

Decision Notice
Finding of No Significant Impact
Revised Environmental Assessment
Collins Creek Timber Sale
and
Road Decommissioning Projects

Laramie Ranger District, Medicine Bow-Routt National Forest
Townships 13 and 14 North, Ranges 77, 78, and 79 West
Albany County, Wyoming

September 2003

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INTRODUCTION

A Revised Environmental Assessment (REA) has been prepared for the *Collins Creek Timber Sale and Road Decommissioning Projects Environmental Assessment (Collins Creek EA)*. The original Collins Creek EA and Decision Notice were released on June 8, 2000. The June 8, 2000 decision was appealed on July 31, 2000. It was remanded to the Medicine Bow-Routt National Forests by the Rocky Mountain Regional Forester on September 25, 2000 for additional analysis. Remand points included the need to: 1) determine whether a Section 402 Storm Water permit was required for this project; and 2) address three Baker and Reed studies¹ regarding forest fragmentation. The studies examined the effects of forest fragmentation and road density on wildlife species and their habitat. The Forest Service responded to number 2 above by developing a new alternative (Alternative 4) which reduces timber harvest to provide larger and more continuous blocks of habitat for specific wildlife species (i.e., pine marten and northern goshawk in particular) The environmental effects of implementing Alternative 4 are described in Chapter III of the REA.

The REA evaluates four forest management proposals on the Laramie District of the Medicine Bow-Routt National Forests. The proposals include:

Alternative 1: No Action

Alternative 2: Proposed Action

Alternative 3: Partial Cut Emphasis

Alternative 4: Wildlife Mitigation

DECISION

Based upon the analysis and evaluation described in the EA and associated record, the comments received from interested parties, and the Forest Plan, **it is my decision to implement Alternative 4: Wildlife Mitigation** with resource mitigation measures and monitoring requirements, as described on pages 13 and 14 of this Decision Notice (DN). This alternative will treat approximately 420 acres, including 222 acres of clearcut, 18 acres of commercial thinning, 94 acres of overstory removal, 66 acres of group selection, and 20 acres of shelterwood prep-cut (please see Map 1). Other associated projects include: road decommissioning, roadside clearing, road improvements, trail relocations, waterbar construction, and trail improvements.

DECISION RATIONALE

My decision is a solution that meets law and attempts to find balance with agency direction, forest needs, scientific analysis, and social acceptance. I have made this decision based on extensive public involvement that I actively sought and received. My decision meets the requirements of the National Environmental Policy Act (NEPA) by responding to the Purpose

¹ The three studies are 1) Baker, W.L. 1994. Landscape structure measurements for watersheds in the Medicine Bow National Forest using GIS analysis; 2) Reed, R.A., J. Johnson-Barnard, and W.L. Baker. 1996. Fragmentation of a forested Rocky Mountain landscape; and 3) Reed, R.A., J. Johnson-Barnard, and W.L. Baker. 1996. Contributions of roads to forest fragmentation in the Rocky Mountains.

Map 1. Alternative 4: Wildlife Mitigation

and Need, responding to the Significant Issues identified during the planning process, and responding to comments received from the public during the comment periods provided. The rationale for my decision to implement **Alternative 4: Wildlife Mitigation** is presented below.

Response to Purpose and Need

The Collins Creek Interdisciplinary Team analyzed existing conditions for the Collins Creek area and compared them to the desired future conditions described in the Forest Plan EIS (pp. IV 14 – IV 18). The differences between the two were used to determine the purpose and need for this project which is highlighted below. A more detailed description of the purpose and need can be found on REA pp. 5 – 7.

1) Increase vegetative diversity in Management Area 7E

Currently, the 7E Management Area with the Collins Creek watershed does not meet Forest Plan desired conditions for early and late structural stages in both the lodgepole pine and spruce-fir timber types. The following table provides a comparison of the distribution of desired size-classes of lodgepole pine with current conditions.

Table 1 - Forest Plan Desired Vegetative Condition Compared to Current Conditions.				
Structural Stage	Desired Condition - lpp^I in Mgt. Area 7E		Current condition - lpp in Mgt. Area 7E	
	%	8537 Acres of lpp timber type	%	8537 Acres of lpp timber type
Grass / Forb	20	1,707	6	540
Saplings	20	1,707	15	1,304
Pole	40	3,416	14	1,181
Mature	20	1,707	39	3,347
Overmature	*	*	26	2,165
TOTAL	100	8,537	100	8,537

^I lpp = lodgepole pine

* The Forest Plan requires 10 percent old growth within each watershed. This percentage is not spatially identified in the plan.

Alternative 4 will move toward Forest Plan desired conditions by implementing a variety of silvicultural prescriptions designed to diversify the area’s vegetation. Clearcutting will reduce the amount of overmature vegetation while, at the same time, increasing the amount of grass/forb structural stages. Alternative 4 provides the best balance of meeting Forest Plan structural stages while addressing the significant issues raised during the public comment periods for this proposal. See Response to Significant Issues, DN page 6.

Alternative 2 would move the area to the desired condition more quickly than Alternative 4, thus, meeting Forest Plan desired conditions at a more rapid rate. However, it is not as sensitive to wildlife management concerns, in terms of reducing forest fragmentation, as Alternative 4. Wildlife management concerns were considered a significant issue as a result of the June 8, 2000 decision.

Alternative 1 (No Action) would not move the area’s vegetation condition toward the desired

condition. It would contain too little grass/forb and too much mature/overmature vegetation. Individual tree mortality would increase as dwarf mistletoe, Western gall rust, and comandra blister rust infections increased. This would result in reduced tree vigor and overall stand decline. Selection of this alternative would forego the opportunity to regenerate decadent, unhealthy stands and to convert them to young, healthy stands that would move toward achieving Forest Plan desired conditions.

