



United States  
Department of  
Agriculture

**DRAFT**  
**Decision Notice**  
**for the**  
**Canyons HFRA Project**



Forest Service  
Intermountain Region  
Manti-La Sal National Forest  
Ferron-Price & Sanpete Ranger Districts  
Sanpete, Emery, Carbon and Sevier Counties, Utah



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## TABLE OF CONTENTS

### Contents

<b>INTRODUCTION</b> .....	<b>1</b>
<b>PUBLIC INVOLVEMENT &amp; SCOPING</b> .....	<b>1</b>
<b>DECISION</b> .....	<b>1</b>
DELEGATION OF DECISION AUTHORITY .....	1
SELECTED ALTERNATIVE .....	1
OTHER ALTERNATIVES CONSIDERED .....	2
<b>DECISION RATIONALE</b> .....	<b>3</b>
<b>FINDINGS REQUIRED BY OTHER LAWS &amp; REGULATIONS</b> .....	<b>5</b>
NATIONAL FOREST MANAGEMENT ACT.....	5
NATIONAL HISTORIC PRESERVATION ACT .....	7
ENDANGERED SPECIES ACT & FOREST SERVICE MANUAL 2670 (SENSITIVE SPECIES) .....	7
<i>Threatened, Endangered, Proposed &amp; Candidate Species</i> .....	7
<i>Sensitive Species</i> .....	7
CLEAN WATER ACT .....	8
CLEAN AIR ACT .....	8
HEALTHY FOREST RESTORATION ACT .....	8
2001 ROADLESS RULE .....	9
PERTINENT EXECUTIVE ORDERS .....	10
<i>Environmental Justice</i> .....	10
<i>Migratory Birds</i> .....	10
<i>Wetlands, Floodplains and the Clean Water Act</i> .....	10
<b>DECISIONAL ADMINISTRATIVE REVIEW PROCESS</b> .....	<b>11</b>
<b>IMPLEMENTATION</b> .....	<b>12</b>
<b>CONTACT</b> .....	<b>12</b>

## **INTRODUCTION**

This Decision Notice (DN) document describes my rationale and decision regarding the Canyons Healthy Forest Restoration Act (HFRA) Project on the Ferron-Price and Sanpete Districts of the Manti-La Sal National Forest. Full discussion of the purpose and need for the project, as well as alternatives considered, can be found in the EA. My decision and findings are based on the analysis documented in the Canyons HFRA Project Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) and the supporting project record, which are incorporated by reference in this document. The analysis and decision tier to the Manti-La Sal National Forest Final Environmental Impact Statement and the Manti-La Sal National Forest Land and Resource Management Plan (1986, as amended).

## **PUBLIC INVOLVEMENT & SCOPING**

In November 2017, the Forest Supervisor of the Manti-La Sal National Forest, in collaboration with State and local agencies/governments, determined that a fuels reduction project was needed within the Canyons Project area. The scoping letter for the Canyons project was signed and sent for public review on November 7, 2017. The letter was mailed to 206 individuals, organizations, and agencies, including appropriate tribal governments.

A Legal Notice of Proposed Action and Opportunity to Comment was also published in the Price *Sun Advocate*, which is the newspaper of record for the Manti-La Sal National Forest, on November 7, 2017. Although a legal notice is not required by 36 CFR 218 Subpart C for EAs completed under HFRA, the Forest wanted to ensure awareness of the project and provide broader public notification. The legal notice notified the public of the proposed HFRA project, provided a 30-day Notice and Comment period, and notified the public that a public meeting (as required by HFRA) would be held at the Sanpete Ranger District Office on November 15, 2017. A list of attendees for the public meeting can be found in the project record. Consultation with Tribal governments also occurred. A list of Agencies & Persons Consulted can also be found in the EA.

Comments were received from two individuals, five organizations and two tribal governments. An analysis of the comments received can be found in the Canyons project record. The majority of public comments were supportive of the proposed action. Some comments raised issues or concerns that were either outside the scope of the decision to be made or could be addressed and minimized through application of project design features and Forest Plan standards and guidelines to be implemented as part of the proposed actions. This determination is substantiated in the EA, the comment analysis document in the project record, in the information provided in pertinent specialist reports, and in the Biological Evaluation/Biological Assessments.

