



File Code: 1950

Date: May 21, 2002

**SCOPING STATEMENT
REQUEST FOR PUBLIC COMMENTS**

**USDA FOREST SERVICE
Shoshone National Forest
North Zone/Greybull Ranger District**

Project Name: Dick Creek Timber Sale

County: Park County, Wyoming

Legal Description: Township 46 N., Range 102 W. portions of sections 4, 5, 6, 7 and 8
Township 46 N., Range 102 W. portions of sections 19,29, 30, 32, 33

Proposed Decision Date: Fall 2002

Proposed Implementation Date: 2003-2005

Dear Interested Party:

On May 13th, 2002 the Shoshone National Forest cancelled the timber sale offering for the Dick Creek timber sale to allow for additional public scoping to: a) reexamine issues, b) identify any new information, and 3) conduct further environmental analysis.

The purpose of this letter is to solicit written comments from all concerned parties to help us identify issues and further design this project. Your comments and suggestions are needed and encouraged. Project alternatives will be determined and environmental consequences analyzed during the National Environmental Policy Act (NEPA) process initiated by this scoping letter. The purpose and need and proposed action are described in the following sections.

Introduction and Purpose and Need

Who is proposing this project?

Background. The Shoshone National Forest is proposing the timber sale project. This sale, located in the Dick Creek drainage southwest of Meeteetse, Wyoming, calls for treatment of approximately 357 acres of mixed lodgepole pine, Englemann spruce and Douglas-fir. Approximately 1.9 million board feet (a board foot is one foot by one foot by one inch) of timber



would be harvested to produce wood products while also reducing fuel loads, improving wildlife habitat, increasing diversity of tree species and regenerating aspen.

Originally, the sale was designed with several harvest units in an inventoried roadless area. Road construction was involved in accessing those units. In response to the new roadless area initiative, the sale was modified to exclude all road construction in the roadless area. Consequently, several harvest units were dropped. Two units involve harvesting in roadless areas; parts of these area have been logged in the past. No new roads would be built in these areas.

Because of increased complexity and controversy, Shoshone National Forest personnel are again seeking public comments to help plan and carry out the project. The purpose of rescoping the timber sale is to allow for additional public comment to identify issues and concerns related to the proposed action. In addition, scoping may identify additional information and management opportunities that may be incorporated into the proposed action as well as formulating alternatives to the proposed action. Input would be used to determine the nature and complexity of the proposed action, identify environmental and other issues and determine the level of NEPA analysis necessary.

Why is the project being proposed?

The Forest Service is a multiple-use agency with a legal mandate to manage the various renewable resources, including timber, in a sustainable manner.

The project is being proposed with the intent that other resource values such as wildlife, recreation, and watershed are not adversely affected. The project would be designed to balance the need to supply timber for communities and to maintain or enhance resources. For example watershed conditions would be improved due to improved road drainage and an overall reduction in road miles. The reduction of fuels and enhancement of tree species and age class diversity would improve stand conditions and provide for healthier stands of trees after the proposed vegetative manipulation. Additionally, improvements of aspen stands would be an end result that benefits diversity and wildlife habitat.

The purpose is to manage vegetation while providing wood products to the public, regenerating aspen stands that are generally in a decadent condition, and help achieve other desired forest conditions such as diversity. The project would be consistent with Forest Plan goals, both in terms of the proposed action and any necessary mitigation associated with the action. This project would contribute to the Forest Plan's plan direction for an allowable sale quantity of 45 MMBF for the decade, as approved in the Forest Plan Allowable Sale Quantity (ASQ) Plan Amendment (1994).

The project would be designed for consistency with the Shoshone National Forest Land and Resource Management Plan (LRMP), which was promulgated under the National Forest Management Act (NFMA). This Forest Plan contains many goals (Forest Plan pages III-6

through pages III-10). Forest Plan goals, as defined by the planning regulations (36 CFR 219.3), are concise statements that describe desired conditions to be achieved sometime in the future.

The purpose and need for the action are tiered to guidance set forth in the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Forest Land and Resource Management Plan (Forest Plan; USDA Forest Service, 1986) as amended by the Allowable Sale Quantity (ASQ) ROD (USDA Forest Service, 1994) and the Oil and Gas Leasing ROD (USDA Forest Service, 1995).

