

RECORD OF DECISION
for the

**Trout Slope West
Timber Project**

USDA Forest Service
Intermountain Region



Vernal Ranger District
Ashley National Forest
Uintah County, Utah

TS06356

I. Introduction

This document contains my decision on a proposal to harvest approximately 9.2 MMBF (million board feet) of timber from the Trout Slope West area of the Vernal Ranger District, Ashley National Forest. Approximately 2,066 acres would be treated under the proposed action. The proposed action was developed to meet the stated purpose and need while addressing fisheries and wildlife habitat, timber stand structure and pattern, watershed condition, and soil productivity. Three alternatives were developed in response to public concerns (see FEIS, Chapters 1 and 2; and this ROD Sections III and V).

The project area is approximately 18,500 acres and extends from Oaks Park Reservoir west to Long Park Reservoir and north of Forest Road 10043 to the Vernal District boundary (see FEIS, Map 1, page 15). A portion of the analysis area is south of Forest Roads 10043 and 10018. The project area occurs in portions of T1N R19E Sections 20-24, 25-28, 33-36; T1N R20E Sections 19-22, 28-30, 27, 31-35; T1S R19E Sections 1, 2, 3, 11; and T1S R20E Sections 1-5, 9 and 13.

II. Purpose and Need

A Mountain Pine Beetle infestation caused extensive timber mortality in the Trout Slope West area of the Vernal Ranger District, on the Ashley National Forest. This infestation peaked in 1982 and 1983. There is a need for the harvest of dead and live trees to recover the economic value of the wood product, prevent a likely future forest condition of blow down and jack-strawed timber, and protect existing tree regeneration (FEIS, Section 1.1, page 20).

III. Decision and Rationale

My decision contains two parts. First, I have decided to select Alternative 3 in its entirety for implementation. This decision includes a) treating Areas 1, 2, and 3 as described below, and b) closing out approximately 10 miles of temporary roads used within the project area after harvest activities have ended. Second, I have decided to amend the Forest Plan (see attached Forest Plan Amendment #18) in Area 1 to allow openings greater than 40 acres to facilitate the removal of mature trees infected with dwarf mistletoe adjacent to immature forest stands (estimated 100 acre opening).

The specific elements of my decision include:

Treatment Area 1

Beetle-killed timber will be salvaged in Treatment Area 1. Mortality in this area varies from approximately 20% to 70% of forested stands. The amount of dead tree removal will vary with stand conditions. To a lesser extent, live trees, identified as "damaged" (FEIS, Section 1.4A, page 22), will also be harvested. The "damaged" tree removals will represent approximately 5% to 15% of the live basal area (a measure of stocking in forested stands representing the cross-sectional area in square feet of a tree trunk or a stand of trees measured at 4.5 feet from the ground).

The removal of mature, live trees (overstory removal) infected with dwarf mistletoe will be concentrated in leave strips and areas adjacent to 20 to 22 year old regeneration clearcuts.

These clearcuts have not grown to a height tall enough to be considered hiding or thermal cover for ungulates therefore this action will create a 100-acre (estimated) opening.

Forest Plan Amendment

A decision to harvest with Treatment Area 1 requires a site-specific Forest Plan amendment to allow an opening greater than 40 acres in size. For a detailed description of the amendment, see FEIS, Section 2.1A, page 33. The amendment itself can be found as an attachment to this decision document.

Federal Regulation 219.27(d)(2)(1982 Planning Regulations) also establishes a 40-acre limit for cut openings. Exceptions to this requirement may be granted by the Regional Forester to treat forest pest infestations that are hazards to regeneration (219.27(d)(2)(i,ii). The Regional Forester has approved this exception (see Project Record, Letter 1950/2430).

Treatment Area 2

Commercial thinning in Area 2 will reduce stand densities and promote growth on the residual trees. Treatment will reduce trees per acre and basal area by approximately 40%. Small pockets of dead timber, approximately 1 to 2 acres, will also be removed. These sites represent 5% or less of the total treatment area.

Treatment Area 3

Harvesting in Treatment Area 3 will remove dead and live trees. However, total removal will not exceed 30 to 35% of the stand basal area for all trees. The removal of dead trees will be assigned a higher priority than the removal of live trees. On many sites within this area, the removal of dead only will reach the 30 to 35% threshold and no live trees will be removed. In other areas, "damaged" live trees will be harvested in addition to dead trees.

