

DECISION NOTICE,

FINDING OF NO SIGNIFICANT IMPACT, and FINDING OF NON-SIGNIFICANT AMENDMENT

for the

UTAH FIRE AMENDMENT PROJECT

USDA FOREST SERVICE

Intermountain Region

Ashley, Dixie, Fishlake, Manti-La Sal, Uinta, and Wasatch-Cache National Forests

Utah Counties: Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, and Weber

Wyoming Counties: Sweetwater and Uinta

Colorado Counties: Mesa and Montrose

1. Background

New information concerning fire ecology and fire management has been developed in recent years, and fire management policies at the national level have changed. In 1998, the forest supervisors of the six National Forests in Utah (Ashley, Dixie, Fishlake, Manti-La Sal, Uinta, Wasatch-Cache) agreed fire management direction in the existing Land and Resource Management Plans (forest plans) needed to change. They decided to work together to develop consistent direction for the six forest plans.

An environmental assessment (EA) was prepared and then distributed for public comment. The EA summarizes the analysis completed for a proposed change in programmatic management direction for the six National Forests in Utah, relative to fire management. The chosen action alternative would amend the forest plans for each National Forest by adding management direction in the form of a goal and standards and guidelines to be applied to future fire management activities. The affected lands are located primarily in Utah, with small portions in Wyoming and Colorado (EA, section 1.3).

The amendment language provides management direction that addresses suppression of unwanted wildland fire in areas with important social and economic values and reduction of hazardous fuels as well as identifies where prescribed fire and wildland fire use are authorized. The forest plan amendments will provide fire management direction that is consistent with National Policy. The new fire management direction will provide additional tools to help land managers achieve the desired future conditions described in the existing forest plans.

2. Decision

After careful review of the public comments and analyses disclosed in the EA, project file, and the original Forest Plan environmental impact statements the Forest Supervisor of each National Forest made the following decision.

- The Ashley, Fishlake, Dixie, Manti-La Sal, Uinta, and Wasatch-Cache National Forests select Alternative B.
- Wildland fire use is not authorized in sensitive watersheds on the Manti-La Sal, Uinta, and Wasatch-Cache National Forests. Sensitive watersheds, as displayed in the EA, Figure 3-1, page 3-34, will be included in the list of locations where wildland fire use is prohibited as shown in the guideline for Wildland Fire Use (EA, section 2.5, page 2-9). Where a sensitive watershed overlaps with congressionally designated wilderness wildland fire use is authorized as a resource management tool.

Existing direction for fire management will be modified or deleted if inconsistent with this decision. The EA, appendix A.7 displays the changes to each Forest Plan, by forest. This decision will remain in effect until each forest plan is revised, estimated to be within the next four years (EA, section 1.3). This decision does not change the desired future conditions, objectives, and land allocations of the six forest plans. This decision does not change the management direction for other resource areas other than fire management.

3. Reasons for Decision

The following factors were considered in making the decision:

The unprecedented fire season we experienced in the West last summer illustrates the potential danger that large, unwanted wildland fires now pose to people, property, and ecosystems. The situation that exploded in last year's hot, dry summer has been building for a long time. Over the last 20 to 30 years, unwanted wildland fires have grown in size, intensity, and frequency. We are now experiencing the consequences of over a half-century of well-intentioned but short-sighted fire suppression policies that helped produce a dangerous excess of fuels. It is time to change direction.

The effects disclosed for no action in the EA present an unacceptable future risk to our rangelands, forests, and adjacent communities. We believe our decision offers a reasonable and responsible approach to address these important potential consequences.

We fully understand the potential risks use of fire presents to our communities and that smoke generated from fire will be a nuisance for many and a burden for others. We will coordinate closely with communities potentially impacted by fire and smoke to address their important concerns and will also coordinate closely with State and Federal managers to assure State and Federal standards are addressed.

The EA also showed us that if we do nothing potential future impacts of uncharacteristically large wildland fires and smoke generated by these future events could be much worse compared to deliberately and carefully reducing hazardous fuels across our National Forests using a variety of fuel reduction methods.

a. Purpose and Need.

This decision affirmatively addresses the purpose and need for action (EA, section 2.7). Wording in the existing plans not consistent with national policy and containing inconsistent and redundant information will be removed or replaced. The new management direction is linked to the “*Wildland and Prescribed Fire Management Policy (Implementation Procedures Reference Guide (1998))*”, an effort by Federal wildland fire management agencies to establish standardized procedures to guide implementation of the policy described in the Federal Wildland Fire Management Policy and Program Review (1995, as amended).

