



## Memorandum

To: Vail Town Council  
From: Environmental Sustainability Department  
Date: July 21, 2020  
Subject: Vail Valley Forest Health and Fuels Project Proposal

### I. Purpose

The purpose of this memorandum is to provide an update on the effort to mitigate the risk of wildland fire in East Vail in the area adjacent to the Booth Creek drainage, with the secondary benefit of improving habitat for bighorn sheep and other wildlife.

### II. Background

As identified in the Community Wildfire Protection Plan (CWPP) adopted by the Vail Town Council in 2020<sup>1</sup>, the land area above East Vail (Attachment A) is located within the identified Wildland Urban Interface. This area was identified for a potential fuels reduction project which would support the goals of the CWPP. Due to mature stands of mountain shrub communities, downed trees, dry terrain, likelihood of fire, and proximity to neighborhoods and critical infrastructure, a project to reduce fuels in this area is one is appropriate. The goals of the CWPP are as follows:

1. *Reduce the risk of a Wildland Urban Disaster within the Town of Vail*
2. *Decrease the probability of landscape scale high severity wildfire events*
3. *Build business community resiliency to wildfire disasters*
4. *Citizen engagement and preparedness*
5. *Support the utilization of forest products*

In addition, the wildlife habitat quality in this area is considered poor. In 1998, an Environmental Assessment was completed for the Booth Creek Burn Project in this area, with the following stated goals:

1. *Reducing the accumulation of natural fuels*

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<sup>1</sup> Vail Community Wildfire Protection Plan:

<https://www.vailgov.com/Portals/0/docs/Fire/Vail%20Community%20Wildfire%20Protection%20Plan.pdf>

2. *Manage tree stands using both commercial and non-commercial methods. Clear-cut aspen and/or use prescribed fire to regenerate.*
3. *Establish elk, moose, bighorn sheep, and TES species on sites that can supply the habitat needs of the species and population levels of CDOW.*
4. *Alter age classes of browse stands in a diverse unit.*

Though this project was never implemented due to community concern over temporary local air quality impacts, the need to address the accumulation of natural fuels has only strengthened over the years.

Throughout 2019 and 2020 staff has been working to establish a partnership with the USFS, landowners, Colorado Parks and Wildlife (CPW) and biologists to identify the proper course of action to address the declining East Vail bighorn sheep herd habitat conditions. To that end, the environmental sustainability department formed the Bighorn Sheep Habitat Restoration Working Group with the following stated goal:

*To achieve consensus across multiple governmental agencies on a course of action, timeline, funding sources and short & long-range plan necessary to address critical habitat restoration for the East Vail big horn sheep herd on both Town of Vail land and USFS land in East Vail.*

To date, the Town of Vail has completed the following on town-owned property: mechanical thinning of mountain shrub community on ~40 acres, opening of game trails, and slash piling. A burn permit was obtained for two small portions of town-owned land and Colorado Department of Transportation (CDOT) Right-of-Way, however the town was unable to burn as conditions were not appropriate (sheep present, timing of budding shrubs and climatic conditions, public health constraints).

In order to address the urgent need to improve conditions in the East Vail area, including a portion of the Eagle's Nest Wilderness Area, the USFS has established a proposal for the Vail Valley Forest Health Project that will reduce fuels and ultimately include secondary benefits to habitat and wildlife. This project is subject to the National Environmental Policy Act (NEPA) review process and will require the support of an approved NEPA contractor, SE Group, based in Frisco, CO. SE Group is an approved contractor of the US Forest Service, which means they are pre-qualified to complete NEPA related work on their behalf. SE Group is familiar with the region, the Vail Community, the stakeholders, and the terrain, as background knowledge on this specific project with locally based field technicians.

#### **IV. Current Status of the Vail Valley Forest Health Project Proposal**

The Eagle-Holy Cross Ranger District has established a draft Purpose and Need Statement as follows:

*The Eagle-Holy Cross Ranger District proposes to reduce potential wildfire impacts to the wildland urban interface in East Vail through fuel reduction treatments. The proposed project area is approximately 4,400 acres and is located on the north side of I-*

70 from Spraddle Creek east to Pitkin Creek and north to Bald Mountain. Of the 4,400 acres in the proposed project area, 2,418 acres are within the Eagle's Nest Wilderness. Actual treatment acres, location, and treatment type will depend on Forest Service analysis. Treatments would include a combination of the following:

- Prescribed fire (both broadcast and piling burning)
- Manual pruning and chainsaw treatments
- Potential mechanical treatments on slopes less than 40% (excluding areas within Wilderness)

The proposed treatments would reduce the accumulation of fuels and alter the age classes of trees and shrubs by removing over-mature plants and stimulating plant regeneration. Prescribed burns would occur in the spring and/or fall over multiple years. Mechanical treatments and/or hand treatments would occur in the summer and/or fall to allow for safe crew access and to reduce disturbance to overwintering bighorn sheep. The project area encompasses the Management Area 5.42 – Bighorn Sheep Habit, therefore this project proposal also aims to create critical escape cover and nutrient-rich winter forage.