Alternative 3 would move toward meeting Forest Plan desired conditions at a relatively slow rate since much of the area would remain in an overmature stage. Although timber would be harvested, the partial cutting prescriptions would not produce a substantial enough change in structural stages sufficient to meet Forest Plan desired conditions. Much of the forest would remain in an overmature stage, while little area would be converted to the grass/forb stage. This would leave an imbalance in structural stages similar to what is seen today.

2) Improve existing scenic integrity in areas where old strip cuts do not meet Forest Plan Visual Quality Objectives

Silviculturally treating mature/overmature stands, dwarf mistletoe stands, and thinning young stands, as proposed under Alternative 4, would improve the long-term visual appearance of the landscape by creating a more diverse forest mosaic that would better withstand insects and diseases. Implementation of this alternative would reduce the appearance of old stripcut areas and would move toward meeting Forest Plan visual quality objectives. While the effects of improved scenic integrity would be similar to Alternative 2, Alternative 4 enhances those opportunities by providing increased wildlife protection for species dependent on older forest habitat.

Alternative 1 would not change the area's visual appearance and would maintain the dynamic forces of nature. The effects of Alternative 3 would be similar to Alternatives 2 and 4 in the short-term, but long-term effects would not be as visually appealing. Consequently, Alternative 3 would not meet this aspect of the Purpose and Need as well as Alternatives 2 and 4.

3) Reduce the incidence of dwarf mistletoe in the area

The beneficial effects of reducing dwarf mistletoe would be increased more under Alternatives 2 and 4 than under Alternative 3 due to the increased amount of clearcutting proposed. While any reduction in dwarf mistletoe infestations will produce a healthier forested stand, even-aged prescriptions (i.e., clearcutting) achieve this goal at a more rapid rate. Currently, dwarf mistletoe and other infestations are the most significant factor affecting the growth and mortality of stands within the Collins Creek area. The No Action alternative would not respond to this element of the Purpose and Need.

4) Reduce tree density in Management Area 7E to Forest Plan recommended levels

The effects of this need are similar to those described under Purpose and Need #1,

5) Address resource effects associated with poorly located roads.

Alternative 4 closes approximately 2 ½ more miles of road than any other alternative. Alternative 4 proposes 10.1 miles of road closure as compared to 7.4 miles under the other action alternatives. The increase in the amount of road closure miles will reduce adverse soil, water, and vegetation resource impacts more than any other alternative.

The No Action alternative does not fulfill the identified Purpose and Need for this proposal.

Response to Significant Issues

The rationale for implementing Alternative 4 is further presented in this decision by focusing on the Significant Issues (REA pp. 7 and 8). Clearcutting was the only issue identified during the May 29, 1997 scoping period whereas the two remand points identified on page 2 of this decision were identified as Significant Issues in the May 2003 REA. The following presents a brief description of the situation regarding the significant issues.

Clearcutting

Although comments regarding the use of clearcutting were mixed, the Forest Service decided to consider it as a significant issue used to develop alternatives to the proposed action. Some people commented that clearcutting could be used to improve biological diversity and to make old clearcuts more visually acceptable. Others commented that clearcutting should not be used as a management tool because it adversely affects scenery and wildlife species requiring mature tree habitats.

Alternative 4 reduces the amount of clearcutting from 267 acres, as proposed under Alternative 2, to 220 acres. Clearcutting was determined to be an appropriate silvicultural prescription for two reasons: 1) to move toward Forest Plan desired conditions for structural stages. As previously mentioned, existing conditions indicate that there are too few acres in the grass/forb stage and too many acres in the overmature stage (please see Table 1, DN page 4); and 2) to reduce the amount of individual tree mortality as a result of dwarf mistletoe, Western gall rust, and comandra blister rust infections. Without some type of silvicultural prescription, trees already stressed by disease would be increasingly susceptible to insect infestations and infection by other pathogens. Silviculturally treated stands, as proposed in Alternative 4, will increase individual tree growth and will result in healthier and more vigorous forest. Further, clearcutting most nearly matches the role formerly played by forest fires and is considered the optimum method for regenerating lodgepole pine. It is also the most effective method for treating stands heavily infected with dwarf mistletoe. Implementation of uneven-aged harvest prescriptions within mistletoe infested lodgepole pine stands would increase the spread of mistletoe from the overstory to younger lodgepole in the understory.

“Clearcutting silviculture is the most appropriate system for effectively regenerating those species of trees which naturally grow in even-aged stands and which cannot regenerate in the stand of other trees. Aspen and lodgepole are these kinds of trees” (USDA, May 1992b, p. ii).

Clearcutting is listed as an appropriate harvest method for all forest cover types on the Forest (Forest Plan, p. III-42). The Forest Silviculturalist has found clearcut and overstory removal prescriptions to meet the requirements of the National Forest Management Act (36 CFR Part 219.27).

NOTE: The following remand points were identified as Significant Issues in the May 2003 REA.

Section 402 Storm Water Permit

Road decommissioning and watershed improvement activities for the proposed project were compared against the criteria, or guidance, provided by WYDEQ (2002) to determine that a permit was not necessary for the project. A worksheet was prepared that summarizes storm water discharge permit criteria for individual roads and activities (Collins Creek Project – Fisheries and Hydrology Updated Analysis, May 31, 2002).

All new and temporary road construction proposed in the project is for the purposes of silvicultural activities and would be closed to motorized traffic after harvest activities are completed. WYDEQ provides guidance that states “Unintended incidental use by hunters, hikers, or other recreational users does not change a road status from silvicultural to non-silvicultural.” (WYDEQ, 2002, p1). Based on a hard look at this guidance, the Hydrologist assigned to this project determined that new road reconstruction associated with Alternative 4 is a silvicultural activity exempt from storm water discharge permit requirements under 40 CFR Section 122.27.

