

Decision Notice & Finding of No Significant Impact Kitchen Creek Helitanker Base Project

**USDA Forest Service
Descanso Ranger District, Cleveland National Forest
San Diego County - California**

Decision and Rationale

Background

The Descanso Ranger District of the Cleveland National Forest is proposing to construct a Helitanker base on National Forest System land in eastern San Diego County. This Helitanker base will be used to house and support up to two Type 1 (heavy) helicopters. The facility would contain two takeoff/landing pads, office space, an aircraft hangar, a warehouse, vehicle parking, fuel truck parking with secondary containment areas, watertanks, and other associated infrastructure. An eight foot tall black chain-link fence will be constructed around the perimeter of the Helitanker base for security purposes. Some security lighting will also be installed in and or around the site. Not all of the buildings may be constructed initially.

The Forest Service has prepared an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) of 1969, and other relevant federal and state laws and regulations. This EA discloses the direct, indirect and cumulative environmental impacts that may result from the implementation of the Proposed Action. It is prepared according to the format established by the Council of Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508).

The purpose of this project is to construct a Helitanker base in order to better protect the southern half of the Cleveland National Forest from wildland fire. Constructing a base will enable quicker response times for Helitankers to areas of the CNF that have historically had long response times.

This project has been identified as mitigation in the Environmental Impact Statement/Record of Decision for the construction of the Sunrise Powerlink, a high voltage electrical transmission line being built through San Diego County, including on lands managed by the US Forest Service (Mitigation F-3a).

The need for this project stems from the fact that although high voltage powerlines themselves do not usually start wildland fires, they do stand as a "significant barrier" to firefighting operations both on the ground and in the air. When a fire burns in the same area as powerlines, the resultant smoke can act as a conduit for electricity to travel from the wires to the ground (known as "arcing"). This poses a life hazard to firefighting personnel working in the area. Under these circumstances, direct suppression actions can rarely be taken in the immediate area of the fire. As a result, fires will necessarily grow larger until firefighters can reengage the fire a safe distance away from the electrical transmission lines. The transmission towers and electrical wires serve as a physical barrier to firefighting aircraft. Aircraft must stay a safe distance away in order to avoid both arcing and impact hazards.

The project proposal is consistent with Forest Plan Goal 1.1: "Improve the ability of southern California communities to limit loss of life and property and recover from the high intensity wildland fires that are a natural part of the state's ecosystem (pg. 19, Part 1, CNF LMP). It is consistent with Forest Goal 1.2.1: "reduce the potential for widespread losses of montane conifer forests caused by severe, extensive, stand replacing fires (pg. 22, Part 1, CNF LMP). It is consistent with National Strategic Plan Goal 1: "reduce

the risk from catastrophic wildfire” (pg. 49, Part 1, CNF LMP). This proposal is consistent with Program Strategy and Tactic FH2: “prevention of fire induced type conversion (pg. 92, Part 2 CNF LMP); and FIRE3: “fire suppression emphasis” (pg. 117, Part 2, CNF LMP).

Area Analyzed

The project is located approximately 25 miles east of Alpine, California on the Descanso Ranger District of the Cleveland National Forest (CNF). The area can be accessed by Kitchen Creek Road, 1.0 miles north of Interstate 8, at mile marker 54. The proposed area is located directly north of a barbed wire fence with a two-track dirt road running along it. The legal location is: Township 17 South, Range 5 East, Section 3 of the San Bernardino Base Meridian.

The size of the constructed Helitanker base is proposed to be approximately 10 acres in size, although some additional smaller impact areas are located outside this main project area. These additional areas will be used for water well drilling, and the running of lines for electricity and communications. Additional areas of impact outside the main 10 acres comprise less than 1 acre.

