

**DECISION NOTICE
FINDING OF NO SIGNIFICANT IMPACT
AND
NON-SIGNIFICANT AMENDMENT
OF THE
FOREST PLANS IN UTAH
FOR THE
UTAH NORTHERN GOSHAWK PROJECT
USDA FOREST SERVICE
Intermountain Region**

Ashley, Dixie, Fishlake, Manti-LaSal, Uinta and Wasatch-Cache National Forests

Utah Counties: Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, and Weber

Wyoming Counties: Sweetwater and Uinta

Colorado Counties: Mesa and Montrose

1. Background

An environmental assessment has been prepared that summarizes the analysis completed for a proposed change in programmatic management direction for the six National Forests in Utah, relative to management direction in northern goshawk (hereinafter referred to as goshawk) habitat. The Utah Northern Goshawk Project Environmental Assessment (EA) was distributed for public comment and review in October 1999. The proposal and action alternatives would amend the Land and Resource Management Plans (forest plans) for each National Forest in Utah by adding management direction in the form of goals and objectives, standards and guidelines to be applied to management activities that could affect goshawk habitat. These amendments would remain in effect until each forest plan is revised, estimated to be within the next four years. The affected lands are located primarily in Utah, with small portions in Wyoming and Colorado (EA, Chapter 1, section 1.4.1). This amended direction will maintain options for goshawk habitat management by reducing the risk of potential negative impacts to habitat.

The programmatic direction will be mandatory and enforceable. The intent is to address the new information found in the "Habitat Assessment and Management Recommendations for the Northern Goshawk in the State of Utah" (Graham et al. 1999) and "Conservation Strategy and Agreement for Management of Northern Goshawk Habitat in Utah" (Utah NFs et al. 1998), and provide consistency in management direction that will narrow the management interpretations currently possible (EA, Chapter 1, section 1.3). Proposed direction would provide programmatic mitigation measures for potential environmental effects that may result from future projects and activities. None of the alternatives considered would make an irretrievable or irreversible commitment of resources (EA, Chapter 1, section 1.6). Additional mitigation measures may be added to particular projects as a result of site-specific conditions during project-level analysis, or refinements made to measures in this proposal.

Because this action would mitigate future environmental effects, the indirect effects are expected to be beneficial. Chapter 4 of the EA (sections 4.4 and 4.5) identifies the possibility of localized, indirect social and economic effects. These social and economic effects are not significant and do not require the preparation of an environmental impact statement, as discussed in section 5 of this decision notice.

2. Decision

I have selected Alternative F as the management direction to guide activities in goshawk habitat until the forest plans are revised. Alternative F concentrates activities on maintenance and restoration of habitat areas at risk to maintain the connectivity of habitat and capability to support viable populations of goshawks across the National Forest System lands in Utah. This alternative provides the greatest opportunity to minimize any further degradation of goshawk habitat and loss of future management options until the forest plans in Utah are revised.

Alternative F provides guidance for local managers to assess their habitat conditions at a landscape level and determine where the greatest needs for restoration and maintenance treatments exist. The objective is that each Forest in Utah prioritize treatment on at least 1000 acres per year to work toward this short-term goal focused on maintenance or restoration of habitat at risk, until the forest plans are revised. Alternative F also emphasizes management of plant communities important for goshawk prey species. The standards and guidelines that will be implemented are designed to protect goshawk habitat during all management activities, particularly in the nest and post-fledgling areas. The monitoring items that are included in Alternative F will continue to update our information and work toward adaptive management strategies for goshawks and their prey.

The focus in Alternative F regarding grazing is to change grazing practices only in those areas where landscape assessments determine grazing is a factor in putting a landscape "at-risk" relative to habitat needs of goshawk. Monitoring elements include assessing whether appropriate adjustments are being made in identified "at risk" locations (EA, Appendix B). Alternative F also specifies mitigation measures to be implemented for all management activities, whether vegetation treatments or issuing special use permits, to protect goshawk nest areas and foraging habitat. Clarification of desired habitat conditions for prey species has been added in Appendix AA (attached) to help field personnel envision what conditions we are trying to achieve.