Address the Baker and Reed studies regarding forest fragmentation.

Baker and Reed recommend approaches to alleviate forest fragmentation including protection of identified reference areas, protection of older forest patches with significant interior size, and aggregating harvest cuts in clusters to decrease created forest edge and decrease road construction. These approaches were considered and applied to Alternative 4 as described below.

- First, the Laramie District Wildlife Biologist conducted a review to examine the amount and distribution of older lodgepole pine forest patches across the Snowy Range. The review found that over 36,000 acres of older (150 years or greater) lodgepole pine forest patches exists across the Snowy Range in stands 500 acres or greater in size, dominated by large size trees. Several very large patches exist which likely provide interior forest habitat conditions. The approximate location and size of these large patches include the Rock Creek roadless area (7,000 acres), Sheep Mountain (6,800 acres), Middle Fork of the Little Laramie River Roadless Area (2,500 acres), and Salvage Run Wilderness (7,000 acres).
- Second, the project proposal is located outside of a similar reference area, the Rock Creek watershed. The Rock Creek watershed reference area (Baker, 1994) is within an identified roadless area, is not scheduled for timber harvest, contains large patches of older forest with significant interior size, and is located on the Snowy Range portion of the Medicine Bow National Forest (as is the project proposal). Additional similar patches of older forest planned for retention can also be found across the snowy range in the Savage Run Wilderness, the Platte River Wilderness, and the Middle Fork Laramie River inventoried roadless area.
- Third, the largest available patches of older forest within the Collins Creek analysis area were identified in the REA on page 31, and include three identified blocks of older forest. Alternative 4 dropped harvest units 9, 9A, and a portion of unit 1 within those blocks of older forest to: a) retain suitable habitat for marten and goshawk; b) maintain older forest connectivity within identified blocks of older forest patches; and c) provide harvest opportunities while minimizing perforation of older forest patches.

- Fourth, proposed harvest units 5 and 8 are located between four previous clearcuts averaging 25 acres in size. After harvest (and regeneration), the resulting forest patch size will be approximately 167 acres in size, as compared to 6 separate smaller patches of varying tree ages. Units 20, 21, and 22 were also located adjacent to previous clearcut areas for the same purpose. Harvest of these units, as discussed, will create larger continuous forest patches and minimizes harvest within consolidated blocks of older forest.
- Fifth, harvest units were proposed in areas with existing road systems to minimize the need for additional road construction which also contributes to fragmentation. As such, Alternative 4 includes only 0.7 miles of new road construction. Further, Alternative 4 proposes 10.1 miles of road decommissioning, resulting in a net reduction of roads across the analysis area.

As demonstrated above, we considered the findings of Baker and Reed and found that Alternative 4 will reduce the amount of fragmentation more than any other action alternative analyzed in the REA. In addition, the Biological Assessment determined that Alternative 4 will have no effect on Federally listed or proposed wildlife species. The Biological Evaluation further determined that Alternative 4 will have no impact on most sensitive species, and may impact individual goshawk, marten, boreal owl, and three-toed woodpecker, but will not lead to a trend toward federal listing.

SUMMARY OF DECISION RATIONALE

As previously illustrated, Alternative 4 best meets the Purpose and Need for this proposal while, at the same time, best addressing the significant issues identified above. Alternative 4 will: a) increase vegetative diversity in Management Area 7E; b) improve scenic integrity within the watershed; 3) reduce the incidence of dwarf mistletoe; 4) reduce tree density in Management Area 7E to Forest Plan recommended levels; and 5) address resource effects associated with poorly located roads. As described above, all of these goals will be accomplished while providing the best balance of natural resource protection. Implementation of alternative 4 will: 1) reduce the amount of clearcutting; 2) retain suitable habitat for marten and goshawk; 3) maintain older forest connectivity within identified blocks of older forest patches; and 4) provide harvest opportunities while retaining larger, more continuous blocks of older forest patches.

BACKGROUND FOR THE DECISION

The Collins Creek analysis area is located on the Laramie Ranger District of the Medicine Bow-Routt National Forest, northwest of Foxpark, Wyoming at the junction of Townships 13 and 14 North, and Ranges 77, 78, and 79 West. The area lies within the Medicine Bow Mountains, an extension of the Colorado Front Range. The analysis area includes a total of 11,585 acres. Of this, 11,449 acres are National Forest System (NFS) lands and 136 acres are privately owned. The NFS acres include 9,525 acres of forested and 1,924 acres of non-forested land.

The forested land is mainly lodgepole pine and spruce-fir forest types. The area boundary is coincident with the Lake Creek sixth-level watershed boundary. The highest point is near the northeast corner of the analysis area at the summit of Lake Mountain (9,753 feet). The lowest point is at the western corner where Lake Creek joins Douglas Creek (8,517 feet). Private land

within the analysis area is identified and discussed in this document for information purposes only. The Forest Service has no jurisdiction over private lands and no management is proposed.

The management areas represented in the Collins Creek Area are identified in Table 2. These management area prescriptions are described in the Forest Plan, which contains requirements that specify the constraints under which activities would be implemented to achieve Forest Plan goals and objectives. Management requirements for individual management area prescriptions are applied to the specific areas shown on the Forest Plan Management Area Map. Please refer to Chapter III of the Forest Plan for more detailed information concerning the emphasis and specific direction for each Management Area.

The majority of acreage within the Collins Creek watershed is allocated to a 7E management prescription. The only other Management Area with a significant percentage of acreage in the analysis area is 9A. The following table displays the number of acres and percentage of total land area by Management Area and Cover Type.

