

# **DECISION MEMO**

## **Little Pine Fuel Reduction and Insect & Disease Prevention Projects**

**USDA FOREST SERVICE**  
Shoshone National Forest  
South Zone / Washakie Ranger District  
Fremont County, Wyoming

### **DECISION**

I have reviewed all the related documentation for the proposed actions within the Little Pine area of the Washakie Ranger District. Based on that review, I have decided to implement two separate actions to accomplish fuel reduction and to reduce the potential spread of insect and disease. The two actions are Little Pine Fuel Reduction Project (approximately 8,000 acres of prescribed burning) and the Little Pine Insect & Disease Prevention Project (approximately 250 acres of mechanical treatment). The two projects are located within the Pine Willow Analysis Area (3108) in T29N, R102W, Sections 1 through 12, T29N, R100W, Section 7 and T30N, R101W, Sections 32 through 35.

### **BACKGROUND AND PROPOSED PROJECTS**

The Shoshone National Forest established an Interdisciplinary Team (IDT) to investigate possible vegetative treatments within the Pine Willow Analysis Area. The investigation has extended over the past 10 years as a result of changing treatment priorities, the National Fire Plan and issues related to project access. The IDT has included the resource areas of Fire & Fuels Management, Recreation, Wildlife, Range, Hydrology, Forest Vegetation, Engineering, and Planning.

### **LITTLE PINE FUEL REDUCTION**

Approximately 8,000 acres of sagebrush/grasslands will be treated with prescribed burning to reduce the current fuel loading by decadent sagebrush and encroaching conifers. Burning prescriptions will include the use of natural boundaries such as snowdrifts to allow for a mosaic effect of burned and unburned areas. This treatment will: 1) reduce current fuel loading, 2) increase grass and forb production within the Pine Willow Grazing Allotment, 3) encourage aspen regeneration along treatment boundaries and 4) provide potential defensible space for wildfire suppression between the Forest boundary and adjacent private property.



**This photo, of the Little Pine area, shows the snow boundaries that would provide adequate barriers during prescribed burning.**

Additional design criteria include:

- Use of existing roads to access treatment areas.
- Use of the Shoshone National Forest Fire Management Action Plan in development of the fire prescription and protection measures.
- One year grazing exclusion to maximize re-vegetation.
- Management of burns surrounding riparian areas to reduce erosion potential.
- Notification of the Wyoming Department of Environmental Quality and the State District Forester, Riverton, Wyoming prior to burning activities to acquire needed air quality clearances and to provide for potential firefighter training.
- Post-burn site monitoring to ensure slope stability, riparian health and to avoid invasive weed introduction.

This action qualifies under Categorical Exclusion 31.2(6) of the Forest Service Handbook 1909.15 – Environmental Policy and Procedures Handbook. This category is for:

“Timber stand and/or wildlife habitat improvement activities, which do not include the use of herbicides or do not require more than one mile of low standard road construction”.

#### **LITTLE PINE INSECT & DISEASE PREVENTION**

Approximately 250 acres will be treated by mechanical means to remove dead and dying conifer stands impacted by insect and disease and dominant aspens. Treatment will be accomplished through service, timber sale and/or stewardship contracts. This treatment will 1) remove currently infected trees, 2) minimize the spread of Dwarf mistletoe and Commandra rust to regenerating trees, 3) encourage aspen regeneration with the treated area, and 4) reduce existing fuel loading.



**This photo shows some of the Dwarf mistletoe infestation of lodgepole pine in the Little Pine project area.**

Additional design criteria include:

- Use of existing roads to access treatment areas.
- Broadcast and jackpot burning of slash created through mechanical treatment.

This action qualifies under Categorical Exclusion 31.2(14) of the Forest Service Handbook 1909.15 – Environmental Policy and Procedures Handbook. This category is for:

“Commercial and non-commercial sanitation harvest of trees to control insects or disease not to exceed 250 acres, requiring no more than ½ mile of temporary road construction, including removal of infested/infected trees and adjacent live uninfested/uninfected trees as determined necessary to control the spread of insects or disease”.

