Department of Energy
National Nuclear Security Administration
Finding of No Significant Impact
for the
Wildfire Hazard Reduction and Forest Health Improvement Program
at
Los Alamos National Laboratory,
Los Alamos, New Mexico

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National Nuclear Security Administration
Los Alamos Area Office
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DEPARTMENT OF ENERGY,
NATIONAL NUCLEAR SECUIRTY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT

Wildfire Hazard Reduction and Forest Health Improvement Program

at Los Alamos National Laboratory,

Los Alamos, New Mexico

BACKGROUND: On August 9, 2000, the Department of Energy (DOE), National Nuclear Security Administration (NNSA) issued a Finding of No Significant Impact (FONSI) for the Proposed Action (the No Burn Alternative) together with the Final *Environmental Assessment for the Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE/EA 1329). At that time DOE chose to defer making a decision on the appropriateness of issuing of a FONSI for either the Limited Burn Alternative (Waste Only) or the Burn Alternative (Both Treatment and Forest Waste) analyzed in the subject EA. Later, on May 29, 2001, the NNSA issued a FONSI for the Limited Burn Alternative (Waste Only). This FONSI was issued primarily to facilitate the use of "air curtain destructors" in eliminating (burning) forest waste (known as "slash") produced from accelerated forest thinning actions at Los Alamos National Laboratory (LANL) over the three year period following the May 2000 Cerro Grande Fire.

DOE is now considering the use of a prescribed burn for forested land located to the west of State Road 501 that would be conducted by U.S. Forest Service personnel. The Forest Service personnel would start the prescribed burn on land located within LANL boundaries for the purpose of burning contiguous acreage under their administrative control located west of the LANL boundary (which lies within about 50 to 150 feet west of State Road 501). The Cerro Grande Fire previously burned much of the area considered for this action. This prescribed burn would occur in late fall 2004 or early winter 2005 and is consistent with activities associated with the Burn Alternative (Both Treatment and Forest Waste) described and analyzed in the subject EA. The Burn Alternative would use prescribed burning,

as well as mechanical thinning, at LANL for forest treatments and end-state maintenance, as well as for disposing of forest waste piles. Additional actions at LANL are also being contemplated (such as the burning of piles of slash along State Highway 4 within LANL boundaries) that would also be consistent with the Burn Alternative described and analyzed in the EA.

FINAL ENVIRONMENTAL ASSESSMENT: The Environmental Assessment (EA) for *Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory (DOE/EA-1329)* (attached) provides sufficient evidence and analysis to determine that a Finding Of No Significant Impact (FONSI) is appropriate for the Burn Alternative (Both Treatment and Forest Waste). The EA documents the evidence and analysis in the following chapters: 1. Purpose and Need for Agency Action; 2. Description of the Proposed Action and Associated Alternatives; 3. Affected Environment; and 4. Environmental Consequences. Analyses performed in the EA conclude that potential adverse effects of the Burn Alternative, under normal conditions, would be minimal. No short-term or long-term adverse effects are expected to occur to air quality, visual resources, water quality, soil erosion, cultural resources, waste management, human health, socioeconomics, or utilities and infrastructure. Only biological resources would be affected long-term; beneficial effects to a variety of resources including biological are expected. Engineering and administrative controls or considerations that serve to lessen any potential for adverse environmental effects have been incorporated as integral features of the Burn Alternative. Examples of this type of mitigating feature include: the careful planning that must go into each project before it is implemented, including a Facility and Forest Fire Hazard Assessment, Identification of Resource Issues, coordination with neighboring land management agencies and land owners, conducting the actions consistent with applicable open burn permit conditions, development of end-state conditions, formulation of treatment and environmental protection measures; the use of worker protection and health and safety measures tailored to each project; the use of hand tools to remove vegetation from cultural resource sites; the use of non-sparking equipment during periods of extreme fire danger; and the use of Best Management Practices to prevent surface soil erosion and sediment migration controls where soil disturbances are unavoidable.

The EA considered the cumulative effects of the Burn Alternative together with past, present and reasonably foreseeable future actions. The Wildfire Hazard Reduction and Forest Health Improvement Program would enhance the forest recovery efforts associated with the Cerro Grande Fire within LANL boundaries. Future foreseeable non-NNSA activities on land administered by neighboring land-owners and agencies are likely to be of a similar nature to the forest thinning actions and slash and prescribed burns proposed. The impacts from implementation of this management program and associated activities over about 10,000 acres (4,000 ha) would be a minor contribution to the overall cumulative adverse and positive impacts due to forest management practices and the implementation of other projects within the region of concern along the Pajarito Plateau in the East Jemez Mountains.