This decision provides new management direction in the forest plans that addresses suppression of unwanted wildland fires and hazardous fuel reductions as well as authorizes prescribed fire and wildland fire use to help land managers move toward the desired conditions in their forest plan. Future consideration of cost effectiveness, social values, and resource benefit/detriment when balancing wildland fire use against full suppression is provided. These tools will be available to the land managers to apply to site-specific fire management activities to protect human life, property and natural and cultural resource values, and address other resource concerns.

b. Issues.

We observe that many sides of the issues raised during public involvement throughout this amendment process have been expressed from a variety of people interested in management of the National Forests in Utah. Most expressed support for the purpose and need for action. The questions and concerns raised by the public during the EA comment period are addressed in Appendix A.9, (attached). Some indicated we should have reduced or eliminated grazing and timber harvest but considering these types of changes were outside the scope of this amendment analysis and decision.

We observe that the environmental effects for most of the resource topics analyzed in the EA did not vary by alternative or only in minor ways. We carefully considered the comparison of the differences between environmental effects that changed by alternative as discussed in the EA Chapter 3 and Chapter 2, section 2.7.

Fire Ecology: In the next 3-4 years, no measurable changes to vegetation structure and composition are expected in any of the major cover types. Prescribed burning and wildland fire use are not expected to burn across large acreages in the short term to make a noticeable difference across the state or individual forest.

Over the next 50 to 100 years, monitoring is expected to show desired changes in structure and composition of each cover type as the result of using wildland fire use and prescribed fire across the landscape. The increased use of fire is expected to break up large homogeneous patches of forest and rangelands. This is expected to slowly move these homogeneous patches towards a fine-grained (many small patches per unit area) landscape that is more resistant and resilient to fire and other disturbances, in both size and intensity. The expected increase in heterogeneity would result in an increase in biodiversity at the landscape scale. This trend is expected to move these ecosystems toward properly functioning condition (desired condition).

Sensitive Watersheds: This issue applies to the Manti-La Sal, Uinta, and Wasatch-Cache National Forests. The Ashley, Dixie and Fishlake National Forest analyzed for, but did not identify watersheds that were sensitive based on the definition. This decision results in about 273,000 acres across the three forests where wildland fire use is not authorized in sensitive watersheds (about 27,000 acres on the Manti-La Sal; about 51,000 acres on the Uinta; and about 195,000 acres on the Wasatch-Cache).

We do recognize the importance of addressing the predicted increases in hazardous fuels across the forests and within sensitive watersheds. We understand our decision does not authorize wildland fire use as a land management tool in sensitive watersheds. We believe any necessary reductions in hazardous fuels can be achieved using one, or a combination of prescribed fire, mechanical, and other methods already approved in the forest plans. We also believe responsible and appropriate use of prescribed fire can address fire disturbance needs to maintain ecosystems and move toward desired conditions within sensitive watersheds.

The anticipated increased use of prescribed fire and other fuel reduction activities already approved in the forest plans in sensitive watersheds is expected to reduce the long-term risk of uncharacteristic wildland fires and potentially reduce the risk of future damage to watershed values. Prescribed fire in sensitive watersheds would only occur under specific approved fuels and weather conditions as discussed in the fire management plan for each forest.

Over the long-term, satisfactory watershed conditions are expected to be sustained with less water degradation. The analysis also indicated long-term soil productivity is expected to be maintained, however, as in the past, high severity fires would continue to have short-term negative effects to soils. Soil productivity is expected to be maintained in low to moderate fire severity fires.

Where a sensitive watershed overlaps with congressionally designated wilderness, wildland fire use is authorized as a resource management tool. There are about 3,550 acres of overlap on the Uinta National Forest all within the Timpanogos wilderness area. There are about 39,180 acres of overlap on the Wasatch-Cache National Forest within the Mount Olympus, Twin Peaks, Lone Peak, and Wellsville Mountain wilderness areas. The project file contains maps and a spreadsheet depicting these overlap-areas. We fully believe great care must and will be taken in balancing congressional intent for wilderness values with potential threats to sensitive watershed values and potential threats to people and property near these watersheds.

Cultural Resources: The Utah Forests have initiated consultation with the State Historic Preservation Office to develop a programmatic agreement for wildland fire management, which would establish guidance and direction for all six National Forests. Forests would identify known sites and areas deemed to have potential for containing susceptible cultural resources and establish strategies and tactics that can be applied in wildland fire planning and implementation.

