

DECISION MEMO
Fender Hazardous Fuels Reduction – Juniper Thinning Project

USDA Forest Service
Warner Mountain Ranger District, Modoc National Forest
Modoc County, California

DECISION

It is my decision to implement the Fender Hazardous Fuels Reduction-Juniper Thinning Project within about 630 acres near Fender Flat T45N, R14E, Sections 9 and 15, Modoc County, California MDB&M (see attached Vicinity and Treatment Area maps). This project implements direction contained in the 1991 Modoc National Forest Land and Resource Management Plan (LRMP) as amended by the 2004 Sierra Nevada Amendment.

The purpose and need for this project is to reduce immediate fuel loading and slow the encroachment of juniper onto mountain meadows and grasslands, which would reduce future fuel loading within a Wildland-Urban Intermix Threat Zone. A secondary purpose and need is to release pine growing within and adjacent to the Briles bald eagle territory; thinning would also increase forage values for wildlife and cattle.

The project is located near the community of Davis Creek, in Modoc County, California, within the aboriginal territory of the Hewise Band of the Pit River Tribe. The stands are comprised of 90 percent juniper and 10 percent pine. No pines will be cut in this project.

Since 2002, the Forest Service has had numerous discussions with various Davis Creek community members on priorities for hazardous fuels reductions in this area. Several landowners are working on grants under the Community Protection Program for further hazardous fuels treatments in the area where their private land abuts National Forest lands. On January 13, 2004, the Proposed Action was presented at a community meeting. The community expressed strong support for these projects and indicated they fit in well with other on-going and proposed public and private hazardous fuels projects. The Forest Service also collaborated with tribal representatives to ensure that the project protected archeological sites, treaty rights, and tribal uses.

The Fender Hazardous Fuels Reduction – Juniper Thinning Project was planned concurrently with the Briles Bald Eagle Habitat Improvement Project and Fender Underburning projects. The three projects were analyzed separately and together to ensure that the projects together did not have potential significant adverse cumulative effects. Together, the projects do have beneficial cumulative effects. While these projects are related in that they all will contribute to meeting similar resource objectives, each one could occur independent of the others (see project file).

- Thin junipers less than 26 inches in diameter so that 70 to 90 percent of the total number of junipers is removed, to the extent possible given adherence to the National Historic Preservation Act Regional Programmatic Agreement.
- Wood products may be sold in a fuel wood sale or other contract. Whole trees will be cut and moved to a central landing for chipping, firewood removal, or other processing or limbed and bucked in place and only the bole wood moved off site. Under both scenarios, remaining slash will be burned when sufficient moisture has occurred to prevent spread of a fire and surface fuel loading will be reduced to desired levels.

- Ground based equipment will be used on slopes less than 30%. Hand felling is approved for slopes greater than 30%.
- No ponderosa pine will be cut.
- No live limbs will be left on juniper stumps. Stumps will be cut to a maximum height of 12 inches.
- Best management practices will be applied to protect water quality (see project file for details).
- A burn plan will be prepared based on conditions after thinning.
- Equipment will be washed to minimize the spread of noxious weeds.
- Riparian Conservation Areas will be designated on the project area map and will not be treated.
- Archeological sites will not be disturbed, except in areas that have the Forest Archeologist approval. Within the limits of archaeological site FS-05-09-53-0056, the project will be accomplished via a rubber-tired shearer. Equipment will be operated so that no "wheelies" or other significant surface lateral or vertical soil displacement occurs (only surface tire tracks will remain; no ruts deeper than 2 to 3 inches or berms larger than 2 to 3 inches will remain). Felled juniper will be carried (not dragged) to specific areas approved by an archeologist for processing, piling and burning. An archeologist will periodically be present during project implementation to monitor this shearer operation to make sure it is limiting the affects to soil disturbance to acceptable levels.
- Other areas that have archeologist approval will be restricted to hand work only, and size of junipers to be removed may be restricted to less than 6 inches dbh. Hand lines will be constructed to protect archaeological properties as needed. Unless otherwise approved, piles to be burned will be piled outside archeological site limits (some wildlife piles may remain within these sites).
- The project will be monitored during treatment and a photographic record maintained so that the State Historic Preservation Office can review the extent of the disturbance within archaeological sites.
- Cultural sites or special status wildlife or plant species are found during implementation will be reported to appropriate Forest Service staff immediately and work suspended until cleared by the appropriate specialist.

CATEGORICAL EXCLUSION

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment based on criteria within Forest Service Handbook 1909.15 Section 31.2. This project falls under Category 10, Hazardous Fuels Reduction activities using prescribed burning, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres.

