

Decision Notice
 & Finding of No Significant Impact
Bryan Flat Fuels Reduction Project

**USDA Forest Service
 Jackson Ranger District, Bridger Teton National Forest
 Teton County, Wyoming**

Decision and Reasons for the Decision

Background

The Bryan Flats Fuels Reduction Project is proposed at this time to respond to goals and objectives of the National Fire Plan and the Bridger-Teton National Forest Land and Resource Management Plan (Forest Plan) (USDA Forest Service 1991). The environmental assessment (EA) documents the analysis of 2 alternatives to meet this need.

Decision

Based upon my review of all alternatives, I have decided to implement Alternative 2 which will respond to the purpose and need. Alternative 2 will move the project area towards the desired condition by thinning and applying prescribed fire over approximately 3750 acres in several treatment areas as described in the following table.

Treatment Area	Location	Acres (approximate)	Developed areas nearby
North Willow Creek Mechanical Treatment	T39N R115W secs 31,32	59	Spotted Horse Ranch, Bryan Flats residential area, Broken Arrow Ranch
Willow Creek Prescribed Burn	T39N R115W secs 31, 32 T38NR115W secs 5,6, 7, 8, 9, 16, 17, and 18	2308	Spotted Horse Ranch, Bryan Flats residential area, Broken Arrow Ranch, University of Michigan summer campus
Ann Mountain Mechanical Treatment	T38N R115W secs 5, 8, 9 and 16	73	Bryan Flats residential area, Broken Arrow Ranch, University of Michigan summer campus
Beaver Mountain Prescribed Burn	T38N R115W secs 3, 4, 9, 10, 15, 16, 21 and 22	1323	Bryan Flats residential area

This alternative will focus on utilization of different types of fuels manipulation described as mechanical (understory thinning) and the application of broadcast prescribed burning. These fuels treatments would lessen the probability of a high severity wildfire. Any mechanical fuels reduction in this alternative would require piling of slash and ultimately burning of piles.

When compared to the No Action alternative this alternative best meets the purpose and need as well as addressing significant issues raised during the scoping process. Alternative 2 addresses issues raised specific to:

- extent of treatment,
- recreational uses in the project area,
- effects on Designated Roadless Areas,
- Access issues related to private lands under conservation easements through the Jackson Hole Land Trust,
- effects on wildlife,
- visual quality effects,
- threats to values.

Mitigation measures identified in the Environmental Analysis are required in this decision and are listed in Attachment A of this Decision Notice. Surveys were conducted for cultural resources and threatened and endangered species and clearances prepared for both. Smoke impacts from burning slash piles and broadcast burning is also identified in the EA and mitigation measures identified. Specialists in Fire and Fuels management, Wildlife management, Vegetation management, Recreation and Wilderness, Visual Quality management, Soils and Hydrology, and Cultural Resources provided reports which were used in compilation of the EA and the effects analysis of this project. This alternative meets requirements under the following laws and regulations:

Multiple-Use Sustained-Yield Act of 1960
National Historic Preservation Act of 1966 (as amended)
Wild and Scenic Rivers Act of 1968, amended 1986
National Environmental Policy Act (NEPA) of 1969 (as amended)

Clean Air Act of 1970 (as amended)
Endangered Species Act (ESA) of 1973 (as amended)
Forest and Rangeland Renewable Resources Planning Act (RPA) of 1974 (as amended)
National Forest Management Act (NFMA) of 1976 (as amended)
Clean Water Act of 1977 (as amended)
American Indian Religious Freedom Act of 1978
Archeological Resource Protection Act of 1980
Cave Resource Protection Act of 1988
Executive Order 11593 (cultural resources)
Executive Order 11988 (floodplains)
Executive Order 11990 (wetlands)
Executive Order 12898 (environmental justice)
Executive Order 12962 (aquatic systems and recreational fisheries)
Executive Order 13186 (Migratory Bird Treaty Act)

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative. A comparison of these alternatives can be found in the EA on pages 25-31.

Alternative 1

No Action

Under the No Action alternative, no fuels treatments would be undertaken in the project area, and current management plans would continue to guide management of the project area.