## **DECISION**

### ***Delegation of Decision Authority***

Nora B. Rasure, Regional Forester, is the Deciding Official for this project. Due to the size of timber sales necessary to implement proposed fuel treatments (up to 120,000 CCF), the Washington Office has delegated decision authority for this project to the Regional Forester (Nora Rasure) who has re-delegated that authority to her deputy as authorized.

### ***Selected Alternative***

I have decided to implement Alternative 2 – Proposed Action, as it is described in the EA, to include the design features and mitigations in Appendix A of the EA. Implementation of this alternative will reduce

hazard fuels and associated risk to forest resources, life, and property through mechanical and prescribed burn treatments within the 171,000 acre (approximate) project area. It will:

1. Reduce the risk of stand-replacing fire within the project area and adjacent landscape.
2. Reduce the risk from wildfire to life (fire fighters, recreationists, permittees, and property owners) and property in this area.
3. Restore Engelmann spruce as a major component of treated stands.
4. Restore healthy aspen within treated stands where the opportunity exists.

Treatments will be accomplished utilizing mechanical treatments and prescribed burning, with planting of Engelmann spruce seedlings where natural regeneration does not occur and stimulation of natural regeneration (sprouting/suckering) of aspen clones within treatment areas.

**Table 1 – Selected Alternative (Alternative 2) Activities**

Proposed Activity	Proposed Action Activity/Treatment Size	
	In IRA	Outside IRA
<b>Mechanical (Mx)</b>	15,490 acres	14,084 acres
<b>Temp Roads</b>	0 miles	153 miles
<b>Haul Roads</b>	74 miles	295 miles
<b>Skid Trails</b>	1,344 miles	1,679 miles
<b>Landings</b>	55 acres	328 acres
<b>Pre-Commercial Thin (PCT)</b>	15,490 acres	14,084 acres
<b>Site Prep (burning)</b>	4,594 acres	298 acres
<b>Planting</b>	9,294 acres	8,450 acres
<b>Prescribed Burn</b>	1,233 acres	363 acres
<b>Broadcast</b>	449,210 tons	408,436
<b>Fuels Reduced</b>		

***Other Alternatives Considered***

In addition to the Proposed Action (Alternative 2), two other alternatives were considered in detail in the EA: Alternative 1 – No Action and Alternative 3 – Non-IRA (Inventoried Roadless Area) Treatments.

Potential issues with the proposed action were derived from comments received from the public, organizations, other agencies, and Forest Service resource specialists. Following review of public comments and discussion with interdisciplinary team members, the Forest Supervisor determined there were three issues associated with the action alternatives that would be analyzed in detail in the EA:

1. **Motorized Access:** Logging activities and associated haul may increase unauthorized motorized accessibility and use.
2. **Inventoried Roadless Areas:** Proposed timber harvest in inventoried roadless areas could affect the wilderness characteristics of these areas.
3. **Soil and Water:** The proposed mechanical harvest and prescribed burning could lead to increased erosion and water quality impacts.

Consideration and selection of issues, including those eliminated from detailed study, are documented in the EA and project record.

**Alternative 1** – No Action was not selected because there would be no treatment of vegetation and associated hazard fuels within this high-use, high-value area. With no treatment of fuel loading, the potential for uncharacteristic wildfire behavior and intensity would increase. Regeneration of conifer to restore species composition and improve watershed health and diversity (both vertically and horizontally) would also not occur. Aspen abundance in spruce/fir and aspen mixed conifer vegetation types would also not be maintained or increased.

**Alternative 3** – Non-IRA Treatments was not selected because this alternative would not provide sufficient reduction of hazard fuels to reduce the risk of severe wildfire within the project area watersheds and values associated with communities at risk and wildland urban-interface areas, as discussed in the EA (Chapter 2). Only 40% of acreage and fuels proposed for treatment in Alternative 2 would be treated and not in the areas of highest priority for treatment.

## **DECISION RATIONALE**

This decision was made after careful consideration of the proposal, public involvement, the EA, and the supporting project record. The EA and record incorporate best science and includes a thorough review of relevant scientific information.