In selecting Alternative F, I considered the following factors:

a. Laws, regulations & policies. The National Forest Management Act (NFMA) and implementing regulations (36 CFR 219) require that wildlife habitat be managed to maintain viable populations of existing native vertebrate species. To assure that viable populations will be maintained, habitat must be provided to support a minimum number of reproductive individuals and that habitat must be well distributed so that those individuals can interact with others in the planning area. When the forest plans in Utah were developed during the 1980s, the management direction was designed to meet this requirement.

The goshawk was listed by the Forest Service as a sensitive species in the Intermountain Region in 1991 and is also listed as a sensitive species by the Utah Division of Wildlife Resources (EA,

section 1.2). New information, triggered by Graham et al. (1999) recommended that updated management direction be adopted to maintain and restore habitat for viable populations of goshawks in Utah. This was a key part of the purpose and need for this project to amend the national forest plans.

To varying degrees, each National Forest within the State of Utah has inventoried for goshawks and monitored known territories since at least 1992. Data obtained from these studies was used in the development of "The Northern Goshawk in Utah: Habitat Assessment and Management Recommendations" (Graham et al 1999). Results of these monitoring studies on National Forest System lands were unable to detect a decline in territory occupancy.

The "Conservation Strategy and Agreement for Management of Northern Goshawk Habitat in Utah", a cooperative effort with the Utah National Forests, Bureau of Land Management, Utah Division of Wildlife Resources and United States Department of Interior, Fish and Wildlife Service (Utah NFs et al. 1998) explains that managers rarely have all information needed to conduct a fully quantitative population viability analysis (PVA). In the face of missing information, one practical alternative is to use inventories of the quality and quantity of suitable habitat as a surrogate for PVA. For the goshawk, this surrogate analysis for PVA is documented in the "Habitat Assessment and Management Recommendations for the Northern Goshawk in the State of Utah" (Graham et al. 1999). Within the National Forests in Utah, there is systematic statewide monitoring that is described on page 10 of the Conservation Strategy. These documents are discussed in Chapter 1 of the EA.

By focusing management on those areas at the greatest risk of dropping from high and optimum habitat to low or moderate habitat, Alternative F prevents habitat loss and prioritizes management action to conserve goshawks in Utah. This contributes to on-going interagency efforts to prevent the goshawk from being listed as threatened or endangered.

b. Issues. The public issues raised during the EA comment period are addressed in Appendix AA, (attached). I observe that all sides of the issues have been expressed from a variety of people interested in management of the National Forests in Utah. While some people wrote that what we were proposing was unnecessary because goshawks are doing fine in Utah, others wrote that we were not doing enough to protect goshawk habitat. Similarly, some people think that current grazing and timber harvesting practices are not causing any harm to goshawk and its prey habitat, while others think eliminating grazing and timber harvest is necessary to achieve the desired habitat conditions.

The issues are organized in three main categories: science used; process concerns; and other topics of interest. In reviewing these, it strikes me that the disagreement in the scientific community about the "best" management for goshawks was not resolved by developing alternatives that incorporated different components from the different scientific studies. I do note from the comments received that the disagreement is with the differing science, not with the disclosure of the effects in Chapter 4 of the EA. In selecting Alternative F, I have determined that the recommendations from the Reynolds (et al 1992) and Graham (et al. 1999) studies are most appropriate for our situation in Utah because:

- i) The Reynolds study on the Kaibab Plateau is the longest running goshawk study, (Reynolds et al. 1992)
- ii) The Reynolds study is based on many similar habitat conditions as those found in the State of Utah, and the Graham (Graham et al 1999) is specific to Utah.
- iii) Dr. Reynolds is a well known raptor scientist who is renowned for his work in goshawk ecology.

One main point of the disagreement among scientists concerns how much canopy closure is adequate and whether clumps of trees are as useful as more uniform canopy closure for goshawks. This makes me realize the importance of the monitoring items described in Appendix B of the EA, and our commitment to continue the studies, monitor and adapt our management practices as we continue to learn about the habitat requirements for the goshawk. Other research was discussed and differing opinions recognized within the EA (Chapter 3, section 3.3.4). Further explanations of the different sciences considered follow in Appendix AA, Responses to Comments on the EA.