Forest Plan Goals (Desired Future Condition). The purpose of the proposed action is derived from the following Forest Plan goals. Goals are numbered sequentially for this proposal; they do not refer to priorities or Forest Plan goal numbers:

- **Goal 1** - Manage the timber resources on lands suitable for timber management to provide saw timber, round wood, and firewood to meet resource management objectives (Forest Plan III-8).
- **Goal 2** – Manage vegetation types outside of wilderness to provide multiple benefits commensurate with land capability and resource demand (Forest Plan III-6).
- **Goal 3** - Improve the health and vigor of vegetation types outside wilderness and selected types in wilderness where necessary (Forest Plan III-6). NOTE: This project does not involve any designated wilderness lands.
- **Goal 4** – Reduce the accumulation of natural fuels (Forest Plan III-8).
- **Goal 5** – Maintain or improve habitat for threatened and endangered species including participation in recovery efforts for listed species (Forest Plan III-8).
- **Goal 6** – Coordinate Forest wildlife and fish management with the Wyoming Game and Fish Department and the U.S. Fish and Wildlife Service (Forest Plan III-8).
- **Goal 7** – Manage fish and wildlife habitats, including plant diversity, to maintain viable populations of known vertebrate species and meet population objectives of management indicator species (MIS) (Forest Plan III-7).

The project is needed in order to fulfill plan direction:

- Based on Shoshone Forest Plan management goals (pages III-6 through III-10) and management direction for MA-7E, MA-2B, MA-3A, and MA 4B, the following general resource management **needs** have been identified for the project area. These are derived from the differences between the existing condition and the desired condition for the area, with the opportunity to move vegetation toward the desired condition.
 - Reduce the accumulation of natural fuels by reducing fuel buildup and wildfire risk.
 - Improve the health and vigor of vegetation types outside wilderness by improving structural diversity (tree age class) and regenerating aspen (species

diversity). Adhere to Forest Plan standards and guidelines for diversity (FP III-19 to 21).

- Improve habitat capability through direct treatment of vegetation, soil, and waters
- Maintain and improve aspen sites and aspen clones. A healthy aspen component would be present in a range of age classes and stand sizes.
- Treat vegetation to provide wood products to communities.
- Maintain soil productivity, minimize human-caused soil erosion, and maintain the integrity of associated ecosystems.

The Dick Creek timber sale would conform to the 7E wood fiber emphasis goal, which prescribes vegetation treatment of commercial timber types within the identified suited timber base.

The Dick Creek timber sale would be implemented to comply with the Interim Directive for Roadless Area management dated December 14, 2001. In this directive, the Chief of the Forest Service was designated as having authority to approve or disapprove proposed timber harvest in inventoried roadless areas, except for the following:

The timber is generally small-diameter material and the removal of timber is needed for one of the following purposes, 1) to improve habitat for listed or proposed threatened and endangered species, or for sensitive species [FSM 2670], 2) to maintain or restore the desirable characteristics of ecosystem composition and structure, for example, to reduce the risk of uncharacteristic wildfire effects, and 3) the harvest is in a portion of an inventoried roadless area where construction of a classified road and subsequent timber harvest have previously taken place, and the roadless characteristics have been substantially altered by those activities.

The Proposed Action

Where is the proposed project?

The timber sale would be located in Park County and involves treatment/harvest units or areas totally about 357 acres in the Dick Creek drainage. The project is approximately 18 miles southwest of Meeteetse, Wyoming. The legal description for the project area is:

Township 46 N., Range 102 W. portions of sections 4, 5, 6, 7 and 8

Township 46 N., Range 102 W. portions of sections 19, 29, 30, 32, and 33

The enclosed vicinity map shows the general location of the project proposal.

When would the project occur?

The proposed decision date would be the fall of 2002. Project implementation could begin in the winter of 2002-2003 at the earliest.

What is being proposed?

An Interdisciplinary (ID) team of resource specialists would review and analyze the effects of the proposed action in relation to issues raised from the original scoping and this rescoping and public involvement process. The team will develop project design features for minimizing effects of implementing the project.

