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Record of Decision

Cleveland National Forest Land Management Plan



Cleveland National Forest

Land Management Plan

2006 Revision

Final Environmental Impact Statement

Record of Decision

Cleveland National Forest

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This document presents the decision regarding the selection of a Revised Land Management Plan for the Cleveland National Forest. It summarizes the reasons for choosing the Selected Alternative as the basis for the revised Forest Plan, which will be followed for the next 10 to 15 years. The long-term environmental consequences contained in the Final Environmental Impact Statement are considered in this decision.

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Cleveland NF Forest Plan Record of Decision

Introduction

This revised forest plan meets our legal obligations to the people of the United States and the national forest environment that surrounds them. The Forest Service understands its role or niche within the network of communities throughout southern California. The Cleveland National Forest is a unique regional feature with important resources that must be sustained over time. I believe that my decision maximizes the net public benefit (sustainability of social, economic, and ecological processes) to meet current needs and to leave options for future generations to continue to enjoy sustainable recreation opportunities, healthy forest systems and appropriate community protection from wildland fire. These benefits are achieved through proven measures that protect, maintain, improve, and restore the health of the national forests and open lands; reduce risks from wildland fire, invasive species, insects, disease and other threats; provide wildlife habitat; protect and restore unique vegetation and terrain; and perhaps, most importantly, to provide a diversity of recreation and environmental education opportunities, and monitoring requirements, that are the cornerstone of our program emphasis for the future.

I have reviewed the range of alternatives, read the public comments, and considered the evaluations of the alternatives in the FEIS. Based on all of this, **I have selected Alternative 4a for the land management plan for the Cleveland National Forest.** Alternative 4a is a modification of the preferred alternative published in the Draft Environmental Impact Statement (DEIS) in 2004. Alternative 4a was modified (using elements from the range of alternatives) based on the public comments received during the 90-day comment period and from internal review by Forest Service staff. By selecting this alternative, I am approving the revised forest plan that describes in detail the strategic vision, goals, objectives, standards, suitable uses, and land use zones for the Cleveland National Forest that are described in Parts 1, 2, and 3 of the forest plan.

Alternative 4a includes a combination of active management strategies that will be used to conserve or restore the health of the national forest. Most of the existing uses on the national forest are expected to continue. For example, recreation residences are a valid use that will continue, subject to compliance with the terms and conditions of the cabin owner's permit. Most of the development (such as roads, developed recreation sites, and administrative structures) that might be expected to occur on the national forest has occurred. The Forest transportation systems (roads) have been built and much expansion should not occur. The decision is based on the concept of gradual change over time, expanding or improving the capacity of existing facilities before building new ones.

My decision strikes a reasonable balance between the sustainability of the national forest and the complex demands expressed by a wide variety of people, groups, and organizations affected by the management of the Cleveland National Forest. Although the responsibility for this decision is mine, I have made the decision using the information and help of many others. Thousands of comments were received during the development of the revised forest plan that began in 2000. There were many comments about the agency's ability to effectively manage the national forest with recent trends in budget and a smaller workforce. The challenge remains and we are counting on the help of people working collaboratively with us to reach our common goals. The management of motorized access in the national forest is a good example. The decision clearly emphasizes the retention of motorized public access using the currently designated National Forest System roads and trails. This policy is important for forest health, the protection of sensitive resources (such as riparian areas or threatened and endangered species habitat), fire

suppression, community protection or other important vegetation management activities. In order for this policy to work we will need the help of people working collaboratively to develop public education programs and communication strategies to help explain the importance of managing motorized uses on designated routes.

My decision applies only to the Cleveland National Forest and does not apply to any other federal, state, or private lands, although the effects to these lands and the effects of my decision on lands surrounding the national forest have been considered.

I. Components of the Decision

Decisions

The FEIS and land management plan were developed according to the National Forest Management Act (NFMA) of 1976, its implementing regulations at 36 Code of Federal Regulations (CFR) 219 (the January 5, 2005 Regulations at 219.14(e) allow use of the September 30, 1982 Regulations for this plan since it was initiated previous to the transition period defined at 219.12(b)), the National Environmental Policy Act of 1969 (NEPA), and the Council of Environmental Quality (CEQ) regulations at 40 CFR 1500-1509. The FEIS discloses the differences in trends in the environmental consequences of the alternative management strategies and how they respond to issues and concerns.

The forest plan is presented in the 3-part national vision format. This format was developed in response to recommendations made by the Committee of Scientists in their 1999 report, and is based on the concept of adaptive management (Committee of Scientists, March, 1999). Part 1 is the Vision and includes the Government Performance and Results Act Goals (GPRA) for 2003 to 2008, the desired conditions for the various vegetation types and related monitoring questions. Part 2 is the Strategies and includes the program emphasis, a three to five year projection of activities, objectives and a list of the possible strategies that may be employed to implement management activities in the various Places throughout the forest. Part 3 is the Design Criteria and includes the forest-wide standards and a list of the various laws, regulations, and policies that come to bear in natural resource management.