Decision

I have decided to implement Alternative B -- the Agency Proposed Action as described in the EA. This Alternative includes the construction of a Type 1 Helitanker base, along with the associated supporting facilities. At a minimum, two helipads, an office space, a warehouse space, water tanks, vehicle parking, fuel containment, security fencing and lighting, and required communication and electrical line trenching will occur under this decision. Additional facilities as identified in the EA are also possible to be built in the near-term, depending upon funding. A complete and detailed description of the Alternative I have chosen can be found in Chapter Two of the EA. A map is attached showing the project area.

Other Alternatives Considered

Alternative A – No Action Alternative

Under Alternative A, no activities would have been implemented. This alternative is represented by the existing condition of the project area and is used as a baseline against which to compare the Proposed Action.

Alternative A would result in no change to the aerial fire suppression strategy on the Cleveland National Forest, and would not move toward the desired condition identified in the Facilities Master Plan, nor would it meet the intent of Sunrise Powerlink Mitigation F-3a. This alternative complies with 40 CFR 1502.14(d), which requires that a No Action Alternative be included in the analysis

Public Involvement

A Public Scoping and Public Comment Period was undertaken in order to determine what issues or concerns the public had in regard to this project. Three commenters provided information during the Public Scoping; one commenter provided information during the Public Comment Period. Several issues were brought forth in these written comments, as well as follow-up verbal conversations with some commenters.

A chronology of public involvement is as follows:

- July 1st, 2011. Project proposal added to the 4th quarter Schedule of Proposed Actions.
- August 17th, 2011. Legal Notice of Scoping published in the Union Tribune Newspaper, San Diego, CA.
- August 18th, 2011. Scoping Letter posted to the Cleveland National Forest website for public review.
- August 19th, 2011. Scoping letter mailed to interested parties on the standard CNF mailing list.

January 13th, 2012. Draft EA posted on the CNF website.

January 23rd, 2012. Draft EA documents (hard copy) mailed to three commenters from Scoping, as well as approximately 150 postcards mailed with information about the Legal Notice.

January 24th 2012. Legal Notice of Public Comment Period/ Public Comment Period.

How My Decision Responds To Public Concerns and the Need for Change

This decision was made taking into account the various impacts of action versus no-action. The action involves several resource issue trade-offs.

Several concerns were voiced by members of the public in regards to this project. These concerns were incorporated into the project analysis. Concerns carried through the analysis process include: the potential that invasive plant species could be spread as a result of the project; that the Sole Source Aquifer would be negatively impacted; that key wildlife species and/or their habitats would be negatively affected; and that scenic integrity would be degraded.

I selected Alternative B - the Agency Proposed Action as my decision because it best meets the Purpose and Need described in the EA, and best responds to the issues identified in the EA. Below I outline why I chose this Alternative.

1. Concern that elevated noise levels as a result of Helitanker Base operations will harm wildlife species such as Bighorn Sheep and Golden Eagles.

A full analysis of this identified issue can be found in Chapter Three of the EA. It was determined that there is no suitable habitat for Peninsular Bighorn Sheep in the project area, therefore effects to Bighorn Sheep was not analyzed as an issue.

With regard to Golden Eagles, it was found that the Helitanker base area is not suitable for nesting, and the areas within approximately 100 meters of the Helitanker base may also be rendered unsuitable for foraging due to the noise levels associated with helicopter operations. The nearest known Golden Eagle nest sites are approximately 4 miles northeast along La Posta Road, 4 miles southwest near Lake Morena, and 5 miles north near Glencliff Fire Station. Due to the distance between the known nests and the lack of suitable nesting habitat for Golden Eagles near the project area, it was determined that the Helitanker base is unlikely to affect Golden Eagle nesting activity.

2. Potential for damage to mature oak trees within the project site, including impact to raptor foraging areas.

The agency proposed action will have to impact oak trees of a mature size, however it will be on a limited scale, and the benefits of the project may lead to protection of many more oak trees in the District and County. The proposed area boundary currently contains three mature oak trees, and the proposed area is located adjacent to a small stand of approximately 30 trees. Construction of the Helitanker base would require that the 3 oak trees located within the project area be removed. No additional trees are proposed to require removal at this time. A discussion of the effects of removing these trees is found in the Chapter three, Wildlife and Botanical Resources section.