Roads and Culverts

Temporary roads will be permanently closed at the termination of timber sale contracts for each proposed harvest area. These roads will not be open for any motorized use including administrative use. Features such as rocks or dirt berms will be installed to close these roads. Temporary road structures that may contribute to sediment delivery without further maintenance will be removed. Areas of excessive soil disturbance will be stabilized. Slash and woody debris will be scattered over the roadbed near closed access points in similar fashion as on skid trails to create a more natural appearance and discourage illegal motorized use. Closed roads will re-vegetate naturally.

This decision also includes the installation of a large culvert to cross the North Fork Ashley Creek at the bridge site. This culvert will be designed (flat-bottomed) to allow the passage of fish and minimize the potential of obstruction by large woody debris. This structure will be temporary. No concrete foundations will be installed and the culvert pipe will be removed following the termination of timber sale contracts and the crossing stabilized.

Decision Rationale

My objective in reaching this decision is to select an environmentally sound, socially acceptable alternative that achieves the purpose and need of the project. In my mind this decision does that. My decision is based on the analysis of the proposed action and alternatives, current law and regulation, as well as public comments we received throughout the process.

The decision harvests a product in an environmentally sound manner considering vegetation, soil, water, old growth, fisheries, and aquatic habitat, wildlife, recreation, visuals, and cultural resources. (FEIS, Chapter 3)

This decision does not affect any inventoried roadless areas or unroaded areas nor does it affect any areas with roadless characteristics adjacent to inventoried roadless areas (FEIS, section 1.3B, page 22; FEIS, Map 3, page 17; also Roadless Inventory Map in project file).

Specifically, the primary environmental considerations that informed my decision are:

Watershed health is always the primary consideration. Lands within the project area provide municipal water for the communities of Vernal, Utah and Green River, Wyoming. Water quality and channel stability effects are minimal for all treatment areas with buffers implemented as described in the mitigation measures. Alternative 3 will reduce long-term effect from road impacts, but will have higher sedimentation risk with a temporary culvert than a multiplate. (FEIS, Chapter 3, Water Resources, pages 84-102).

Soil impacts are well within standards for harvest activities. The estimated area for skid trails and landings is expected to be less than 5%. Detrimental soil disturbance is expected to be within Region 4 Soil Quality Standards. There will be some road closure related erosion while stream crossings are being stabilized and until vegetative ground cover becomes re-established. (FEIS, Chapter 3, Soils, pages 103-107).

Fisheries and aquatics will be minimally affected as long as the recommended buffer widths are implemented for CRCT, amphibians and any other riparian dependent organisms. (FEIS, Chapter 3, Fisheries and Aquatic Habitat, pages 107-113).

Old Growth retention is consistent with Forest Plan Standards and the decision will have very little impact to old growth. There will be no net loss of 160-acres or greater contiguous old growth blocks. (FEIS, Chapter 3, Old Growth, page 66).

With the identified mitigation measures there are no unacceptable effects to wildlife (FEIS, Chapter 3, Wildlife, pages 113-131). This decision is consistent with the Lynx Conservation Assessment and Strategy (FEIS, Chapter 3, Wildlife, pages 113-131 and Section 2.2C, page 37). Individuals of some species (such as three-toed woodpeckers) may be displaced due to harvest activities. However, the mitigation measures that provide for the retention of snags and other old growth characteristics as well as restrictions to the operating season will minimize these impacts. For three-toed woodpeckers, the timing restrictions are described in the above-referenced analysis section. Prior to harvest activities, surveys will be conducted. If nests are found, a 528-acre buffer will be implemented until September 1 or until surveys show that the young have fledged. No downward trend at the population level is expected for any species.

In making this decision I looked at each treatment area individually and collectively. After studying the project record and FEIS, deciding to treat Areas 1 and 2 was relatively easy. I

focused on Treatment Area 3 because it was mentioned several times in letters we received during the public comment period (see FEIS, Appendix C, pages 161-238). Treating Area 3 clearly meets the purpose and need, and the mitigation measures address the identified wildlife and resource concerns (see FEIS, pages 36-42). There simply are no compelling environmental reasons not to treat this area.

There were several social and economic considerations I considered in making this decision. This decision is a below cost sale (the cost of sale preparation including EIS preparation, sale administration, monitoring, noxious weed control, etc., will exceed the revenue generated by any proposed activity). Even though this is a below cost timber sale, there are some social benefits. The social benefits will be to offer a product to the existing forestry and logging businesses, to continue to produce forest products, and to provide employment for existing employees in the industry (see FEIS, Chapter 3, Socio/Economic Analysis, pages 137-140).

Public input is key in reaching any decision. Specifically, Appendix C (page 161) of the FEIS displays the public comments and the Forest Service responses. These comments, along with those received during scoping, were critical in my decision making process.

