

Groups appeal Willow Basin and Horse Creek prescribed burns

by Lisa Taylor
contributing writer

Salt Lake City-based Utah Environmental Congress is appealing two prescribed burns planned for the La Sal Mountains, saying the projects at Horse Creek and Willow Basin are illegal, have too many unknowns and risk damaging critical water systems in Castle Valley and Spanish Valley.

Red Rock Forests of Moab joined UEC in both appeals, and Castle Valley Mayor Damian Bollermann and landowners Peter Lawson and Ann Wilson joined the Willow Basin appeal. Bollermann signed on as an individual, and is not representing the Castle Valley town council.

UEC's main legal argument is that the U.S. Forest Service is avoiding federal environmental requirements by breaking up the 16-part "Moab Face" forest treatment project into separate parcels.

The overall project, proposed in the 1990s, would take several years and cover some 12,000 acres of mixed forest mainly in the western La Sals. UEC insists that the work is significant enough in size and potential impact to require an environmental assessment under the National Environmental Policy Act.

These two smaller projects, each planned for just over 1,000 acres, are sections of the larger plan. They're slated for a mix of burning and cutting or removal by hand, chainsaw, Hydro Ax or other heavy equipment. Both were approved based on a categorical exclusion system the Forest Service uses for projects without major anticipated impact.

Moab/Monticello District Ranger Lee Johnson said the treatment areas can be split

up legally, and the two in question are "separated by time and space," being more than five to 10 air miles apart and feeding different drainages. They were also originally scheduled for different years, 2006 and 2007.

The Willow Basin cut and burn was to be done this fall, but the district withdrew the project to correct mistakes in the acreage to be treated. Those errors were likely the cause of UEC's contention that the Forest Service was going to burn on private land without approval. Johnson said the final area will be 793 acres.

He said there will be no treatment of any kind on private land, and that the revised decision memo for Willow Basin should be issued in January or February. That may mean going ahead with both projects in 2007.

Going back to tweak the numbers may not satisfy Bollermann. One of his concerns is that heavy equipment brought in to take down or remove brush and trees will create new trails. "Next, you're going to have ATVs all over it. And that's not going to help your watershed. You've created a de facto ATV area in a watershed."

The biggest concern for all the appellants is water. On the surface, they fear that increased sediment from charred material will degrade creek systems already listed as "impaired" by Clean Water Act standards. Beneath the soil, the concern is that the aquifers that supply Castle and Spanish Valley's culinary water could lose recharge potential.

A hydrology study was done for the overall Moab Face project and said the work wouldn't result in significant surface damage,

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but UEC Executive Director Kevin Mueller pointed out that the study only examined the results of burning or mechanical treatment, not both. No research was done on subsurface aquifer impact.

A biological assessment was also done for the larger project, but it referred to an environmental assessment or impact study that was never carried out. Other parts of the appeal cite insufficient or no research on sensitive species of fish and wildlife and their migration and breeding patterns; on riparian conditions; on vegetation "grow-back"; and on existing sediment load in the affected creeks.

In the case of Horse Creek, the Forest Service identifies the stream through the affected area as a transport reach, where sediment from the burned trees and shrubs will flow on into Mill Creek. Both Mill Creek and the Castle/Placer Creek system are already considered "impaired", partly because of sedimentation. "The Forest Service is required by law to not approve projects that would degrade waters," said Mueller.

Higher up, both watersheds are also part of the recharge area for the sole-source aquifer that provides drinking water to Castle and Spanish Valleys. Burning, clearing or growing different plants could all change the absorbent properties of the forest floor, and affect the amount of water getting into these sole-source aquifers. That issue is enough of a concern that the Grand Water and Sewer Service Agency board wrote the USFS in August to demand a study.

Since then, though, GWSSA manager Terry Sykes and board chairman Dan Pyatt toured the Horse Creek treatment area with Johnson, and Johnson said "they came away very comfortable." Unless the USFS regional office requires it, no further research will be done, and the burn will go ahead as planned, said Johnson.

In response to the UEC appeal's multiple allegations that the projects are illegal and against the Forest Service's own rules, Johnson said, "When UEC appeals something, they have a laundry list of things that they appeal. If you take any of their appeals, they have consistent themes, most of which aren't necessarily specific to that project."

Laundry list or no, Mueller said he's disappointed in the activities of the Moab/Monticello Ranger District particularly, calling recent decisions "poorly thought through, and the worst we've seen since UEC came into existence since 1978."

He also pointed out that his group is not "anti-burn". "Fire and prescribed fire is needed, and there's a strong argument to be made that the Forest Service should be doing more prescribed fire than it is now. That being said, it's a mistake to go out willy-nilly and light [fires] without thinking it through."

The group's next appeal is of a 600-acre Ponderosa pine thinning project near Buckeye Reservoir that calls for cutting mature trees.