Management Area	NFS Land within Analysis Area		Forested Lands (9,525 acres, 83%) ²					Nonforested Lands (1,924 acres, 17%)	
			Lodgepole		Spruce/fir		Aspen ³		
	Acres	%	Acres	%	Acres	%	Acres	Acres	%
7E - Wood-fiber Production	9,357	82	8,537	91	424	5	0	396	3
9A - Riparian Area Management	2,004	17	413	21	63	3	0	1,528	13
10C - Special Interest Areas (i.e., Dry Park)	53	<1	53	100	0	0	0	0	0
4B - Management Indicator Species Habitat	35	<1	35	100	0	0	0	0	0

¹ Does not include 136 acres of private land within the analysis area.

² Within the 9,525 acres of forested land, 7,842 acres are classified as suitable and 1,683 acres are classified as unsuitable for timber production.

³ Aspen is present as a minor component (individual trees) in stands dominated by other species.

ALTERNATIVES CONSIDERED IN DETAIL

ALTERNATIVE 1 - No Action:

Under this alternative, the Forest Service would not schedule timber harvest and road decommissioning activities in the Collins Creek area. Forest vegetation would continue to

change by natural succession. Individual tree mortality would increase as a result of dwarf mistletoe, Western gall rust, and comandra blister rust infections. Increased insect activity and susceptibility to pathogens would also occur in trees stressed by disease, drought, or other conditions. Individual tree growth would decline as dense pole stands become increasingly stagnated, with little change in tree diameter or height. Mature and overmature stands would increase in age, and stand health would continue to decline. Entire stands or portions of stands could be replaced over time by fires, disease, or insect activity. Taking No Action at this time would forego the opportunities to regenerate unhealthy stands; to thin stagnated stands; to release young, healthy stands; and to create greater age class and size diversity to improve the visual character of a portion of the analysis area. This alternative would not help to achieve the Desired Future conditions described in the Forest Plan.

ALTERNATIVE 2 - Proposed Action:

Under the Proposed Action the Forest Service would harvest approximately 4.2 million board feet (net) on about 485 acres in the Collins Creek watershed. Approximately 267 acres would be clearcut, and 218 acres would receive partial-cut treatments. Partial-cut treatments would include 66 acres of Overstory Removal, 40 acres of Shelterwood Preparation, 94 acres of Group Selection, and 18 acres of Commercial Thinning.

Approximately 1.4 miles of road reconstruction, 0.7 miles of new specified road, and 3.5 miles of temporary road would be needed to implement this alternative. Concurrently, about 7.4 miles of existing road would be decommissioned, resulting in a net reduction in miles of open road at sale termination. The proposal includes roadside clearing along 3.1 miles of NFSR 509 where tree regeneration is encroaching on the road right-of-way and impairing the line-of-sight visibility for traffic. Roadside clearing would remove trees within five feet of each road shoulder and ten feet on the inside of curves to restore a longer sight distance.

The analysis also considered pre-commercial thinning on 537 acres of 15 to 30-year old lodgepole pine regeneration during the next 5 years. Field data would be collected, and stands meeting tree density and age requirements for thinning would be scheduled for treatment. Thinning is designed to remove individual trees in overly dense stands to stimulate growth on the remaining stems. Trees designated for removal are those that exhibit poor form and size characteristics. Thinning would be done pre-commercially, since the trees are not large enough to produce a commercial product. The decision for which site-specific stands will be treated will be analyzed and recorded in future NEPA documents following additional public involvement.

Apply the clearcut method to stands that have generally reached culmination of mean annual increment (CMAI). The clearcut prescription will also be applied to some stands that are heavily infected with dwarf mistletoe and are in decadent condition, but have not reached CMAI. Using clearcutting to treat these stands is the optimum harvest method to meet the objectives and requirements of the Forest Plan. The stands scheduled for clearcut treatment are mature and overmature lodgepole pine where on-the-ground reconnaissance has verified that the intensity of disease warrants stand regeneration. These stands are characterized by high levels of insects or disease, with numerous dead trees and trees with sparse, dying crowns.

Apply overstory removal to two-storied stands that have scattered large trees and a relatively disease-free understory. Remove the majority of the large diameter trees. Retain scattered

spruce or fir trees for species diversity. Remove lodgepole pine infected with dwarf mistletoe. Several of the harvest units proposed for overstory removal in the two action alternatives are adjacent to regenerated clearcuts with trees of a similar age class. The removal of the overstory would result in a residual stand of approximately the same age as the existing, adjacent openings where the combined stand age would approximate 10 percent of the rotation age. This would allow the combined stands to be managed as a single unit as the stands mature, thus increasing the patch size and interior forest.

Use the group selection method (an uneven-aged regeneration method) to treat stands where merchantable trees are arranged in groups. These stands consist of a mosaic of trees in two structural conditions, including an overstory of scattered groups of lodgepole pine sawtimber and understory groups of advanced regeneration. In these stands, the mature and overmature sawtimber is heavily infected with dwarf mistletoe, while the regeneration is mostly free of mistletoe. The scattered groups of overstory range in size from one-half acre to two acres, and the groups of diseased mature and overmature trees will be harvested. This action will reduce the spread of dwarf mistletoe from the overstory to the understory and release the advanced regeneration from competition. Apply subsequent sanitation treatment(s) to remove regeneration infected with dwarf mistletoe. This treatment is not as effective in reducing the level of dwarf mistletoe in lodgepole pine stands as either the clearcutting or shelterwood method, but is selected when other objectives (i.e., visual quality) need to be met.

