United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Glenwood Springs Field Office
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Glenwood Springs, Colorado 81601
www.co.blm.gov

Decision Memorandum on Action and for Application of: Departmental Categorical Exclusion 1.12

Bellyache Communications Site Fuels Reduction Project COC-33394 Number: Co-140-2008-017

Description of the Proposed Action and the Purpose and Need for the Action

Need For Proposed Action:

The project site is located on BLM administered land with a portion being leased to American Tower Corporation, casefile No. COC-33394 which was authorized in June 1982. The project area is located south of the Wolcott interchange along Interstate 70.

The legal description is T. 4 S., R. 83 W., S ½ ,Section 34, 6th Principal Meridian, Eagle County, Colorado.

The project site is a communication site at the top of a ridge surrounded by overstocked Lodgepole Pine (which is infested with Mountain Pine Beetle), Subalpine Fir, and patches of Aspen trees. It is at high risk of being damaged by a wildland fire and/or falling trees. The area around the communication site has had a Mountain Pine Beetle infestation which has killed the majority of the trees near the tower. The dead and dying trees surrounding the communication site has a high potential of blowing down onto the communication site. Additionally, these dead and dying trees have a high potential of fire risk. This communication site provides a critical infrastructure to the community with cell coverage and emergency services for Eagle County. The Glenwood Springs Field Office Fire Management Plan rates this area as High emphasis on fuels treatments and High emphasis on community assistance and protection.

Proposed Action:

The proposed action for this project would include felling, thinning and/or chipping, and piling of trees away from the communication site. The project will be approximately 10 acres in size (see attached map). A buffer of approximately 200 feet of the communication site would be thinned at greater basal area to reduce the potential of falling trees or fire hazard to the site. The area along the ridge, south of the tower site would be selectively thinned to leave a variety of tree height for visual purposes, and tree stand viability. All removal trees along the ridge would be

flagged or painted. Throughout the project area some dead and dying trees would be left to maintain the existing landscape characteristic adjacent to the tower. Specifically, the objective is to leave trees varying in height and form to break up and add diversity into the skyline around the communication tower. This variation would contribute to maintaining the existing visual quality from the south (Cordillera development) and the tower and communication building would not dominate the landscape.

Further away from the communication site and on the north side of the tower, the fuels would be thinned and ladder fuels removed. At the bottom or north end of the project area a Lodgepole regeneration area would be thinned to a crown space of 10 to 15 feet. Along the North and West boundaries roads, a visual buffer of 10 to 15 feet would be left. This would involve a strip of leave trees 10 to 15 feet wide along the two roads. All slash and residual material would be chipped where applicable or piled and burned when weather and fuels conditions are adequate.

When felling operations are completed, downed trees may be disposed of through firewood cutting or gathering.

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-140-05 Eagle Valley. The fire management Objectives, Strategies (including Prescriptive Vegetative Treatments) and the Priority Ranking are in Appendix B, pages 31-33 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:
Desa Ausmus, GSFO, Wildlife Biologist
Carole Huey, GSFO, Reality Specialist
Kay Hopkins, GSFO, Visual
Chris Nixon, American Tower Corporation

Ross Wilmore, White River National Forest Fire Management Officer
Eric Lovgren, Eagle County Wildfire Mitigation Specialist

Categorical Exclusions: 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.	____	X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	____	X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	____	X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	____	X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	____	X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places (NRHP) as determined by either the bureau or office.	____	X
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.	____	X
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	____	X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	____	X
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).	____	X
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).	____	X

Remarks:

Cultural Resources and Native American Religious Concerns: The area has been inventoried (GSFO# 1034) without finding any "historic properties" eligible for listing on the NRHP. Additionally no areas of Native American concerns were identified. Personnel involved in the project need to be aware of the following stipulation.

> 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 provides habitat for one T&E species, the Canada lynx. Approximately 10 acres of mapped Canada lynx habitat is located on BLM lands within the project area. This consists of 1.5 acres of 'other" habitat and 8.5 acres of winter foraging habitat. Lynx habitat in the project area is comprised primarily of lodgepole pine trees. Some spruce, fir and aspen trees are also present. The stand is multi-aged with several seedlings present. Some herbaceous and shrub ground cover is present in the stand. Elevation ranges from 9100 to 9300 feet.

The project does not fall within an Lynx Analysis Unit (LAU), but is located within the Castle Peak Landscape Linkage (CPLL). The CPLL is a large landscape linkage that connects the Coffee Pot and Derby LAUs near the Flattops, to the Brush Creek, Eagle Valley and Sheephorn LAUs located in the south east part of the White River National Forest. The CPLL is comprised of 49,339 acres of BLM, 32,268 acres of private and 50 acres of state land. The CPLL consists of winter, other and non-habitat and provides both cover and forage capable of supporting lynx during movement.

The evaluation of the effects on lynx associated with project implementation is assessed with respect to relevant project standards and conservation measures recommended in the Canada Lynx Conservation Assessment and Strategy (Ruedinger et al. 2000). Given the lack of an LAU and the projects locale within a landscape linkage, the actions are addressed primarily with respect to maintaining habitat connectivity between LAUs.

Effects:

Direct Effects:

If implemented, the proposed action would not result in direct mortality of individual lynx and any effects to lynx would be the result of very small changes primarily in potential winter

foraging and "other" habitat. These small changes in habitat will be looked at primarily with respect to the maintenance and functionality of the CPLL in which the habitat resides.

Indirect Effects:

Impacts to Habitat

Taken as a whole, habitat affected by the treatments would be small in area compared to the overall home range size of lynx. Nonetheless, the proposal does have slight potential to directly affect lynx habitat.