Wildland fire use would be available as a tool to use once the above mentioned procedures were incorporated and approved in the fire management plan for each forest. Advance planning would result in identification of susceptible sites prior to wildland fire ignition and provide fire managers with better tools to assure impacts are within negotiated limits.

Wilderness: With this decision all six of the wilderness areas are authorized to use wildland fire use and prescribed fire as tools to address wilderness desired conditions and objectives. We anticipate greater real-life opportunities to approve wildland fire use in wilderness areas and other undeveloped lands compared to places that are substantially developed or are frequently occupied by forest visitors. This is the case because places that are substantially developed, or are frequently occupied by people, would likely result in a narrow set of conditions to approve ignitions.

Property/Fuels: Existing Forest Plans and both action alternatives provide for the reduction of fuels, so from this perspective there is no difference among alternatives. This decision, however, expands and emphasizes the reduction of hazardous fuels using a range of methods. Future application of hazardous fuel reduction methods would be consistent with forest and management area emphasis and direction. We believe providing for expansion in the reduction of hazardous fuels will lead to reduced risk to property and facilities in the long-term and will better serve moving toward desired conditions outlined in each Forest Plan.

Timber Emphasis Areas: We do recognize the importance of addressing the predicted increases in hazardous fuels across the forests and within timber emphasis areas. Our decision authorizes wildland fire use and prescribed fire as land management tools in timber emphasis areas.

We believe the Fire Management Plan (EA, section 1.5) will provide appropriate information that will reduce the risk of catastrophic loss to acceptable levels; therefore excluding wildland fire use as a tool in timber emphasis areas was not necessary. This outcome is expected because timber resource desired conditions and standard and guideline information, weather and fire intensity parameters, and the go/no go considerations process (EA, Figure 1-4), coupled with anticipated reductions of hazardous fuels in timber emphasis areas will, over time, reduce the long-term risk of catastrophic losses and meet timber resource objectives (EA, section 3.0.2, 3.11.2, and 2.7).

We recognize there is always a risk of fire escaping or moving out of prescription because of changes in site conditions; such as weather. We understand wildland fire and prescribed fire will consume some valuable timber resources over time as has happened in the past. Catastrophic losses are unwanted and in some cases will be unavoidable but we believe no action will result in a higher risk of catastrophic timber resource loss compared to our decision. We believe timber values and desired conditions within timber emphasis areas can and will benefit from appropriately applied fire disturbance, both prescribed fire and wildland fire use.

We understand that, in practice, wildland fire use and prescribed fire activities would likely have less application in cover types such as Engelmann spruce and lodgepole pine and greater utility in meeting timber management objectives in cover types such as ponderosa pine. This is the case because the timber management objectives and resulting silvicultural prescriptions (as outlined in the Fire Management Plan) for spruce/fir and lodgepole pine would likely result in a narrow set of conditions to approve ignitions which would likely result in fewer real-life opportunities to approve wildland fire use and prescribed fire. Conversely, timber management objectives and the resulting silvicultural prescriptions for ponderosa pine would likely result in greater real-life opportunities to approve wildland fire use and prescribed fire.

c. Relationship of the Forest Plan to other Fire Plans

Forest Plans: As Land and Resource Management Plans are revised, much of the direction in this decision is expected to be incorporated, but during the revision process, interdisciplinary teams will integrate a longer-term strategy for fire management with other resource direction being revised. This means desired future conditions and objectives for fire management activities and fire ecology may be considered during the revision process.

The effects of the longer-term strategy will be fully disclosed during the revision process, and people will again have the opportunity to be involved and provide comment during the revision process. Existing monitoring items for fire management within the six forest plans will continue to update our information and work toward adaptive management strategies.

All future fire management activities will be consistent with Forest Plan management direction. If inconsistencies are identified then the Forest Plan may be amended to allow the activity or the activity may be modified to be consistent.

Potential inconsistencies with management direction in the Forest Plan will be identified and addressed for prescribed fire by applying information within each Forest's fire management plan during the National Environmental Policy Act process (EA, section 1-6). Potential inconsistencies with management direction in the Forest Plan will be identified and addressed for wildland fire suppression by applying information within each Forest's fire management plan during development of the wildland fire situation analysis process (EA, page 1-6). Potential inconsistencies with management direction in the Forest Plan will be identified and addressed for wildland fire use by applying information within each Forest's fire management plan during development of and the wildland fire implementation plan process (EA, page 1-7).

Fire Management Plan: Each national Forest in Utah currently has an approved Fire Management Plan. Following this decision each forest will schedule updates to their fire management plan to reflect this decision. We intend to provide opportunities, as needed, for people to be involved in the development of our fire management plans.