The decision is in conformance with desires raised during the collaborative process regarding management of vegetation to reduce hazard fuels and restore fire regime condition classes in this area.

I have determined that authorizing the Proposed Action is preferred to taking no action (doing nothing). This decision provides a good combination of physical, biological, social, and environmental benefits with acceptable resource effects, while attaining the stated purpose and need when combined with specified design features and monitoring measures. It employs actions to reduce fuel loading and fire hazards that threaten resources, municipal water supplies, private property, and the public. I also find this is an important intermediate step in the long-term restoration of Engelmann spruce and aspen habitats on these districts.

This proposal will reduce primarily dead fuels (trees) within the treatment area while restoring the fire regime condition class (FRCC) throughout the project area. It will also provide fire fighters the opportunity to suppress fires under conditions that allow for improved fire fighter safety and protection of life, property, and improvements. This improved condition class and reduced fire risk will benefit National Forest lands and improvements by aiding in protection from fires (natural and man-caused) that may spread from private lands, developed recreation sites, dispersed recreation areas, and other areas of the National Forest. It will also aid in the protection of private infrastructure which lies within and adjacent to the project area from fires that initiate on and spread from the National Forest.

The proposed treatments are specifically designed to restore watershed health, restore the composition and structure of ecosystem components, and reduce the risk of uncharacteristic wildfire effects by removing dead spruce, thinning residual trees, planting of Engelmann spruce seedlings, and stimulating aspen regeneration.

Detailed discussions of potential direct, indirect, and cumulative effects of the Proposed Action are summarized in the EA and discussed in specialist reports that are included in the project record.

Although, there are direct effects to the roadless or wilderness characteristics of the eight roadless areas where treatments will occur, these will be short-term (up to 40 years) in relation to the time required for the development of mature and old spruce-fir stands (220 or more years) and the 300 plus years required for Engelmann spruce to reestablish naturally in areas severely burned during wildland fire. Modifications

in forest structure through application of the proposed treatments will open the forest canopy, triggering changes in surface vegetation and fuels. More light usually triggers growth of grasses, forbs, and shrubs that begin to fill open spaces created by the removal of the dead trees. Trees will also seed into, or be planted where needed, and reestablish within these openings. This concept is inherent in the concept of Fire Regime and Condition Class. Plants will grow and fuels will accumulate following treatments, but over time, occurrence of natural disturbances within the ecosystem disturbance interval for this and other similar areas should maintain future disturbance intensity and severity at low levels with fewer negative impacts to soil, water, wildlife, and vegetation resources, as well as protecting lives and property values associated with this area. This vegetation growth, with required design features, will also minimize the effects of logging over time until these areas will again fully contribute to roadless and wilderness characteristics.

Furthermore, how the agency would manage inventoried roadless areas to reduce the risk of uncharacteristic wildfire effects was considered during development of the 2001 Roadless Rule. As stated in the pre-amble to the Rule:

“The effects of uncharacteristic wildfires often include unnatural increases in wildfire size, severity, and resistance to control and the associated impacts to people and property. These uncharacteristic effects have been caused primarily by past wildfire suppression, and past timber harvesting and grazing practices. These have contributed to often-dramatic changes in some areas in wildfire frequency, size, and severity (FEIS Vol. 1, 3-72 to 3-73). The vegetative structure, density, and composition of these areas have changed when compared to less altered ecosystems (FEIS Vol. 1, 3-144).

The use of timber harvesting, as permitted by this rule, and other fuel management techniques will help maintain ecosystem composition and structure within its historic range of variability at the landscape scale. Treatment priorities will be consistent with those identified in the report Protecting People and Sustaining Resources in Fire-Adapted Ecosystems: A Cohesive Strategy (November 9, 2000; 65 FR 67480). These include wildland-urban interface areas, readily accessible municipal watersheds, and threatened and endangered species habitat. Since wildland-urban interface areas and readily accessible municipal watersheds rarely occur in or adjacent to inventoried roadless areas, most fire hazard reduction work would not begin in inventoried roadless areas for at least 20 years, the estimated time it would take to address the extremely hazardous fuel situations outside inventoried roadless areas (FEIS Vol. 1, 3-78). **However, hazardous fuels treatment in inventoried roadless areas is not prohibited by this rule, so long as road construction or reconstruction is not necessary. Vegetative management would focus on removing generally small diameter trees while leaving the overstory trees intact. The cutting, sale, or removal of trees pursuant to 294.13(b)(1) must be clearly shown through project level analysis to contribute to the ecological objectives described.** Such management activities are expected to be rare and to focus on small diameter trees. Thinning of small diameter trees, for example, that became established as the result of missed fire return intervals due to fire suppression and the condition of which greatly increases the likelihood of uncharacteristic wildfire effects would be permissible.” (emphasis added)