This project will use mechanical thinning methods and will occur on well under 1,000 acres. Riparian Conservation Areas and some archaeological sites will not be treated within the 630-project area.

Category 10 has several other criteria for use:

1. Projects under Category 10, "Shall be limited to areas in (1) Wildland-urban Intermix and if outside the wildland urban Intermix, limited to (2) Condition Classes 2 or 3 in Fire Regime groups I, II, and III;" The project area lies entirely within the Wildland-Urban

Intermix area surrounding Davis Creek community. The area is in Condition Class 3 in Fire Regime Group II.

2. Projects under Category 10, “Shall be identified through a collaborative framework as described in ‘A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-year Comprehensive Strategy Implementation Plan’. The project was identified through collaboration with the Modoc County Resource Advisory Committee, the Davis Creek community, designated Representatives of the Hewise Band of the Pit River Tribe, and environmental groups (California Coalition for Alternatives to Pesticides, Klamath Forest Alliance), along with other interested people. Interagency collaboration occurred with the United States Fish and Wildlife Service and the State Historic Preservation Office.
3. Projects under Category 10, “Shall be conducted consistent with agency and Departmental policies and applicable land and resource management plans”. The project record demonstrates consistency with all applicable Modoc National Forest Plan and Sierra Nevada Amendment standards and guidelines.
4. Projects under Category 10, “Shall not be conducted in wilderness or impair the suitability of wilderness study areas”. No wildernesses or wilderness study areas will be affected.
5. Projects under Category 10, “Shall not include the use of pesticides or herbicides or construction of roads or permanent infrastructure”. This project does not include any pesticides, herbicides, or road construction of any kind.
6. Projects under Category 10, “Permits the sale of vegetative material if the primary purpose is fuels reduction.” Vegetative material may be sold if a market exists, to the extent that archaeological sites are adequately protected.

The Forest Service has found that projects like this one do not have significant adverse effects on the environment providing there are no extraordinary circumstances as defined in the Forest Service Handbook 1909.15.

This project does not have any adverse effects on threatened or endangered species. A Biological Assessment prepared for threatened and endangered species resulted in a “no impact” determination for threatened and endangered species. Biological Evaluations prepared for sensitive species resulted in a “no impact” for all sensitive species. All potential effects are mitigated through adherence to standards and guidelines, operating season limitations, and specific prescription elements. This project implements the 1986 Recovery Plan for the Pacific Bald Eagle, U.S. Fish and Wildlife Service, Portland, Oregon.

Juniper removal is will make more water and nutrients available for the adjacent pines, thereby accelerating growth. Most importantly, juniper reduction and associated fuel treatments are expected to minimize the potential for a stand replacing fire. Any short-term potential for disturbance are minimized by a limited operating season and other project design features.

No wilderness, roadless areas, or impaired waters will be affected by the project. Wetlands will be protected via compliance with the LRMP.

Archaeological, cultural, and historic sites will be protected from adverse effects. The State Historic Preservation Office (SHPO) concurred that this would be a “no effect” undertaking on historic properties or other sites. Government to government consultation with Hewise Band of the Pit River Tribe has also occurred. Tribal representatives are strongly in favor of the project as designed.

PUBLIC INVOLVEMENT

The project was developed via a collaborative effort including the Modoc County Resource Advisory Committee, the Davis Creek community, designated Representatives of the Hewise Band of the Pit River Tribe, and environmental groups (California Coalition for Alternatives to Pesticides, Klamath Forest Alliance), along with other interested people. Interagency collaboration occurred with the United States Fish and Wildlife Service and the State Historic Preservation Office.

National Environmental Policy Act (NEPA) analysis was initiated on this project in April 2003, along with two additional adjacent projects (Briles Bald Eagle Habitat Improvement Project and Fender Hazardous Fuels Reduction Underburning Project). The "Briles-Fender" projects were placed on the Schedule of Proposed Actions and the public was invited to provide scoping input via a letter about the projects. The projects were developed partly in response to the desires of the Davis Creek community for fuels reduction in the area and partly because of the need for improved bald eagle habitat (these objectives are compatible).

Scoping revealed that the public concurs with the objectives of the Fender Juniper Thinning project. The project file provides specificity about the project and its effects.

FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with the LRMP, the National Forest Management Act, and other applicable laws.

IMPLEMENTATION DATE

This project can be implemented immediately, subject to the Limited Operating Period.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

Under 36 CFR 215, this decision is not subject to appeal.