This decision assumes the fire management plan for each forest will identify information and appropriate mitigation or special measures as required by law, regulation, policy, and the forest plan, to provide adequate safeguards for potential affected resources such as, but not limited to, threatened and endangered species, susceptible cultural resources, air quality, and water quality.

Prescribed Fire: Existing Forest Plans and both action alternatives provide for the use of prescribed fire, so from this perspective there is no difference among alternatives. This decision, however, expands the application of prescribed fire to all areas of each forest. We note here that use of prescribed fire in congressionally designated wilderness areas will be fully consistent with the enacting language for each wilderness area and relevant Forest Service regulation and policy. We believe providing for expansion in the application of prescribed fire will better serve moving toward desired conditions outlined in each Forest Plan. Prescribed fires would only occur within approved conditions (such as fuel moisture and weather) as outlined in the fire management plan for each forest.

Wildland Fire Suppression: Existing Forest Plans and both action alternatives provide for the suppression of unwanted wildland fire, so from this perspective there is no difference among alternatives. This decision removes wording in the existing plans redundant with existing Forest Service manuals and handbooks. The new management direction for suppression states human life is the highest priority during a fire with property and natural and cultural resources as lower priorities. The direction provides for consideration of balancing the protection of property and natural and cultural resource values commensurate with fire management costs.

Suppression tactics will be consistent with forest and management area emphasis and direction. For example, use of bulldozers may be restricted in riparian areas even if other, less disturbing tactics take longer to suppress the fire. All accidental or arson ignitions are unwanted wildland fires and will be suppressed. Natural ignitions falling within areas that prohibit the use of wildland fire for resource benefit will also be suppressed.

Wildland Fire Use: Existing Forest Plans and both action alternatives provide for the use of natural ignitions for resource benefit although use is limited mainly to wilderness areas and a few areas outside wilderness (EA, section 2.5). This decision, however, expands and emphasizes the application of wildland fire use across all six National Forests **except** for the locations listed under the guideline for wildland fire use (EA, section 2.5, page 2-9) including sensitive watersheds as listed in the EA, section 3.5.1, page 3-34. We believe providing for expansion in the application of wildland fire use will better serve moving toward desired conditions outlined in each Forest Plan.

In the future, each forest will assess and map the boundaries of areas where wildland fire use is authorized and not authorized following fire management manual and handbook procedures. The wildland fire use section will be updated or added to each forest's Fire Management Plan and the plan must be approved before wildland fire use can be implemented to meet resource goals. Wildland fire use would only occur within approved conditions (such as fuel moisture and weather) as outlined in the fire management plan for each forest.

When a lightning fire ignites within an area approved for wildland fire use, an interdisciplinary team of resource specialists must recommend that the fire will be beneficial as documented in a go/no go considerations document (EA, Figure 1-4). The responsible official will document their go/no go decision before action is taken. If the Responsible Official does not authorize wildland fire use, that specific lightning-caused fire will be deemed an unwanted wildland fire and appropriate suppression actions will be used to fight the fire.

d. Laws, Regulations, Policies, and Environmental Documents Considered.

We considered applicable laws, regulations, and policies as disclosed in the EA, Chapter 3. The decision is consistent with the National Forest Management Act (NFMA) and implementing regulations (36 CFR 219) and is consistent with existing forest plans as disclosed in the EA, section 3.0. The decision is also consistent with recent changes in national fire policy. In addition to the Utah Fire Amendment EA, information in numerous scientific studies and research documents ((EA, appendix A.4), and the Biological Evaluations and Assessments prepared for the project (Project File) were also considered. Other related environmental documents were taken into account including: the Intermountain Regional Guide and Land and Resource Management Plans (forest plans) and associated National Environmental Policy Act (NEPA) documents for the six affected national forests (EA, section 3.0).

4. Alternatives Considered

Three alternatives were developed in detail (EA, section 2.5) and are compared in section 2.7 of the Utah Fire Amendment Environmental Assessment. In addition, five alternatives were considered but eliminated from detailed study, as disclosed in section 2.6 of the EA. Some of the comments received on the EA suggested that these alternatives should be considered in detail, but we stand by the reasons they were eliminated from detailed analysis (Appendix A.9). A brief description of the alternatives considered in detail and the reasons for not selecting these alternatives follow:

Alternative A

Alternative A is the no action alternative, and management would continue as is currently described in each forest plan in Utah. This alternative was not selected because the fire management direction in the existing forest plans is not consistent with recent changes in National Fire Policy and existing direction contains information that is redundant to the Forest Service directives system (Manuals and handbooks). Alternative A would not provide the desired consistency in fire management activities across the state. Over the long-term, movement toward desired conditions in each plan is expected to take longer than the action alternatives because wildland fire use is not authorized. The EA indicated fuel accumulations in some locations are expected to be maintained within desired conditions, however fuel accumulations in the majority of locations across each forest would likely continue to increase, and some above desired conditions (EA, page 2-14 and section 3.0.2).