Many comments reflected the concern that “people are as important as goshawks”. As discussed in Chapter 4 (sections 4.4 and 4.5) of the EA, implementing this new direction will have minimal effects on local communities considering the small number of acres that would be possible to treat over the next four years until the forest plans in Utah are revised. I firmly believe that healthy communities of people cannot occur without healthy, diverse and productive watersheds and ecosystems that the management direction in Alternative F is designed to maintain and restore.

Some people questioned our ability to implement this direction, that guidelines instead of standards provide too much flexibility to local managers and that perhaps the intent is just to continue “business as usual”. As discussed more fully in Appendix AA, while guidelines do provide managers more flexibility to determine how best to implement the direction, the decision not to follow a guideline cannot be made lightly and must be documented during the site-specific decision making process. As projects are implemented, they must be in compliance with the amended direction in the forest plan. The public will have the opportunity at the project-level of decision making to assure the goshawk management direction is applied to meet the needs of each site-specific situation.

As the Plans are revised, I expect much of the direction in this decision will be incorporated, but during the revision process, interdisciplinary teams will integrate a longer-term strategy for goshawk management with other resource direction being revised. This means that some of the longer-term direction found in the other alternatives may appropriately be considered during the revision process. The effects of the longer-term strategy will be fully disclosed during the revision process, and people will again have the opportunity to be involved and provide comment during the revision process.

c. Environmental Documents Considered. In addition to the Utah Northern Goshawk Project EA, I also considered the information in The Northern Goshawk in Utah: Habitat Assessment and Management Recommendations, The Conservation Strategy and Agreement for Management of Northern Goshawk Habitat in Utah, numerous scientific studies, research documents, and the Biological Evaluations and Assessments prepared for the project. Other related environmental

documents were taken into account including: the Intermountain Regional Guide and Land and Resource Management Plans (forest plans) and associated National Environmental Policy Act (NEPA) documents for the six affected national forests. Refer to the literature cited in the enclosed Appendix DD.

3. Alternatives Considered

Six alternatives were developed in detail and are compared in Chapter 2 of the Utah Northern Goshawk Project Environmental Assessment (EA). In addition, three alternatives were eliminated from detailed study, as described on section 2.3.1 of the EA. Some of the comments received on the EA suggested that these alternatives should be considered in detail, but I stand by the reasons they were eliminated from detailed analysis. A brief description of the alternatives considered in detail and my reasons for not selecting these alternatives follow:

Alternative A is the no action alternative, and management would continue as is currently described in each forest plan in Utah. This would not provide the desired consistency in management of goshawk habitat across the state. It does not emphasize some actions needed to maintain or restore habitat for goshawk and its prey and could allow some activities to occur that would degrade habitat.

Alternative B is the proposed action that initially responded to the need to maintain or restore goshawk habitat and provided consistent management direction across the state. It allowed extreme events to occur and looked at more long-term goals for habitat management. In responding to the issues raised during scoping, other alternatives were developed including the preferred alternative (F). Allowing extreme events, while consistent with the historic range of variation, may place landscapes at risk to disturbances that would create an imbalance of structural diversity when considering the desired habitat conditions for goshawk and its prey. Trying to prevent extreme events, as will occur in Alternative F, is a more conservative approach to ensure the sustainability of desired habitat conditions across landscapes. The long-term needs for goshawk management are more appropriately integrated with other resource concerns when each forest plan is revised.

Alternative C is similar to Alternative B, except that extreme events are not desired and management would be designed to prevent large-scale destructive events like wildfire. The concept of clumps of trees to provide canopy cover is introduced in this alternative, and the goals are again long-term. Alternative C did not address directly the concerns about grazing affecting prey habitat for goshawks, as does Alternative F, and again the long-term goals are more appropriately addressed during forest plan revisions.

Alternative D builds on Alternatives B and C, but prescribes a range of canopy closures and opening limits within goshawk home ranges. It also prescribes grazing utilization guidelines and specifies that transportation systems be managed to minimize goshawk territory disturbance. Alternative D would be very prescriptive and leave little discretion to local managers to assess their landscape situations and make site-specific decisions tailored to their unique needs. Because of the many varied situations managers encounter across the state of Utah, I believe it is important to retain some flexibility at the local level. Additionally, Alternative D has the greatest potential to adversely affect local economies in rural Utah because the ability to address local situations would be

constrained by its prescriptive nature. Alternative F allows more flexibility to address local situations.