3. Potential to alter the visual component and increase industrialization of a rural and scenic area, and more.

Constructing this Helitanker base will necessarily change the visual look of the project area, primarily for those Forest users travelling to the Cibbets Flat campground. There may also be a change in the look of the area for vehicle drivers travelling on Interstate 8. However, the Helitanker base is proposed to be located in an area that is near the Cameron Fire Station, a pre-existing Forest Service administrative site. In fact, the Cameron Station will be located between the Helitanker base and the Interstate, which will assist in screening the base.

4. Project is located over an EPA- designated Sole Source Aquifer.

The Kitchen Creek Helitanker base is located on the Campo-Cottonwood Sole Source Aquifer. During the course of this analysis, the EPA was consulted in regards to this potential issue. A discussion of the consultation is found in the Chapter Three, Watershed and Soils section.

Due to the fact that the proposed Helitanker base falls over a Sole Source Aquifer, we initiated consultation with the Environmental Protection Agency (EPA). On November 23rd, 2011, the EPA responded to the USFS by stating that "(b)ecause the proposed project will not receive federal financial assistance, the project is not subject to review under Section 1424(e) of the Safe Drinking Water Act." Despite this finding, due to the inherent value of the aquifer, and the concern raised by several commenters, the Forest Service conducted a review of potential concerns for the contamination of the aquifer by the construction and use of the Kitchen Creek Helitanker base.

A review of the issue determined that because there will be no underground fuel storage, and limited excavation of the site the aquifer will not be negatively affected. The Forest Service takes this issue seriously, and is committed to protecting the quality of municipal water sources here and elsewhere across the Nation.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that this action will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. Context and Intensity

This action occurs on the Descanso Ranger District, Cleveland National Forest. It includes a total of 11 disturbed acres and the creation of permanent infrastructure in the Kitchen Creek watershed.

This project was designed with input from interested parties. This project will help reduce the potential harmful impacts from wildfires by giving fire managers a powerful firefighting tool in an area of the County that has a fuels hazard.

No significant effects on local regional or national resources were identified in the EA. Impacts associated with the project are discussed in Chapter Three of the EA and the project record. None of the direct, indirect, or cumulative effects were identified as being significant.

After careful consideration of the EA and the project record, it is my finding that the effects of this action are not significant. My finding that the impacts are not significant is not biased by the beneficial impacts described in the analysis.

2. Public Health and Safety

This action will improve public health and safety by allowing fires to be suppressed with more efficiency. The Helitanker base will have the additional public safety benefit of being able to be used as a supporting facility for law enforcement actions, such as search and rescue, and other emergency responses.

3. Unique Characteristics of the Area

This action will not adversely affect unique characteristics such as historic or cultural resources, wetlands, or ecologically critical areas. My determination is based on the discussion of effects found in the EA, Chapter Three. There are no parklands, prime lands (forest, farm or range), historic or cultural properties, wilderness or wild and scenic rivers, research natural areas or inventoried roadless areas associated with this action.

4. Controversy

The activities described in Alternative B do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27). I find that while there are opposing opinions regarding the proposed action and alternatives, there is no substantiated scientific controversy over the effects themselves. The opposing opinions related to the Purpose and Need were addressed during alternative development and are discussed in Chapter Three of the EA. I find the effects on the human environment are not highly uncertain, are unlikely to involve unique or unknown risks and are not likely to be highly controversial and are, therefore, not significant.

5. Uncertainty

The action described in my decision will not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1580.27). This action is similar to actions taken on many National Forests in Southern California, and throughout the United States.