CONTACT PERSON

For additional information concerning this decision or the Forest Service appeal process, contact: Edith Asrow, District Ranger, Warner Mountain Ranger District, P.O. 220, Cedarville, CA 96104, (530) 279-6116, eamrow@fs.fed.us

SIGNATURE AND DATE

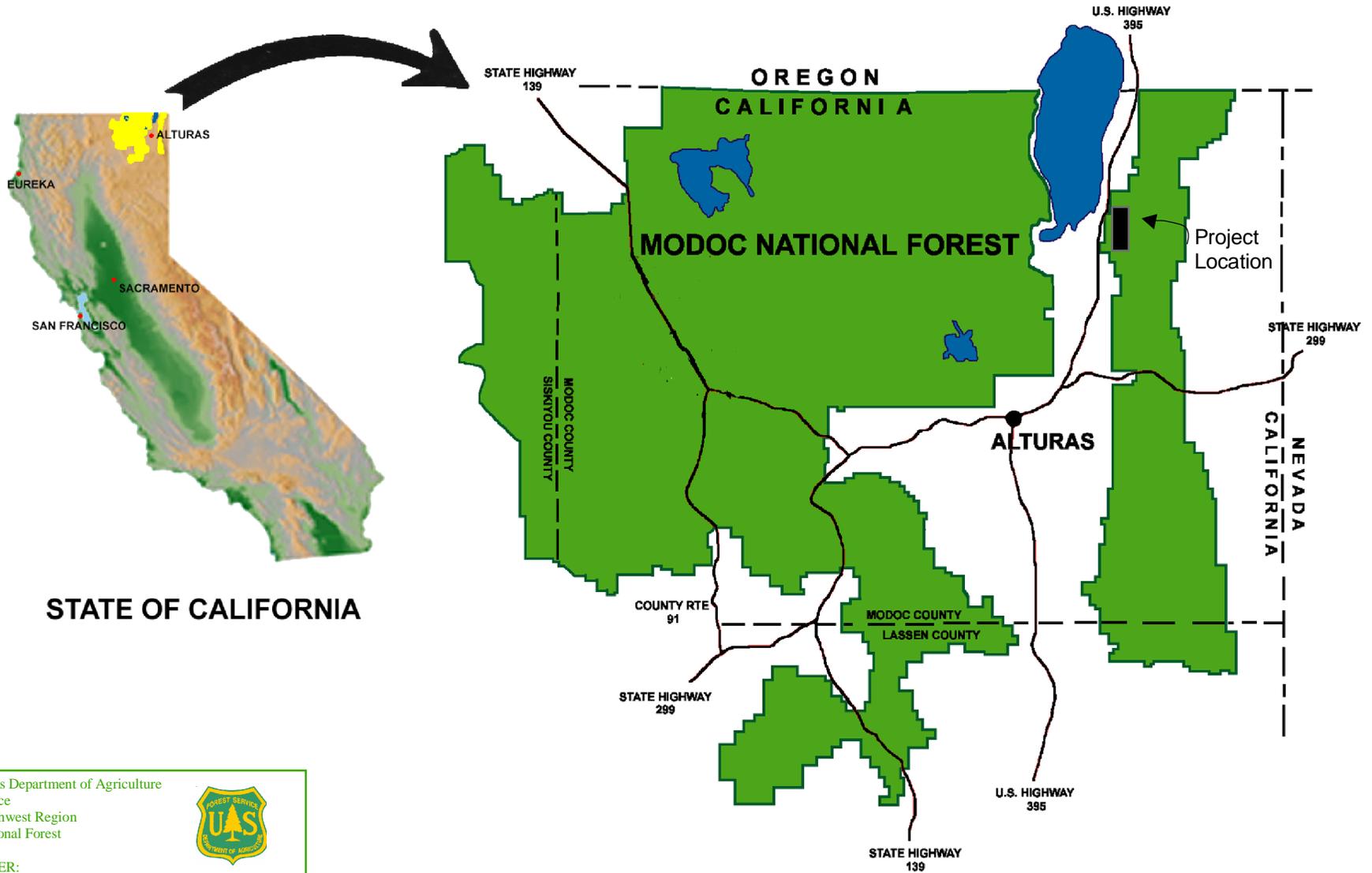


EDITH S. ASROW
District Ranger

April 12, 2004
Date

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Project Vicinity Map



R.L. 12/96

United States Department of Agriculture
Forest Service
Pacific Southwest Region
Modoc National Forest



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This map was prepared using Modoc National Forest databases as of January 2004.



Task-WM-01

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