Alternative E applies a different scientific approach to goshawk management by specifying higher canopy closures and small opening limits within the entire goshawk territory. It also would prohibit any treatment of older structural stages and require that locally adapted native seed sources be used in management activities. The concern with Alternative E is that it likely is not sustainable. The risk of insect and disease infestations increases when large areas of older structural stages are not managed for patches and a variety of age classes. This could ultimately result in conditions not desirable for goshawks or their prey. It is also not reasonable at this time to require locally adapted native seed sources because of the lack of seed quantity and variety to meet specific needs. Also, the costs of procuring locally adapted seed would be excessive. While it is desirable to use the locally adapted seed in Alternative F, it is not mandated because we cannot guarantee the availability. Similar to Alternative D, the prescriptive nature of Alternative E does not allow the flexibility to address local situations that is part of Alternative F.

4. Public Involvement

As described in the EA (Chapter 2, section 2.2), public involvement efforts consisted of a series of open houses and informative post cards to the public and access to the goshawk project information on a web site. Notices were also placed in the Federal Register. Comments received during the scoping process were used to generate the alternatives. The EA was completed in October 1999 and distributed for public review and comment. A list of the individuals and organizations submitting comments on the EA is found in the enclosed Appendix AA.

I have reviewed the public comments on the EA with the Interdisciplinary Team, to determine if there is new information that requires other alternatives or additional analysis prior to my making a decision. Most public comment did not raise new information and many of the concerns were similar to those raised during scoping. While some people were dissatisfied with how we addressed the issues in the analysis, I did not find any new issues that would change our approach to address the needs of the goshawk in Utah.

5. Finding of No Significant Impact (FONSI)

The selected programmatic direction, Alternative F, has a relatively broad context by applying management direction to an estimated 8.1 million acres of National Forest System lands within the six Utah National Forests (approximately 7.98 million acres in Utah; 90,000 acres in Wyoming; and, 30,000 acres in Colorado). The alternatives (Chapter 2), affected environment (Chapter 3), and consequences (Chapter 4) are disclosed in the EA. In consideration of the analysis documented in the EA and in light of the reasons set forth below, I find that selection of Alternative F as the management direction for northern goshawk habitat in Utah will not significantly impact the human environment.

a. The proposed management direction would be limited in geographic application (40 CFR 1508.27(a)). The proposed management direction applies to projects affecting acres that are forested within the estimated 8.1 million acres of National Forest System lands of the six affected

national forests. The amount of land affected by the proposed direction for the remainder of this current planning period (projected to be 4 years) is a small subset of the land since not all lands would have projects generated in that time period. The only activities that were found to affect a measurable amount of acres at the state scale were timber harvest, wildland fire, and livestock grazing. Based on records from 1990-1997 for acres affected by commercial timber harvest activities and 1994-1998 for wildland fire, the number of acres affected annually is estimated at less than 1% of the total forested acres across the six National Forests. (Chapter 4, section 4.3.1).

Changes to current grazing permits would occur in those landscapes where grazing can be attributed as a causing a deterioration in goshawk habitat. The number of allotments affected would only be those where an assessment determines that wildlife and livestock grazing is a factor in placing a landscape at-risk relative to the habitat needs of the goshawk (Chapter 4, section 4.5.2). The conclusion in the analysis is that the degree of change in terms of acres or permits affected in the projected 4-year period until plans are revised would a small percent of the 539 allotments potentially affected. Depending on the solution, there may be no overall change in actual numbers of animals, but the grazing system may be modified or other management tools applied.

b. The proposed management direction would be limited to certain projects and activities. The management direction in Alternative F applies to proposed and new projects only. Activities promoting goshawk habitat are prioritized in landscapes where habitat conditions for the goshawk are at risk of dropping from optimum and high value habitat for the goshawk, to low or moderate value (as defined by Graham et al. 1999). Projects will be designed to address problems identified as causing the at-risk condition.

Activities in exemption areas (such as wilderness, see Chapter 2, section 2.3.2) are not affected by direction in this proposal. Current forest plan direction still applies in these areas. In addition to exemption areas, any valid, prior existing rights on NFS lands would not be affected by this amendment. Also, locatable, mineral material or leasable mineral activities and facilities that have been authorized for such use under existing plans, licenses or permits, or have been leased or authorized for leasing prior to the decision date of this amendment, will not be affected by this amendment.