It has been nearly 20 years since the 2001 Roadless Rule was signed into effect and extremely hazardous fuel conditions have escalated within and outside roadless areas since that time. The purpose and need, as discussed in the Canyons EA, explained the need for action in the inventoried roadless areas given conditions created by past fire suppression, current conditions created by insect epidemics and recent experience with the effects of uncharacteristic wildfires on the Manti-La Sal National Forest and adjacent

to the project area. The focus of mechanical treatments is on removal of standing dead and dying trees and on small diameter trees where non-mechanical treatments are proposed. No road construction (permanent or temporary) or reconstruction is proposed within the roadless areas. The proposed maintenance on classified roads in the IRAs is permitted by the 2001 Roadless Rule (294.12(c)).

## **FINDINGS REQUIRED BY OTHER LAWS & REGULATIONS**

Based on my review of the EA and other supporting documentation included in the project record, this decision complies with all applicable laws and regulations as discussed below.

### ***National Forest Management Act***

The selected alternative is consistent with the intent of the long term goals and objectives in the Forest Plan, as discussed in the EA. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines related to air quality, cultural resources, aquatic resources, recreation and travel management, scenic resources, soils, timber management, and wildlife habitat. Compliance and consistency documentation can be found in resource analysis documentation in the project record.

**Other NFMA Requirements** - I have determined the selected alternative is consistent with the following provisions of the National Forest Management Act:

**Suitability for Timber Production: No timber harvest, other than salvage sales or sales to protect other multiple-use values, shall occur on lands not suited for timber production (16 USC 1604(k)).**

The Manti-La Sal Forest Plan identifies areas suitable for timber production. All timber harvest is on suitable lands or if not in suitable areas, only salvage is occurring.

**Timber Harvest on National Forest Lands (16 USC 1604(g)(3)(E)): A Responsible Official may authorize site-specific projects and activities to harvest timber on National Forest System lands only where:**

**Soil, slope, or other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i)).**

There are no irreversible watershed conditions anticipated for the selected alternative.

**There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (16 USC 1604(g)(3)(E)(ii)).**

The proposed treatments are not considered a final regeneration harvest. Treatments are salvage, to remove dead spruce. However, even though restocking requirements don't apply, the selected alternative will artificially regenerate Engelmann spruce. In addition, it is expected natural regeneration of aspen in aspen and mixed conifer stands will occur.

**Protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment, where harvests are likely to seriously and adversely affect water conditions or fish habitat (16 USC 1604(g)(3)(E)(iii)).**

Design features protecting soils and hydrologic resources have been created to minimize impacts to riparian areas, wetlands, lakes, from sedimentation, increased water temperatures, and blockages.

Some dead trees will be removed from streamside management areas to reduce potential blockage from dead fall. Additionally, Best Management Practices (BMPs) and Soil Water Conservation Practices (SWCPs) will also be implemented to protect watershed resources.

**The harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber (16 USC 1604(g)(3)(E)(iv)).**

Harvest systems were selected based on the options available currently and the least amount of environmental impact. On slopes greater than 40 percent, ground based high flotation (USDA 1986 Land Management Resource Plan III-28) equipment is likely to be implemented. On slopes less than 40 percent conventional ground based logging systems and high flotation machinery are anticipated to be used. On slopes less than 40 percent Standards and Guides and resource reports allows conventional logging systems and equipment where soil surveys or soil data are available to design erosion mitigation needs (PP III-28 Forest Plan).

Helicopter logging methods are not economically feasible and are not available; however, units where this method would be used were analyzed in the event helicopter logging becomes available.