The public comments were very diverse. Several people encouraged harvest of timber and keeping roads open. Others did not want any more harvest and wanted the roads closed. This decision considered all comments and attempts to find a balance based on public comment and the analysis that was completed.

One of the most controversial aspects of the proposed action was how the temporary roads would be managed after harvest. Most of these roads were constructed for previous timber sales during the late 1970s and were supposed to be closed after harvest by scarifying, cross-ditching and seeding (see Project Record). I feel strongly that it is time these roads are permanently closed.

Recent changes to the Forest Service's transportation and roads policies emphasize the agency's commitment to maintain only "... the minimum transportation facilities needed for public and agency access to achieve forest land and resource management goals and to safeguard ecosystem health within the context of current and likely funding levels." (FS Manual 7700). The Ashley National Forest has a large system of roads, both maintained and unmanaged. My decision to close these roads reflects not only the agency's emphasis on maintaining a minimal transportation system, but the intent behind prior decisions to close these roads once harvest activities had ended.

I also considered the fact that there has been substantial timber harvest activity in this and in adjacent areas over the past few decades; I do not anticipate a compelling need to re-enter this area for timber harvest in the reasonably foreseeable future.

Several respondents urged us to obliterate and rehabilitate the roads. The Interdisciplinary Team considered obliterating (ripping) and rehabilitating (seeding/planting) the roads (see FEIS, Alternative 6 - Temporary Roads Obliterated and Rehabilitated, pages 43-44). However, after discussion it was determined that this would result in more resource damage (FEIS, pages 43-44) than just closing the roads.

Road obliteration (ripping) and rehabilitation (seeding/planting) was discarded for the following reason:

Obliteration activities such as ripping would create an unacceptable level of erosion and sediment delivery to the streams in the project area. The majority of the temporary roads related to the proposed action and Alternatives 2 and 3 occur on a Trout Slope 2 Land Type. This land type is characterized by coarse rock fragments in the surface and subsurface layers. Any activities that would dig up rock at the soil surface level and below, such as "ripping" were identified as detrimental practices by Forest engineers and the Vernal District Soil Scientist (FEIS, page 43).

Some comments expressed concern over the scope of the purpose and need for this project and the way it may have inappropriately narrowed the range of alternatives. I agree that the scope of the purpose and need is tightly focused, and purposefully so. It would have been disingenuous to describe a need for treatment that was anything beyond what is stated in the FEIS. Considering the nature of the purpose and need for this project, I believe the range of alternatives that were analyzed and disclosed provided me many options from which to choose. Not only were there three distinct treatment areas described within each alternative, the options for road crossings and road management post-harvest further expanded my range of options. In my deliberations, I consider all parts of each alternative and attempt to make a decision that balances the desirable and undesirable effects of each part.

I carefully considered the Uintah County General Plan. In terms of selecting Alternative 3, we are not consistent with the Uintah County General Plan, as this will close motorized public access that is currently open to the public. For the reasons described earlier, I think my actions are warranted as these roads were originally built only for timber harvest purposes and were to be closed many years ago.

Additional factors considered in making this decision:

- The selected alternative is consistent with recommendations (Best Management Practices) in the State of Utah Nonpoint Source Management Plans - Silvicultural Activities (1998) and Hydrologic Modification (1995), Forest Service Handbook 2509.22 - Soil and Water Conservation Practices Handbook, and Inland Native Fish Strategy (INFISH 1995); the environmental effects are acceptable.
- The environmental effects on the biological and physical environment displayed in Chapter 3 of the FEIS are acceptable and indicate that the project will not disrupt ecological restoration processes while providing a product.

I am approving a Forest Plan amendment that allows for an opening greater than 40 acres in Treatment Area 1. My reason for this is that the Forest Plan standard that limits the Forest to 40 acre openings does so for the purpose of assuring an adequate supply of hiding and thermal cover. Based on my review of the analysis as well as field observation, the leave strips to be treated do not provide adequate hiding and thermal cover (FEIS, Chapter 3, page 126). Increasing the size of the 'opening' in this area would not change its value as hiding or thermal cover for wildlife.

IV. Public Involvement

Public scoping on this proposed action originally began in 1998. Comments received from the public were carefully reviewed and considered and a preliminary list of concerns was developed.

In 1998, an Environmental Impact Statement was issued for public comment for the Trout Slope East area (adjacent to Trout Slope West). At this time, several national Forest Service agency initiatives (e.g., the road policy, roadless area initiative, and the proposed listing of the Canada lynx as a threatened species) were also emerging. Subsequently, the Trout Slope West Environmental Impact Statement (EIS) was postponed until the Trout Slope East EIS was completed in August 2000 (USDA Forest Service 2000b).