The shelterwood preparation harvest would be applied to single-story stands of large diameter lodgepole pine with little or no regeneration. This initial entry is a preparatory cut that would remove approximately 35 percent of the basal area. The trees to be removed would include stems from each crown class in the overstory so that the stand is not susceptible to windthrow. Trees selected for removal would include those with sparse and dying crowns, poor quality, and individuals affected by insects or disease. The second and third entries would occur 20 and 40 years after completion of this project.

ALTERNATIVE 3 - Partial Cut Emphasis:

The Partial Cut Alternative would harvest approximately 3.4 million board feet (net), with an emphasis on harvest methods other than clearcutting. About 184 acres of sanitation/salvage, 81 acres of overstory removal, 154 acres of group selection, 90 acres of clearcut, and 73 acres of shelterwood preparation are included in this alternative. In addition, about 137 acres would be commercially thinned.

No new roads would be constructed, but approximately 1.6 miles of road reconstruction and 4.9 miles of temporary road would be needed to implement this alternative. However, about 7.4 miles of existing road would be decommissioned, resulting in a net reduction of open road at sale termination. The proposal includes roadside clearing along 3.1 miles of NFSR 509 where tree regeneration is encroaching on the road right-of-way and impairing line-of-sight visibility for traffic. Roadside clearing would involve removing trees within five feet of each road shoulder and ten feet on the inside of curves to improve sight distance.

The analysis also considered pre-commercial thinning on 537 acres of 15 to 30-year old lodgepole pine regeneration during the next 5 years. Field data would be collected, and stands meeting thinning requirements (tree density and age) would be treated. Thinning is designed to

remove trees in overly dense stands to stimulate growth on the remaining stems. Trees designated for removal are those that exhibit poor form and size characteristics. Thinning would be done pre-commercially, since the stands are not yet large enough to produce a commercial product. The decision for which site-specific stands will be treated will be analyzed and recorded in future NEPA documents following additional public involvement.

Timber harvest prescriptions described under the Proposed Action (clearcut, overstory removal, group selection, and shelterwood) would also be applied under this alternative. In addition, the sanitation and salvage treatment (described below) would be applied under this alternative.

The sanitation and salvage treatment would involve removing an average of 35 percent of the basal area in mature and overmature lodgepole pine stands. The stands selected for this treatment consist of large diameter trees with scattered pockets of lodgepole pine regeneration. Dwarf mistletoe is prevalent in the overstory trees of these stands, but mostly absent in the young regeneration. Trees selected for removal would include those with dwarf mistletoe, sparse and fading crowns, comandra blister rust, Western gall rust, and those with poor form.

The shelterwood preparation harvest would be applied to single-story stands of large diameter lodgepole pine with little or no regeneration. This initial entry is a preparatory cut that will remove approximately 35 percent of the basal area. The trees to be removed will include stems from each crown class in the overstory so that the stand is not susceptible to windthrow. Trees selected for removal will include those with sparse and dying crowns, poor quality, and individuals affected by insects or disease. The second and third entries would occur 20 and 40 years after completion of this project.

ALTERNATIVE 4 - Wildlife Mitigation:

Alternative 4 was developed to provide additional protection to wildlife species; pine marten and goshawk, in particular. Under Alternative 4, approximately 3.3 million board feet (net) of timber would be harvested on roughly 420 acres in the Collins Creek watershed. Approximately 222 acres would be clearcut; 66 acres would be harvested using an overstory removal prescription; 94 acres would be harvested using group selection; 18 acres would be commercially thinned; and 20 acres would be harvested using a shelterwood prescription. For more information relating to these prescription types, please see the silvicultural prescriptions described under the Proposed Action.

In addition to a reduction of treated acres, Alternative 4 includes the following changes from the Proposed Action. The changes were designed to benefit wildlife species dependent on older forest habitat:

- The western half of ITM unit 1 was dropped to provide a 30-acre buffer around an existing and active goshawk nest (nest 1);
- Clearcut units 9 and 9a were dropped to provide for alternate nesting areas within nest 1 goshawk territory and to maintain one of the larger blocks of pine marten habitat in the analysis area; and
- The northern half of clearcut unit 24 was dropped to avoid a known goshawk nest (nest 2) and to provide a portion of the 30-acre buffer around the known nest site.

Mitigation measures designed to protect wildlife, in addition to those described for the other action alternatives, are as follows:

- Nest disturbing activities related to the project proposal would not occur between April 15 and August 15 within ¼ mile of the active goshawk nest (nest 1). Seasonal restrictions would be implemented to limit harvest activity on ITM unit 1 and log haul on NFSR 527;
- Temporary road construction to access units 24 and 25 would be located at least 300 feet away from current nest site (nest 2); and
- Seasonal restrictions would be applied to harvest units 24 and 25 so activities would not occur between April 15 and August 15 within ¼ mile of the active goshawk nest (nest 2). Nest disturbing activities that should be restricted include heavy maintenance on the abandoned road used to access units 24 and 25, construction of the temporary road used to access unit 24, and harvest on northern portions of units 24 and 25 where the District Biologist has determined it is likely to disturb the active goshawk nest.

Similar to the Proposed Action, approximately 1.4 miles of road reconstruction, 0.7 miles of new specified road, and 3.5 miles of temporary road would be needed to implement this alternative. Concurrently, about 10.1 miles of existing road would be decommissioned, resulting in a net reduction in miles of open road at sale termination. Alternative 4 would decommission 3.1 more miles of road than the Proposed Action. The proposal includes roadside clearing along 3.1 miles of NFSR 509 where tree regeneration is encroaching on the road right-of-way and impairing the line-of-sight visibility for traffic. Roadside clearing would remove trees within five feet of each road shoulder and ten feet on the inside of curves to restore a longer sight distance.

