

**United States Department of the Interior  
Bureau of Land Management  
Gunnison Field Office  
210 West Spencer Street  
Gunnison, CO 81230**

**SW Gunnison Bark Beetle Salvage  
Environmental Assessment**

**Finding of No Significant Impact**

DOI-BLM-CO-S060-2015-0004 EA

March 2016



## **Finding of No Significant Impact**

Based upon my review of the Final EA and supporting documents, I have determined that the Proposed Action is not a major federal action and will not significantly affect the quality of the biological, physical, or human environment, individually or cumulatively with other actions in the general area. Therefore, an environmental impact statement (EIS) will not be prepared. This determination is based on the analysis of effects documented in the Final EA, which shows that none of the environmental effects meet the definition of significance in terms of context or intensity, as described at 40 CFR 1508.27 and outlined below. In addition, the effects of the Proposed Action will not exceed those effects described in the EIS for the GFO RMP (1993).

### **Context**

The project is a site-specific action directly involving BLM administered public lands that do not in and of themselves have international, national, regional, or statewide importance. The Proposed Action would have beneficial long-term effects with a few adverse short-term effects. The short-term adverse effects are largely mitigated and are outweighed by the long-term beneficial effects.

### **Intensity**

The following discussion of the intensity of effects of the Proposed Action is organized around the 10 significance criteria described at 40 CFR 1508.27.

### **Impacts That May Be both Beneficial and Adverse**

I find that the Proposed Action can be implemented with no significant effects on socioeconomic, cultural, and natural resources as documented in the Final EA. The treated areas will be less dense, more open, and less vulnerable to diseases, insects, and large-scale, high-intensity wildfire (Final EA, Sections 3.5, 3.17 and 3.19). The treatments will create a more sustainable and heterogeneous natural landscape with diverse habitats that will have a long-term beneficial effect to wildlife (Final EA, Sections 3.8, 3.9, and 3.11). Reducing the risk of large-scale, high-intensity wildfire will decrease the risk of erosion from burned areas and the potential for sediment delivery to streams (Final EA, Sections 3.3 and 3.4). Beetle-killed spruce will reduce the risk to health and safety conditions for local landowners and recreational users (Final EA, Section 3.15). The local economy may temporarily benefit from project-related employment and expenditures (Final EA, Section 3.16). Forage production for livestock grazing would increase (Final EA, Section 3.18).

I find that the Proposed Action will cause some insignificant adverse effects, of which most will be short-term. Project design standards (Final EA, Section 2.1.3) will be implemented to substantially reduce these adverse effects. There may be a slight decrease in soil productivity because of topsoil disturbance or compaction, as well as the removal of protective vegetation and litter during timber harvest and prescribed burning operations (Final EA, Section 3.3). There is also a risk of decreased water quality and degraded habitat for aquatic wildlife caused by increased sediment production (Final EA, Section 3.4). However, the treatments will reduce the area of land that is prone to fire, thus substantially decreasing the long-term soil-erosion risk (Final EA, Section 3.3). Ground disturbing activities will increase the risk of invasion and expansion of noxious weed infestation (Final EA, Section 3.7). Wildlife may be temporarily displaced during treatment operations (Final EA, Sections 3.8, 3.9, and 3.11). A more open forest structure will be created, adversely affecting those wildlife species that depend on the more closed habitat structure, but benefiting those species that prefer open habitats (Final EA, Sections 3.8, 3.9, and 3.11). There is no assurance that every cultural resource site has been located in advance of all planned

management activities. Some ground-disturbing activity could unavoidably affect an undiscovered historic or prehistoric site (Final EA, Section 3.13). Recreationists, forest visitors, and local residents will notice some disturbance to the landscape (Final EA, Section 3.14). Naturalness will be reduced on lands with wilderness characteristics (Final EA, Section 3.20).

### **The Degree to Which the Proposed Action Affects Public Health or Safety**

No adverse effects to public health and safety are anticipated from implementation of the Proposed Action. Burn plans will be written for all prescribed burning, with objectives to provide for firefighter and public safety. Burn permits, obtained from the State and in coordination with Gunnison County, will be required to minimize degradation of air quality. Potential treatment areas may be temporarily closed to public use during implementation if there is a risk to public health and safety. The Proposed Action will provide a long-term benefit to public safety by reducing the risk of falling trees and severe wildfire.

