment are made in consultation with SHPO. Per a letter from SHPO and a phone discussion with the Forest Archaeologist, the project can proceed.

**Wildlife.** Comments from the Wyoming Game and Fish stated that the proposed fuel treatments should benefit elk and not adversely affect wintering deer. Their recommendations were incorporated into project design and include these features for project implementation:

- The treatment of healthy stands of sagebrush with good herbaceous understory will be avoided in order to retain wintering mule deer habitat.
- Healthy, dense stands of timber will be maintained on top of Logan Mountain to provide thermal and hiding cover.
- Conifer encroached sagebrush stands on the upper slopes will be burned to maintain the sagebrush type in the long term.

Biologists were consulted for their expertise on bear/human interactions and how to best implement this action. The project area is outside the grizzly bear recovery area; project design criteria (conservation measures) contained in the Grizzly Bear Guidelines, Grizzly Bear Recovery Plan, the SNF Plan, and closure orders were integrated up-front in the design of this proposal to the extent that they did not conflict with the stated objectives of the proposal.

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<sup>2</sup> Best Management Practices (BMPs) for watersheds from 33 CFR 323.4 may be viewed at <http://www.now.usace.army.mil/html/od-rwy/33CFR323.htm#323.4>

Guidelines for reducing bear/human conflicts will be incorporated into the project, to include compliance with the requirements of the Grizzly Bear Management and Protection Plan:

- Garbage and refuse handling and disposal procedures will be implemented.
- Human/bear conflict prevention procedures, and encounter procedures will be conducted.
- A security area in excess of 5,000 acres would be maintained adjacent to the project
- Burning activities would be concentrated in both time and space to the degree possible.
- Temporary cessation of activities would occur, if needed, to resolve potential or existing grizzly/human conflict(s).

## **Rationale for Decision**

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The Forest Service is obligated to provide fire protection on Forest Service managed lands. The challenge for fire managers is to manage fire efficiently and safely, while maximizing resource benefits. This section discusses the rationale and factors leading to the initiation of this effort.

It is my decision to proceed with this project because it will result in improved safety and reduce resource risk. I feel that without active management, an unacceptable risk to human health and safety, and important resource values exists due to the current level of drought and insect-killed trees and high fuel accumulations.

I have reviewed the proposal and determined that no significant effects would occur from its implementation, including no adverse effects to actual extraordinary circumstances (FR Vol. 69, No. 108, page 33814). The effects of the actions, as determined through scoping and interdisciplinary input and review by a team of resource specialists that analyzed the proposal, are not highly controversial and are similar to other actions that have been implemented in the area. I find the planned action can be categorically excluded because there were no extraordinary circumstances identified by the interdisciplinary team of resource specialists that developed, analyzed or reviewed this project.

The effects on the human environment are not highly uncertain and the action does not involve unique risks. The planned action is a routine hazardous fuels treatment project; the Forest Service and others have been using prescribed burning for years with predictable results. The action is not related to any actions that would result in significant cumulative impacts. The project does not represent a decision in principle about future considerations and does not violate federal, state, or local laws or requirements imposed for protection of the environment.

Under the goals and objectives of the National Fire Plan and the 2002 *10-year Comprehensive Strategy and Implementation Plan*, the Shoshone National Forest identified the Logan Mountain Hazardous Fuel Reduction Project to lessen fuel conditions that contribute to large, uncontrollable wildfires.

Historically, recurring low to moderate intensity fires modified the species, age, density, and size of vegetation patterns and the associated amount of accumulated fuels. Due to fire suppression, these natural processes have been drastically modified in most areas of the Rocky Mountain West, including the Shoshone National Forest.

The Forest Service inventoried and collected field data during on-the-ground work during the summer of 2001. This analysis of the project area indicated that existing fuel conditions were not leading toward attainment of the desired conditions. Current fuel accumulations and fuel continuity have increased and are such that a wildfire start in the Logan Mountain area could develop into a large, uncontrollable wildfire that would threaten life and property on adjacent private lands, damaging resource values. I feel we have an opportunity to protect private property, structures, improvements, and other sensitive resources from serious loss or damage by carefully introducing prescribed fire under controlled conditions, rather than waiting for unplanned ignitions under adverse conditions.

Today, the forests and rangelands of the west have become unnaturally dense and ecosystem health has suffered significantly. When coupled with seasonal droughts, these unhealthy forests and rangelands, overloaded with fuels, are vulnerable to unnaturally severe wildfires. Currently, 190 million acres of public land nationally are at increased risk of catastrophic wildfires.