The purpose of the project is to protect the communication tower that is at an increase risk from wildfire due to a beetle infestation in the surrounding forest. If implemented, the proposed action would result in thinning of lodgepole pine, spruce and fir trees throughout the project area. The treatment would remove all dead trees within the proximity of the tower and thin the remaining trees in the 10 acre project area.

The removal of select trees would have relatively short-term (10-15 years) impacts as tree cover and overhead canopy is reduced. The action would benefit lynx in the longer term (15-50 years) as created openings in the forested canopy would facilitate increased understory vegetation development including shrubs, grasses, and forbs important for some lynx prey species. In addition, younger regenerating trees would provide excellent winter foraging habitat from approximately 15 to 50 years as branches and limbs would be accessible to snowshoe hare at varying snow depths during this time period. No snowshoe hare or other prey species surveys have been conducted in the area. Given the small size of the project, snowshoe hare and alternative prey species population fluctuations would not be expected to undergo any detectible change.

The proposed treatments would modify existing conditions in lynx habitat but would not change this habitat to non-habitat. In no case would now-suitable habitat be changed by treatment actions so greatly as to render it unsuitable for lynx use. Following treatment, remaining vegetation would still be effective for lynx hunting and travel.

The treatment would improve the overall health of the forest and reduce the risk of a stand replacing fire. A stand replacing fire would result in greater impacts to lynx as the habitat would actually be converted to non-habitat until regenerating trees are at a height to provide suitable habitat for prey species.

Impacts from Construction and Human Use

In Ruediger *et al*. (2000), lynx are described as "…being generally tolerant of humans. Other anecdotal reports also suggest that lynx are not displaced by human presence, including moderate levels of snowmobile traffic." Local information provided by Fitzgerald *et al.* (1994) also suggests lynx have some tolerance for people: "[t]he species may not be entirely intolerant of humans, as tracks were observed around garbage dumps at a central Colorado ski area."

As importantly, lynx are unlikely to be in or near the proposed project area during implementation or upon completion. The low likelihood for lynx to be in the vicinity is due to 2 aspects of this cat's existence in Colorado: 1) the inherent rarity of lynx on the landscape generally, and 2) the nocturnal tendency (which does not coincide with proposed daytime activities). Therefore, minimal disruptive impacts to lynx are anticipated from the proposed activity. Short-duration cutting of trees would have minimal impact to lynx. Minimal habitat avoidance is anticipated and given the small size of the project, impacts should be negligible and discountable.

Human activity and associated noise and commotion related to tree cutting and removal would result in short-term impacts to lynx. Cutting would occur by hand with chainsaws during daylight hours. Noise and human presence associated with cutting would last daily for a couple of weeks. Only existing roads would be used to access the project area. It is possible that lynx could be displaced from the area due to noise and human presence, but work would be minimal in duration and scope and would occur only during daylight hours. Lynx are more active from dusk to dawn which would minimize potential impacts.

Impacts to Habitat Connectivity (Landscape Linkage) & Movement

Thinning trees in the 10 acre project area would have minimal impact to lynx with regard to movement, dispersal, and overall habitat connectivity. Vegetation would still function to allow for the potential travel of lynx to and from larger forested habitat patches during dispersal movements. Habitat connectivity would be maintained, and understory vegetation conditions for lynx prey species may improve due to decreased overhead tree canopy and increased regeneration of trees and shrubs.

Based on the analysis, the Belly Ache Communication Site Fuels Reduction Project "**MAY AFFECT, BUT IS NOT LIKELY TO ADVERSELY AFFECT"** the threatened Canada Lynx or its habitat.

The Joint Counterpart Endangered Species Act Section 7 Consultation Regulations (50 CFR Part 402.04) are being implemented for this project. The counterpart regulations complement the general consultation regulations in part 402 by providing an alternative process for completing section 7 consultation for agency projects that authorize, fund, or carry out actions that support the NFP. The alternative consultation process contained in these counterpart regulations eliminates the need to conduct informal consultation and eliminates the requirement to obtain written concurrence from the Service for those NFP actions that the Action Agency determines are ''not likely to adversely affect'' (NLAA) any listed species or designated critical habitat.

Implementation Date:

This project will be implemented in the fall of 2007 and take approximately 1-4 years to complete.

Decision and Rational on Action:

I have decided to implement the Bellyache Communications Site Fuels Reduction Project. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

Karl R. Mendonca
Supervisory Natural Resource Specialist

1/3/2008
Date

Administrative Review or Appeal Opportunities:

This decision is not subject to administrative appeal.

Contact Person:

For additional information concerning this decision, contact: Glenwood Spring Field Office,
50629 Highway 6 & 24
Glenwood Springs, Co 81601

Ody Anderson Fuels Management Specialist 970-947-2810	OR	Angie Foster BLM Fuels Program Manager 970-244-3026

Bellyache Ridge Project
Private Land
BLM Land
BLM Road 8430
T4S R83W Section 34
T5S R83W Section 3
131
Wolcott
70
70
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.
Legend
N
Bellyache Ridge Project Boundary - 10 acres
Land Ownership Boundary
Feet
0 50 100 200 300 400
Map created by LG, UCRIFMU - BLM, 10/18/07
T:/gislwork/project/fire/fuels_project/east_zone/bellyache_ridge/bellyache_ridge_map_101807.mxd
UPPER COLORADO RIVER
INTERAGENCY FIRE MANAGEMENT
NPS Colorado National Monument
BLM Grand Junction and Glenwood Springs
USFS White River and Grand Mesa National Forests