PREDECISIONAL DRAFT REVIEW & COMMENT: On July 6, 2000, the Department of Energy invited review and comment on the predecisional draft EA from the State of New Mexico; four nearby American Indian Tribes: Cochiti, Jemez, Santa Clara and San Ildefonso (sometimes referred to as the four accord pueblos because each tribe has entered into an accord with the Department of Energy); and the Mescalero Apache Tribe. The Department of Energy alsomade the predecisional draft EA available to the general public at the same time it was provided to the State and Tribes. The EA was made available to the public by placing it in the Department of Energy Public Reading Rooms located within the Los Alamos National Laboratory's Community Outreach Center and Reading Room, and in the University of New Mexico's Zimmerman Library in Albuquerque. A notice was placed in three local newspapers announcing the availability of the draft EA for review, and the availability of the document was also announced during a DOE sponsored public meeting that was broadcast live by the KRSN AM radio station on July 7, 2000. The predecisional draft EA was also placed on the World Wide Web Computer Internet System. Additionally, over 50 local stakeholder groups and individuals, which have identified themselves as parties interested in LANL activities, were notified by letter of the availability of the predecisional draft on July 6, 2000. Requested copies of the EA were provided to all interested parties for their review. The review and comment period was 22 days long and ended on July 28, 2000, although comments received after that time period were also considered to the extent practicable. Six parties provided comments to the draft EA: the Department

of Agriculture, Forest Service, Santa Fe National Forest; Mr. Terrell Johnson; the Rio Grande Chapter of the Sierra Club; the State of New Mexico, Environment Department; the Department of the Interior, Fish and Wildlife Service, New Mexico Ecological Services Field Office and Mr. Raymond Tell, P.E. All comments were addressed in the Final EA, and DOE prepared individual responses to the commentors that were sent to the respondents together with copies of the Final EA.

AGENCY CONSULTATIONS: No likely adverse effects to Federally-listed threatened and endangered species or their habitat are anticipated during the implementation of projects conducted under the Wildfire Hazard Reduction and Forest Health Management Program. DOE implemented a Threatened and Endangered Species Habitat Management Plan (HMP) for LANL in March 1999; all projects implemented under this Management Program will comply with the HMP or with additional restrictions developed through consultation with the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service has concurred on DOE's determination that the proposed action "may affect but is not likely to adversely affect" the Mexican spotted owl, the bald eagle, the whooping crane and the southwestern willow flycatcher or their critical habitat for the implementation of the HMP. The Service has been and will continue to be consulted on the Wildfire Hazard Reduction and Forest Health Improvement Program's management plan (which will be part of the Biological Resources Management Plan) before individual projects are performed. It is expected that all activities, whether covered by the HMP or under the to-be-developed Biological Resources Management Plan, would be designed to avoid an adverse affect to either species individuals or their critical habitat. Similarly, there are not likely to be adverse effects to historic, prehistoric or other cultural resources as a result of implementation of this program. The State Historic Preservation Officer has entered into a Programmatic Agreement with DOE regarding undertakings of no effect to cultural resources. Projects implemented under the Wildfire Hazard Reduction and Forest Health Improvement Program comply with the provisions of the Programmatic Agreement and would be expected to comply with any additional provisions developed through the to-be-developed LANL Cultural Resources Management Plan's consultation process. DOE's compliance requirements under the Endangered Species Act and the National Historic Preservation Act will be on-going for the Wildfire Hazard Reduction and

Forest Health Improvement Program due to the long term nature of the program. The U.S. Department of Agriculture, Forest Service, Santa Fe National Forest and San Ildefonso Pueblo participated in the preparation of the subject EA as Cooperating Agencies (as defined in 40 CFR 1501.6). The Interagency Wildfire Management Team also provided information that was used in the preparation of this EA.

FINDING: The United States Department of Energy, National Nuclear Security Administration finds that there would be no significant impact from proceeding with its proposal to implement the Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory as described in the Burn Alternative (Both Treatment and Forest Waste). This finding is based on the EA, which analyzes the consequences of the relevant issues of environmental concern. The Department of Energy, National Nuclear Security Administration makes this Finding of No Significant Impact pursuant to the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.], the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act [40 CFR 1500] and the Department of Energy National Environmental Policy Act Implementing Procedures [10 CFR 1021]. Therefore, no environmental impact statement is required for this proposal.

Signed in Los Alamos, New Mexico this 18TH day of OCTOBER, 2004.

Edwin L. Wilmot
Manager
Los Alamos Site Office

FOR FURTHER INFORMATION: For further information on this proposal, this Finding Of No Significant Impact (FONSI), or the Department of Energy's National Environmental Policy Act (NEPA) review program concerning proposals at Los Alamos National Laboratory, please contact:

Elizabeth Withers, NEPA Compliance Officer

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Copies of this FONSI (with the Environmental Assessment attached) will be made available for public review at the DOE Public Reading Room within the Los Alamos National Laboratory Community Relations Office, 1619 Central Avenue, Los Alamos, New Mexico, 87544 at (505) 665-4400 or (888) 841-8256. Copies will also be made available within the DOE Public Reading Room at the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico, 87131 at (505) 277-5441.