Alternative B

Alternative B was the alternative selected in the decision. A new goal and new standards and guidelines (EA, section 2.5, page 2-8) would be added to the six forest plans using a forest plan amendment. Existing direction for fire management (goals, objectives, standards, guidelines, etc.) would be modified or deleted if inconsistent with the intent of the decision. Appendix A.7 compares current fire management direction in each forest plan with Alternative B direction. Direction in other program areas would remain as currently displayed in each forest plan.

Alternative C

Alternative C responds to the issues of soil movement, quality of drinking water (Topic 5 and 6) and timber (Topic 11). Alternative C is identical to Alternative B, except wildland fire use would not be authorized in sensitive watersheds (about 315,000 acres) and timber emphasis areas (about 675,000 acres). The portion of Alternative C concerning timber emphasis areas was not selected for the reasons stated in section 3 of this decision notice. We believe timber values and desired conditions within timber emphasis areas can and will benefit from appropriately applied fire disturbance, both prescribed fire and wildland fire use. We believe the Fire Management Plan will provide appropriate information that will reduce the risk of catastrophic loss to acceptable levels.

The portion of Alternative C concerning sensitive watersheds was also selected in the decision for the reasons stated in section 3 of this decision notice.

5. Public Involvement

As described in the EA (Chapter 2, section 2.1), public involvement efforts consisted of scoping letters mailed to over 4,000 people, news releases to the newspaper of record for each forest as well as other newspapers and TV and radio stations. The project was listed on each Forest's quarterly schedule of proposed actions and the project web site. About 70 comments were received. A newsletter was sent to respondents July 1999 describing the modified proposed action. One comment was received. Issues raised during scoping were used in alternative development.

The EA was completed and distributed for public comment in November 2000. A talk and poster presentation about the Utah Fire Amendment was made at a National Fire Conference late November 2000. The comment period ended December 22, 2000 with fifteen comments received as of early March 2001. A list of the individuals and organizations submitting comments on the EA and the response to each comment is found in the enclosed Appendix A.9.

We have reviewed the public comments on the EA with the Interdisciplinary Team, to determine if there is new information that requires other alternatives or additional analysis prior to making our decision. Most public comment did not raise new information and many of the concerns were similar to those raised during scoping. While some people were dissatisfied with how we addressed the issues in the analysis, we did not find any new issues that would change our approach to address the changes needed in fire management in Utah.

6. Finding of No Significant Impact (FONSI)

The decision selected has a relatively broad context by applying management direction to an estimated 8.10 million acres of National Forest System lands within the six Utah National Forests (approximately 7.98 million acres in Utah; 90,000 acres in Wyoming; and, 30,000 acres in Colorado). The alternatives (Chapter 2) and affected environment and environmental consequences (Chapter 3) are disclosed in the EA. In consideration of the analysis documented in the EA and in light of the reasons set forth below, I find that selection of the decision, as fire management direction in Utah will not significantly impact the human environment.

a. The proposed management direction would be limited in geographic application (40 CFR 1508.27(a)).

The amount of land affected by the proposed fire management direction for the remainder of this current planning period (projected to be 4 years) is a small subset of the land since not all lands would have projects or fire actions generated in that time period.

Wildland Fire Suppression: Acres burned by unwanted wildland fire for the intermountain region are displayed in the EA, page 3-62, Figure 3-4. They could not be disaggregated into acres just for Utah. While the yearly average has been increasing, the average for the 1990's was 145,972 acres burned by unwanted wildland fires per year. This average acreage per year is less than one percent of the total acres in the intermountain region (34 million acres, all national forests in region 4).

Wildland Fire Use: The acres treated by wildland fire use in the intermountain region are displayed in Figure 3-9 on page 3.65. While the yearly average is expected to increase over time, the average for 1996, 1997, and 1998 was about 8,500 acres per year or less than one percent of the total acres in the intermountain region.

Prescribed Fire: The acres treated by prescribed fire on National Forests in Utah are displayed in Figure 3-10 on page 3.66. The average area prescribed burned per year in the 1990s was about 17,000 acres or less than one percent of the 8.10 million acres of all six national forests in Utah.