Effects to resources would not be significant, given the short time period until the forest plans are revised and the ability to relocate or adjust activities to meet habitat needs for the goshawk without adversely affecting these areas of interest. The proposed management direction would reduce the potential environmental impacts of project decisions from those allowed by current plans. Disclosure of the site-specific effects and public participation will occur prior to the project decision.

c. The proposed management direction will not significantly affect public health or safety (40 CFR 1508.27(b)2)). The proposed management direction does not, on its own, authorize any ground-disturbing activities or direct changes to the environmental status quo. Instead, it provides programmatic direction and mitigation measures to be applied to site-specific projects and activities. Additional mitigation measures may be added to particular projects as a result of site-specific conditions during project-level analysis. New project decisions would be preceded by site-specific NEPA analysis. Alternative F does not have significant effects on human health and safety

beyond those already documented in existing forest plan Environmental Impact Statements and the site-specific analyses of on-going projects and activities, or might be identified in such future analyses of proposed projects and activities.

d. The proposed management direction will not significantly affect any unique characteristics of the geographic area (40 CFR 1508.27(b)(3)), does not adversely affect anything listed or eligible for listing in the National Register of Historic Places, nor does it cause loss or destruction of significant scientific, cultural, or historic resources (40 CFR 1508.27(b)(8)). The proposed management direction does not alter the environmental protection afforded such unique lands as is already provided for in the forest plans and may provide improved protection for such resources if they reside within goshawk habitat areas where proposed management direction will be applied.

e. The management direction does not cause effects on the quality of the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)). There are differing opinions in the biological community on the importance or role of habitat attributes associated with the goshawk and its prey. The controversy is with the differing sciences rather than the effects on the quality of the human environment. These differences, described in the EA (Chapter 3, section 3.3.4) focus primarily on canopy closures, densities of understories, and the amounts of mature and old forests in some home ranges. The alternatives developed in detail incorporated different combinations of these attributes to estimate the differences in environmental effects with application of the differing scientific opinions. No disagreements have been identified with the disclosure of effects in Chapter 4 of the EA. While some comments differed with our conclusion that goshawk populations would remain viable in Utah by implementation of Alternative F, the reasons for this difference are based on the scientific opinions, not with the disclosure of the effects.

Controversy in this context refers to cases where there is substantial dispute as to the size, nature or effect of the Federal action, rather than to opposition to its adoption. This decision does not alter current planning direction on *why* we need to manage (e.g. provide habitat to support viable populations of sensitive species) or *what* management actions can be taken (e.g. vegetative treatments to manage habitat). This decision focuses on new information related to the *how* (e.g. how vegetative treatments will be implemented to achieve habitat conditions), *where* (e.g. at-risk habitat) and *when* (e.g. priority on habitat at-risk) we need to manage habitat.

f. The proposed management direction does not establish any highly uncertain, unique, or unknown risks (40 CFR 1508.28(b)(5)). The best available scientific information specific to forested habitats in Utah provided the foundation for designing the proposed management direction (EA, Chapter 1, section 1.2). Measures proposed for adoption are consistent with the management direction adopted for management of goshawk habitat on other National Forest System lands such as in the Southwestern Region of the USDA Forest Service (Region 3), and the Targhee National Forest. It is similar in intent with the direction proposed in the Interior Columbia Basin Ecosystem Management Project and currently being developed in the Sierra Nevada Framework Project.

g. The proposed management direction does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6), nor is it related to other actions with individually insignificant but cumulative significant impacts (40 CFR 1508.27(b)(7)). The Environmental Assessment discloses the

projected cumulative effects (EA, Chapter 4, section 4.1.2) of adopting the management direction on habitat conditions and trends on land within the forested landscapes administered by the Forest Service within Utah. The discussion includes currently evolving policies including roads, roadless and lynx. These cumulative effects are not considered to be significant at the state-wide scale and timeframe covered by this analysis and decision. Project analysis at the local scale will again consider the cumulative impacts and make a determination of significance. Additionally, when forest plans are revised, the cumulative effects will again be analyzed at the forest-scale.