The revised Land Management Plan describes the strategic direction that assures the coordination of multiple-uses (e.g., recreation and environmental education opportunities, forest health and management, air, soil and water quality, watershed, and wildlife) and the sustained yield of products and services consistent with the GPRA goals described in Part 1 [16 USC 1604(e)]. I am making the following decisions:

- Approval of the vision and desired conditions described in Part 1, including the management direction and associated long-range goals, for the next 10 to 15 years. This direction assures sustained multiple-use and yield to the public of the services and opportunities provided from the Cleveland National Forest [36 CFR 219.11(b)].
- Approval of the land use zones. The revised land management plan describes seven land use zones in Part 2 and displays the zones on the Selected Alternative map included with this plan [36 CFR 219.11(c)]. Part 2 includes the program emphasis and a continuously updated projection of activities projected 3 – 5 years into the future. The program emphasis can be adjusted to address issues such as tree mortality and disease, community protection, or changes in patterns of human use.

- Approval of the southern California Forest-wide standards in Part 3 and the Cleveland-specific standards in Part 2. These standards will be used in conjunction with the other guidance described in appendices in Part 3 that, together, constitute the Design Criteria that set the parameters for achieving the goals, objectives, and desired conditions and provide meaningful direction for managers when implementing projects [36 CFR 219.13 to 219.27].
- Approval of the suitable uses within the land use zones and the land suitable for specific uses. The suitability of different lands for different uses is described by the land use zones and with the accompanying Suitable Uses table in Part 2 [36 CFR 219.14 and 36 CFR 219.16].
- The approval of the monitoring and evaluation requirements needed to ensure that the Plan is implemented using the Design Criteria described in Part 3; evaluate effectiveness of the Plan relative to species and habitats and the principles of adaptive management; determine how well outcomes, outputs, and effects were predicted; and help the Cleveland National Forest identify necessary future Plan adjustments. Monitoring is clearly emphasized for all activities and must be accomplished. Monitoring is a key element in all programs to assure the achievement of desired conditions over time. These requirements are identified in Parts 1, 2, and 3 of the revised forest plan [36 CFR 219.11(d)].
- The approval of recommendations requiring Congressional designation for additions to the National Wilderness Preservation and Wild and Scenic River systems. The Cleveland National Forest has recommended 11,377 acres of addition including Cutca Valley, the Pine Creek addition, and the Hauser South Expansion.

Collaboration

As part of the implementation of this revised forest plan, the Forest Supervisor and District Rangers will emphasize working collaboratively with people, organizations, other agencies and tribal governments to coordinate activities with the communities of southern California. Much of this effort is expected to focus on the implementation of the Healthy Forest Restoration Act of 2003 and the National Fire Plan (a plan framework for government agencies and communities to work together to address fire issues). With less of the ‘how to do’ prescribed in the forest plan and more emphasis on working together to choose the ‘right tool’ to achieve desired conditions, there is opportunity for interaction among the public and community organizations. I believe that collaboration with interested people can lead to mutually acceptable resolution of resource issues. I am confident that such interaction and participation will lead to better acceptance of national forest management activities, improve trust, and promote better relations among competing interests.

Tribal Relations

The relationship of the Forest Service with American Indians is important in the management and restoration of ecosystems in southern California. To meet our trust responsibilities and to encourage the participation of American Indians in national forest management, I am making the following commitments on behalf of the Forest Service:

- We will work with tribal governments and tribal communities to develop mutually acceptable protocols for government-to-government and tribal community consultations.
- We will consult with appropriate tribal governments and tribal communities regarding fire protection and fuels management activities that potentially affect tribal property or areas that are important to them.
- Traditional American Indian land use practices, tribal watershed and other ecosystem restoration practices and priorities will be considered early in national forest planning, analyses, decision making, and adaptive management processes.
- We will consider traditional American Indian vegetation management strategies and methods, and integrate them, where appropriate, into ecosystem restoration activities.
- We will consider the relationship between fire management and plants culturally important to American Indians.
- When implementing noxious weed management programs, we intend to maintain or, if appropriate, increase the availability of plants traditionally used by American Indians.
- We will include, where appropriate, culturally significant species in monitoring protocols related to management activities.
- We will maintain appropriate access to sacred and ceremonial sites and to tribal traditional use areas.
- We will protect all sensitive and proprietary information to the greatest extent permitted by law.

II. Rationale for the Decision

Chief's Four Threats

The revised forest plan is responsive to the Forest Service's 2004 National Strategic Plan and to the resolution of the four threats described by the Chief of the Forest Service (Publication Speech, 2003). These four threats include:

- **Fire and Fuels** – decades of fuel buildup, coupled with drought and disease, have created a situation that poses a real threat to the lives and property of people living in the communities of southern California. In southern California, fire is a fact; it is not a question if fires will burn, rather, it is a question of when and how intensive.
- **Invasive species** – Invasive species are spreading at alarming rates, adversely affecting people and the ecosystems of the Cleveland National Forest.
- **Loss of Open Space** – The loss of open space (also known as 'fragmentation') has three aspects that challenge effective land management; (1) habitat fragmentation, (2) ownership fragmentation, and (3) use fragmentation.
- **Unmanaged Recreation** – The phenomenal increase in the use of the national forests for recreational activities raises the need to manage most forms of recreation, particularly the use of off-highway vehicles (OHVs). OHVs are motorized vehicles such as all-terrain vehicles (ATVs), snowmobiles, sport utility vehicles (SUVs), off-highway motorcycles, motorized trail bikes and similar means of transportation.