The Logan Mountain Fuel Reduction Project is a preventive measure aimed at reducing the potentially severe effects of future wildfires, specifically the risk of a high intensity uncharacteristic wildfire in the project area. Prescribed burning will reduce wildfire hazards to the public and to fire fighters, along with reducing fire suppression costs.

The implementation will involve a low to moderate intensity fire applied to the landscape through prescribed burning in the spring or fall. This will be done in strategic areas to reduce natural fuels accumulations that contribute to wildfire severity and intensity. In order to protect resources, life, and property, the project addresses fuel continuity between national forest lands and private lands along the Forest boundary.

The proposal does not involve merchantable timber or the suitable timber base. Firewood cutting of fuels in the area has limited utility because of the lack of public access and roads, and the less desirable qualities of juniper and limber pine that are encroaching the burn units.

Field monitoring and assessments of fuel loading on the Shoshone National Forest have identified fire-adapted ecosystems that are in a condition that threatens their long-term resiliency, integrity, and sustainability. These assessments show that fire was an important disturbance that has been limited since the early 1900s due to aggressive fire suppression. These 90+ years of fire suppression have caused undesirable changes in the composition and structure (age and size) of forest and rangeland vegetation and contributed to excessive accumulations of fuels.

## **Category of Exclusion**

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The action falls under Section 31.2 (10) of the Forest Service Handbook 1909.15 Environmental Policy and Procedures (Interim Directive No 1909.15-2003-1). Notice of the issuance of this Interim Directive was published in the Federal Register on June 5, 2003 (68 FR 33814). This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because it meets WO Interim Direction for FSH 1909.15 –Environmental Policy and Procedures Handbook Chapter 30 Section 31.2 in Category 10 Hazardous Fuels Reductions:

- Category 10: Hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching and mowing, not to exceed 1,000 acres.

The planning process for the project used procedures that reduce the need for lengthy documentation but meet applicable laws and regulations. These procedures are intended to expedite planning so that hazardous fuels reduction can be implemented quickly. The authority exists to categorically exclude actions that do not individually or cumulatively have a significant effect on the human environment (Federal Register, June 5, 2003).

Activities conducted under these categorical exclusions must be consistent with agency and Departmental procedures and with applicable land and resource management plans, and must comply with all applicable Federal, State, and Tribal laws for protection of the environment.

The categorical exclusion is appropriate in this situation because it meets the above criteria. The IDT team took a hard look at the criteria required for the Category 10 Categorical Exclusion, see Appendix A. Our analysis shows that the project meets the criteria.

## Finding of No Extraordinary Circumstances

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Under the Forest Service Handbook definition (1909.15 Chapter 30.3-30.5), extraordinary circumstances exist, only when *conditions* associated with the proposal are identified “as potentially having effects which may significantly affect the environment.” Scoping was conducted to identify any conditions associated with a normally excluded action as potentially having effects, which may significantly affect the environment. A botanist/soil scientist, hydrologist, wildlife botanist, fire and fuels specialists, range conservationist, riparian/fisheries biologist, archaeologist, landscape architect and NEPA/environmental coordinator provided interdisciplinary review of extraordinary circumstances and recommended project design features.

Extraordinary circumstances include, but are not limited to, steep slopes or highly erosive soils, threatened and endangered species or their critical habitat, wetlands and flood plains, impaired waters, municipal watersheds, inventoried roadless areas, Congressionally designated areas (such as wilderness, wilderness study areas, or National Recreation Areas), Research Natural Areas, or Native American religious or cultural sites, archaeological sites, or historic properties or areas.

Through project design, the categorical exclusion is appropriate in this situation because there are no extraordinary circumstances identified through IDT review. No conditions associated with the proposal are identified “as potentially having effects which may significantly affect the environment.”

## Public Involvement

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The project proposal was provided to the public and other agencies for comment during the scoping period October 18, 2001 to November 19, 2001. The scoping notice was also available online at <http://www.fs.fed.us/r2/shoshone/projects/>. All correspondence is retained in the project file. All comments received through scoping and the public involvement processes were considered in developing the project actions and which directed the analysis process. Scoping is to determine the scope of the issues to be addressed and to identify significant issues related to the proposed action (40 CFR 1501.7). Public involvement began during the summer of 2002, when three public meetings were held. A proposal to reduce hazardous fuels on Logan Mountain was listed in the Schedule of Proposed Actions. The proposal was provided to the public and other agencies for comment during scoping; public involvement and collaboration efforts included:

- District Ranger occurred on local radio show and discussed District fuels projects (December 16, 2003)
- District Ranger met with Park County Commissioners (December 17, 2003)
- Articles and open house notices in Cody and Powell newspapers regarding fuels projects
- Open house held on December 17, 2003 on the North Fork Hazardous Fuels Reduction projects, including the Logan Mountain project area, with 30 in attendance

**Scoping/Collaboration.** A proposal to reduce hazardous fuels on Logan Mountain was listed in the Schedule of Proposed Actions for the past several years. The proposal was provided to the public and other agencies for comment during scoping.