Public Involvement

As described in the background, the need for this action arose during the problematic fire seasons of 2000 and 2001 which affected the Bridger-Teton National Forest and most of the Western United States. This project was listed in the September 2006 Forest Schedule of Proposed Actions. On March 21, 2007, a letter updating the project and requesting comments was sent to approximately 120 individuals, groups or agencies that either expressed interest in the Bryan Flats Fuel Reduction Project are adjacent landowners, or were deemed likely to hold an interest in the project. Two (2) comments were received from the March 21, 2007 letter, and were generally supportive of the project. A public meeting was held on March 27, 2007 at the Hoback Junction Fire Station to give interested parties a chance to discuss the project with the Forest Service. Seven (7) parties attended the meeting, no written comments were received, but the attendees wished to be kept on a mailing list for further project information. The fire and fuels management staff has met with and discussed options for fuels work in the project area with officials from Teton County Fire, US Fish and Wildlife Service, and Wyoming Department of Game and Fish. Correspondence has been undertaken with the State of Wyoming Office of Federal Land Policy, including the State Historic Preservation Office and Wyoming Game and Fish Department. A wide spectrum of non-governmental organizational groups were sent the scoping package which was also sent to private landowners adjacent to the project area. Current information on project status including the Environmental Analysis is posted on the Bridger-Teton National Forest website (www.fs.fed.us/btnf).

Using the comments from the public and other agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included the extent of treatment, recreational uses in the project area, effects on Designated Roadless Areas, Access issues related to private lands under conservation easements through the Jackson Hole Land Trust, effects on wildlife, visual quality effects, and threats to values, smoke and air quality issues, threatened, endangered and sensitive plants, and effects on Heritage (cultural) resources (see EA 15, 32-49). The Forest Service addressed these concerns by modifying the initial proposed action.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action. It also considered the best available science (EA pages 13-14).
2. There will be no significant effects on public health and safety, due to the mitigation measures listed in Attachment A. These measures are expected to be effective based on past experience with similar projects on the Jackson Ranger District.
3. There will be no significant effects on unique characteristics of the area, because mitigation measures have identified issues related to the Roadless Designated Area, Within 36CFR 294.13 (b)ii timber may be cut, sold or removed in this area since the responsible official has determined that the circumstances within 294.13 (b)(ii) exist. The project purpose and need is directly related to the need 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 for the current climatic period.” Mitigation measures have also addressed other unique characteristics of the area including: Threatened and Endangered Species, Heritage resources, and the visual quality which has been identified in the area. See Chapter 3 in the EA.
4. The effects on the quality of the human environment are not likely to be highly controversial. Because there is no known scientific controversy over the impacts of the project. (see EA Chapter 3).
5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA page 29-31).
6. The action is not likely to establish a precedent for future actions with significant effects, because the level and extent of treatment as well as treatment techniques will follow established standards and follow standards outlined in the Forest Plan (EA pages 10-13).
7. The cumulative impacts are not significant (see EA Chapter 3).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because the project area was surveyed for sensitive sites, no sensitive sites were identified and mitigation measures were also identified to protect any sites if discovered during implementation. See Appendix A for specific mitigations. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because as stated above the project area was surveyed and mitigation measures identified (see EA pages 46-48). A clearance request was sent to the Wyoming State Historic Preservation Office a reply was not received within 30 days of submittal and by current policy this grants clearance of the Cultural Resources report, documentation is filed in the project record.
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, consultation with the US Fish and Wildlife Service was undertaken, and an analysis done

Attachment A.: Project Specific Mitigations:

Project specific mitigations related to the identified issues and other identified environmental factors are briefly described below. Refer to Chapter 3 for more detailed information.

Extent of Treatment

- Thin from below strategy, no road construction and no timber harvest.

Soil Stability

- Recommendations on season of prescribed burning and allowable acreage burned during each phase of implementation.
- Avoidance of identified sensitive areas.

Designated Roadless Area

- No roads or skid trails will be constructed.
- Stump height restrictions in mechanical units within Roadless Area <4”.

Visual Quality

- <4 “ stump heights where visible from homes or trails
- All slash will be piled and burned
- Landscape Architect to assist with unit layout.
- Specific to mechanical treatments: Unit boundaries to be feathered. With prescribed burning, efforts will be taken to not create unit boundary lines on the landscape, natural barriers and areas of vegetation change will be used as holding points for management ignitions where feasible.

Trails and Recreational Use

- Early public notification of project implementation through all available media.
- Minimize area and trail closures as much as possible.
- Signage of trailheads and access points to notify public of mechanical treatment operations along trails.
- Chainsaws must be shut down within 200 feet of horses in trail areas.
- Implement mechanical projects along one trail at a time to minimize impacts to trail use.

Wildlife

- Follow Goshawk guidelines as identified.
- Follow specifications of Special Food Storage Order (004-000-025) during project implementation.
- If any Threatened or Endangered Species (TES) nest, den or important site is found in the project area, activities may need to be curtailed or certain restrictions imposed.

