

NEPA

on Fire

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A monthly fact sheet about fuels treatments and the NEPA process.

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A forum for fuels specialists; NEPA coordinators, writers, and editors; silviculturists; and others interested in accomplishing fuels hazard reduction projects.



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Follow the Framework—Efficient, Consistent Ways to Participate in NEPA Analyses Part 2: The Devil’s in the Details

Contributing to a NEPA analysis can be a daunting challenge for a fuels specialist. In the first issue of *NEPA on Fire*, we presented Steps 1 and 2 of a framework for fuels specialists to consider to achieve efficient, consistent participation in NEPA analyses (note this issue’s *Letters to the Editor*). In this issue, we explore some details of the fuels specialist’s contribution to developing a NEPA document.

Build the NEPA Document

The fuels specialist provides information to the interdisciplinary

team to help the team build the purpose and need, proposed action, alternatives, and framework for effects analysis, which is the basis of a NEPA document. In this role, a fuels specialist might:

- Draft specific purpose and need statements, based on a comparison of the existing and desired conditions, to help direct the focus.
- Identify treatments:
 - ✓ That address the purpose and need;
 - ✓ That have a logical geographic and/or temporal sequence to most effectively achieve the purpose and need; and

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Workshop

Fuel and fire management staff, foresters and forestry technicians (planners, sale layout personnel, and administrators), and contractors should all take note of the upcoming workshop on **Fuel Reduction on Steep Slopes using Cable Systems**.



Offered for \$325, workshop topics include systems, equipment, planning, and operational requirements for using cable systems for small wood (less than 9” diameter at breast height). Location and dates are:

- November 13-14, Denver, Colorado;
- November 17-18, Albuquerque, New Mexico; and
- March 29-30, Coeur d’Alene, Idaho.

For additional information, call 541-754-7558 or visit <<http://www.forestengineer.com/html/fuel.html>>.

- ✓ That might be inappropriate, although they address the purpose and need (for example, prescribed burning on a specific site might be inappropriate until fuels are pre-treated mechanically).
- Identify:
 - ✓ Preliminary alternatives that respond to the purpose and need and address significant issues (include all connected actions as part of the alternative description and identify the timing of actions) and
 - ✓ Actions that could achieve other resource objectives and/or mitigate concerns (include such actions as part of the alternative).
- Describe the resources affected—existing vegetation and future composition and structure, slope, aspect, prevalent wind direction, and fire behavior expected from the current condition (no-action alternative).

Step 4 **Analyze Alternatives**
The fuels specialist analyzes the consequences of each alternative and assesses its



relationship to the purpose and need, significant issues, land and resource management plan, and applicable laws and regulations. During analysis, a fuels specialist might:

- Quantitatively and qualitatively compare all alternatives, including the proposed action and no action, equally.
- Describe expected vegetation composition and structure, the configuration on the landscape for each alternative
- Analyze the fire behavior (fire risk analysis)—type of expected fire (surface or crown), rate of spread, flame length or intensity, resistance to control, and firefighter safety for each alternative.
 - ✓ Consider using methods such as photo series or the forest vegetation simulation model.
 - ✓ Compare fire behavior for average and extreme weather conditions to help determine relative risk by treatment level.
 - ✓ Assess alternatives through time (both immediate and long-term) to determine effective life of the treatment and vegetation maintenance needs to support desirable fire behavior.
- Address each alternative's:
 - ✓ Responsiveness to fuels-related significant issues;
 - ✓ Relationship to the land and resource management plan; and
 - ✓ Relationship to applicable laws and regulations.

NEPA Analysis— Steps in a Basic Framework

1. Treatment priorities
2. Existing condition
3. NEPA document
4. Alternatives
5. Monitoring strategy

Step 5 Develop the Monitoring Strategy

If project-specific fuels-related monitoring is appropriate, consider including it in the alternatives discussion. Answering the following questions will help define a project's monitoring strategy:

- Did we do what we said we would do?
- Did the treatment have the desired effects?
- Did the treatment have unexpected or adverse effects?

Monitoring might be accomplished through fuels specialist or interdisciplinary team field reviews, photos, and measurements. Consider documenting and analyzing the results of monitoring, and sharing the results with staffs that might benefit from the information. Sometimes, project-level monitoring can contribute to land and resource management plan monitoring and evaluation.



On the Web

NEPA Document Templates

You don't need to start from scratch when writing a NEPA document any longer! Word templates, developed by the Washington Office Ecosystem Management Coordination staff, for Decision Memos, Environmental Assessments, and Environmental Impact Statements are available on the Web to lessen your labor. The well-designed templates can be easily downloaded and are ready for content from your team. In addition to the templates, the site provides guidance about how to create environmental assessments and has tips for National Fire Plan projects. Found at http://www.fs.fed.us/forum/nepa/nepa_templates/nepatemplates.htm.

NEPA Training

The Forest Service's 1900-1 Forest Plan Implementation class is a great course that covers all the basics about the project planning process. Topics include: Purpose and Need, Proposed Action, Public Involvement, Issues, Alternatives, Effects Analysis, Project Record, Monitoring and Evaluation, and Documentation. You can learn more about the 5-day onsite course through your Regional Office NEPA staff, or you can study at your own pace from the comfort of your office by accessing the course online. The user-friendly online course includes the PowerPoint presentations, Lesson Guides, and key reference materials used in the classroom setting. The course is divided into the various parts of the project planning process so you can easily select topics of interest! Found at http://fsweb.wo.fs.fed.us/em/nepa/nepa_coordination_training/00index.html.



Q Can I contract a NEPA analysis or planning project?