The four threats address situations that are occurring on national forests all over the United States, but are particularly relevant to the managerial setting of the four southern California national forests.

I recognize that full implementation of the Prospectus in Part 2 of the forest plan could require higher funding levels in some areas than those currently allocated; however, managers will use the strategic direction described in the revised forest plan to implement the plan under current budgets to make the best possible progress toward achieving desired conditions described in Part 1 using the Design Criteria in Part 3.

Key Factors of Decision

Access:

- Limits motorized public access to designated Forest System routes
- Allows the resolution of non-system routes gradually over time
- Retains administrative access
- Allows use of temporary roads

Limited Development:

- Emphasizes the expansion or improvement of existing facilities before building new ones
- Reduces the loss of open space
- Retains undeveloped character
- Leaves options for future generations

Community Protection:

- Emphasizes the protection of lives and property
- Includes the flexibility to adjust Wildland/Urban Interface according to Community Protection Plans
- Retains access

Conservation of Plant and Animal Species:

- Plant and Wildlife management emphasized in all program areas
- Community protection emphasizes plant and animal management as long as defense zone objectives can be met
- Emphasizes the gradual reduction of invasive species
- Acknowledges uncertainty
- Emphasizes the importance of monitoring

The Decision

The decision is consistent with national direction and focuses on the outcome of management activities, rather than the production of outputs. The Plan emphasizes the importance of the condition of the land when management is completed rather than what is taken from the land. The decision places a clear emphasis on the retention of the natural appearance and open space character of the Cleveland National Forest. Development over the next 10 to 15 years should be limited; however, the selection of Alternative 4a provides for project proposals that contribute to national policies such as the National Fire Plan or the National Energy Initiative. Alternative 4a is based on the concept of sustainable multiple resource uses and conservation, and has been crafted using a combination of components from other alternatives and, most importantly, on the ideas from the public to help resolve the challenges stemming from the issues.

My decision includes the approval for the use of seven land use zones, including:

- **Designated Wilderness (EW)** – areas currently included in the National Wilderness Preservation System (**17.9 percent of forest**).
- **Recommended Wilderness (RW)** – areas recommended to Congress for addition to the National Wilderness Preservation System (**2.7 percent of forest**).
- **Back Country Non-Motorized (BCNM)** – areas managed for non-motorized public access and recreation use (**38.3 percent of forest**).
- **Back Country Motorized Use Restricted (BCMUR)** – areas where administrative access is permitted on designated National Forest System routes (roads and trails). Otherwise, these areas are managed for non-motorized public access and recreation use (**12.0 percent of forest**).
- **Back Country (BC)** – areas managed for motorized public access and recreation use on designated National Forest System roads and trails (**18.3 percent of forest**).
- **Critical Biological (CB)** – areas where the most important habitat for the most threatened species can be protected (**0.5 percent of forest**).
- **Developed Area Interface (DAI)** – areas on the periphery of the national forest where community development has occurred, or areas within the national forest where concentrated human use is occurring (**10.2 percent of forest**).

Developed Area Interface: Much of the urban interface and concentrated use areas within the national forest boundary are included in the Developed Area Interface zone, which comprises 10.2 percent of the national forest. Accordingly, much of our community defense work and fuels management activities in response to the National Fire Plan (Fire and Fuels) will be focused within this zone. The Developed Area Interface (DAI) zone includes the Wildland/Urban Interface (WUI) zone described in the National Fire Plan. Within the WUI zone in southern California there are two sub-zones called the WUI Defense zone and the WUI Threat zone. Areas beyond these zones can, under the right conditions, be included in the WUI zone and therefore are described as the WUI influence zone. The DAI zone is especially compatible with community defense work and already includes a significant amount of the National Forest System roads that enable access for community defense work or fire suppression. The zone is also compatible with the location of sites needed for a variety of special uses managed under permit.

The rugged, natural appearing open landscapes of the Cleveland National Forest are valued for the contrast they offer to the crowded, urbanized areas so prevalent in the nearby communities. A common theme in the public comments on the DEIS was concern for the level of development on the national forest. I understand that the level of development means many things to different people.

Some people suggested that development be limited to our existing National Forest System roads and trails. These people were clear that they are referring to existing National Forest System roads and trails only and the other user-built non-system roads and trails should be closed. Limited development to other people means that motorized access should continue on the roads and trails they are using, including user created non-system roads and trails. Most people agree that the demand for community support infrastructure such as communication sites, utility and transportation corridors is going to continue as the population continues to increase, but they would like to limit expansion to improving or expanding existing facilities before new ones are built. We intend to accommodate that to the point that we can. My decision offers a reasonable balance between public need for access and resources and the conservation of those same resources.

Back Country zones: My decision includes a combination of Back Country (BC), Back Country Non-Motorized (BCNM), and Back Country Motorized Use Restricted (BCMUR) zoning. We have used these zones to the best advantage in order to match combinations of management objectives with current and anticipated uses. The type of access (motorized, non-motorized, or motorized only for administrative purposes), is a key link to the desired condition of the area. In general, there is an inverse relationship between the degree of motorized access and the degree of protection needed for management of species or preservation of landscapes. The adoption of the additional Back Country Motorized Use Restricted zone in the selected alternative reflects a refinement of this theme (based on public comment and Forest Staff review) that allows a balance of landscape protection to be maintained while allowing access for management needs.