### **Unique Characteristics of the Geographic Area such as Proximity to Historic or Cultural Resources, Park Lands, Prime Farmlands, Wetlands, Wild and Scenic Rivers, or Ecologically Critical Areas**

I find there will be no significant effects on unique characteristics such as historic or cultural resources, parklands, prime farmlands, wetlands, floodplains, or wild and scenic rivers. Parklands, prime farmlands, wild and scenic rivers, and ecologically critical areas will not be affected because they do not occur in the project areas. Effects to wetlands and floodplains and historic and cultural resources will be minimized by avoidance and through application of project design standards. The Indian Creek project area contains the Powderhorn Wilderness Study Area (WSA) and several blocks of lands with wilderness characteristics (LWCs), and is adjacent to the Powderhorn Wilderness. The Proposed Action will not directly affect the Powderhorn Wilderness or WSA, and will only indirectly and cumulatively affect these areas in the short-term. The Proposed Action would have short-term adverse effects to about 11 percent of the Indian Creek and West Fork Powderhorn LWCs. None of the effects to Wilderness, WSAs, or LWCs are considered significant because they will not measurably affect the naturalness, outstanding opportunities for solitude or primitive and unconfined recreation, or supplemental values of these areas in the long-term.

### **The Degree to Which the Effects on the Quality of the Human Environment Are Likely to Be Highly Controversial**

I find that the effects on the quality of the human environment are not highly controversial. Public comments received during scoping indicated that a high level of controversy does not exist for the Proposed Action. Public comments received on the Draft EA indicated some concerns with some aspects of the Proposed Action; however, these concerns have been addressed in the Final EA.

### **The Degree to Which the Possible Effects on the Human Environment Are Highly Uncertain or Involve Unique or Unknown Risk**

Mechanical and prescribed burning techniques to treat vegetation have been previously implemented in many locations across BLM-managed lands. Thus, the effects on the human environment from the Proposed Action are not uncertain and do not involve unique or unknown risks. Additionally, the analysis in the Final EA supports this conclusion.

### **The Degree to Which the Action May Establish a Precedent for Future Actions with Significant Effects or Represents a Decision in Principle about a Future Consideration**

I find that this decision does not set a precedent for future decisions. The Proposed Action relies on treatment activities that have been previously used near the project areas in the same type of landscape in terms of vegetation, disturbance regimes, land uses, and other factors. These types of treatments have been accomplished across the western United States in similar forests for many years. This project will not establish a precedent for future projects with significant effects. Future similar projects will be evaluated under the National Environmental Policy Act (NEPA) to address the significance of the effects of those specific actions.

### **Whether the Action Is Related to Other Actions with Individually Insignificant but Cumulatively Significant Impacts**

I find that the cumulative effects of the Proposed Action as described in the Final EA are not significant because this activity, when considered in combination with other past or reasonably foreseeable future actions, would not have a cumulatively significant effect on the environment.

### **The Degree to Which The Action May Adversely Affect Districts, Sites, Highways, Structures, or Objects Listed in or Eligible for Listing in the National Register of Historic Places or May Cause Loss or Destruction of Significant Scientific, Cultural, or Historical Resources**

I find the Proposed Action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places because cultural resource inventories will be completed before project activities begin. All sites located during these surveys that are eligible or potentially eligible will be avoided by all project activities. I find the Proposed Action will not cause loss or destruction of significant scientific, cultural, or historical resources because project activities will avoid these resources. Meetings were held with local tribal officials during preparation of the EA. At these meetings, packages with a map and description of the project were provided to tribal officials, who have not expressed any concerns or issues. Therefore, I find the Proposed Action will not affect local tribes.

### **The Degree to Which the Action May Adversely Affect an Endangered or Threatened Species or Its Habitat that Has Been Determined to Be Critical under the Endangered Species Act of 1973**

I find the Proposed Action will not jeopardize the continued existence of any federally listed or proposed endangered or threatened species or their critical habitat. A Biological Assessment (BA) was prepared for the Proposed Action. The BA identified one federally listed threatened species, the Canada lynx, which may be affected by the Proposed Action. The BA determined the Proposed Action “may affect, and is likely to adversely affect” the Canada lynx. Vehicle traffic and other human activities associated with the Proposed Action may displace lynx from habitats in and adjacent to potential treatment areas and haul routes. Traffic levels would remain well below the threshold determined to be detrimental to lynx. The Proposed Action will convert suitable lynx habitat into a Stand Initiation Structural Stage (SISS) by incidentally removing understory vegetation, advanced regeneration, and dense horizontal cover at a landscape scale across the four Lynx Analysis Units (LAUs) affected by the project. Changes to lynx habitat are ongoing and inevitable due to natural processes caused by the spruce beetle epidemic. The effects of the Proposed Action will be additive to those natural processes, creating direct and indirect adverse effects to lynx habitat in the short-term. These conditions are expected to last for a period of two to three decades, depending on rates of regeneration. However, in the long term, the Proposed Action has the potential to increase multi-storied stands with dense horizontal cover that are preferred by snowshoe