The analysis also considered pre-commercial thinning on 537 acres of 15 to 30-year old lodgepole pine regeneration during the next 5 years. Field data would be collected, and stands meeting tree density and age requirements for thinning would be scheduled for treated. Thinning is designed to remove individual trees in overly dense stands to stimulate growth on the remaining stems. Trees designated for removal are those that exhibit poor form and size characteristics. Thinning would be done pre-commercially, since the trees are not large enough to produce a commercial product. The decision for which site-specific stands will be treated will be analyzed and recorded in future NEPA documents following additional public involvement.

A. Features Common to all Action Alternatives

The following features are incorporated into the action alternatives and would occur during implementation as funding is available. The environmental effects to most resources from implementing these projects have been included within the direct, indirect, and cumulative effects analyses in this Environmental Assessment. The projects listed below have been included in the effects analysis for all resources.

Included as an integral part of both action alternatives are several small projects designed to mitigate current problems. They include the following:

- Improve drainage and design of NFSR 509, and remove unused, damaged culverts.
- Relocate the user-created trail in Section 6, T.13N., R.78W. away from Lake Creek.

- Improve or eliminate the user-created crossings in the SW 1/4 of Section 32, T.14N., R.78W. of Hay Creek.
- Improve or eliminate the user-created crossing (NFSR 512N) of Collins Creek in the N 1/2 of Section 16, T.13N., R.78W.
- Construct waterbars on the spur road in the NE 1/4 of Section 11, T.13N., R.79W.
- Construct waterbars and improve drainage on NFSR 517D.
- Decommission and rehabilitate NFSRs 575.AB and 527.DA, and non-system routes 3432, 3434, 3435, 3440, 5127, 3441, and 3433.

MITIGATION FEATURES

In addition to the Forest Plan Standards and Guidelines, the Interdisciplinary Team identified mitigation measures to be incorporated into each alternative from the *Watershed Conservation Practices Handbook*, the *Packer's Guide*, and the *Wyoming Forestry Best Management Practices*. A list of specific practices that would be used to minimize the effects of project activities is displayed in Appendix A of the REA. These mitigation measures have been proven effective by research and project monitoring. The practices identified in these publications are incorporated by reference and would be followed as an integral part of implementing the Proposed Action or one of the other action alternatives. Periodic monitoring inspections would occur during project layout and implementation to ensure that all activities are limited to culturally cleared areas and to determine any effects to immediate and nearby sites from increased human activity. Heritage sites discovered during ground-disturbing activities have been identified, recorded, and protected.

MONITORING REQUIREMENTS

As required by 40 CFR 1505.3, the effects of implementing the activities associated with the proposed project will be monitored in accordance with Chapter 4 of the Forest Plan. Monitoring for the project will be focused specifically on water quality, wildlife habitat, visual quality, and the desired conditions of vegetation as stated in the Forest Plan.

Periodic monitoring inspections will take place during project layout and implementation to ensure that all activities are limited to culturally cleared areas and to determine effects (if any) to immediate and nearby sites from increased human activity. Heritage sites discovered during ground-disturbing activities will be identified and protected or recorded.

The results of Forest Plan monitoring will be made available to the public upon request, as stated in 40 CFR 1505.3(d) and 36 CFR 219.12(k).

COMPARISON OF ALTERNATIVES

Table 3 - Summary of Estimated Effects of Implementing the Alternatives				
Criteria	Alt. 1 - No Action	Alt. 2 - Proposed Action	Alt. 3 - Partial Cut Emphasis	Alt. 4 - Wildlife Mitigation
Specified road reconstruction	0	1.4 miles	1.6 miles	1.4 miles
Specified road construction	0	0.7 miles	0	0.7
Temporary roads	0	3.5 miles	4.9 miles	3.5 miles
Road decommissioning	0	7.4 miles	7.4 miles	10.1 miles
Open road density (miles/sq mi)	1.88	1.86	1.86	1.80
Roadside Clearing maintenance	0	3.1 miles (3.8 ac)	3.1 miles (3.8 ac)	3.1 miles (3.8 ac)
Clearcut (acres)	0	267	90	222
Group Selection (acres)	0	94	154	66
Overstory Removal (acres)	0	66	81	94
Shelterwood-preparation cut (acres)	0	40	73	20
Sanitation and Salvage (acres)	0	0	184	0
Thinning - commercial (acres)	0	18	137	18
TOTAL (acres)	0	485	719	420
Thinning - noncommercial (acres)	0	537 *	537 *	537 *
Net Volume (MMBF)	0	4.2	3.4	3.3
(CCF)	0	9,495	7,672	7,272
Acres of Old Growth	1,788	1,788	1,788	1,788
Percentage	(15.4)	(15.4)	(15.4)	(15.4)
Equivalent Clearcut Acres	1,299	1,659	1,618	**
Percentage	(11)	(14)	(14)	
HYSED estimate (Tons/year)	7,178	7,528	7,489	**
Short Term Economic PNV	-0-	\$412,977.06	\$304,214.36	\$309,047.18
Short Term Economic B/C Ratio	1	2.41	2.41	2.34

* Specific sites to be selected following additional analysis and documentation.

** While modeled values would change slightly under Alternative 4, there would be no significant change in conditions observed in the subject watersheds as a result of timber sale modifications. Therefore, no additional ECA or HYSED analysis is recommended to address the minor differences in effects for Alternative 4.

ALTERNATIVES CONSIDERED BUT NOT FULLY ANALYZED

The following alternatives were considered but eliminated from detailed study.