### **PURPOSE AND NEED FOR THE PROJECTS**

Both actions are tied to the guidance set forth in the 1986 Shoshone National Forest Plan and Record of Decision, as amended. General direction in the Forest Plan emphasizes management within the area as 2A, Semi-Primitive Motorized Recreation (Pages III-118 thru III-123) and goals and desired conditions expressed in the Forest Plan, particularly many of those listed for vegetation, wildlife, timber, and protection (Pages III-6 thru III-10). These goals are summarized as follows:

- Manage vegetation outside of wilderness to provide benefits commensurate with land capability and resource demands.
- Provide cost-effective fire protection to minimize the combined costs of protection and damages, and prevent the loss of human life.

- Improve the health and vigor of vegetation types outside the wilderness.
- Reduce the accumulations of natural fuels.
- Improve habitats where vegetation conditions are well below biological potential.
- Develop, protect and manage the range resource to maintain fair or better condition status with a trend of improvement.

The IDT identified both proposed projects as consistent with these goals as set forth in the Forest Plan.

## SCOPING AND PUBLIC INVOLVEMENT

In January 1999, a public scoping letter was sent to interested public and the appropriate state, Federal and Tribal agencies. Adjacent landowners, the Fremont County Commissioners and the Wyoming Congressional Delegation were also provided notice of the proposed treatments. The following substantive issues were addressed:

- **Upgrading Existing Roads may impact hiking experience along the Continental Divide Scenic Hiking Trail located south of the Forest boundary on Bureau of Land Management Property.** Both projects will utilize existing roadways without further construction. Actions required under the prescribed burning would be seasonal and short term to coincide with appropriate burn conditions. With limited acres to treat mechanically, the likelihood of significant road improvements are low and duration of traffic would be minimal. Some intersections may need work to provide adequate room for commercial vehicles to turn. Therefore, overall impacts to hiking are expected to be minimal.
- **Potential Impacts to Riparian Habitats.** Both projects will be monitored such as to limit the amount of riparian burn or traffic impact. Appropriate “Best Management Practices” will be applied; therefore, impact to riparian habitats is expected to be minimal.
- **Retain a minimum of two snags per acre with greater than 10-inch Diameter Breast Height for cavity dwelling species.** Adequate numbers of snags in the area is of little concern due to the conditions of stands as shown in the above photograph.

## ALTERNATIVES

Based on the interdisciplinary site visits, field surveys, scoping comments, and discussion within the IDT, the following alternative treatments were considered for the Pine Willow Analysis Area:

- **No Action.** This alternative would propose no vegetative treatment within the Pine Willow Analysis Area. No Action would result in continued resource degradation as a result of further infestation/infection of vegetation, conifer encroachment within the sagebrush/grassland habitat and increases in the amount of deadfall on the forest floor. All of these outcomes would increase the likelihood of severe wildfire damage in the future. Aspen regeneration would be limited due to dominant trees suppressing growth of new saplings. Wildlife habitat value would decrease due to large amounts of deadfall within travel corridors and impacts to predator/prey interactions. Finally,

wildfire suppression would be more difficult and costly due to reduce defensible space between the Forest and private property.

- **Proposed Actions.** This alternative would result in two separate treatment proposals to conduct prescribed burning and mechanical treatment activities to address vegetative concerns. Both projects are described above with the project accomplishments related to the Forest Plan.
- **Prescribed Burning Only.** This alternative would include burning approximately 8000 acres. Although this would reduce the fuel loads within the sagebrush/grassland habitat, it would not provide for desired aspen regeneration potential, prevent continued infestation/infection of regenerating trees along the burn area or provide defensible space between the Forest and private property.

Based on a review of the intended goals and objectives for the Pine Willow Analysis Area and consideration of the comments provided by the IDT and others through an appropriate level of scoping, I have determined that the proposed action, approving two separate projects to address vegetation conditions is appropriate.

## **MITIGATION**

Both projects will be implemented using Forest Plan standards and guidelines. The following mitigation measures related to wildlife are implicit in meeting standards, and have been demonstrated to be effective at achieving their purpose. These measures include:

### **For Prescribed Burning:**

- Any required temporary roads would be obliterated, recontoured, and seeded if necessary. (No new roads are planned for either project.)
- Food and garbage storage regulations for bear use areas would be followed.
- Focus regeneration harvests on areas that currently provide limited habitat for lynx primary prey species (snowshoe hare and red squirrel) and that have the highest potential to rapidly produce suitable prey habitat.

