

Decision Memorandum on Action and for Application of: Departmental Categorical Exclusion 1.12 (or 1.13 or both)

East Sopris Fuels Reduction

**U.S. Department of the Interior
Bureau of Land Management
Glenwood Springs Field Office
Pitkin County, Colorado**

Number: CO-140-2008-029-CX

Legal Description: Township 8 S, Range 86 W, Sections 18, 19, 20, 21, 29, 28, 33, and 32.

Purpose and Need for the Action

The planning area encompasses an area commonly known as Light Hill. The area is bounded by State HWY 82 on the North, Sopris Creek and East Sopris Creek Roads on the West and South, and Snowmass Creek on the East. There is a 4WD road splitting the parcel. The existing continuous fuels are capable of producing flame lengths and rates of spread that can limit the success of initial attack to protect adjacent private lands, provide safety to the public, and limit firefighter safety.

Within this area are various habitat types: pinyon-juniper, mountain shrub (gambel's oak, serviceberry, mountain mahogany, bitterbrush and snowberry), and sagebrush on the southeast side and Douglas-fir on the North side. This area with its variety of habitat types provides critical winter range for mule deer and elk. Much of the mountain shrub community is older, decadent, showing signs of heavy browsing and clubbing resulting in reduced forage quality and quantity. In addition, the site contains increased fuel loads and possible wildland fire hazard within an urban interface area. There is a need to restore fire as a natural process within the fire-dependent plant communities of the project area to an extent feasible under the constraints of human safety, private property values, and resource values.

Description of the Proposed Action

The proposed action is to reduce hazardous fuels on the BLM public lands, see attached map. The approximate acreage for the project is 3,000 acres, of which approximately 550 acres treated. Any additional treatments in the project area would require a cultural resource inventory prior to implementation.

The project has a variety of proposed treatments from mechanical to prescribed fire. A proposed wildland prescribed fire would reintroduce fire back into the ecosystem and treat the mountain shrub communities to restore the biological health of the stands as well as improve and increase quality and quantity of forage for big game. In addition, the wildland fire hazard could be reduced to the adjacent subdivisions and private land. The

prescribed fire would not include existing sagebrush communities which are valuable habitat for wintering big game and support the BLM Sensitive plant, Harrington's penstemon.

Under the proposed action the oak brush (approximately 70% of the project area) would be thinned to create an open park appearance with scattered clumps of oak brush and mountain shrub intermixed with the openings of native grass. The continuity of the canopy of oak brush will be interrupted reducing the risk of a high severity crown fire, leaving behind islands of oak in a mosaic pattern. The thinning of the oak brush communities would be completed by use of a roller chopper or hydro axe.

The thinning and piling of juniper and pinyon is to be accomplished by laborers using chain saws. It would increase spacing between the crowns in the pinyon and juniper thus reducing the risk of crown fire. Piles would be burnt in the fall after the slash has cured. Any range allotments would need to be rested for 1 growing season from grazing. Fire crews and range personnel may construct temporary fencing around small portions of allotments to keep cattle from entering rested area.

Monitoring for noxious and invasive weeds will be conducted for 3 years after the project. Any infestations of weeds found in the project area will be inventoried, documented and dealt with in the appropriate manner.

PROJECT DESIGN SPECIFICATIONS COMMON TO ALL TREATMENTS

The following are both design and mitigation measures that would be implemented as part of the proposed action, and would be applicable to all fuels treatments throughout the life of this project.

1. Any treatment methods selected will thin and remove vegetation leaving a mosaic.
2. Any brush disposal by prescribed burning will be conducted when adjacent fuel moisture content is high enough for containment and smoke dispersal forecast of moderate or better is predicted.
3. All mechanical equipment would operate on dry or frozen soil
4. A leave strip of vegetation will be left adjacent to any roads that will be mechanically treated.
5. If a temporary fence is needed for range management reasons, The BLM would coordinate to put a temporary fence up to exclude cattle from rested areas.

Implementation Date

This project will be implemented in the spring of 2008 through the fall of 2012, weather permitting.

Plan Conformance

The Proposed Action is consistent with the Glenwood Springs Resource Management Plan, 1991 and the Fire Management Plan, 2004 as required by appropriate Federal, State, or local statutes having a bearing on the decision. The Proposed Action was designed in conformance with all bureau standards and incorporates appropriate guidelines for specific required and desired conditions relevant to project activities.