**Clearcutting and Even-aged Management (16 USC 1604(g)(3)(F)): Insure that clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even-aged stand of timber will be used as a cutting method on National Forest System lands only where:**

**For clearcutting, it is determined to be the optimum method, and for other such cuts it is determined to be appropriate, to meet the objectives and requirements of the relevant land management plan (16 USC 1604(g)(3)(F)(i)).**

The selected alternative does not propose any clearcuts.

**The interdisciplinary review as determined by the Secretary has been completed and the potential environmental, biological, esthetic, engineering, and economic impacts on each advertised sale area have been assessed, as well as the consistency of the sale with the multiple use of the general area (16 USC 1604(g)(3)(F)(ii)).**

The interdisciplinary review was completed and is documented in the EA and project record.

**Cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain (16 USC 1604(g)(3)(F)(iii)).**

There will be no cut block or clear cuts under the selected alternative. In addition, treatments implemented will be done to minimize hard lines by using feathering and following natural features.

**Cuts are carried out according to the maximum size limit requirements for areas to be cut during one harvest operation, provided, that such limits shall not apply to the size of areas harvested as a result of natural catastrophic conditions such as fire, insect and disease attack, or windstorm (FSM R1 supplement 2400-2001-2 2471.1, 16 USC 1604(g)(3)(F)(iv)).**

The selected alternative does not propose any clearcut; therefore, no restrictions or size limits apply.

**Such cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and esthetic resources, and the regeneration of the timber resource (16 USC 1604(g)(3)(F)(v)).**

Best Management Practices (BMPs), Soil Water Conservation Practices (SWCPs), and Canyons project design features will be implemented to protect these resources.

**Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (16 USC 1604(m)).**

When the stands were alive they were primarily Engelmann spruce dominated (approximately 60-70 percent species composition). Additionally, stands were uneven-aged. Trees proposed for harvest under both alternative 2 and 3 will only be dead spruce. CMAI refers to clear cutting or even-aged management, therefore, there are no clear cuts and no applicability for CMAI.

***National Historic Preservation Act***

Cultural resource surveys have been completed for the proposed project. Consultation has been conducted with appropriate tribes. There are 129 archaeological and historic resources within the area of potential effects (APE) for the Canyons Project. Of these, seventy-one are eligible for listing on the National Register of Historic Places (NR). Twenty-one of these eligible sites are within or near treatment units. Three eligible sites are under or adjacent to proposed temporary roads and thirty-two are adjacent to existing Forest Service system roads or are crossed by system roads. Six of these eligible sites are themselves historic roads. Eighteen eligible sites are technically within the broader APE for this project, and were included within the broader area analyzed for potential effects by the Canyons Project.

The final project proposal described in this document will not directly affect these sites. Eligible sites within or adjacent to treatment units will be avoided. Avoidance will protect these sites from direct effects created by logging or other fuel reduction activities. Avoidance of sites adjacent to treatment units will protect them from activities such as temporary road construction, log decking, equipment movement, etc. There will be no cumulative effects from the Canyons project.

The Utah State Historic Preservation Office (SHPO) was consulted and has concurred with the recommendation that there would be no adverse effect to historic properties by the Canyons Project on April 15, 2019. The Hopi Tribe was consulted and concurred with the recommendation that there would be *no adverse effect* to historic properties by the project on April 17, 2019. The Paiute Indian Tribe of Utah was also consulted and concurred with the recommendation that there would be no adverse effect to historic properties on April 29, 2019.

***Endangered Species Act & Forest Service Manual 2670 (Sensitive Species)***

***Threatened, Endangered, Proposed & Candidate Species***

A Biological Assessment (BA) was completed and determined the selected alternative would have “*no effect*” to any federal listed species, proposed species, or critical habitat – as documented in the FONSI (Finding of No Significant Impact) section of the EA. The project complies with the Endangered Species Act consultation.

***Sensitive Species***

A Biological Evaluation (BE) was completed and determined the selected alternative would have “*No Impact*” or “*May impact individuals or habitat, but will not likely contribute to a trend towards Federal Listing or Loss of viability to the population or species*” for the species considered, as documented in the FONSI (Finding of No Significant Impact) section of the EA.