Conversely, the Back Country Non-Motorized zone offers a high level of resource protection, but still allows activities like mountain biking to occur. In this way the management zones allow the most flexible combinations of resource protections and public uses.

Back Country Non-Motorized: The Back Country Non-Motorized (BCNM) zone retains an undeveloped character including the maintenance of these areas as ecological reserves. One of the most important features of this zone is that managers will still have the latitude to offer a range of recreation opportunities, and to conduct administrative work, including vegetation management, for forest health or community protection. Temporary roads can be used in the BCNM zone for access during treatment but must be removed when work is completed. Options for future management are retained but our intent is clear. I expect that these areas will remain undeveloped, for the most part, over the life of the forest plan.

Back Country (Motorized Use Restricted: The Back Country Motorized Use Restricted (BCMUR) zone has been developed based on public comment. Many people commented on the need for access in undeveloped areas for community fire protection, the treatment of dead trees and other vegetation for forest health, the maintenance of remote facilities, the maintenance of municipal watersheds, and other activities. The BCMUR zone is used to accommodate administrative access for the Forest Service, other government agencies, tribal governments, and

special-use permit holders. There are other advantages to using this zone that range from the protection of heritage sites or traditional use areas that are so important to southern California American Indian tribes, to the protection of sensitive plant and animal habitat. The use of this zone also reinforces our intent to manage motorized public access on designated National Forest System routes (roads and trails). The zone is managed for non-motorized public access, but accommodates the important need for various kinds of administrative access. The zone will include a permanent road footprint for administrative access. These areas are expected to remain undeveloped with intermittent motorized use that is expected to minimize disturbance.

Back Country: Motorized access is a key feature in both the Back Country zone and in the Developed Area Interface zone. One of our biggest challenges is the resolution of the non-system routes that are found in all zones. Cross-country travel is not allowed because of the delicate resources that merit protection. As we analyze the National Forest System and the non-system routes, we expect that some system routes will be eliminated and that some non-system routes will be used to improve opportunities within the National Forest System. Those routes not included in the National Forest System will be eliminated over time. This is a big job that will have to be completed incrementally, over time.

Wilderness recommendations: My decision includes recommendations for three wilderness additions based on our evaluation of the inventoried roadless areas. I am aware that many people view wilderness designation as the highest form of protection for undeveloped areas. I believe these concerns are addressed in the Back Country zones. I am recommending additions that make sense managerially, and that add quality to the National Wilderness Preservation System. My recommendations include the Cutca Valley addition (8,641 acres), the Pine Creek addition (429 acres), and finally, the Hauser South expansion (2,302 acres). I am recommending these after reviewing public comments and the evaluations that were developed based on individual ratings for capability, suitability, and need.

This recommendation is a preliminary administrative recommendation that will receive further review and possible modification by the Chief of the Forest Service, the Secretary of Agriculture, and the President of the United States. The Congress has reserved the authority to make final decisions on wilderness designation.

Including the additional 38.3 percent of BCNM and 12.0 percent of BCMUR, approximately 71 percent of the national forest is managed for non-motorized public access with limited potential for further development.

Inventoried Roadless Areas: As a result of my recommended additions to wilderness, the Plan includes adjustments to the existing inventory of roadless areas. My decision recommends approximately an additional 11,350 acres of wilderness. Approximately 253,584 acres of the inventory are Back Country, 245,209 acres are Back Country Motorized Use Restricted, and 397,675 acres are Back Country Non-Motorized.

Regardless of zone, project proposals in inventoried roadless areas must be considered for their affect on the character of the roadless area in any documentation required by the National Environmental Policy Act (NEPA).

Wild and Scenic River Eligibility: The determinations for wild and scenic river eligibility that were identified in the DEIS will be carried forward in the decision with no changes or additions. I believe that it is important for people to understand that the finding of eligibility is not a

decision; rather, it is an internal finding that is more like an inventory. The actual decision for inclusion in the National Wild and Scenic River System will be made during the suitability phase of the process as per Department of Agriculture direction, at some point in the future.

These rivers will be managed to protect their free-flowing condition, outstandingly remarkable values, and classification.

Research Natural Areas and Special Interest Areas: The decision also addresses the establishment of research natural areas (RNAs) and the designation of special interest areas (SIAs).

I am recommending further study of the Viejas area, the Guatay Mountain Special Interest Area, and the San Diego River area for possible recommendation as Research Natural Areas. I am basing my decision for further study on the adjustments made to the preferred alternative that include adjustments for Back Country Motorized Use Restricted and Critical Biological zones that are expected to afford the protection of the characteristics that may result in these areas being formally recommended as Research Natural Areas.

My decision also includes the designation of two botanic Special Interest Areas. These are the Chiquito Basin and Pine Mountain areas. These areas will receive management emphasis for protection of the unique features for which they are designated. I am approving these areas based on the evaluations of national forest staff and comments from the public. The evaluations for these areas include descriptions of the unique characteristics that merit special designation status.