The proposed management direction is a short-term effort to retain the environmental status quo until forest plan revision on the six affected national forests is completed. The temporary nature of the proposed management direction would limit its effects. Any long-term strategy would be founded on the appropriate NEPA documentation and analysis and not on the short-term direction for goshawk management until the forest plans are revised.

h. The proposed management direction would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)). A biological assessment evaluating impacts to threatened and endangered species found in Utah has been prepared for this project. A draft is located in Appendix H of the EA and a final has been completed which is available in the project record. The US Fish and Wildlife Service has concurred with our determination of “may affect but not likely to adversely affect” determination for Canada lynx and Mexican spotted owl and “no effect” determination for other threatened and endangered species and critical habitat.

i. The proposed management direction does not threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)). Adoption of the selected alternative would not significantly affect the following elements of the human environment, which are specified in statute, regulation, or executive order: Air Quality, Cultural Resources, Farm Lands (prime or unique), Floodplains, Native American Religious Concerns, Hazardous or Solid Wastes, Water Quality, Wild and Scenic Rivers, and Wilderness. The Navajo Nation did comment on the EA regarding the sacred nature of hawks and their part today in sacred ceremonies and the oral traditions of the Navajo elders. They have no concerns or objections regarding the project at this time, but they reserve the right to offer and submit undiscovered information in the future, if need be.

Finding

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of the proposed management direction (as reflected in Alternative F) until the six affected national forests complete forest plan revision (projected to be 4 years), does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an Environment Impact Statement is not needed.

6. Findings required by other laws and regulations

Finding Of Non-Significant Amendment

Under the National Forest Management Act (NFMA, 16 USC 1604(f)(4), forest plans may "be amended in any manner whatsoever after final adoption and after public notice, and, if such

amendment would result in a significant change in such plan, in accordance with subsections (e) and (f) of this section and public involvement comparable to that required by subsection (d) of this section." The NFMA regulations at 36 CFR §219.10(f) state: "Based on an analysis of the objectives, guidelines, and other contents of the forest plan, the Forest Supervisor shall determine whether a proposed amendment would result in a significant change in the plan."

The Forest Service Land and Resource Management Planning Handbook (Forest Service Handbook 1909.12) provides a framework for consideration, section 5.32, lists four factors to be used when determining whether a proposed change to a forest plan is significant or not significant: (a) timing; (b) location and size; (c) goals, objectives and outputs; and (d) management prescriptions. I have evaluated the proposed management direction and concluded that it does not constitute a significant amendment of the 6 forest plans in Utah (Ashley, Dixie, Fishlake, Manti-LaSal, Uinta, and Wasatch-Cache) for the reasons described below:

a. Timing. The timing factor examines at what point, over the course of the forest plan period, the Plan is amended. Both the age of the underlying documents and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. All of the forest plans affected are nearing the end of the first planning period. As noted in the EA (Chapter 1, section 1.4.2 and 1.6; Chapter 4, section 4.1), the action is limited in time and changes to the Plans are not intended to be permanent. The proposed management direction will be in place until efforts to revise forest plans are complete (projected to be 4 years), supports the determination that they do not constitute significant amendments of the forest plans.

b. Location and Size. The key to the location and size is context, or "the relationship of the affected area to the overall planning area, "the smaller the area affected, the less likely the change is to be a significant change in the forest plan." As discussed in the EA (Chapter 2, section 2.3.2), the proposed management direction applies only to proposed and new projects that fall on that portion of the total 8.1 million acres of National Forest System lands on the six affected national forests that are forested and are not within an exemption category. Exempted areas, such as wilderness (EA, Chapter 2, section 2.3.2, Table 1) cover 1.2 million acres, or about 15% of the total acres. Forested acres affected by future timber harvest or wildland fire projects proposed prior to forest plan revision (projected to be 4 years) that would use the proposed management direction in design and implementation would be a small subset of this total; less than 1% of the acres annually across six national forests. (Chapter 4, section 4.3.1).

There would be limited effects to some grazing permits during the life of this amendment. Changes to permits would only occur in those landscapes where grazing can be attributed as a causal factor to an at-risk condition. The number of allotments likely to be affected in 4 years is a small percentage of the total 539 active allotments on the six Utah National Forests (Chapter 4, section 4.5.2). Thus, the size of the area projected to be affected during this time period is very small when compared to the total in the planning area.