### ***Clean Water Act***

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States (wetlands, navigable waters) and regulating quality standards for surface waters.

Best Management Practices (BMPs) and Soil and Water Conservation Practices (SWCPs) will be implemented to mitigate adverse effects. The practices controlling operations are effective in minimizing disturbance when fully and properly implemented. The selected alternative meets the intent of the Clean Water Act.

### ***Clean Air Act***

Any prescribed burning will be conducted only with approved site specific burn plans with standard smoke management mitigation and approvals. Burning would be conducted in favorable atmospheric conditions so as to minimize effects from smoke to nearby class 1 airsheds, nonattainment areas, communities and recreationists. All burning will be conducted according to the Utah State Smoke Management rule to mitigate smoke impacts. These regulations ensure that effects from all burning within the area are mitigated and that Clean Air Act requirements are met.

### ***Healthy Forest Restoration Act***

The selected alternative complies with direction provided in HFRA. One of the purposes of HFRA is to reduce wildfire risk in communities, municipal water supplies, and other at-risk Federal land through a collaborative process of planning, prioritizing, and implementing hazardous fuel reduction projects (HFRA Sec. 2 Purposes). HFRA provides direction in the following areas.

**Location of Treatment Areas (HFRA, Section 102(a)):** All of the proposed treatment areas fall within one of the following categories where hazardous fuel reduction projects can be implemented under HFRA: federal lands in WUI; Condition Class 3 or Condition Class 2 (fire regime I, II or III) federal lands within proximity to a municipal water supply system or a stream feeding such a system and where significant risk exists for a fire disturbance event to have adverse effects on the water quality of the municipal water supply of maintenance of the system, including a risk to water quality posed by erosion following such a fire disturbance event; and, federal lands where the existence of an epidemic of disease or insects poses a significant threat to an ecosystem component, or forest or rangeland resource. Many of the proposed treatment areas are within one and a half miles of at-risk communities or other developments and infrastructure, including Skyline Mine and other coal developments, power transmission lines, natural gas pipelines, private cabins, and coal developments.

Portions of four counties (Carbon, Emery, Sanpete, and Sevier) are included in the project area. These counties include 78 designated communities at-risk (2016 Utah Communities at Risk list), many of which are in or around the project area. These include, among others, Huntington, Orangeville, Castle Dale, Clawson, Ferron, Emery, Mount Pleasant, Spring City, Ephraim, Manti, Sterling, Joes Valley, Whispering Pines, Gooseberry Mountain Estates, and Ferron Reservoir.

Many of the Canyons Project treatment areas are classified as Fire Regime III Condition Class II. All of the project area is at risk to severe wildland fire events that could have major impacts on watersheds, municipal systems, and water quality. Those areas identified as Condition Class I in the project area in the 2005 Fire Regime/Condition Class assessment have been shown to be at a moderate to extreme hazard due to impacts from the spruce beetle epidemic and place adjacent watershed and WUI areas at-risk. The fuel and vegetation conditions are similar to those that burned in the 2012 Seeley Fire and in the Trail Mountain, Coal Hollow, and Pole Creek Fires in 2018.

The Canyons project area has been impacted heavily by spruce beetle induced mortality that began about 30 years ago, progressing such that about 90% of large diameter spruce trees have died across about 60,000 acres. These dead trees are subject to storm damage and increasing windthrow that is creating dense fuel loads and hazardous conditions for firefighters, watersheds, other forest resources, and adjacent properties and values. The selected alternative (Alternative 2 – Proposed Action) would treat about 36,000 acres of affected federal lands to reduce the risk of severe wildland fire.

**Old Growth & Large Tree Retention (HFRA, Section 102(e) and (f)):** No old growth occurs within the proposed treatment areas. Spruce beetle induced tree mortality has resulted in the loss of any stands that could meet Region 4 Old Growth criteria. Salvage of dead trees (hazardous fuels) is the primary action, with some prescribed burning proposed and restoration planting of Engelmann spruce and stimulation of aspen regeneration where opportunity exists.