Decision Number/Page: The proposed action is within Fire Management Unit B-140-03 Roaring Fork Valley. The fire management Objectives, Strategies (including Prescriptive Vegetative Treatments) and the Priority Ranking are in Appendix B, pages 25-27 of the Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance 2002 and revised 09/2004. Also within the Fire Management Plan, Chapter III page 10 discusses Fuels Treatment Prioritization.

Compliance with the National Environmental Policy Act

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.12. The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. None of the exceptions apply. These extraordinary circumstances are contained in 516 DM 2, Appendix 2.

Persons and Agencies Consulted

Scott Thompson, Basalt Fire Chief
Kevin Wright, Colorado Division of Wildlife
Habitat Partnership Program (HPP)
Rocky Mountain Elk Foundation (RMEF)
Mike Kinsley, Snowmass Caucus
Gateway HOA

Extraordinary Circumstances

Extraordinary circumstances exist for individual actions within CXs which may:

- | | YES | NO |
|---|-------|---------|
| 2.1 Have significant impacts on public health or safety. | _____ | ___X___ |
| 2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; | | |

prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	_____	<u>X</u>
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	_____	<u>X</u>
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	<u>X</u>
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	<u>X</u>
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	_____	<u>X</u>
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	_____	<u>X</u>
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	_____	<u>X</u>
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	_____	<u>X</u>
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	_____	<u>X</u>
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	_____	<u>X</u>
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	_____	<u>X</u>

Remarks

Cultural Resources and Native American Religious Concerns: A Class III inventory (GSFO# 15607-4) was completed of the proposed project without finding any historic properties or areas of Native American concern. Therefore, a determination of “**No Historic Properties Affected**” was made in accordance with the National Historic Preservation Act (16U.S.C 470f), National BLM/SHPO Programmatic Agreement (1997), and Colorado Protocol (1998). The Inadvertent Discovery clause needs to be added and all personnel need to be informed about reporting and protecting cultural/Native American resources.

Inadvertent Discovery

The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Threatened and Endangered Species: The project area does not provide habitat for any ESA listed wildlife or plant species. The BLM Sensitive plant, Harrington's penstemon, does occur in sagebrush communities within the project area. The project design strives to avoid fire or mechanical disturbance to the sagebrush community, so there should be little or no impact to Harrington's penstemon.

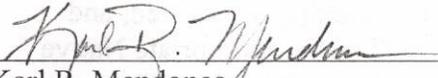
Big River Fishes (Colorado pikeminnow, razorback sucker, bonytail, humpback chub):

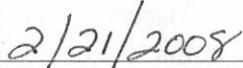
These four federally endangered fishes reside in the mainstem Colorado River far downstream of the project area. The proposed action would likely result in the use of some water for control of planned fire activities. Water depletions occurring within the Upper Colorado River Basin have been determined to negatively affect the four listed fishes. Water use associated with the project is anticipated to be minimal within the 100 acre burn boundary and would come from municipal sources. It is unlikely that fire would slop over into the mechanical or hand thinning areas as these areas would be treated prior to introduction of fire and topography would limit fire spread.

Because water for control efforts will be from municipal sources, the proposed action should have No Effect to these listed fishes or their habitats.

Decision and Rational on Action

Based upon the review of this proposal, I have determined that the proposed project is in conformance with the Land Use Plan, qualifies as a categorical exclusion and does not require NEPA analysis. It is my decision to implement the action as described.