Pertinent scientific literature has been reviewed and incorporated into the analysis process and the technical analyses conducted for determinations on the impacts to the resources are supportable with use of accepted techniques, reliable data and professional judgment. Issues of public concern and possible environmental effects of the selected alternative have been adequately addressed in the analysis of this decision. Therefore, I conclude that there are no highly uncertain, unique or unknown risks.

6. Precedent

My decision to implement the action included in Alternative B does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. This action is consistent with Forest Service direction contained in the 36 CFR Parts 215, 216, 219, 251, and 261. Similar actions have been implemented across National Forest System Lands. Any future proposals for infrastructure development on the Cleveland National Forest will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7. Cumulative Impacts

The decision was evaluated in the context of past, present, and reasonably foreseeable actions. The cumulative effects of this action are described in the EA – Chapter 3. This action does not individually, nor with other activities taken cumulatively within the area affected, reaches a level of significance as discussed in Chapter Three of the EA. This is primarily based on the predicted effects from the modest level of overall change that would occur as a result of the Helitanker Base being constructed.

8. Properties On or Eligible for the National Register of Historic Places

I find the action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The State Historic Preservation Office has been consulted with and concurs with the agency's finding of no significant impact. I find the action will not cause loss or destruction of significant scientific, cultural, or historical resources.

9. Endangered or Threatened Species or Their Critical Habitat

The action will not adversely affect any endangered or threatened species or their critical habitat (Endangered Species Act of 1973). No critical habitat for species occurs in the project area.

10. Legal Requirements for Environmental Protection

The action will not violate Federal, or applicable State and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Cleveland National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

Consistency with Forest Plan - This decision, as designed and with mitigation and management requirements, and based on the EA, is consistent with the Cleveland National Forest Plan goals and objectives, and standards and guidelines. This decision to construct a Helitanker base in the project area is consistent with the intent of the Forest Plan's long term goals and objectives listed.

National Environmental Policy Act - The EA and DN/FONSI document are in compliance with NEPA and the Council on Environmental Quality regulations (40 CFR 1500-1508) for implementing NEPA.

Endangered Species Act - This decision is consistent with the Endangered Species Act. A Biological Assessment and Biological Evaluation were completed for TEPC species. A no effect determination was made for all species. Due to the current status of each species, consultation was not required with U.S. Fish and Wildlife Service.

Clean Water Act - This decision is consistent with the Clean Water Act and amendments. No wetlands are involved and therefore no permit is required from the U.S. Army Corps of Engineers. No State permit for streambed alteration is required because no streambeds are involved in the project.

Executive Order 11990 of May 1977 (Wetlands) - This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts will result. Based on discussions in Chapters 3 of the EA and the Project Record concerning wetlands, the decision complies with EO 11990 by maintaining and restoring riparian conditions.

Executive Order 11988 of May 1977 (Floodplains) - This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by flood plains. Based on discussions in Chapters 3 of the EA and the Project Record concerning floodplains, the decision complies with EO 11998 by maintaining floodplain integrity.

Environmental Justice - This decision was assessed to determine whether it would disproportionately impact minority or low-income populations, in accordance with Executive Order 12898. No impacts to minority or low-income populations were identified during scoping or the effects assessment.

Decision and Implementation Date

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at: Randy Moore, Regional Forester, USDA Forest Service, Regional Office R5, 1323 Club Drive, Vallejo, CA 94592, fax: (707) 562-9229.

Contents of an appeal must meet the requirements of 36 CFR 215.14. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the notice in the San Diego Union Tribune, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Union Tribune, newspaper of record, San Diego, CA, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted comments during the comment period specified at 36 CFR 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Stephen Fillmore – Interdisciplinary Team Leader via email at: sfillmore@fs.fed.us, by mail 10845 Rancho Bernardo, Suite 200, San Diego, CA, 92127, or by phone at (858) 673-6180.

/s/ 

DONN CHRISTIANSEN
Descanso District Ranger



Date

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