### **For Mechanical Treatment:**

- If weather allows mechanical treatments to occur in the winter, allow no increase in travel ways (plowed roads and groomed snowmobile routes) than is necessary for the activities that are occurring.
- In mechanical treatments units larger than 20 acres, retain an island of large-diameter trees and down wood by grouping live trees and snags for these units into uncut patches 3 to 5 acres in size on the down wind side of the units.

## **OTHER REGULATORY CONSIDERATIONS**

### **Extraordinary Circumstances**

Under the Forest Service Handbook definition, extraordinary circumstances exist, only when conditions associated with the proposed action are identified by the line officer making the decision “as potentially having effects which may significantly affect the environment”. Extraordinary circumstances include, but are not limited to, threatened

and endangered species or their critical habitat, wetlands and flood plains, municipal watersheds, inventoried roadless areas, Congressionally designated areas (such as Wilderness, wilderness study areas, or National Recreation Areas), Research Natural Areas, or Native American religious or cultural sites, archeological sites, or historic properties or areas. Determinations for extraordinary circumstances were reviewed in the context of the Forest Service Handbook (1909.15 Chapter 30.3-30.5) definition and the court decision below <sup>1</sup>.

| Extraordinary Circumstances   | Conditions that may lead to a finding of extraordinary circumstances (Yes or No). If needed, discussions of conditions that may lead to a finding of extraordinary circumstances are discussed in detail following the table.                  |
|---|--|
| a. Federally listed threatened and endangered species or designed critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. | Yes. A Biological Evaluation and Assessment was completed for proposed, listed, and sensitive species. Forest Service determination of “no affect” was made regarding Grizzly Bear, Gray Wolf and Canada Lynx.                                 |
| b. Flood plains, wetlands, or municipal watersheds.   | None present.  |
| c. Congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas.  | None present.  |
| d. Inventoried roadless areas.  | Yes. Northern portion of the prescribed burn unit extends into the Middle Fork Inventoried Roadless Area. No new roads will be constructed.  |
| e. Research Natural Areas   | None present.  |
| f. American Indians and Alaska Native religious or cultural sites, archeological sites, or historic properties or areas.  | Four (4) new sites and one new isolate artifact were located during a Class III survey. All of the sites were determined not eligible for the National Register of Historic Places. (Ref. Little Pine Prescribed Burn, SHPO Report (SH-02-16). |

<sup>1</sup> The United States District Court for the District of Utah recently reviewed the provisions of the FSH related to categorical exclusions in Utah Environmental Congress v. U.S. Forest Service, Case No. 2:01-CV-00390B. In a Memorandum Opinion and Order issued June 19, 2001, the court found the above interpretation of the FSH to be reasonable. Specifically, the court found that the phrase “presence of” referred to conditions that may lead to a finding of extraordinary circumstances, not to the phrase “extraordinary circumstances.”

**Summary.** I have reviewed both projects and determined that no significant effects would occur from implementation of either project. The effects of the actions, as determined through internal interdisciplinary review, public scoping and coordination with the appropriate Federal and state agencies, are not highly controversial and are similar to other actions.

**DECISION**

It is my decision to proceed with both the Little Pine Fuel Reduction Project and the Little Pine Insect & Disease Prevention Project because it will result in improved grazing and wildlife habitat, defensible space between the Forest and private lands and forest health while reducing fuel loading and the spread of insect and disease. Neither of the approved projects are subject to appeal pursuant to Forest Service regulations at 36 CFR 215.4. Implementation of either project may occur 5 days following the date of this decision.

Additional information for either of these projects may be obtained from the Washakie Ranger District, 333 East Main Street, Lander, WY 82520 or by contacting me at (307) 332-5460.

s/Burns Davison

09/30/2003

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BURNS DAVISON  
District Ranger  
Washakie Ranger District  
Shoshone National Forest

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DATE