The proposed action would be designed to comply with Forest Plan Management Area Direction contained under management prescription 7E – Wood fiber production, 2B – semi-primitive motorized recreation, 3A semi-primitive nonmotorized recreation, and 4B wildlife habitat management and the Forest-wide standards and guidelines for other resources as applicable.

The specifics of the proposed action, project implementation and proposed mitigating measures for project design include:

- **Acres and Volume.** Englemann spruce, Douglas-fir and lodgepole pine on 237 acres would be treated. In addition, 120 acres would be treated in mixed aspen and conifer stands to regenerate aspen for a total of 357 acres of treatment within the Dick Creek watershed. The proposed action alternative would be to harvest approximately 1.9 million board feet. Included in this is the volume that would be removed on 120 acres for aspen regeneration.
- **Treatment Units.** Four units are proposed for treatment, all have received some level of timber harvest treatment in the past. These four units have been laid out, marked and the volume cruised because of past efforts to offer the timber for sale. Because of this, the unit locations, acreages and volumes are very reliable. Also, as a result of past efforts, silvicultural prescriptions for treatments have been developed.
- **Sale Duration.** The timber sale contract would be for a period of three years.
- **Roadless Area Protection.** Winter logging is proposed for roadless areas, as it would eliminate the need to construct any roads to implement the decision and would best protect roadless characteristics of the area. No new roads would be constructed as part of the proposed action.
- **Road Reconstruction.** Reconstruction of less than a mile of road in the South Fork of Dick Creek is identified in the proposal. All road reconstruction will occur outside of the inventoried roadless areas therefore the roadless characteristics within inventoried roadless areas would not be affected.
- **Operating Seasons.** The proposed operating season for the sale would allow logging from July 1 to September 30 and a winter operating window of December 1 to March 1. From March 1 to June 30 operations would not be permitted unless soils are dry.

- **Winter Logging.** Project design requires that the winter logging would only be allowed when snow depths exceed 12 inches or on frozen soil.
- **Silvicultural Methods and Harvest.** Spruce, Douglas-fir and lodgepole pine would be treated with a combination of two-step shelterwood, sanitation/salvage, group shelterwood or thinning harvest systems. Trees would be cut and removed using a conventional tractor based logging system.
- **Aspen and Diversity.** In mixed stands of aspen and conifers, areas will be treated to regenerate aspen within the timber sale area.
- **Post-treatment Aspen Management.** The original Dick Creek EA cited aspen management mitigation measures contained in the Range EA and specified that applicable measures be followed. This included the following measure “do not allow seedlings to be grazed by livestock more than one out of three years.” It also states that not allowing grazing the first two years following treatment is probably preferable in most instances. During the additional analysis, project design for aspen management would occur.
- **Old Growth, Snags and Down Woody Material.** Forest Plan standards and guidelines would be applied to meet requirements for old growth, snags and down woody materials.
- **Firewood.** Cutting units in the sale area would be left open for a specified period of time (two years) for firewood gathering.
- **Transportation.** Access to the sale area during the winter operation would only be permitted over the Timber Creek Road to FSR 203. FSR 203 would remain closed to the public by a locked gate and would only be open for the logging operations. No hauling would be allowed over FSR 202 to the Wood River Road.
- **Endangered Species Act Requirements.** Forest Service policy is to protect the habitat of federally listed proposed, candidate, threatened, or endangered species from adverse modification or destruction, as well as protect individual organisms from harm or harassment (FSM 2670.3). Biological assessments shall be prepared for each project authorized, funded, or conducted on National Forest land to determine possible effects the proposed activity may have on threatened and endangered (T&E) species (FSM 2672.43). The biological assessment (BA) process (FSM 2672.43) are intended to conduct and document activities necessary to ensure proposed management actions will not likely jeopardize the continued existence or cause adverse modification of habitat for T&E species. Of key concerns are the grizzly bear and recently listed lynx

The timber sale contract would include appropriate contract provisions to ensure protection of threatened, endangered, proposed, and Forest Service sensitive species.

Coordination of wildlife and fish management with the Wyoming Game and Fish Department and the U.S. Fish and Wildlife Service would continue.