Plant and Animal Species conservation: The other important factors in my decision include the emphasis on the management for the conservation and protection of federally listed threatened and endangered species and Forest Service listed sensitive species, in all program areas. I am confident that the zoning scheme and the benefits it offers for species conservation and human use will accommodate that emphasis. My decision includes the selection of twelve species as Management Indicator Species. The twelve species and the reasons why they were selected are described in Appendix B of the FEIS.

Plant and animal species conservation is emphasized in all program areas. Fuels projects will be planned in the Wildland/Urban Interface (WUI) Defense and Threat zones for community protection. In these areas, the emphasis will be on completing vegetation treatments that create conditions that allow firefighters to work safely in the area. Wildlife habitat requirements are still an emphasis; however, in order to be absolutely clear, our highest priority is the protection of human life and property. What this means is that while we do the work in the WUI Defense and Threat zones, we will try to maintain habitat in a condition that will support the species that live there but meet the criteria for community defense at the same time. If there is a trade-off, human life and property will be the priority. In all other programs, the needs of threatened and endangered species and Forest Service sensitive species will be the priority; however, I am confident that the decision offers our managers the flexibility to conserve species and their habitat and to meet human needs.

The use of the Critical Biological zone is another important facet of my decision. Forest Service and other biologists have identified the areas that are most important for the most stressed species. I favor the use of this zone as it is delineated in Alternative 4a because it is restrictive rather than exclusive. Human use can occur or continue to occur in the zone as long as it is not

detrimental to the species the zone is designed to protect. I believe that my decision to use this zone in these locations will stabilize and eventually contribute to the restoration of species and their habitat.

The decision places emphasis on the gradual reduction of invasive species (one of the Chief's four threats). The decision allows the limited use of herbicides as described in the FEIS after site-specific analysis including NEPA documentation. We will carefully evaluate and disclose the exact type and extent of herbicide use when it is a factor in any project level analysis and decision.

The Forest Service has agreed to work with the U.S. Fish and Wildlife Service to re-initiate consultation for on-going activities following publication of the revised forest plans.

Finally, I am approving the monitoring requirements that are described in the three parts of the forest plan. I am emphasizing the importance of monitoring and in order to implement the forest plans and realize the concept of adaptive management. Accordingly, I am directing the Cleveland National Forest Supervisor to implement the monitoring requirements that will answer the questions included in the desired conditions in Part 1 and the requirements in the other two parts of the forest plan. Monitoring requirements will be included in the program of work that is prepared each year and be included in the three to five year projection of projects that will be updated each year. The results of monitoring will be recorded and included in a report that will give managers and the public an indication of resource trends. I consider monitoring to be the foundation for the success of this forest plan. Successful monitoring will provide important information to managers and the public on adaptive measures to implement. By responsibly working together, collaborating, over the life of the plan, I believe we can all contribute to the realization of this goal.

Development to some degree is inevitable, but the fundamental basis of my decision is an understanding that we are anticipating very low levels of development on the Cleveland National Forest over the next 10 to 15 years. The decision includes a scheme of land use zones that enable a wide range of uses to occur where appropriate. The revised forest plan is based on a concept of adaptive management (including monitoring) that is within the physical and biological capability of the land and that my decision can be implemented without reducing that capability.

III. Issues

Five issues were identified during the scoping process. A range of seven alternatives have been described and analyzed that respond to the issues. The issues are:

Issue 1 - Public Values and Uses

This issue is focused on the ability of the southern California national forests to continue to offer a sustainable variety of opportunities, experiences, uses and national forest access to an expanding and increasingly diverse population, while continuing to conserve national forest resources. This issue also includes concerns for the level of development on the national forest, access to the national forest, and concerns for community protection from wildland fire.

Issue 2 - Ecosystem Elements and Function (Resource Management)

This issue focuses on the restoration and maintenance of habitat for all native species, particularly the habitat needed for the conservation and recovery of the number of threatened and endangered plant and animal species present on the southern California national forests.

Issue 3 - Commodity Values and Uses

This issue focuses on traditional, current and future commodity values, uses, and levels of outputs of the national forests. These products or uses include the development of community support infrastructure including electronic sites, utility transportation corridors, hydro-electric facilities, water transportation, and vehicular transportation routes, livestock forage; gathering national forest products for personal, traditional, or commercial uses; collecting fuelwood, hunting and fishing, mineral exploration and development; oil and gas production; the extraction of groundwater; surface water diversion and other uses under permit. This issue also addresses some non-traditional uses of national forest products, such as the salvage of drought and pest-killed trees and the use of the biomass from the vegetation as an alternative source for energy production.

Issue 4 - Urban Development and Forest Habitat Linkages

This issue looks at the effects of urbanization on the national forests. Maintaining open space and natural settings, and habitat linkages for animal species (especially large carnivores) on the national forests, while accommodating urban infrastructure needs is a challenge. More than 20 million people live in southern California and this number is expected to increase over the life of the revised forest plan. The national forest routinely receives requests to locate special-use sites, communication facilities and urban infrastructure and we anticipate that this will continue.

Issue 5 - Special Area Designations

Some areas of the national forest may be given formal recognition as special areas based on their unique or outstanding physical features, environmental values or social significance. The designations afford long-term protection to these special resources.