hares. The Proposed Action will decrease snowshoe hare winter foraging habitat, which may reduce the density of snowshoe hares and require increased foraging effort by lynx. Project design standards will protect dense horizontal cover and minimize potential effects on lynx, lynx habitat, and their primary prey species in potential treatment areas in a manner consistent with the Lynx Conservation Assessment and Strategy. The USFWS, in its Biological Opinion (BO) dated February 25, 2016, concurred with the "may affect, likely to adversely affect" determination in the BA. The BO further determined that the Proposed Action is not likely to jeopardize the continued existence of the Canada lynx and that incidental take of lynx is not anticipated. The BO has been placed in the administrative record. Based on the BA and BO, I find that the Proposed Action can be carried out with no significant adverse effects to federally listed species.

**Whether the Action Threatens a Violation of Federal, State, or Local Law or Requirements Imposed for the Protection of the Environment**

I find the Proposed Action will not violate any federal, state, or local laws or requirements for protection of the environment.

**Signature of Authorized Official**



\_\_\_\_\_  
Elijah Waters, Field Manager

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Date 3/24/16

Gunnison Field Office  
Bureau of Land Management

Authorized Officer

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

*DO NOT APPEAL UNLESS*

1. This decision is adverse to you,
- AND
2. You believe it is incorrect.

*IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED*

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| 1. NOTICE OF APPEAL                   | Within 30 days, file a <i>Notice of Appeal</i> in the office that issued this decision (see 43 CFR 4.411 and 4.413). You may state your reasons for appealing, if you desire.  |
| 2. WHERE TO FILE<br>NOTICE OF APPEAL  | BUREAU OF LAND MANAGEMENT<br>GUNNISON FIELD OFFICE<br>210 WEST SPENCER STREET<br>GUNNISON, COLORADO 81230  |
| WITH COPY TO<br>SOLICITOR             | REGIONAL SOLICITOR<br>ROCKY MOUNTAIN REGION<br>755 PARFET STREET, SUITE 151<br>LAKEWOOD, COLORADO 80215  |
| WITH COPY TO BOARD<br>OF LAND APPEALS | INTERIOR BOARD OF LAND APPEALS<br>OFFICE OF HEARINGS AND APPEALS<br>U.S. DEPARTMENT OF THE INTERIOR<br>801 NORTH QUINCY ST., SUITE 300<br>ARLINGTON, VIRGINIA 22203  |
| 3. STATEMENT OF<br>REASONS            | Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of reasons why you are appealing. This must be filed with the Interior Board of Land Appeals, at the above address (see 43 CFR 4.412 and 4.413). If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary. Copies of your statement of reasons must be filed with the Solicitor at the above address. |
| 4. ADVERSE PARTIES                    | Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR 4.413).  |
| 5. PROOF OF SERVICE                   | Within 15 days after any document is served on an adverse party, file proof of that service with the Interior Board of Land Appeals. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR 4.401(c)).   |

- 6. REQUEST FOR STAY** Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for stay is timely filed (see 43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

*Unless these procedures are followed, your appeal will be subject to dismissal (see 43 CFR 4.402). Be certain that all communications are identified by the serial number of the case being appealed.*

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR 4.401(a)).

### **STANDARDS FOR OBTAINING A STAY**

Except as otherwise provided by law or other pertinent regulation, a petition for stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

*Unless these procedures are followed, your appeal will be subject to dismissal (see 43 CFR 4.402). Be certain that all communications are identified by the serial number of the case being appealed.*

### **OFFICE HOURS; TIME AND PLACE FOR FILING**

Field Offices of the Bureau of Land Management are open to the public for the filing of documents and the inspection of records during the hours specified below, Monday through Friday of each week with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the Field Offices are open to the public for the filing of documents and inspection of records are from 8 a.m. to 4 p.m. Mountain Standard Time or Daylight Savings Time, whichever is in effect.

Any document required or permitted to be filed under the regulations of this chapter, which is received in the Field Office, either in the mail or by personal delivery when the office is not open to the public, shall be deemed to be filed as of the day and hour the office next opens to the public.

Any document required by law, regulation, or decision to be filed within the stated period, the last day of which falls on a day the Field Office is officially closed, shall be deemed to be timely filed if it is received in the proper office on the next day the office is open to the public.

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*Comments received in response to this solicitation, including names and addresses of those who comment will be considered part of the public record on this proposed action and will be available for public inspection.*

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See 43 CFR 4.21 for appeal general provisions