ALTERNATIVE 5: No Clearcutting:

The Interdisciplinary Team initiated development of an alternative with no clearcutting. The silvicultural methods to be used were partial harvesting and uneven-age management. At an early stage in the development of this alternative, the silviculturist was unable to find sufficient stands in the analysis area where partial cutting would be a minimally suitable harvest technique to make a commercially viable timber sale. Declining conditions in most of the mature lodgepole pine stands, due to a prevalence of heavy infections of dwarf mistletoe and comandra blister rust (*Cronartium comandrae*), eliminated the majority of the stands from partial cut consideration. As previously discussed, the Collins Creek analysis

area has numerous examples of unsuccessful partial harvesting (from the 1980s) in lodgepole pine stands infected with dwarf mistletoe. The current condition of these stands clearly shows that it is not desirable to treat lodgepole pine stands that are heavily infected with dwarf mistletoe with silvicultural treatments other than clearcutting. Rather than repeat this mistake, the Responsible Official decided to eliminate this alternative from consideration.

ALTERNATIVE 6: Achieve the Desired Condition Described in the Forest Plan More Quickly:

This alternative would treat more stands than was considered in either the Proposed Action or Alternative 3. This option was discarded due to potentially severe, adverse hydrologic effects.

SCOPING AND PUBLIC INVOLVEMENT

On May 29, 1997, a scoping letter describing the analysis, including the goals and anticipated opportunities designed to improve watershed conditions was sent to 231 individuals, organizations, and agencies who expressed an interest in this type of project. The scoping letter requested that comments or concerns be submitted to the Laramie District office by July 7, 1997. The letter was accompanied by a news release sent to newspapers, and radio and television stations.

Twenty-seven responses were received. An Interdisciplinary Team reviewed the responses and identified issues relevant to the analysis. These issues were combined with the management concerns (also identified by the Interdisciplinary Team) and presented to the Responsible Official for consideration. The Responsible Official provided a list of issues for the Interdisciplinary Team to consider in the analysis. The only issue significant enough to drive the development of an additional alternative was the use of clearcutting as a silvicultural technique. The other concerns identified by scoping can be incorporated as design or mitigation features of the action alternatives.

Comments regarding the use of clearcutting were mixed. Some people commented that clearcutting could be used to improve biological diversity and to make old clearcuts more visually acceptable. Others commented that clearcutting should not be used as a management tool because it adversely affects scenery and wildlife species requiring mature tree habitats. The Lake Creek Cabin Owner's Association expressed concern that clearcutting would depreciate adjacent private property values. The clearcutting issue was analyzed using the following:

- Attainment of the adopted visual quality objectives,
- the number of acres to be clearcut, and
- the effect of clearcutting on attainment of Forest Plan goals.

On April 29, 1999, the Collins Creek Timber Sale and Road Decommissioning Projects EA was released for a 30-day public comment period. On June 8, 2000 the Final EA and Decision Notice (DN) were issued. The June 8, 2000 decision was appealed on July 31, 2000, and on September 25, 2000, the DN was remanded to the Medicine Bow-Routt National Forests to address: 1) whether a Section 402 Storm Water permit was required for the project; and 2) three Baker and Reed studies (1994) regarding forest fragmentation. The remand points were identified as significant issues in the May 22, 2003 REA.

On May 22, 2003 a **Revised** Collins Creek Timber Sale and Road Decommissioning Project Environmental Assessment (REA) was released for a 30-day public comment period. That same day, a legal notice announcing the availability of the REA was published in the Laramie Daily Boomerang. Two comment letters were received. Forest Service responses to the comments can be found in REA Appendix E. Appendix E has been attached to this decision.

FINDINGS REQUIRED BY LAW

My decision complies with the procedural requirements of the National Environmental Policy Act of 1969. It is also entirely consistent with the Goals and Objectives and pertinent Forest-wide Direction stated in the Forest Plan. Further, my decision is consistent with applicable Management Area Prescription Direction in Chapter 2 of the Forest Plan for Management Area 7E - Wood Fiber Production, as required by 36 CFR 219.10(e).

My decision complies with other laws and regulations, including the Clean Water Act, the Endangered Species Act, the National Historic Preservation Act, and Executive Orders 11988 and 11990 (Wetlands and Floodplains).

The alternatives analyzed in the REA were also compared to the alternatives included in the December 2002 Medicine Bow Forest Plan Revision Draft EIS (40 CFR 1506.4). The analysis found that the forest management activities associated with the alternatives analyzed in the REA would not forego the ability to select any one of the Draft EIS alternatives in the future.

This decision has been reviewed and compared to the requirements in FSH 1909.15, Chapter 10, Section 15. Floodplains, prime forest lands, wetlands, threatened and endangered species, minorities and women, Indian Tribes, and cultural resources have been considered and will not be adversely affected by implementing this decision.

It has been determined that no federally listed Threatened or Endangered fish, wildlife, or plant species are known to occur in or near the project area. Furthermore, the proposed action will not result in the destruction or adverse modification of USFWS designated critical habitat. Therefore, consultation with the US Fish and Wildlife Service is not required for this project (50 CFR 402.10).

As determined in the BA/BE, Alternative 4, "May adversely impact individuals, but is not likely to result in a loss of species viability on the planning area, nor a loss of species viability range-wide," for the Region 2 Sensitive species identified in Table 6 of the December 23, 2003 Biological Evaluation.

These determinations tier to the analysis and documentation made for the Medicine Bow National Forest Land and Resource Management Plan, Final Environmental Impact Statement; page IV-84 to IV-90, and Appendix G, Biological Assessment and Evaluation.

Based on analysis and prescriptions for stands proposed for treatment within the Collins Creek Timber Sale Area:

- A. Soil, slope and other watershed conditions will not be irreversibly damaged.
- B. All sites proposed for treatment can be adequately restocked within five years of final harvest (36 CFR 219.27(c)(3)).