Generally, no live trees are proposed for harvest, though incidental removal of some live trees may occur to accommodate skid trails, temporary roads and landings and to promote aspen regeneration. No old growth character stands occur in the project area. Harvest is primarily dead standing and down trees 10 to 14 inches DBH (diameter at breast height). The primary focus of the project is to implement treatments (prescribed fire and salvage harvest) to remove dead trees and reduce fuel loads to limit the spread and severity of wildfire and modify wildfire behavior (as measured by the projected reduction of uncharacteristically severe wildfire effects for the forest type). Treatments maximize the retention of large trees, as appropriate for the forest type, to the extent that the trees promote fire-resilient stands.

**Range of Alternatives Considered (HFRA, Section 104(d)):** HFRA sets out requirements for the range of alternatives to be considered in projects authorized under the act. Because many of the treatments occur within WUI, but not all are within 1.5 miles of an at-risk community, it was necessary to consider the proposed action and one action alternative. While not required by HFRA, for this project, the no action alternative was also considered to better understand the short and long-term consequences of taking no action or taking action (HFRA, 106).

**Public Notice, Meeting & Collaboration (HFRA, Section 104(e) and (f)):** This project was developed in collaboration with local and federal agencies, as previously discussed in the Public Involvement section and as documented in the project record. The Forest has met with County Commissioners to brief them regarding forest conditions and development of plans for the project proposal. The project has been included on the Manti-La Sal National Forest 5-Year Integrated Plan (implementation plan) since 2017. These plans are reviewed annually by representatives of local, State, and Federal agencies to coordinate and prioritize projects and funding. Community Wildfire Protection Plans (CWPP) that are applicable to this project are also included in the Project Record. These plans address public desires for management of fuels and vegetation in the area.

Public notice/scoping and a public meeting were conducted, as previously described in the Public Involvement section.

**Administrative Review Process (HFRA, Section 105):** The administrative review process for this project follows the requirements of HFRA and 36 CFR 218 Subparts A and C, as described in the Administrative Review Process section below.

### ***2001 Roadless Rule***

The project is compliant with the 2001 Roadless Rule as it does not propose any prohibited actions in inventoried roadless areas and demonstrates appropriate application of any exceptions:

#### **294.13: Prohibition on timber cutting, sale, or removal in inventoried roadless areas.**

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(a) Timber may not be cut, sold, or removed in inventoried roadless areas of the National Forest System, except as provided in paragraph (b) of this section.

(b) Notwithstanding the prohibition in paragraph (a) of this section, timber may be cut, sold, or removed in inventoried roadless areas if the Responsible Official determines that one of the following circumstances exists. The cutting, sale, or removal of timber in these areas is expected to be infrequent.

(1) The cutting, sale, or removal of generally small diameter timber is needed for one of the following purposes and will maintain or improve one or more of the roadless area characteristics as defined in § 294.11.

...(ii) To maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects, within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period.

**Project Compliance:** The proposed actions are infrequent, stands affected by spruce beetle occur at this level every 250-300 years. The potential for cutting, sale and removal, would not occur for at least another 150-200 years. The Canyons Project is specifically designed to improve watershed health, restore the composition and structure of ecosystem components, and reduce the risk of uncharacteristic wildfire effects by removing dead spruce, thinning residual trees, and planting Engelmann spruce. The focus of mechanical treatments is on removal of standing dead and dying trees and on small diameter trees where non-mechanical treatments are proposed.

### ***Pertinent Executive Orders***

#### ***Environmental Justice***

The selected alternative was assessed to determine whether it would disproportionately impact minority or low-income populations, in accordance with Executive Order 12898. No local minority or low-income populations would be disproportionately impacted by implementation.

#### ***Migratory Birds***

The project complies with the intent of the Migratory Bird Treaty Act (MBTA) and EO 13186 and the 2008 MOU, and follows bird conservation recommendations in the Utah Partners in Flight (PIF) Avian Conservation Strategy where applicable under the scope of this project.

#### ***Wetlands, Floodplains and the Clean Water Act***

EO 11990 (Wetlands) requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.

EO 11988 (floodplains) requires the Forest Service to avoid, to the extent possible, the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

Best Management Practices (BMPs) and Soil and Water Conservation Practices (SWCPs) will be implemented to mitigate adverse effects. The practices controlling operations are effective in minimizing disturbance when fully and properly implemented. The selected alternative meets the intent of Executive Orders 11988 and 11990.