A You can contract all or part of a NEPA analysis or planning project. It's possible to contract the following NEPA/planning tasks:

- Project management, including project budget and schedule tracking;
- Data collection and/or analysis;
- Editing and printing services;
- Public involvement; and
- Miscellaneous services, such as assistance in records management.

To start the contracting process, you should discuss the possibility with your line officer. If your line officer supports the use of contracting, the project(s) should be part of your unit's Advanced Acquisition Plan. The due date for this planning document is August 15th. However, if you discover the need to contract a project after the deadline, contact your Acquisition Management Office as soon possible to help that office reserve time, resources, and personnel to help meet your needs. For more information, check out Forest Service Acquisition Regulations at http://fsweb.wo.fs.fed.us/directives/fsm/6300/6300_zero_code.doc and the Federal Acquisition Regulations at <http://www.arnet.gov/far/>. Also visit the NEPA contracting Website at http://fsweb.r1.fs.fed.us/em/contracting_for_nepa/links_page.htm.

Science Synthesis Fact Sheets

In the last issue of NEPA on Fire, we featured an article about a science project to synthesize new knowledge and information about fire and fuels management. As part of the larger project, teams of scientists are producing fact sheets that address topics related to stand structure, fuels treatments, economics, and human responses. Information in the fact sheets is targeted for the dry forests of the inland West, but is often applicable across broad regions of the country.



One of the first **fact sheets** summarizes information about the FASTRACS (Fuel Analysis, Smoke Tracking, and Report Access Computer System) program in the Pacific Northwest Region. Found at <http://www.fs.fed.us/emc/nepa/includes/fastracs.pdf>.

Recent Litigation

Loss on Fire Management Plan, Six Rivers National Forest

In September 2003, the Magistrate Judge in the Northern District of California Court issued his Recommendations and Findings in the case *Environmental Protection Information Center vs. Forest Service*. By failing to prepare an EA or EIS for the Six Rivers National Forest Fire Management Plan, the court found that the Forest Service violated NEPA.

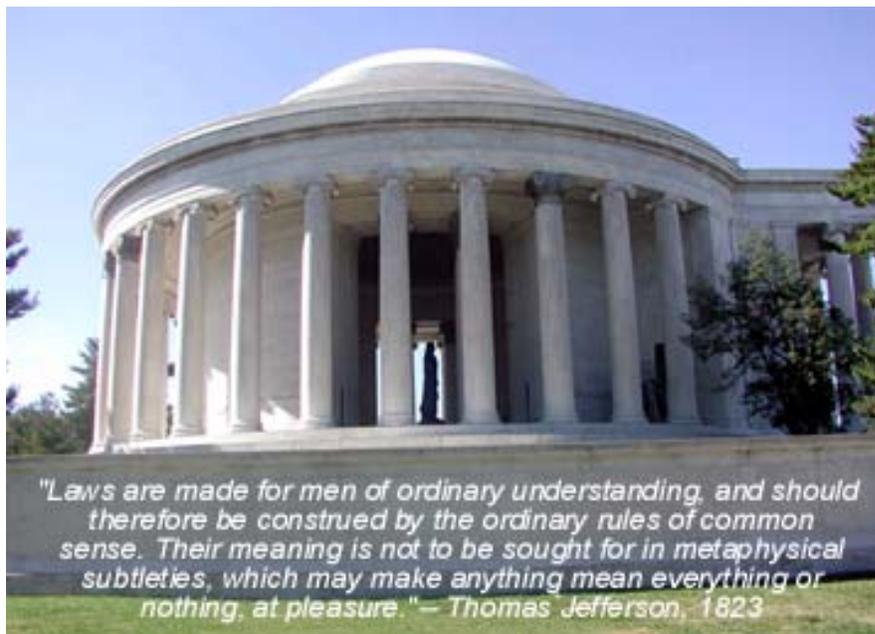
The government argued that a Fire Management Plan is not subject to NEPA because it is not a decision-making document, does not constitute a final agency action, and does not make an irrevocable commitment of resources. The Judge rejected these arguments, ruling that "direction" in the Fire Management Plan at issue was binding on Forest Service officials, and thus, it had legal consequences triggering NEPA.

Examples from the Plan that the Judge considered direction strategies included efforts to avoid the spread of Port Orford cedar disease, Wildland Fire Use prioritization and restrictions, and requirements for

suppressing fire near a major highway and in special areas. The court concluded that, in this instance, NEPA was required because the Plan's policies are in effect, there is no evidence that the Forest Service will abandon them, and accomplishing environmental review in emergency fire-response conditions would be impossible.

The Magistrate's Recommendations and Findings will be given to the District Court Judge who could adopt them in whole or in part when making a determination before issuing a final decision. Stay tuned . . .

A copy of the decision can be found under recent court decisions at <http://fsweb.wo.fs.fed.us/em/lit/index.htm>.



Letters to the Editor

In our first issue of *NEPA on Fire*, we presented the first two of five steps of a framework for fuels specialists to follow to achieve efficient, consistent ways to participate in NEPA analyses. Step 1 talked about establishing treatment priorities, while Step 2 discussed the existing conditions. An astute reader pointed out that we neglected to mention that a unit's Land and Resource Management Plan (Forest Plan) provides an essential programmatic framework for guiding project implementation, and that it should always be consulted during project development. Most Plans have Forest-wide and area-specific goals, objectives, and desired future conditions, and they often identify specific emphasis areas and standards and guidelines for project implementation. So, take a peak and see what's in your Forest Plan.

Thanks for taking the time to write in and remind us about the connection between a Forest Plan and any NEPA analysis.

Send **YOUR** questions or comments to

NEPA on Fire