In spring 2001, a proposal was mailed to the public and listed in the Quarterly Schedule of Proposed Actions on the Ashley National Forest website. In the summer of 2001, the project proposal was updated and listed in the Quarterly Schedule of Proposed Actions. This included expanding the analysis area and proposed actions. In July 2002, a Notice of Intent to prepare an EIS was published in the Federal Register. A new public scoping phase was initiated in July 2002 when a scoping letter describing the proposal was mailed to potentially interested or affected individuals and organizations. At this time, a news release was simultaneously published in the local newspaper soliciting comments (see Project Record).

In February of 2004, the Draft EIS was published and distributed. Comments on the Draft EIS were submitted, and are located in the Appendix C of the FEIS, page 161.

V. Alternatives Considered

The Interdisciplinary Team analyzed the Proposed Action and three alternatives in accordance with the laws, regulations, and policies associated with the National Environmental Policy Act. Those alternatives are summarized below. The vegetative treatments in all action alternatives are the same; therefore, the following descriptions will focus on the differences between each alternative. For a complete description of the alternatives refer to the FEIS, Section 1.4, page 22 and Section 2.1, page 32.

PROPOSED ACTION

Treatment Area 3

Under the proposed action, the area east of the Long Park Reservoir would require the construction of a large multiplate culvert over the stream. A multiplate culvert is an open bottomed galvanized steel structure with a concrete foundation. This area would be referred to as the bridge site in this document (see FEIS, Map 3, page 17) and would be a permanent structure.

Roads – All Treatment Areas

Temporary roads (see FEIS, Section 1.3A, page 21) would be closed to the public during and after the termination of harvesting operations. These roads would be added to the Forest Road system and retained for future management activity. These roads would be reconstructed/improved to conditions suitable for a Level 3 Maintenance classification. Roads in this maintenance category are typically low speed, single lane with turnouts and spot surfacing. Such roadwork would be performed at a level necessary to facilitate use by logging trucks. No additional safety features would be installed to allow for public access. Road design would incorporate features to prevent or minimize soil movement and sedimentation as well as undue disruption of water flow.

The roads would be reclassified as a Level 1 following the termination of logging activity. Maintenance Level 1 roads are designated as intermittent service roads during the time they are closed to public traffic. Basic custodial maintenance is performed with emphasis given to maintaining drainage facilities and runoff patterns. Road deterioration may occur at this level.

At the conclusion of treatment activities, road access points that would be retained for administrative use would be closed by the installation of road closure gates. Access points that would not be retained for administrative use, such as that entry point to Treatment Area 3, south of the North Fork Ashley Creek, via the Long Park Reservoir Dam, would be closed through the placement of large rocks or dirt berms.

ALTERNATIVE 1 – NO ACTION

Alternative 1 provides a baseline for comparison with the action alternatives. Under this alternative, no timber harvest or road reconstruction would occur. Fire suppression, road maintenance, recreation, and firewood gathering would continue.

Existing temporary road use would continue. A description of these road conditions is presented in the FEIS, Section 1.3A, page 21. Although vehicular or all terrain vehicle (ATV) use of the temporary roads is not heavy, an estimated 7 of 10 miles are passable to large vehicles and four wheel drive vehicles during dry weather conditions and all 10 miles are accessible to ATVs (Ford site 1 (see FEIS, Map 3, page 17) would restrict ATV use to the eastern temporary road network in Area 3 south of the North Fork Ashley Creek during high stream flow).

ALTERNATIVE 2 – OPEN PUBLIC ACCESS

Alternative 2 was developed to present the Responsible Official with an action alternative that analyzed potential impacts to resources in the project area due to increased public travel. Many of these areas are currently inaccessible by standard passenger vehicles. Analysis of this alternative would give the Responsible Official the flexibility to keep improved roads open to the public after completion of proposed work, should this be a desired management action.

Alternative 2 is identical to the proposed action except for the long-term management of the improved temporary roads. Temporary roads would be constructed to a level suitable for a Level 3 Maintenance classification and public access. This roadwork would require the installation of more safety features, such as turnouts, than the roadwork in the proposed action.

The improved temporary roads (approximately 10 miles) would remain open to public access following the termination of logging operations in each proposed treatment area. The improved temporary roads would then be commissioned as Forest system roads.

ALTERNATIVE 3 – TEMPORARY ROADS PERMANENTLY CLOSED

Alternative 3 is the selected alternative and is described in the Decision portion (Section III) of this document.