Thus, the size of the area projected to be affected during this time period (four years or less) is very small when compared to the total in the planning area.

b. The proposed management direction does not cause significantly beneficial or adverse impacts (40 CFR 1508.27(b)1)).

The management direction for this decision applies to proposed and new projects only (EA, section 1.3). Effects to resources would not be significant, given the short time period until the forest plans are revised (EA, section 3.0.2 and sections 3.1-3.13). The proposed fire management direction is expected to reduce the potential environmental impacts of project decisions (wildland fire suppression, prescribed fire, and wildland fire use) from those allowed by current plans.

c. The proposed management direction will not significantly affect public health or safety (40 CFR 1508.27(b)2)).

The proposed management direction does not, on its own, authorize any ground-disturbing activities or direct changes to the environmental status quo. For example, air quality standards must be met in all alternatives in future fire management activities. Instead, it provides programmatic direction to be applied to site-specific projects and activities.

Additional mitigation measures may be added to particular projects as a result of site-specific conditions during project-level analysis. This decision does not have significant effects on human health and safety beyond those already documented in existing forest plan Environmental Impact Statements and the site-specific analyses of on-going projects and activities, or might be identified in such future analyses of proposed projects and activities.

d. The proposed management direction will not significantly affect any unique characteristics of the geographic area (40 CFR 1508.27(b)3)), does not adversely affect anything listed or eligible for listing in the National Register of Historic Places, nor does it cause loss or destruction of significant scientific, cultural, or historic resources (40 CFR 1508.27(b)8)).

The proposed management direction does not alter the environmental protection afforded such unique lands as is already provided for in the forest plans and may provide improved protection for such resources (EA, section 3.7).

e. The management direction does not cause effects on the quality of the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)).

There are differing opinions in the community on the importance or role fire disturbance plays in the ecosystem balanced against the protection of people and property. The level of controversy or interest in what course of action to take regarding fire management is not the focus of this criterion, rather the degree of controversy over the effects disclosed in the analysis.

The alternatives developed in detail incorporated different combinations of restrictions on the application of fire management activities (mainly wildland fire use) to estimate differences in environmental effects. No significant disagreements have been identified with the disclosure of effects in Chapter 3 of the EA. While some comments differed with our conclusion that the proposed changes in fire management direction would help move each forest toward desired future conditions listed in each Forest Plan, the reasons for this difference are based on opinions, not with the disclosure of effects.

f. The proposed management direction does not establish any highly uncertain, unique, or unknown risks (40 CFR 1508.28(b)(5)).

The best available scientific information provided the foundation for designing the proposed management direction (EA, Chapter 1, section 1.2). Management direction proposed for adoption is consistent with recently issued interagency policy regarding implementation of wildland fire use and prescribed fire referred to earlier in section 2(b) of this decision. Management direction proposed for adoption is consistent with the management direction adopted for fire management activities on other National Forest System lands as well as other Federal land management agencies (BLM, Fish and Wildlife Service, and National Park Service).

g. The proposed management direction does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6), nor is it related to other actions with individually insignificant but cumulative significant impacts (40 CFR 1508.27(b)(7)).

The proposed management direction is a short-term effort until forest plan revision on the six affected national forests is completed. The temporary nature of the proposed management direction would limit its effects. Any long-term strategy considered during forest plan revision would be founded on the appropriate NEPA documentation and analysis and not on the short-term fire management direction until the forest plans are revised.

The Environmental Assessment discloses the projected cumulative effects (EA, Chapter 3, section 3.0.2) of adopting the fire management direction on lands administered by the Forest Service within Utah. The discussion includes currently evolving policies including planning, roads, roadless, and lynx as well as cumulative effects of other land management agencies addressing changes in fire management direction in their land management plans. These cumulative effects are not considered to be significant at the statewide scale, forest scale, and timeframe addressed by this analysis and decision. Project analysis at the local scale will again consider the cumulative impacts and make a determination of significance. Additionally, when forest plans are revised, the cumulative effects will again be analyzed at the forest-scale.

h. The proposed management direction would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)).