In addition to vegetation treatments and grazing activities, all other projects anticipated in the next four years, like campground developments, special use permits and minerals, would still be a very

small portion of the total National Forest System acres in Utah that are affected by the management direction (EA, Chapter 2, section 2.4; and Chapter 4, Effects by Resource).

c. Goals, Objectives, and Outputs The goals, objectives, and outputs factor involves the determination of "whether the change alters the long-term relationship between the level of goods and services in the overall planning area" (Forest Service Handbook 1909.12, section 5.32(c)). This criterion concerns analysis of the overall forest plan and the various multiple-use resources that may be affected. As discussed in the EA (Chapter 1, section 1.5.3 and Chapter 2, section 2.3.2), the proposed management direction would apply only to proposed or new projects following adoption of this amendment.

The new goal and objective in Alternative F (EA, Appendix A) help move toward the existing forest plan goals and objectives related to threatened and endangered and sensitive species and their habitat for each National Forest in Utah. Thus, the proposed management direction does not significantly alter the long-term relationships between the levels of goods and services projected by the forest plans.

The guidance in Forest Service Handbook 1909.12, section 5.32(c) explains: "In most cases, changes in outputs are not likely to be a significant change in the forest plan unless the change would forego the opportunity to achieve an output in later years." Any short-term temporary reductions in outputs do not foreclose opportunities to achieve such outputs in later years. Again, the proposed management direction does not foreclose the achievement of existing goals and objectives.

d. Management Prescriptions The management prescriptions factor involves the determination of (1), "whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area" and (2), "whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced" (Forest Service Handbook 1909.12, section 5.32(d)).

Implementation of direction in Alternative F will provide for consistency in management of habitat on the National Forest System lands in Utah. The desired future conditions and long-term levels of goods and services projected in current plans are not substantially changed by the proposed management direction. The proposed management direction will work to accomplish an element of the multiple-use desired future condition currently described in forest plans by providing habitat needed to support viable populations of goshawks, a sensitive species.

As noted above, the proposed management direction is short-term and applies only to a small portion of the overall planning area. Thus, the "anticipated goods and services" will not be greatly affected by proposed management direction. In adopting the proposed management direction (essentially mitigation measures) until forest plans for the six Utah National Forests are revised, the Plan amendments retain or improve the environmental status quo on a portion of the affected national forests.

For a detailed assessment of each National Forest in Utah, refer to the supplemental information reports (SIRS) completed by each national forest in the fall of 1998 and winter 1999 (available in

the project records, Exhibit K and on the web site <http://www.fs.fed.us/r4/goshawk>). These SIRs contain preliminary NFMA significance findings at the individual forest scale that supports findings in this document.

Finding

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of the management direction reflected in Alternative F until the six affected national forests complete forest plan revision (projected to be 4 years), does not result in a significant amendment to these current forest plans.

No negative direct, indirect or cumulative effects to heritage resources, soil and water will occur because my decision is programmatic and does not supercede any of the direction currently in the forest plans that protects cultural sites, soils, and water resources. (EA, Chapter 4).

Environmental Justice was discussed in the EA (Chapter 3, section 3.4.1). It was determined that the local effects are not measurable at the state-wide scale and would not be disproportionate to low income or minority groups (Chapter 4, section 4.4.1).

7. Implementation date

The decision is effective 7 days after publication of the legal notice (36 CFR §217.10(a)). The anticipated date of publication is the end of March 2000.

8. Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 217.3. A written appeal must be postmarked or received in duplicate by the Appeal Reviewing Officer within 45 days of the date of publication of the legal notice of availability for this decision in the *Salt Lake Tribune* newspaper. The publication date is expected to be at the end of March 2000. Appeals must meet the content requirements of 36 CFR 217.9 and be mailed to:

Chief, USDA Forest Service
ATTN: Appeals Office, EMC, 3-Central
PO Box 96090
Washington, DC 20090-6090

9. Contact Person

For further information about this project, contact Peter W. Karp, Forest Supervisor, Uinta National Forest, PO Box 1428, Provo, Utah 84601, phone: 801-342-5100.

/s/ Jack A. Blackwell

March 14, 2000

JACK A. BLACKWELL
Regional Forester
Intermountain Region

Date