IV. Alternatives

A range of seven alternatives were developed and analyzed in order to determine the best combination of desired conditions, objectives, strategies, design criteria and zoning to get at the resolution of the issues. The range of alternatives includes:

Alternative 1 (No Action)

This alternative reflects current forest-wide management direction and emphasis. It meets the NEPA requirement (36 CFR 219.12(f) (7) specifying that a no-action alternative be considered. "No-Action" means that current management allocations, activities and management direction found in the existing land management plans would continue, as amended, with certain exceptions as discussed in the 2001 programmatic biological opinion from the US Department of Interior (USDI) Fish and Wildlife Service (FWS). In addition, the terms and conditions of programmatic and other 'high priority' consultations conducted with FWS would continue.

The theme of this alternative is to provide a mix of recreation opportunities and commodities while maintaining biological diversity and ecological integrity. The current mix of motorized/non-motorized land use zones is maintained. No new special areas would be designated.

Alternative 2

Alternative 2 was originally developed as the “Proposed Action” for the land management plan revisions and was available for public comment in 2001. Alternative 2 has been modified from earlier versions to provide additional protection for species-at-risk through species management strategies and land management plan standards.

The primary theme of this alternative is to maintain biological diversity and ecological integrity while accommodating a gradual increase in recreation opportunities. Land use zones are similar to those in Alternative 1, with the addition of some special area designations.

Alternative 3

Alternative 3 is focused on natural resource protection through a high level of special area designations while maintaining both public and administrative access to existing National Forest System roads and trails. The focus on community protection is complementary to the National Fire Management Policy.

The theme of Alternative 3 is to maintain and protect biological diversity and ecological integrity and to maximize special area designations. Developed recreation and other uses of the national forests are continued but at a lower level, with increased controls. More area is added in the recommended wilderness and Back Country Non-Motorized land use zones than any alternative except for Alternative 6.

Alternative 4

The theme of Alternative 4 is to emphasize recreation, with intensive levels of management controls and mitigation of effects on biological diversity and ecological integrity. A wide range of recreation opportunities is emphasized. Fewer areas are added for recommended wilderness than under Alternatives 2, 3 and 5. Alternative 4 includes the most Back Country acres, except for Alternatives 2 and 5.

Alternative 4 is focused on the maintenance of healthy forests; community protection; managed sustainable recreation uses; and the management of threatened and endangered species. The alternative theme includes the opportunity for a moderate level of growth of recreation activities and the facilities to support increased use. Managed sustainable use of the national forests is compatible with the maintenance of long-term biological diversity and ecological integrity. The focus on community protection is complementary to the National Fire Management Policy.

Alternative 4a (Selected)

Alternative 4a adjusts the preferred alternatives by using selected elements from other alternatives, as well as making changes to the scheme of land use zones in response to public comment, tribal consultation, and internal review of the draft environmental impact statement (DEIS) and land management plans for the four southern California national forests.

Alternative 4a is focused on active management for the maintenance of healthy forests; community protection from wildland fire; managed, sustainable recreation settings and uses; and the management of threatened and endangered species. The alternative theme includes the opportunity for a low level of growth of recreation activities and the facilities to support increased use. Managed sustainable use of the national forests is compatible with the maintenance of long-term biological diversity and ecological integrity. The focus on community protection is complementary to the National Fire Management Policy.

Alternative 5

Alternative 5 was developed in response to public comments from groups and individuals who would like increased motorized access to and within the national forests with fewer user restrictions.

The theme of this alternative is to emphasize land use zones compatible with forest resource development. Acres in the Back Country zones are the highest among the alternatives, and no acres are included in recommended Wilderness or Back Country Non-Motorized zones. No special areas, research natural areas, or Critical Biological zones are recommended in this alternative.

Alternative 6

Alternative 6 was developed in response to public comments from groups and individuals who would like increased protection of all national forest resources. A detailed alternative was submitted during scoping called the "Conservation Alternative." In order to consider the concerns addressed in the Conservation Alternative, the Forest Service developed Alternative 6. Alternative 6 is based on the concepts presented in the "Conservation Alternative," but is modified to meet the agency's legal obligations, be implementable, and in a format that is consistent with the other alternatives. Alternative 6 is a Forest Service alternative.

Alternative 6 is focused on the maintenance of healthy forests, community protection, low impact sustainable recreation uses, and the management of threatened and endangered species. The alternative theme includes the opportunity for a low level of growth of low impact recreation activities and reduction of facilities that encourage concentrated use. Managed sustainable use of the national forests is compatible with the maintenance of long-term biological diversity and ecological integrity. The focus on community protection is complementary to the National Fire Management Policy

The focus on community protection is the same in all of the alternatives in order to address the concerns for long-term community protection, fuel treatment, and fire suppression.

V. Public Involvement

The need for this action was acknowledged in 2000, when the revision process for the forest plans for the southern California national forests was initiated. A proposal to revise the forest plans was listed in the Notice of Intent that was published in the *Federal Register* on September 24, 2001. The proposal was provided to the public and other agencies for comment during the scoping period conducted from September 24, 2001 to December 31, 2001. In addition, as part of the public involvement process, the agency held five formal rounds of public involvement, including open houses with the opportunity for people to comment on the process. The formal 90-day comment period for the Draft environmental documents concluded in August 2004.