In addition to the general public and interested parties, these agencies, organizations and persons were contacted over the last several years through scoping open houses, or other means: Yellowstone National Park, BLM, USFWS, State of Wyoming, Park County Commissioners, Cody Chamber of Commerce, congressional representatives, rural fire districts, land owners, recreation and tourism industry, user groups such as Backcountry Horsemen, Trout Unlimited and environmental groups.

## Findings Required by Other Laws

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**Compliance with National Direction.** Since this project tiers to National Fire Plan direction, it conforms and is compliant with the goals and objectives of the National Fire Plan and the 2002 *10-year Comprehensive Strategy and Implementation Plan*, as it is identified as a hazardous fuel reduction project to lessen conditions that contribute to large, uncontrollable wildfires that could threaten resources, life and property. This project is consistent with recommendations to create defensible space and implement vegetation treatments to reduce the risk and/or severity of wildfires.

**Compliance with the Forest Plan.** Mechanical treatments and prescribed burning are consistent with activities identified in the Forest Plan. The decision is consistent with the Shoshone Forest Plan as required by the National Forest Management Act. None of the acreage in the project is in the suited timber base. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines (Forest Plan, pages III-19 to III-250). For watershed protection, the project was designed in conformance with Plan standards and incorporates these appropriate guidelines.

- III-69 to III-73 – Riparian area management and water resource improvement and maintenance
- Management area direction for areas 2A, 3A, and 9A.

**Clean Air Act.** The planned action would maintain air quality in the project area, surrounding airsheds, and local communities using a Smoke Management Plan. Site-specific burn plans are required for all prescribed burns and include smoke management elements (FSM 5140). The plan would identify the appropriate weather conditions for conducting the prescribed fire to maintain air quality in the area.

**Clean Water Act.** The planned action would comply with the Forest Plan while pursuing project objectives. Proper implementation of Best Management Practices (BMPs) would minimize sediment production during and following project implementation. The action alternative would employ project design features and mitigation measures to keep sediment from activities during and following project implementation to a minimum.

**National Forest Management Act.** The planned action would meet Forest Plan direction while pursuing project objectives. The planned action employs project design features and mitigation measures to conform to the Forest Plan direction, including BMPs for soil and water protection.

**National Historic Preservation Act/Section 106 Compliance.** This decision was coordinated with the Forest archaeologist and the Wyoming State Historic Preservation Office (SHPO). If any previously undiscovered historic properties are encountered during project implementation, the forest archaeologist will be notified immediately and the area will be protected from further disturbance until a determination can be made on the newly discovered property (ies). A cultural resource inventory and the required coordination with the Wyoming State Historic Preservation Office (SHPO) will be completed.

**Endangered Species Act/Consultation Requirements.** Forest Service policy is to protect the habitat of federally listed proposed, candidate, threatened, or endangered species from adverse modification or destruction, as well as to protect individual organisms from harm or harassment (Forest Service Manual-FSM). Biological assessments shall be prepared to determine possible effects the proposed activity may have on threatened and endangered (T&E) species (FSM). Biological assessment processes (FSM) are intended to conduct and document activities necessary to ensure proposed management actions will not likely jeopardize the continued existence or cause adverse modification of habitat for T&E species.

**Biological Assessment.** Informal consultation with the United States Fish and Wildlife Service (USFWS) for this project and its effect on federally listed threatened and endangered species, or their habitat occurred. Determinations are disclosed in the Biological Evaluation for listed species (BA). The BE was sent to the USFWS, a letter of concurrence from USFWS was received.

Any contract for the sale of vegetation materials for hazardous fuels reduction would include appropriate contract provisions to ensure protection of threatened, endangered, proposed, and Forest Service sensitive species and Forest Plan Management Indicator Species. Coordination of wildlife and fish management with the Wyoming Game and Fish Department and the USFWS (including the appropriate level of Section 7 consultation) was completed.