The proposed management direction does not alter the environmental protection afforded threatened and endangered species as is already provided for in the forest plans (EA, section 3.4). A biological assessment evaluating impacts to threatened and endangered species found in Utah has been prepared for this project. The conclusion of effects is located in Appendix A.5 of the EA. The U.S. Fish and Wildlife Service concurred with our determinations for threatened and endangered species (Project File). Project analysis at the local scale will again consider direct, indirect, and cumulative impacts to threatened and endangered species. Additionally, when forest plans are revised, the effects on threatened and endangered species will again be analyzed at the forest-scale. A biological evaluation disclosing impacts to sensitive species found in Utah has been prepared for this project. The conclusion of effects is located in Appendix A.6 of the EA and the final biological evaluation is available in the project record.

i. The proposed management direction does not threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

Adoption of the selected alternative would not significantly affect the following elements of the human environment, which are specified in statute, regulation, or executive order: Air Quality, Cultural Resources, Farm Lands (prime or unique), Floodplains, Native American Religious Concerns, Environmental Justice, Hazardous or Solid Wastes, Water Quality, Wild and Scenic Rivers, and Wilderness. The programmatic management direction adopted through this project would not change the physical environment; therefore, there would not be an irretrievable or irreversible commitment of resources. Any subsequent site-specific federal action that may change the environment, and that uses this direction to guide project design and implementation, would be subject to the National Environmental Policy Act and other relevant planning regulations.

Finding

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is our determination that adoption of the proposed management direction (as reflected in the decision) until the six affected national forests complete forest plan revision (projected to be 4 years), does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an Environment Impact Statement is not needed.

7. Findings Required By Other Laws And Regulations

a. 2000 Planning Regulations

The Utah Fire Amendment project began in 1998 and followed planning regulations issued in 1982. The planning regulations changed November 9, 2000. Transition language in the 2000 regulations at 36 CFR §219.35 provides an option for the Responsible Official to continue under the 1982 regulations or follow the 2000 planning regulations. A notice of availability of an environmental assessment was published in the federal register May 2, 2001 stating the Forest Supervisor's intent to continue this amendment process under the 1982 regulations.

b. Finding Of Non-Significant Amendment

Under the National Forest Management Act (NFMA, 16 USC 1604(f)(4)), forest plans may “be amended in any manner whatsoever after final adoption and after public notice, and, if such amendment would result in a significant change in such plan, in accordance with subsections (e) and (f) of this section and public involvement comparable to that required by subsection (d) of this section.” The NFMA regulations at 36 CFR §219.10(f) state: “Based on an analysis of the objectives, guidelines, and other contents of the forest plan, the Forest Supervisor shall determine whether a proposed amendment would result in a significant change in the plan.”

The Forest Service Land and Resource Management Planning Handbook (Forest Service Handbook 1909.12) provides a framework for consideration, section 5.32, lists four factors to be used when determining whether a proposed change to a forest plan is significant or not significant: timing; location and size; goals, objectives and outputs; and management prescriptions. The Forest Supervisors have evaluated the proposed management direction and concluded that it does not constitute a significant amendment of the 6 forest plans in Utah (Ashley, Dixie, Fishlake, Manti-La Sal; Uinta, and Wasatch-Cache) for the reasons described below:

Timing. The timing factor examines at what point over the course of the forest plan period the Plan is amended. Both the age of the underlying documents and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. All of the forest plans affected are nearing the end of the first planning period. As noted in the EA (sections 1.3, 3.0, and 3.0.2), the action is limited in time and changes to the Plans are not intended to be permanent. The proposed management direction will be in place until efforts to revise forest plans are complete (projected to be 4 years); thereby supporting the determination that the proposed changes do not constitute a significant amendment of the forest plans.

Location and Size. The key to location and size is context, or “the relationship of the affected area to the overall planning area”, the smaller the area affected, the less likely the change is to be a significant change in the forest plan.” The planning area is about 8.10 million acres across all six National Forests (EA, section 1.3). The areas affected by past fire activities such as fire suppression, wildland fire use, and prescribed fire are relevant considerations.

Wildland Fire Suppression: Acres burned by unwanted wildland fire for the intermountain region are displayed in the EA, page 3-62, Figure 3-4. They could not be disaggregated into acres just for Utah. While the yearly average has been increasing, the average for the 1990's was 145,972 acres burned by unwanted wildland fires per year. This average acreage per year is less than one percent of the total acres in the intermountain region (34 million acres, all national forests in region 4).

Wildland Fire Use: The acres treated by wildland fire use in the intermountain region are displayed in Figure 3-9 on page 3.65. While the yearly average is expected to increase over time, the average for 1996, 1997, and 1998 was about 8,500 acres per year or less than one percent of the total acres in the intermountain region.