Using the comments from the public, other agencies, tribal governments and internal review of the documents, the interdisciplinary team identified the issues regarding the effects of the proposed action. Since the forest plans are strategic, the effects of implementing the alternatives are based on the trends anticipated based on the theme or emphasis of each alternative. The alternatives described in Chapter 2 of the FEIS were developed to resolve various concerns related to each of the issues.

VI. Identification of Environmentally Preferred

NEPA regulations require agencies to specify the alternative or alternatives, which were considered to be environmentally preferable [40 CFR1505.2 (b)]. Forest Service policy (FSH 1909.15, Section 05) defines environmentally preferable as:

“An alternative that best meets the goals of Section 101 of NEPA....Ordinarily this is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources.”

Although the Act itself does not define the environmentally preferred alternative, it does suggest national environmental policy (42 USC, Section 4331, Sec. 101 (b)). That policy calls for the continuing responsibility of the federal government to use all practicable means to improve and coordinate plans, functions, programs, and resources so that the nation may:

- Fulfill the responsibilities of each generation as trustees of the environment for succeeding generations.
- Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
- Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
- Preserve important historic, cultural, and natural aspects of our natural heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice.
- Achieve a balance between population and resource use, which will permit high standards of living, and a wide sharing of life's amenities.
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.”

Given these criteria, I am identifying Alternative 4a as the environmentally preferred alternative. This Record of Decision has discussed the decision process and the rationale for the decision. Given the complexities of the management situation in southern California and the way Alternative 4a addresses the conservation and protection of plant and animal species and their habitat, the demand for human uses, and the critical need for community wildland fire protection, it just makes sense. The evaluation process that I have described in the previous section includes the evaluation of net public benefit, the key factors, and the attributes and advantages that cause Alternative 4a to stand out, in my mind, as environmentally preferable.

It is my assessment that Alternative 4a best meets the goals and the substantive requirements of Section 101 of NEPA. Alternative 4a will ensure the future health of the land by providing

appropriate opportunities for active management to work in concert with natural ecological processes. The maintenance of forest health and the physical resources can be attained while securing the viability of plant and animal species into the future.

Alternative 4a includes a wide range of uses at appropriate levels, such as special uses, dispersed and developed recreation, and mineral development. The standards and other design criteria described in Part 3 of the forest plan will be used to guard against undesirable and/or unintended outcomes.

The land use zones in Alternative 4a preserve historic and natural aspects of the Forest and they provide for the expression of variety of individual preferences for public uses and the resolution of the Chief's four threats. I believe that Alternative 4a also achieves a balance between sustainable resource use and ecological sustainability that will best satisfy a variety of public needs and uses. This alternative offers the framework for high quality, sustainable resource management. Enhancing forest health while providing sustainable resource production and recreation opportunities will continue to contribute to the vitality of local communities and lifestyles.

VII. Findings Required by other Laws & Regulations

This decision to implement Alternative 4a is consistent with the requirements of the National Forest Management Act and the National Environmental Policy Act as amended and other procedural requirements.

VIII. Diversity and Viability

The National Forest Management Act requires the Secretary of Agriculture to specify "guidelines for land management plans developed to achieve the goals of the [RPA] Program which provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives" [16 U.S.C. 1604(g)(3)(B)]. In accord with this diversity provision, the Secretary promulgated a regulation that provides in part: "[F]ish and wildlife habitat shall be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area" (36 CFR 219.19, 1982 edition). The revised forest plan includes the Government Resource Planning Act goals, desired conditions, and objectives that satisfy this requirement.

The scientific community and judicial courts recognize that the National Forest Management Act does not create a concrete, precise standard for diversity. The Committee of Scientists that provided scientific advice to the Forest Service on the drafting of the 1979 National Forest Management Act regulations stated that "it is impossible to write specific regulations to 'provide for' diversity" and "there remains a great deal of room for honest debate on the translation of policy into management programs" (44 Federal Register 26600-01 & 26608).

In this planning context, absolute certainty is not possible. This has led to a planning process that involves projections regarding the distribution and abundance of ecological conditions needed to maintain viable populations of species well distributed throughout their range (in the planning area) over the next 50 years. I am adopting the Design Criteria including the 'other guidance' listed and described in Part 3 and the Forest-specific standards described in Part 2 of the revised forest plan, the place and wilderness standards, and the forest-wide guidance specific to the Cleveland National Forest. This direction addresses the risk factors to provide biological conditions for species viability and persistence in southern California.

In an area that has been characterized as a ‘biological hotspot’ much information is evolving. The adaptive management philosophy that is the basic concept for the revised forest plan facilitates the incorporation of information as it continues to evolve so that it can be brought to bear on management activities in a timely manner. The focus of analysis at the project, rather than the plan, level facilitates an accurate assessment of the risks that may be associated with specific proposals. Thus compliance with the regulation is accommodated through the focused assessment of risks at the appropriate scope and scale when projects are proposed.

In determining compliance with the National Forest Management Act fish and wildlife resource regulations, I considered existing and reasonably foreseeable conservation measures and factors under Forest Service authority or control. In addition to the land use zones, standards and other guidance that are part of my decision. I looked at other measures that will affect species’ conservation, including activities undertaken pursuant to internal policy directives (like the Forest Service’s Sensitive Species program) and steps that can be taken during project planning. Moreover, interagency efforts may identify additional conservation measures that may be discovered to be necessary as a result of the Conservation Assessments, inventory and monitoring, or other new information relative to the conservation of species-at-risk.