**Biological Evaluations.** The biological evaluation (BE) for sensitive fish, wildlife, and plant species concluded that the planned action may impact individuals or their habitat, but would not likely contribute to a trend toward Federal listing or loss of viability to the population or species. A biological evaluation was also completed relative to Forest Plan Management Indicator Species (MIS). It concluded that there would be no significant effect on any MIS, and this action would have no measurable effect on Forest wide population trends or viability of any species. All BEs for Sensitive Species and MIS are located in the project file, which also contains the R2 Regional Forester's Sensitive Species List.

**Coordination with Other Agencies.** Applicable plans and decisions of other agencies were reviewed and considered in respect to the project (Grizzly Bear Recovery Plan, Lynx Conservation Strategy, etc.).

### **Administrative Review or Appeal Opportunities and Implementation**

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This decision is not subject to administrative appeal in accordance with 36 CFR 215.4 and may be implemented immediately.

**Contact Person.** For additional information on this decision, contact: Marty Sharp, North Zone NEPA Coordinator, Wapiti Ranger District, 203A Yellowstone Ave., Cody, WY 82414 phone (307) 527-6921, Email: [msharp@fs.fed.us](mailto:msharp@fs.fed.us).

*/s/ David R. Myers*

*3/25/2004*

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**David R. Myers -District Ranger**

**Date**

## Appendix A

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Category 10 has these requirements for the use of a categorical exclusion:

- Not to exceed 1,000 acres for mechanical activities or 4,500 acres using fire
  - The Logan Mountain hazardous fuels project will have a maximum of about 2000 acres of prescribed burning, which does not exceed the 4,500 acres limitation for prescribed fire.
- Shall be limited to areas (1) in wildland-urban interface and (2) Condition Classes 2 or 3 in Fire Regime Groups I, II or III, outside the wildland-urban interface (grass, shrub, and forested vegetation altered from historical fire frequency).
  - The Logan Mountain hazardous fuels project involves a wildland-urban setting with forested vegetation altered from historical fire frequency. It involves Condition Class 2 in Fire Regime Groups III.
- Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-year Comprehensive Strategy Implementation Plan.”
  - The project is compliant and the collaboration including scoping and SOPA listing, discussions with land owners, a legal notice for an open house and numerous newspaper articles. Public input was used to prioritize activities identified through working with the public, local governments, businesses, State agencies, Wyoming Congressional Representatives, and others with an interest in the project.
- Not in wilderness areas or where wilderness study areas would be impaired
  - The project is compliant through project design; wilderness areas, wilderness study areas and RARE II areas would not be entered with mechanical treatment methods. Prescribed burning would not occur in wilderness areas and would not impair wilderness characteristics of wilderness study areas or RARE II areas.
- No herbicides or pesticides
  - No herbicide or pesticide use is being proposed as part of the proposal. Invasive weed control will be conducted under the Shoshone National Forest Noxious and Invasive Weed Control EA; current noxious weeds will be pre-treated or evaluated and treated as needed after project implementation in compliance with this existing plan/EA.
- No new permanent roads or other infrastructure
  - No new permanent roads or other infrastructure is being proposed as part of the proposal. River crossings will use temporary bridges or low water crossings.
- No timber sales unless hazardous fuels reduction is their primary purpose
  - No fuels removal by use of timber sale contracts is planned.

## Appendix B

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### **Preliminary concerns, issues, and questions identified at the time of scoping**

- How to reduce excessive fuel accumulations and continuous fuel concentrations that may contribute to a catastrophic fire?
- How to protect human health and safety, property, and natural resource values in a cost effective manner?
- What is the best timing for the project to minimize potential conflicts with other activities?
- What is the potential effect on national forest lands or other landowners?
- What is the potential effect on wildlife or other natural resource values?
- How will the Forest Service safely implement prescribed burning?
- Are there any extraordinary circumstances such as excessively steep slopes, wetlands, Congressionally designated areas, Research Natural Areas, archaeological sites, etc. present that should receive careful consideration as part of planning?

**Public Concerns and Issues.** The analysis included a review for consistency with the Forest Plan and any need for a Plan amendment. Public input helped determine the complexity of the issues based on potential effects to the physical, biological, social, and economic resources. Significant issues determined the appropriate NEPA level document to be prepared. Human health and safety are the over-riding concerns, considering the increasing risk of large, devastating fires such as those that occurred in Colorado and Arizona in 2002 and California in the fall of 2003. Concerns focused on what adverse effects large wildfires would have on resource values. The hazardous fuels projects would enhance defensibility of developments in selected priority areas with high values, but the possibility of a large wildfire occurring still exists. Concerns identified relate to the treatment methods used and appropriateness to the vegetation community, drought, potential effects to watersheds (soil, water, riparian and fisheries), and possible benefits or impacts to wildlife and scenic values and are summarized in the project file. Other concerns were safety and the possible escape of prescribed fire.

