

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
2103 E. Park Ave.
Kremmling, CO 80459**

Grand County, CO

DECISION MEMORANDUM

**On Action and for Application of:
Categorical Exclusion 1.12**

Project Name: Little hO Salvage Sale

NEPA Number: CO-120-2007-35-CX

Purpose and Need for the Action: The forested area located in T. 2 N., R.76 W., Section 36, of public lands near the Little hO Ranch in eastern Grand County has recently had a large Mountain Pine Beetle (MPB) infestation resulting in a die-off of about 75% of the mature lodgepole pine trees. Additional lodgepole pine trees have been attacked or are susceptible to attack by the beetle. This poses a hazardous fire threat to the residences and adjacent private lands located around this parcel of Bureau of Land Management (BLM)-administered public land. Congress has directed the BLM to reduce wildfire hazards in areas where fuels have accumulated to hazardous levels and threaten private property. In the 2007 Interior Appropriations Bill, funding was provided to the BLM to help reduce wildfire hazards in these types of situations.

Description of the Proposed Action: The BLM is proposing to use mechanical treatment to harvest the dead, currently infested, and susceptible lodgepole pine trees in three units totaling approximately 67 acres (see Attachment #1 for project map). The primary goal of the project would be to treat the accumulating fuels in the area to reduce the potential for fires to spread from public lands to adjacent private lands.

Additional treatments on private lands are ongoing and access to the project area through private lands is essential to completing the proposed project. Several hundred acres of the private parcel (Section 25), north of the proposed BLM parcels, are being harvested due to the MPB infestation. The BLM has been working with an adjacent landowner who has agreed to allow Intermountain Resources (contractor on adjacent private land) access into this area if the project is approved. Other nearby landowners have also treated their lands, most notably the Legacy Park subdivision just west of the BLM parcel (Sections 35 and 26).

The treatment would be done with standard logging equipment to cut all of the lodgepole pine trees greater than 5 inches diameter at breast height (DBH). The resulting slash would be treated by lopping and scattering the slash to provide seed supply with some machine piling to further

reduce the fuel loading, as needed. The piles would be 30 x 30 feet in size, and would be burned by BLM at a later date. This would prepare the open areas for natural regeneration of the lodgepole pine.

Several hundred acres on present and previously managed BLM lands were clearcut in the 1980s and have regenerated very well. Portions of the current BLM land in Section 36 were clearcut when the ownership was with the State Land Board, and some adjacent private land was BLM during harvest and has since been exchanged to private ownership. It may also stimulate any quaking aspen trees in the cutting areas to regenerate and create some vegetative diversity.

The cutting areas are estimated to contain 345 MBF (thousand board feet) of merchantable timber which would be sold under a negotiated timber sale contract with the Purchaser responsible to secure and provide proof of access across the private lands.

Existing timber haul roads would be used across private and BLM lands for access and hauling. No new permanent road construction is planned on BLM lands. A temporary road would be constructed for hauling the timber to the existing road and then out of the sale area (See Attachment #1). Any resulting skid trails and the temporary road would be water barred as needed and slash would be scattered at the beginning of the roads or trails upon completion of the sale to prevent vehicular travel and minimize erosion potential.

The following measures are also part of the Proposed Action:

1. Locate, flag, and protect any survey monuments (brass cap monuments, bearing trees, private monuments, etc.) that may exist in this project area.
2. Inspect disturbed areas for noxious weeds for two growing seasons after the project is completed. BLM Forestry staff would monitor this and coordinate with weed control, as needed.
3. Maintain a 100 foot buffer away from riparian and wetland areas and not work off-road when ground conditions are wet.
4. Flag or paint trees along the boundaries of the treatment areas near private lands prior to implementation to avoid trespass onto private lands.
5. Minimize off-road travel in performing and supervising the operations. Any new vehicular travel routes would be water barred (as needed), and covered with slash to close them to vehicular traffic, especially where they connect to an existing road or trail. Existing roads and trails would be used as much as possible by agency and contractor personnel to eliminate development of new routes and trails. When driving off roads, personnel would avoid repeatedly driving back and forth via the same route.

Plan Conformance: The Proposed Action has been reviewed for conformance and is consistent with the Kremmling Resource Management Plan, approved on December 19, 1984, specifically

with decision II-6 on page 10 of the ROD: *“To manage all productive forest land that is suitable for producing a variety of forest products on a sustained yield basis. This action will create a healthy forest environment through continued forest management practices”*. The Proposed Action was designed in conformance with all bureau standards and incorporates the Colorado Standards for Public Land Health.

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 due to the size and nature of the project. The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly effect the environment and none of the exceptions apply. These extraordinary circumstances are contained in 516 DM, Appendix 2.