- **USFWS Consultation.** Applicable plans and decisions of other agencies were reviewed and considered in respect to the proposed action (Grizzly Bear Recovery Plan, Lynx Conservation Strategy, etc.). Consultation is required and would occur with the US Fish and Wildlife Service relative to this project.
- **Rare Plants and Sensitive Species.** Forest Service policy is to protect habitat of species listed in Forest Service Region 2 as sensitive species from adverse modification or destruction as well as protect individual organisms from harm or harassment (FSM 2670.3). Biological evaluations shall be prepared for each project authorized, funded, or conducted on National Forest land to determine possible effects the proposed activity may have on sensitive species (FSM 2672.43). A biological evaluation process would be conducted for sensitive species for this project.
- **Management Indicator Species.** Analysis would cover adherence of proposed actions to the standards, guidelines and management directives set forth in the Forest Plan, including directives related to MIS.
- **Wildlife Habitat Protection.** Food and garbage storage regulations for grizzly bear use areas would be followed (Forest Plan III-50, Grizzly Bear Special Order).
- **Elk.** Harvest and haul (timing and location) restrictions would be incorporated into the special provisions of the timber sale contract to limit disturbance to wintering elk or spring elk calving.
- **Soil, Water, and Aquatic Resources Protection.** Best Management Practices (BMP's)¹ for soil and water conservation would be applied.
- **Noxious Weeds.** Noxious weeds would be surveyed and treated as needed prior to project initiation (Forest Plan III-58). Monitoring post harvest would identify what follow up actions are needed.
- **Cultural Resource Protection.** Standard practices used for the protection of cultural or heritage resources would be applied (Forest Plan III-23).

Preliminary Opportunities/Concerns/Issues

Significant issues from the original scoping effort as brought forward into the EA document dealt with logging methods, effects to watersheds, impacts to elk and road closures to minimize effects to elk, and the opportunity to leave roads open for a year or two for fuelwood gathering by the

¹ 33 CFR 323.4 BMPs may be viewed at <http://www.now.usace.army.mil/html/odrwy/33CFR323.htm#323.4>
Silviculture BMPs may be viewed in pdf format at <http://www.deq.state.wy.us/wqd/watershed/00413-doc.pdf>

public. During the advertisement for bids for the timber sale, several other issues were raised for further analysis. These issues can be summarized as:

- ✓ Concerns over threatened and endangered species, particularly potential effects to lynx and grizzly bears and wolves that have potentially expanded their ranges.
- ✓ Additional analysis of the proposed action in inventoried roadless areas and the current roadless area policy.

Possible Alternatives

- No Action Alternative – Current management would continue and the proposed timber sale would not be implemented.
- Alternative actions or area(s) would be analyzed if issues and concerns related to the proposed area are identified and could not be addressed through project planning and design or mitigated.
- Proposed Action - The project would be authorized as proposed.

Nature of Decision

The decision to be made is whether or not to authorize the proposed action as described, or an alternative to the proposed action. Also, the decision could include what mitigation measures need to be applied to the proposal. Based on public comment from this scoping notice and environmental analysis, the Forest Service must determine whether significant issues or concerns exist. If there are any, they will be addressed in the analysis and the eventual decision.

Contacts

The public is provided this opportunity to identify and submit issues and concerns they feel the Forest Service should address. If you feel we have overlooked something or have additional information, comments need to be as specific as possible to assist us in the analysis. A 30-day public comment period is being provided. To be most helpful, comments should be submitted in writing no later than June 24, 2002.

Written comments can be mailed to: Attention-Marty Sharp, NEPA Coordinator, North Zone/Wapiti Ranger District, 203A Yellowstone Ave., Cody, WY 82414, e-mailed to msharp@fs.fed.us, faxed to (307) 527-1202, or phone (307) 527-6921.

NOTE: If you no longer want to be included on the NEPA mailing list to receive these scoping notices, please notify the office and help us keep the list current. Scoping Statements, the quarterly Schedule of Proposed Actions (SOPA) and other related NEPA documents are now being posted on the Internet at <http://www.fs.fed.us/r2/shoshone/forestmgt/nepa/projectinfo.htm>.

Again, your comments are important to us.

Sincerely,

/s/ Brent L. Larson

BRENT L. LARSON
District Ranger