It is anticipated that this project will be prepared under an Environmental Assessment (EA) and specific written comments on the proposed project will be accepted for 30 calendar days following publication of notice in the Vail Daily. The proposed action is subject to an objection process consistent with 36 CFR 218(a) (b), which includes an opportunity to object before the final decision is made.

## **V. National Environmental Policy Act (NEPA) Process**

Though supported by the Town of Vail, the NEPA review process for the Vail Valley Forest Health and Fuels Project is entirely owned and controlled by the US Forest Service, and will be undertaken by SE Group, serving as the third party contractor for presentation of materials for public comment and review. The full process includes six phases (estimated between \$200,000-\$250,000):

- **Phase 1** - National Environmental Policy Act (NEPA), Environmental Assessment initial contract with SE Group, USFS – July, 2020
- **Phase 2**- GIS/Mapping – August-September, 2020
- **Phase 3**- Technical Reporting – Field assessments, desk assessments, study, August-December, 2020
  - Wildlife/Vegetation/Wetlands
  - Silviculture/Fuels for proposed action
  - Hydrology
  - Cultural
  - Scenery
  - Recreation
  - Traffic
  - Air Quality

- **Phase 4:** Scoping – Develop the Proposed Action and Analysis Area – (30 day posting requirement) Prepare the EA over late fall through end of 2020, release document full EA draft decision document, public comment period (45 day requirement) - *December 2020 – spring, 2021*
- **Phase 5:** EA and Draft Decision Document Preparation- *summer, 2021*
- **Phase 6:** Objection Period and Final Decision Document Preparation (90 days required)- *fall, 2021*

#### **(Phase 7): Implementation**

- USFS permitting, planning, staffing for prescribed fire, mechanical treatment, (required 6 months) - *fall- winter 2021*
- Communications, public outreach/open house – *winter 2021*
- Large-scale prescribed fire (helicopter) over 2 days and or mechanical treatment (dependent upon outcome of Environmental Assessment) – *spring 2022*

Should the project be approved, costs for a full-scale implementation on a per acre basis are as follows. Note that these are preliminary estimates provided by the USFS. At this time, no funding has been earmarked by the USFS, however grant funding and additional in-kind support could be available depending on the prescription (treatment plan) approved.

- \$600-700/acre, Mastication
- \$1000-1500/acre, Mechanized timber removal (slopes less than 40%)
- \$20,000-\$25,000/mile, Road Reconstruction (if Spraddle Creek road needs to be improved for hauling timber)
- \$600-\$1200/acre, Hand Treatments (cut and handpile), dependent upon fuels density
- \$400-\$800/acre, Hand Treatments (cut, lop & scatter), dependent upon fuels density
- \$150-\$500/acre, Prescribed fire treatment, dependent upon prep work needed and acres burned (more acres in a burn plan, reduces cost). Small acreage Prescribed burns have high per acre costs since most of the costs are fixed. In some cases costs are > \$1500/acre or more, depending on holding resources needed.
- \$100-250/acre, Pile Burning
- \$2500-5000/year, Monitoring (annual x 3)

## **VI. USFS and Town of Vail Partnership**

In order to begin work on the NEPA review process, the Town of Vail and the USFS must enter into a Challenge Cost Share Agreement (CSA). CSAs do not obligate the partner (the Town of Vail) to spending funds but allows the USFS and the Town to work together. This partnership provides a framework for the parties to cost-share and to cooperatively develop, plan, design, and implement projects that are mutually beneficial to the parties as well as facilitating rural prosperity and economic development.

At this time, the US Forest Service is committed to supporting the project through staff time for review. There is also potential for use of the Forest Service technical staff, National Forest Foundation Grants, and Federal funding, however these funding sources may only be pursued following a Challenge Cost Share Agreement is completed with the Town of Vail and the USFS. The CSA is currently under review by the USFS attorneys and will come before the Vail Town Council as a Resolution for an intergovernmental agreement on August 4, 2020.

## **VII. Staff Recommendation**

While the NEPA process for the Vail Valley Forest Health and Fuels Project is thorough and will ultimately involve a significant period of public comment and technical review, staff recommends the following initial steps:

1. The Vail Town Council direct staff to move forward with a contract with SE Group to complete Phases 1, 2, and the silviculture and fuels field work portion of Phase 3, so that work may be completed this season in the amount of \$36,000 (Attachment B). This cost is within the \$100,000 approved budget within the Real Estate Transfer Tax (RETT) fund in 2020.
2. The Vail Town Council review and consider the Challenge Cost Share Agreement between the US Forest Service and the Town of Vail at the August 4<sup>th</sup> meeting of the Vail Town Council.

## **VIII. Attachments**

- A.) Vail Valley Forest Health and Fuels Project Proposal – Project Map
- B.) SE Group Scope of Work