Karl R. Mendonca
Supervisory Natural Resource Specialist


Date

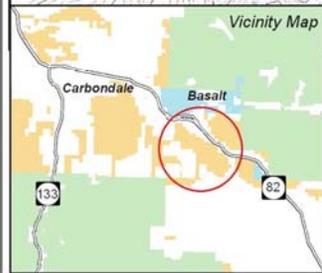
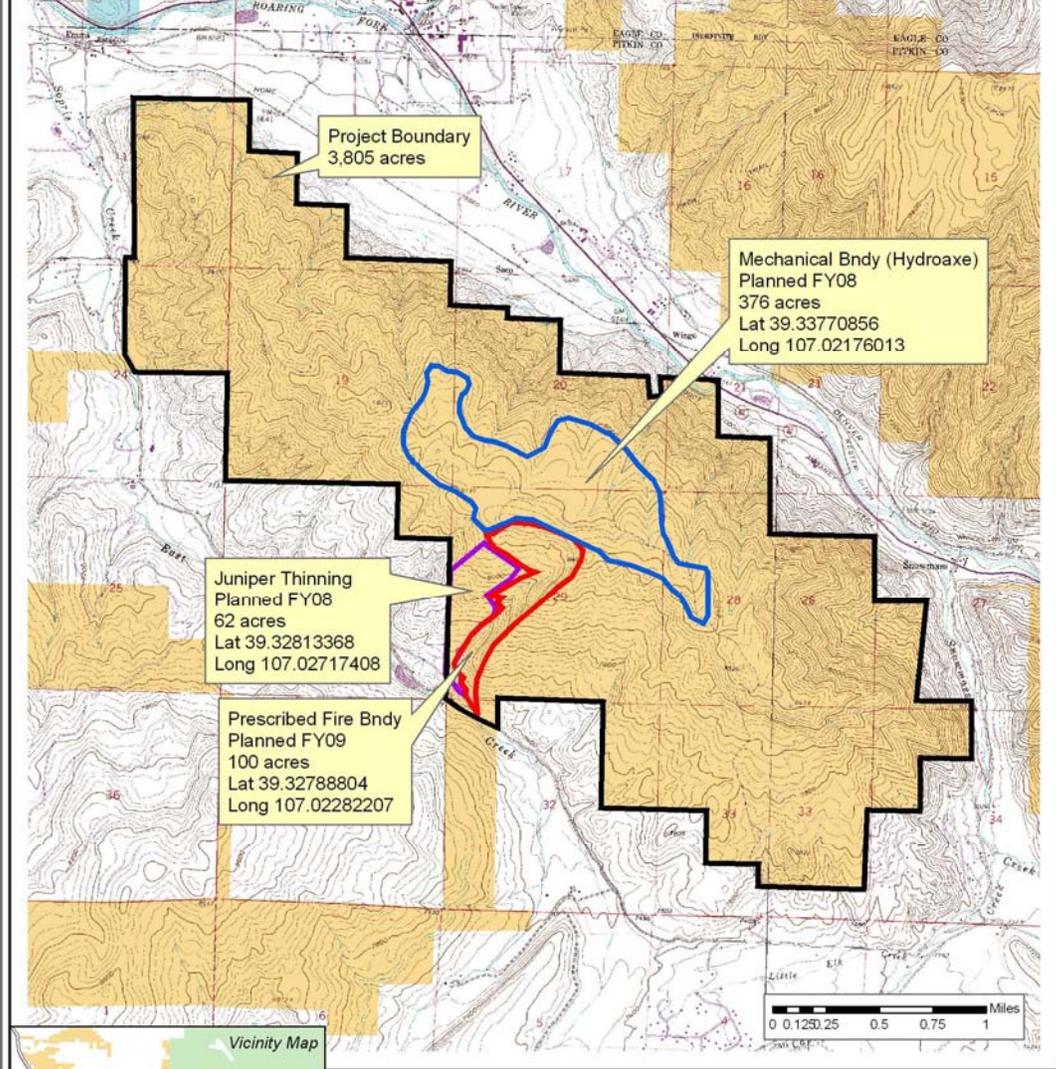
Administrative Review or Appeal Opportunities

The decision is not subject to administrative appeal.

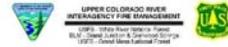
Contact Person

For additional information concerning this decision, contact Ody Anderson, Fuels Management Specialist, Glenwood Springs Field Office name, 50629 Hwy 6&24, Glenwood Springs, CO 81601, 970-947-2810.

East Sopris Project Map



- Legend**
- Project Boundary
 - Mechanical Boundary
 - Prescribed Fire Boundary
 - Juniper Thinning Boundary
 - BLM Land
 - Private Land



Bureau of Land Management - UCRIFMU, 2815 H Road, Grand Junction, CO 81506 01/29/07
 Data Source: T:\giswork\projectfirefuels_reduction\central_zone
 least_sopris\least_sopris_project_map.mxd

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This project was developed through digital means and may be updated without notice.