- Seasonal restrictions on activities related to certain wildlife species.
- Retain at least 30% of mature shrub/grass, aspen and conifer/shrub in winter range areas.
- Implement prescribed fire in a mosaic fashion.
- Stand Replacement patches resulting from prescribed fire should be less than 10 acres in size.
- Maintain 4 down logs/acre at least 12” diameter and 20 feet long.
- Retain 4 to 6 snags per acre where present.
- Retain 5 to 7 tons per acre of down woody debris where present.
- No treatment within 800 meters of Bald Eagle nest from 2/15 to 8/15.
- Identify and map wetlands, ponds, streams. No ignitions within identified riparian areas.
- Critical Canadian Lynx habitat has been identified in the project area. These areas which lie outside of defined Wildland Urban Interface will not receive any treatments (Prescribed burning) until vegetation surveys have been undertaken to gauge the suitability of this habitat for lynx and whether it needs to be protected per the 2007 Lynx Conservation Amendment, and further consultation with The Fish and Wildlife Service.

Smoke Management

- Prescribed burning plans will address and mitigate for impacts from smoke.
- Prescribed burning will adhere to Wyoming State guidelines related to smoke emissions and prescribed burns will receive a burn permit from the State.

Sensitive Plants

- Surveys were conducted for rare and sensitive plant species and none were found in the project area.

Cultural Resources

- Cultural resources clearance has been obtained from the State Historic Preservation Office (SHPO).
- If any cultural resource sites are discovered during implementation, appropriate action will be taken in consultation with SHPO.

Threats to Values

- Implementation plans will address the inherent risks associated with prescribed burning, mitigation actions will be developed through prescription development and other identified actions.

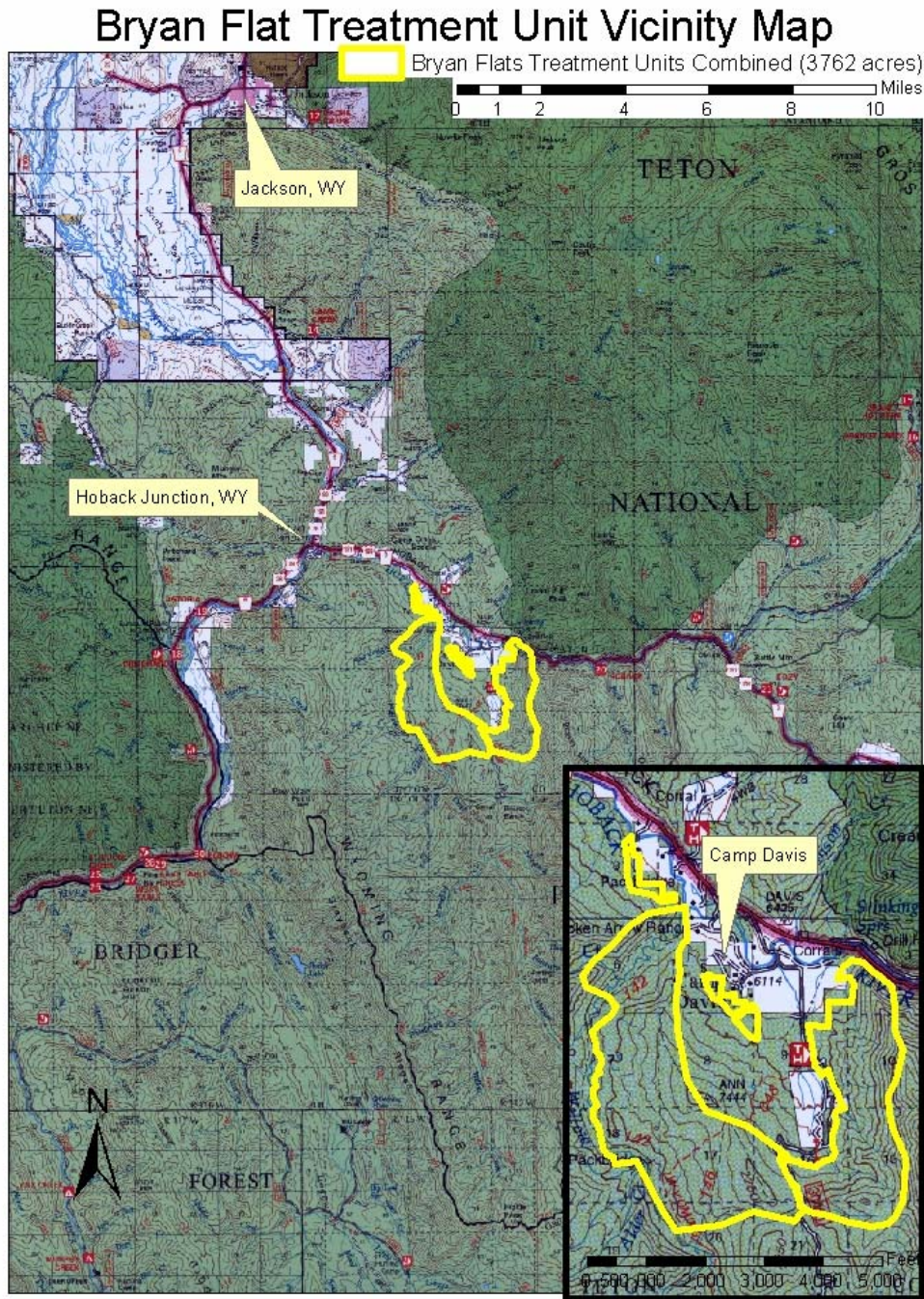
Conservation Easements

- There should be no negative impacts to conservation easements through project implementation.