Prescribed Fire: The acres treated by prescribed fire on National Forests in Utah are displayed in Figure 3-10 on page 3.66. The average area prescribed burned per year in the 1990s was about 17,000 acres or less than one percent of the 8.10 million acres of all six national forests in Utah.

Thus, the size of the area projected to be affected during this time period (four years or less) is very small when compared to the total in the planning area; thereby supporting the determination that the proposed changes do not constitute a significant amendment of the forest plans.

Goals, Objectives, and Outputs. The goals, objectives, and outputs factor involves the determination of “whether the change alters the long-term relationship between the level of goods and services in the overall planning area” (Forest Service Handbook 1909.12, section 5.32(c)). This criterion concerns analysis of the overall forest plan and the various multiple-use resources that may be affected.

As discussed in the EA (sections 1.3, 3.0, and 3.0.2), the proposed management direction would apply only to proposed or new projects following adoption of this amendment. The new goal and standards and guidelines in the decision provide tools to help move toward the desired future conditions stated in the existing forest plans (EA, section 2.7 and 3.0.2). In this criterion, time remaining in the 15-year planning period to move toward goals and achieve objectives and outputs are relevant considerations.

The anticipated changes in levels of impact to resource activities and outputs in the four years are expected to be minimal (EA, Chapter 3). For example, fire will consume some valuable timber resources as has happened in the past, however the availability and amount of commercial and personal use timber is not expected to change in the short time remaining in this planning period (EA, section 3.11.2). Adjustments in yearly grazing operating plans and changes to 10 year grazing permits are possible (EA, section 3.12.2), however the number of animal unit months grazing on existing permits is not expected to change in the short time remaining in this planning period.

The guidance in Forest Service Handbook 1909.12, section 5.32(c) explains: “In most cases, changes in outputs are not likely to be a significant change in the forest plan unless the change would forego the opportunity to achieve an output in later years.” Any short-term temporary reductions in outputs do not foreclose opportunities to achieve such outputs in later years. Again, the proposed management direction does not foreclose the achievement of existing goals and objectives. Thus, the proposed management direction does not significantly alter the long-term relationships between the levels of goods and services projected by the forest plans, thereby supporting the determination that the proposed changes do not constitute a significant amendment of the forest plans.

Management Prescriptions The management prescriptions factor involves the determination of (1), “whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area” and (2), “whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced” (Forest Service Handbook 1909.12, section 5.32(d)). In this criterion, time remaining in the 15-year planning period and changes in desired future conditions or the anticipated goods and services to be produced are relevant considerations.

The proposed changes in fire management direction apply across all six National Forests in Utah and will remain in effect until each forest plan is revised (expected to be within 4 years). Thus, the changes and effects are short-term regarding application to future decisions throughout the planning area; thereby supporting the determination that the proposed changes do not constitute a significant amendment of the forest plans.

The proposed management direction will work to accomplish an element of the multiple-use desired future condition currently described in forest plans by providing direction (a goal, standards, and guidelines) for fire management consistent with recent changes in National Fire Policy. The changes will also provide additional tools to help land managers achieve the desired future conditions described in the existing forest plans. The desired future conditions and land allocations of the six forest plans will not change (EA, section 1.3). As discussed above in "goals, objectives, and outputs", the long-term levels of goods and services projected in current plans are not substantially changed by the proposed management direction over the next four years. This information supports the determination that the proposed changes do not constitute a significant amendment of the forest plans.

Finding

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is our determination that adoption of the management direction reflected in our decision does not result in a significant amendment to the existing forest plans.

This decision is programmatic and does not supercede any direction currently in the forest plans that protects air quality, water quality, cultural resources, farm lands (prime or unique), floodplains, wetlands, Native American religious concerns, environmental justice, hazardous or solid wastes, water quality, wild and scenic rivers, threatened and endangered species, migratory birds, and wilderness.

8. Implementation Date

The decision is effective 7 days after publication of the legal notice (36 CFR §217.10(a)). Publication date is expected the end of May 2001.

9. Administrative Review Or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 217.3. A written appeal must be postmarked or received in duplicate by the Appeal Reviewing Officer within 45 days of the date of publication of the legal notice regarding this decision in the newspaper of record for each National Forest. Publication date is expected the end of May 2001. Appeals must meet the content requirements of 36 CFR 217.9 and be mailed to:

Regional Forester, USDA Forest Service
ATTN: Appeals Office
324 25th Street
Ogden, UT 84401

10. Contact Person

For further information about this project, contact David Hatfield, Forest Planner, Manti-La Sal National Forest, 599 West Price River Drive, Price, Utah, 84501, (435) 637-2817.