C. Protection is provided for streams and stream banks from detrimental changes in water temperature, blockage of water courses, and deposits of sediment.

It is further disclosed that:

A. All lands proposed for silvicultural treatment in all alternatives of the Collins Creek Timber Sale Analysis are suitable for timber production (36 CFR 219.27(c)(1).

B. The estimated volume in the proposed action is part of the allowable sale quantity (ASQ) identified in the Final Environmental Impact Statement for the Forest Plan, and will contribute towards the ASQ and the total timber sale program level.

C. Stands proposed for clearcutting were evaluated for culmination of mean annual increment (CMAI) of growth, and will meet the requirement at 36 CFR 219.16(a)(2)(iii) with the following exception. The clearcut prescription will also be applied to some stands that are heavily infected with dwarf mistletoe and are in a decadent condition, but have not reached CMAI. 36 CFR 219(a)(2)(iii) states, "Alternatives which incorporate exceptions to these standards [CMAI] shall be evaluated if it is reasonable to expect that overall multiple use objectives would be better attained." One of the stated exceptions is timber stands that are in danger from insect or disease attack.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the direct, indirect, and cumulative effects of the proposed activities in the Revised Collins Creek Timber Sale and Road Decommissioning EA (REA). I have also reviewed the project record for this analysis, and the effects of the proposed action and alternatives are disclosed in the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of effects. Significant, as defined in NEPA, requires consideration of both context and intensity.

(a) Context. This means that the significance of an action must be analyzed in several contexts, such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27).

The disclosure of the effects in the REA found the proposed actions to be limited in context. The project area is limited in size and the activities are limited in duration. Effects are local in nature and are not likely to significantly affect regional or national resources.

(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

1. **Environmental Effects** - Environmental effects associated with the project are discussed in the Environmental Consequences section of the EA (pp. 41 - 86). These impacts are within the range of those identified in the Forest Plan and would not have significant impacts on resources identified and described in the REA.
2. **Public Health and Safety** - Forest management activities would be conducted in a safe manner to protect the public. Forest management activities similar to those described in the

REA have occurred within other areas of the Forest without incident of issue with public health and safety.

3. **Unique Characteristics of the Area** – None of the alternatives analyzed in the REA would affect the unique characteristics of such things as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. (REA p. 86)
4. **Controversy** - The effects of the proposed alternatives on the various resources is not considered to be highly controversial by professionals, specialists, and scientists from associated fields of forestry, wildlife biology, fisheries, hydrology, etc. Further, based on the limited amount of interest expressed in this project, I do not believe that there is significant controversy over the effects of this project. (REA pp. 7 and 8, and DN pp. 16 and 17)
5. **Uncertainty** - Scoping did not identify highly uncertain, unique, or unknown risks. The technical analyses conducted for determinations of the impacts to the resources are supportable with the use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks associated with the alternatives. (REA pp. 41 - 86)
6. **Precedent Setting Decision** - This decision is like one of many that have previously been made and will continue to be made by Forest Service responsible officials regarding forest management activities on National Forest System lands. The decision is within the scope of the Forest Plan and is not expected to establish a precedent for future actions. The decision does not represent a decision in principle about a future consideration.
7. **Cumulative Impact** - There are no significant cumulative effects on the environment, either when combined with the effects created by past and concurrent projects, or when combined with the effects from natural changes taking place in the environment or from reasonably foreseeable future projects of this type. (REA pp. 41 – 86)
8. **Properties on or Eligible for the National Register of Historic Places; Significant Resources** - A heritage resource inventory has been completed in the area. Current forest management activities are not affecting any previously recorded sites. The State Historic Preservation Office concurred with this determination. (REA pp. 80 and 81; project record pp. 611 and 612)
9. **Endangered or Threatened Species** - The project would have no effect on endangered or threatened species or their habitat. Refer to the Wildlife portion of the Environmental Consequences section of the REA. (REA pp. 66 through 77 and REA Appendices C and D)
10. **Legal Requirements for Environmental Protection** - This decision complies with other Federal, State, or local laws and requirements imposed for the protection of the environment. (REA pp. 41 through 86)

IMPLEMENTATION DATE

If no appeal is received, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur until 15 days following the date of appeal disposition.

CONTACT PERSON

For further information, contact Melissa Martin, Laramie Ranger District, 2468 Jackson Street, Laramie, Wyoming 82071.

APPEAL OPPORTUNITY

This decision is subject to appeal pursuant to 36 CFR 215, "Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities," dated November 4, 1993. A written Notice of Appeal must be submitted within 45 days of the day after notice of this decision is published in the *Laramie Daily Boomerang*, Laramie, Wyoming. It is the appellant's responsibility to provide sufficient written evidence and rationale to show why the Responsible Official's decision should be remanded or reversed. An appeal must meet the following requirements (36 CFR 215.14): (1) State that the document is an appeal filed pursuant to 36 CFR 215; (2) List the name and address of the appellant and, if possible, a telephone number; (3) Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official; (4) Identify the specific change(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects; and (5) State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy. Appeals must be submitted to:

USDA Forest Service, Region 2
ATTN: Appeal Deciding Officer
P.O. Box 25127
Lakewood, CO 80225-0127

A copy of the environmental analysis is available for public review at the Laramie Ranger District, 2468 Jackson Street, Laramie, Wyoming, 82070. The REA and DN can also be found on the Medicine Bow-Routt National Forests Internet website at www.fs.fed.us/mrnf/resourcegmt/forestprojects.shtml. For further information on this decision, please contact Melissa Martin, Interdisciplinary Team Leader at (307) 745-2371.

/s/ Clint Kyhl

CLINTON D. KYHL
District Ranger
Laramie Ranger District

9/19/2003

Date

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