## **PRE-DECISIONAL ADMINISTRATIVE REVIEW PROCESS**

**This Draft Decision Notice (DN) is subject to a 30-day objection period as set forth by FS regulations at 36 CFR 218, subparts A and C.** Individuals and entities who have submitted timely, specific written comments during an opportunity for public comment, such as scoping, or any other instance where the responsible official seeks written comments may file an objection. Other federal agencies may not file objections.

The starting date for the 30-day objection and review period is the day after publication of the legal notice of this draft Decision Notice in the newspaper of record for the Intermountain Region, the Salt Lake Tribune newspaper located in Salt Lake City, Utah. The reviewing officer is the chief of the Forest Service. The objection must be filed in writing with the Objection Reviewing Officer, by submission to:

**Physical address (for UPS, FedEx, and hand deliveries)\*:**

USDA Forest Service  
Attn: Objection Reviewing Officer  
210 14th Street, SW  
EMC-PEEAR, Mailstop 1104  
Washington, DC 20250

Or:

**Regular mail:**

USDA Forest Service  
Attn: Objection Reviewing Officer  
1400 Independence Ave., SW  
EMC-LEAP, Mailstop 1104  
Washington, DC 20250

Or:

**Phone\*\*:** 202-791-8488

**Fax:** **801-625-5277**

**Email:** [objections-chief@fs.fed.us](mailto:objections-chief@fs.fed.us)

\*Objections may be hand delivered to the address above between the hours of 8:00 AM and 5:00 PM, Monday through Friday, excluding federal holidays.

\*\*The main phone line which can be used for carrier deliveries is 202-791-8488. That number is staffed during regular business hours.

Electronic objections may be submitted in an email message or in a common attachment format such as .doc, .docx, .pdf, .txt, .rtf, or .html. Please include the project name in the subject line.

It is the responsibility of objectors to ensure their objection is received in a timely manner (§218.9).

The publication date of the legal notice in the Salt Lake Tribune, newspaper of record, is the exclusive means for calculating the time to file an objection of this project. Those wishing to object to this proposed project should not rely upon dates or timeframe information provided by any other source.

At a minimum an objection must include the following (36 CFR 218.8(d)): 1) The objector's name and address, with a telephone number, if available; 2) a signature or other verification of authorship upon request (a scanned signature for Email may be filed with the objection); 3) when multiple names are listed on an objection, identification of the lead objector (verification of the identity of the lead objector shall be

provided upon request); 4) the name of the proposed project, the name and title of the Responsible Official, and the name(s) of the National Forest(s) and/or Ranger District(s) on which the proposed project will be implemented; and 5) a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and 6) a statement that demonstrates connection between prior specific written comments on the particular proposed project or activity and the content of the objection.

If an objection is filed, the reviewing officer will respond in writing to the objection within 30 days following the end of the objection filing period (36 CFR 218, 218.32).

Prior to issuance of the reviewing officer's written response to an objection, either the reviewing officer or the objector may request a meeting to discuss issues raised in the objection and potential resolution of the objection. After the reviewing officer provides a written response to the objection, no further review from any other Forest Service or U.S. Department of Agriculture official of the reviewing officer's written response to the objection is available.

## **IMPLEMENTATION**

If no objections are received, implementation of this project may occur on, but not before, the fifth business day following the end of the objection period (36 CFR 218.12(c)(2)). If an objection is received, the decision cannot be signed until the objection reviewing officer has responded in writing to all pending objections and the responsible official has addressed all concerns and/or instructions identified by the objection reviewing officer in the responses to objections (36 CFR 218.12(a-b)). Once concerns/instructions have been addressed and the decision signed, the project may be implemented. The project is expected to begin implementation in fall 2019.

## **CONTACT**

For further information contact Mike Scottorn, 540 N. Main Street, Ephraim, Utah 84627-1117, Phone: 435-283-4151, Email: michael.scottorn@usda.gov. A copy of this document and other project information is available on the Canyons project webpage at <https://www.fs.usda.gov/project/?project=52899> or can be obtained at the District office.

NORA B. RASURE  
Regional Forester

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Date