Based on my review of the record, including the FEIS, Biological Assessment (BA), Biological Evaluation (BE) and Biological Opinion (BO), I believe that the management strategies described in this Record of Decision for Alternative 4a represent a balance of wildlife habitat conservation measures that consider the available science and risks associated with a rapidly growing populations, the risks of wildland fire, and decreasing habitat. The decision is expected to provide the fish and wildlife habitat and other ecological conditions necessary to maintain well-distributed viable populations of vertebrate species in the planning areas, and maintain the diversity of plants and animals.

IX. Environmental Justice (Executive Order 12898)

Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Population” requires that federal agencies make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority populations and low-income populations. As concluded in the FEIS, no disparate or adverse effects are identified to groups of people identified in Civil Rights Statutes or Executive Order 12898 (Environmental Justice) from the Proposed Action.

X. Civil Rights

Civil rights are defined as “the legal rights of United States citizens to guaranteed equal protection under the law” (USDA Forest Service Manual 1730). A civil rights impact analysis for environmental or natural resource actions is a necessary part of the social impact analysis package in an environmental impact statement and is not a separate report (USDA Forest Service Handbook 1709.11).

The Forest Service is committed to equal treatment of all individuals and social groups in its management programs in providing services, opportunities, and jobs. Because no actual or projected violation of legal rights to equal protection under the law is foreseen for any individual or category of people, no civil rights impacts are reported in the FEIS.

XI. Implementation

I am providing the following transition direction to ensure the orderly implementation of the revised forest plan that is made in this Record of Decision. My intention is to provide for ecological restoration of processes and to enhance long-term ecological integrity, assure the most efficient and appropriate use of government resources, minimize costs to holders of existing government contracts and permits, avoid disruptions to local communities, and reduce the likelihood of confusion. I have considered and balanced each of these concerns in making my decision to issue this direction.

The revised land management plan for the Cleveland National Forest became effective on October 31, 2005, 30 days after publication of the notice of availability of the final environmental impact statement in the FEDERAL REGISTER, and remains in effect with this decision to reissue the plan. The new direction will apply to all project decisions made on or after the effective date of this decision. The new direction does not apply to any projects that have had decisions made prior to the effective date of this decision. Projects currently under contract, permit, or other authorizing instrument are not affected by the decision; however, projects may be modified to adopt all or part of this direction where Forest Service managers deem appropriate. Re-issuance of existing authorizations will be treated as new decisions, which must be consistent with the new direction described in the revised forest plan.

The revised forest plan provides the strategic framework within which project-level decisions are designed and implemented. As noted above, all projects for which a decision has not been made prior to the effective date of this decision must be consistent with the new direction of the revised forest plan. The revised forest plan does not provide final authorization for any activity, nor does it compel that any contracts or permits be advertised or awarded.

XII. Appeal Rights

This decision is subject to appeal in accordance with the provisions of 36 CFR 217 by filing a written notice of appeal within 90 days of the date specified in the published legal notice of this decision, as provided in 36 CFR 217.8(a)(3).

Those appeals already submitted on the record of decision dated September 20, 2005 will be carried forward: the Appellants do not need to re-submit appeals. However, Appellants have the option to withdraw the appeal and submit a new appeal during the filing period, or simply submit another appeal. Appellants may appeal just one decision (one forest) or any combination of decisions (up to all four forests).

The appeal must be filed with the Reviewing Officer and contain sufficient narrative evidence and argument to show why this decision should be changed or reversed. At a minimum, the written notice of appeal must:

- 1) State that the document is a Notice of Appeal filed pursuant to 36 CFR part 217;
- 2) List the name, address, and telephone number of the appellant;
- 3) Identify the decision about which the requester objects;
- 4) Identify the document in which the decision is contained by title and subject, date of the decision, and name and title of the Deciding Officer.

- 5) Identify specifically that portion of the decision or decision document to which the requester objects;
- 6) State the reasons for objecting, including issues of fact, law, regulation, or policy, and, if applicable, specifically how the decision violates law, regulation, or policy; and
- 7) Identify the specific change(s) in the decision that the appellant seeks.

Appeals must be filed with the Chief of the Forest Service at either of the following addresses:

For delivery by the U.S. Postal Service *:

Chief, USDA Forest Service
Attn: EMC Staff – Appeals, Stop 1104
1400 Independence Avenue, SW
Washington, D.C. 20250-1104

For delivery by other carriers:

Chief, USDA Forest Service
Attn: EMC Staff – Appeals
201 14th St., SW
3rd Floor Central
Washington, D.C. 20024

* Note: U.S. Postal Service mail is routed through a security facility and may be delayed by several days. To assure that appeals are received within the filing period, appellants may use ground delivery (Fedex, UPS, or similar services) or may hand-deliver appeals between the hours of 8:00 a.m.-4:30 p.m., Monday-Friday.

/s/ Bernard Weingardt

April 3, 2006

BERNARD WEINGARDT
Regional Forester, Responsible Official
Pacific Southwest Region
USDA Forest Service

Date