- If access is needed through any easements, the District will consult with the landowner and/or the Jackson Hole Land Trust.

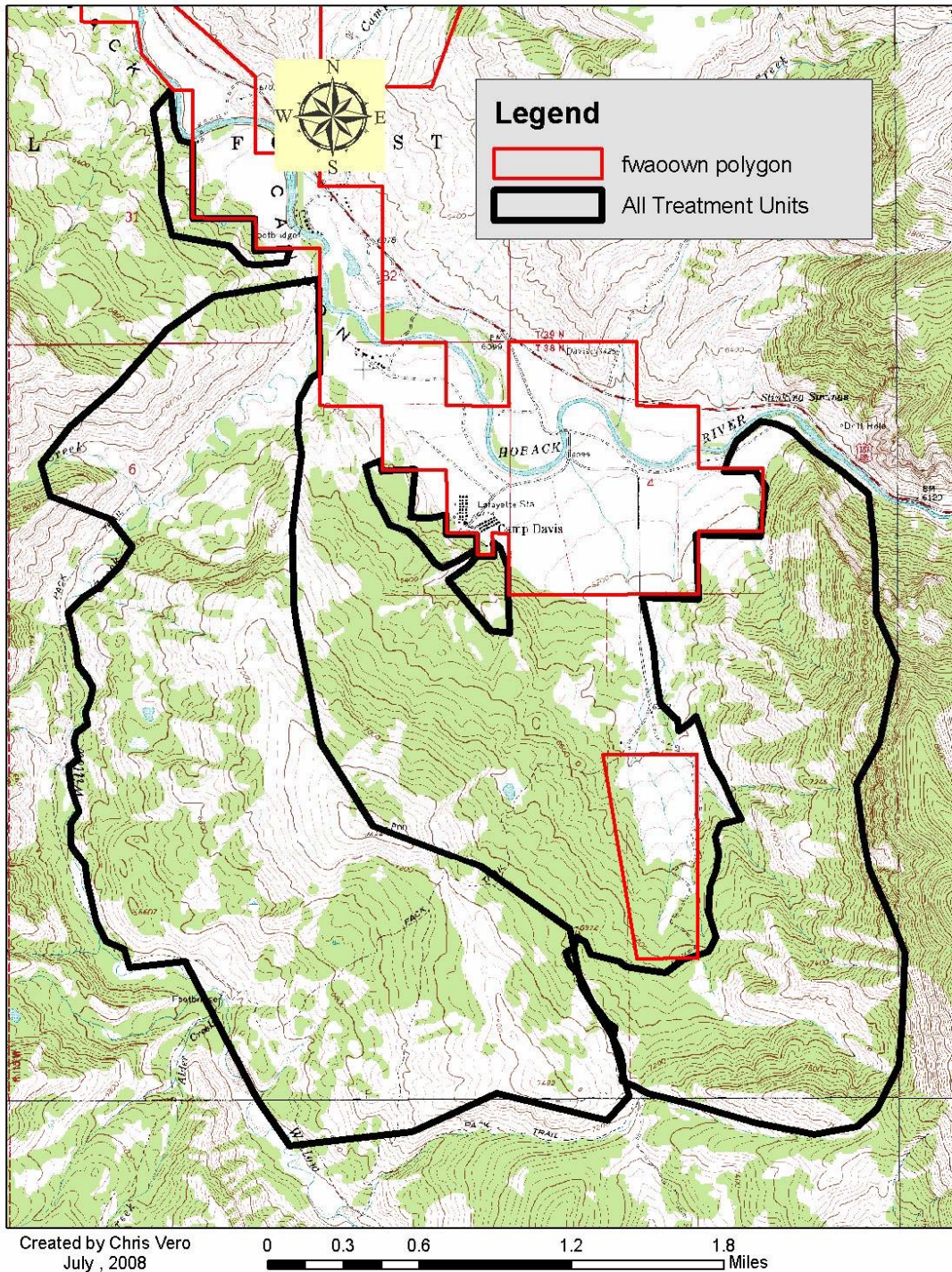
Fisheries

- No issues have been identified related to the viability of fisheries within the project area as a result of the project.



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