Persons and Agencies Consulted: Scoping letters were sent to all adjacent land owners, the Grand County Commissioners, Colorado State Forest Service, Colorado Division of Wildlife (CDOW), and the U.S. Forest Service (See Attachment #3 for scoping letter and mailing list). Grand County forwarded the letter to other landowners in the general area. Three written comments and two phone calls were received about the project. All were in support of the action, with the local CDOW having some minor concerns about the timing of harvest operations. In a personal communication with the local Division Wildlife Manager, the timing was clarified and he is agreeable to the treatment during the summer months.

The Proposed Action was also listed on the Kremmling Field Office Internet NEPA Register and Public Room NEPA Board. Based on this scoping, no other new information or issues were brought forward.

Remarks:

Cultural Resources: The project is recommended to proceed. The project would be a no effect, no historic properties affected. The BLM standard cultural “discovery” stipulations are made part of the Categorical Exclusion and the timber sale contract.

Native American Religious Concerns: Native American consultation was done in March of 2007. The five consulted Native American Tribes have to date expressed no concerns related to traditional spiritual properties.

Threatened and Endangered Species: There are no T&E species or habitat within the project area. Therefore, no impacts would be expected to occur.

Water Resources: The construction of a temporary road and the harvesting operation is exempt from the Phase II NPDES Storm water Rule (40 CFR 122.27 Silvicultural activities). The Proposed Action incorporates best management practices of using buffer strips to protect any surface waters, not operating during wet soil conditions, and closing roads after the timber harvest.

Visual Resources: The project has been designed to reduce visual impacts by using natural features and topography to help the project blend in with the natural surroundings of the area.

Due to the level of infestation and number of dead and dying trees already removed and proposed to be removed, the visual quality of the landscape has already been altered. Private lands in the immediate area are also being treated and would look similar when completed.

Decision and Rationale on Action: I have decided to implement the hazardous fuels reduction techniques in the Proposed Action within the area outlined on the attached maps. These actions meet the need for action. 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.

Implementation Date: This project would be implemented on or after June 26, 2007.

Signature of Authorized Official:

/s/ Dave Stout
Field Manager

7/6/07
Date

Administrative Review or Appeal Opportunities: This wildfire management decision is issued under 43 CFR Part 5003.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed (43 CFR 4.416).

Contact Person: For additional information concerning this decision, contact: Joe Stout, 970-724-3003.

Attachments:

1. Project maps
2. Standard Cultural "Discovery" Mitigation
3. Scoping Letter and Mailing List

Attachment #2

Mitigation

Cultural Stipulations:

1. The Purchaser is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for disturbing historic or archaeological sites, or for collecting artifacts.
2. The Purchaser shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The Purchaser shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the Purchaser shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the Purchaser as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the Purchaser will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If the Purchaser wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the Purchaser will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the Purchaser will then be allowed to resume construction.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the Purchaser's cost.

3. Pursuant to 43 CFR 10.4(g), the Purchaser of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43

CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

Attachment #3

Scoping Letter

April 24, 2007

Colorado State Forest Service
PO Box 169
Granby, CO 80446

Dear Neighbor:

The Bureau of Land Management is proposing to conduct a timber salvage sale for hazardous fuel reduction on approximately 50-100 acres near the Little HO Ranch east of Granby. The Mountain Pine Beetle has killed many of the lodgepole pine trees on the BLM lands in the salvage sale area. The attached map shows the proposed treatment area and road system.

The area would be logged using conventional equipment and the resulting slash would be lopped and scattered. Some units may be clearcut and others thinned depending on the severity of the beetle damage and natural regeneration potential. Access to the area is through private lands so the sale would be negotiated with a logging contractor acceptable to the landowner.

The BLM will be preparing a Categorical Exclusion for the environmental analysis of the proposed project. As an adjacent landowner, we wanted to inform you of our plans. If you have any questions or concerns, please contact our Forester, Rich Rosene, at 970-724-3006 or by e-mail at: rich_rosene@blm.gov

Please provide your comments by May 15, 2007.

Sincerely,

Peter A. McFadden
Acting Field Manager

Attachment:
Little HO Salvage Sale Map

Scoping Mailing List

Colorado State Forest Service
PO Box 169
Granby, CO 80446

Grand County Commissioners
PO Box 264
Hot Sulphur Springs, CO 80451

Mr. and Mrs. Walter Stonehocker
15600 Holly Street
Brighton, CO 80602

Mr. and Mrs. John Conrad
PO Box 361
Tabernash, CO 80478

Colromora Holdings, LLLP
6042 E. Mineral Drive
Englewood, CO 80112

US Forest Service
Sulphur Ranger District
PO Box 10
9 Ten Mile Drive
Granby, CO 80446

Colorado Division of Wildlife
PO Box 216
Hot Sulphur Springs, CO 80451