**Response to comments.** In response to scoping, interest or comments were received from Cal and Irene Rimel, Robert Keith, Rick Lasco, American Wildlands, Park County Commissioners, Wyoming Game and Fish Department, Shoshone Bannock Tribes, and the United States Fish and Wildlife Service.

Comments from the Wyoming Game and Fish stated that the proposed fuel treatments should benefit elk and not adversely affect wintering deer. Their recommendation was that the treatment of healthy stands of sagebrush with good herbaceous understory should be avoided in order to retain wintering mule deer habitat. Some dense stands of timber should also be maintained on top of Logan Mountain to provide thermal cover and security. In contrast, some of the upper slopes also have sagebrush with encroaching conifers; burning of these encroachment areas will help maintain open meadows and rejuvenate the sagebrush stands in the long-term, which will benefit elk and deer.

American Wildlands raised these questions: Is the proposed project in the wildland-urban interface? Is the only proposed action prescribed burns? Is any of the proposed burning in inventoried roadless areas/unroaded lands? Does the Shoshone NF have a fire management plan and does it direct the way that you are to manage unroaded and roadless lands? Does the Shoshone NF have a let-burn policy in wilderness?

To address the questions from American Wildlands: Yes the project is in a wildland-urban interface as it is near the Forest boundary in an area with concerns about fuels and private land and developments off-Forest. No other activities, such as timber harvest or road building are part of the proposed action. Yes, roadless lands are in the project area, which is discussed in this document. The Shoshone NF does have a Fire Management Action Plan and standard fire protection measures will be used to implement this project. Both the North Absaroka and Washakie Wilderness Areas have management plans and allowances for natural ignited fires are included. The Logan Mountain project is not within a designated wilderness area.

Other concerns raised by American Wildlands were: cumulative impacts, soil health and slope aspects, threatened, endangered and sensitive species, water quality and fisheries, old growth, and compliance with the Shoshone Forest Plan and National Fire Plan. In response, specialists analyzed the Logan Mountain Hazardous Fuels Project and determined that there will be no adverse individual and cumulative effects to their respective resources. As described in the proposed action, water quality and fisheries have project design measures incorporated into the project implementation to lessen any potential effects. Threatened and endangered species and sensitive species are discussed in the Extraordinary Circumstances Section. There will be no adverse effects to old growth as fuels to be burned are primarily younger conifers such as juniper and limber pine that are encroaching into areas that were previously grasslands and shrub/grasslands. Plan conformance is discussed in the Forest Plan Direction/Findings Required By Other Laws Section.

A landowner in the Trout Creek drainage asked: Who would react to abate such a fire (an escaped controlled burn)? If property damage occurred, who is liable for such damage? What sort of response time could we expect from the appropriate fire fighting community? In addressing these questions, the Forest Service will have equipment in place during the project implementation, and a contingency plan in place as part of the Burn Plan. It is felt that the Forest Service, with possible assistance from the BLM and rural fire departments, could respond with 30 to 60 minutes, if not already on site. Property damage would be determined through the Federal Tort Claims process.

The same landowner questioned the need for the project and whether fuel conditions were excessive. Another concern was the length of time for any trees removed to grow back.

### **Safety**

Nationally, the Forest Service safely conducts prescribed burning on million of acres each year; the Shoshone National Forest conducts approximately 4,000 acres annually and has the experience and ability to conduct these burns safely.

Safety and implementation of prescribed burns are identified in a Burn Plan. Prescribed burning would be planned and implemented to take advantage of favorable fuel moisture, weather, air temperature, and relative humidity conditions conducive to producing low to moderate intensity fire. Additionally, atmospheric conditions would be monitored to determine conditions most favorable for smoke dispersion.

On all days of the prescribed burns, a spot weather forecast will be requested from the National Weather Service (NWS). The weather report received from the NWS is specific to the area being burned and forecasts the ground level wind speeds and direction, transport wind speeds and direction, smoke dispersal rating and mixing height of the smoke. If any of the parameters or constraints is not met, then the burn will be postponed to a day that meets all the required parameters.