

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT
for
SAGEHEN PROJECT

USDA Forest Service, Pacific Southwest Research Station
Tahoe National Forest, Truckee Ranger District
Sagehen Experimental Forest
Nevada and Sierra Counties, California

DECISION AND REASONS FOR THE DECISION

Background

Most of the Sagehen Project is located within the Sagehen Experimental Forest, which lies within the Truckee Ranger District of the Tahoe National Forest. The experimental forest is under the management and direction of a partnership between the Forest Service's Pacific Southwest Research Station (PSW) and the Tahoe National Forest (TNF), in strong collaboration with the University of California (UC) at Berkeley, which manages the Sagehen Creek Field Station in the center of the Basin under a Special Use Authorization. Experimental forests and ranges are intended to be living laboratories where Forest Service scientists and collaborators conduct research and demonstrate research results through experimental approaches that examine various land management and conservation strategies. These lands offer one of the few opportunities to conduct manipulative, innovative research that will produce scientific knowledge required for the stewardship of the Nation's natural resources.

The Sagehen Basin has been a managed forest for many decades. The contemporary condition of the forest in this area is a result of past forest management practices that are typical of conditions found throughout much of the Sierra Nevada. As such, the Sagehen Experimental Forest, with the wealth of scientific data that has been generated by researchers over the past several decades, provides rich opportunities for examining key relationships between stand density, risk of drought-related stress and mortality, and forest resiliency to disturbance, and how these relationships influence habitats for wildlife and plant species.

As described in the Sagehen Project Environmental Assessment (EA), planning for the Sagehen Project has been a unique undertaking, combining collaboration, science, and forest management in an interactive and novel way. The project is the result of an extensive collaborative effort to design an integrated, innovative approach for applying the most recent science to enhance marten habitat, restore forest stand ecological conditions, and manage fire and fuels on national forest lands within the Sagehen Experimental Forest and adjacent Tahoe National Forest. This collaborative effort has included countless hours of fieldwork, analyses, meetings, and document reviews by all involved. The extensive efforts by all stakeholders to work hard and work together have resulted in a well-designed, broadly supported project. The collaboration group was very engaged, which helped drive the innovation and creative solutions to issues that, in some cases, were perceived as mutually exclusive. Although not always an easy process, it was a positive experience for the Tahoe National Forest and the Pacific Southwest Research Station. The working relationships forged throughout the collaborative process are ones we hope to build upon in the future.

Decision and Rationale

We have read the Sagehen Project Environmental Assessment (EA), reviewed the analysis in the project file, including documents incorporated by reference (listed on page 290 of the EA), and fully understand the environmental effects disclosed therein. After careful consideration of the analysis, applicable laws, the Forest Plan, public comments, and relevant scientific information, we have decided to select Alternative 1, which is fully described in the EA on pages 17 through 23, pages 27 through 57, and pages 64 through 67 with standard management requirements detailed in Appendix A.

Alternative 1 is specifically designed to: (1) reduce hazardous fuel loadings and modify landscape scale wildland fire behavior; (2) maintain and enhance habitat for the marten and other wildlife species associated with late seral forest habitat; (3) create heterogeneous forest stand conditions that would be expected to develop under an active fire regime; (4) enhance the ecological role of fire; and (5) restore declining aspen stands.

We are excited to put forth a project that incorporates the concept of establishing a pattern of strategically placed area treatment (SPLATs) across a landscape in order to modify landscape-level wildfire behavior, while at the same time testing innovative ideas related to forest management, particularly in eastside forest stands. This project is designed to apply vegetation and fuels management approaches that are congruent with principles put forth in *An Ecosystem Management Strategy for Sierran Mixed-Conifer Forests* (North et al. 2009), also referred to as General Technical Report (GTR) 220. The Report's recommendations are aimed at enhancing forest resiliency, increasing stand and landscape scale heterogeneity, restoring the ecological role of fire to the landscape, and maintaining habitat for sensitive wildlife species. For the Sagehen Project, objectives for sensitive species management are focused on providing high quality marten habitat; providing protection for northern goshawk and California spotted owl protected activity centers (PACs); retaining and recruiting large trees and crown cover; maintaining and developing areas with dense, multilayered canopy conditions as well as areas that provide early seral conditions suitable for prey species; maintaining and recruiting trees with structure to support cavity development or platforms for denning, nesting, and resting sites; and maintaining and recruiting large dead wood features, such as snags and down logs.

Implementation of Alternative 1 will:

(1) Reduce hazardous fuel loadings across approximately 2,621 acres in the Sagehen Project Area using mechanical, manual, and prescribed fire vegetation treatments. Reduced fuel loading and strategic placement of the treatment units and prescriptions throughout the project area will reduce wildland fire intensity and modify landscape scale wildland fire behavior.

(2) Maintain and enhance habitat for the marten and other late seral forest species across the Project Area through emphasis area-specific treatment prescriptions aimed at retaining larger trees, higher canopy cover levels, and dense cover areas, particularly in existing high quality marten habitat; maintaining and recruiting key habitat features, including trees with decadent features, snags, and large down logs; and creating early seral openings to provide habitat for prey species.

(3) Develop forest stand conditions that would be expected to develop under an active fire regime through emphasis area-specific treatment prescriptions focused on creating heterogeneous forest stands. Prescription objectives for forest stand species mixes, structures, and densities vary depending on topographic variables, such as slope position, aspect, and slope steepness.

(4) Implement mechanical and manual vegetation treatments on approximately 2,621 acres in the Sagehen Project area, which will help reduce the intensity of future wildland fires, thereby maximizing ecological benefits and minimizing risk of stand replacing fires.

(5) Re-introduce fire into the ecosystem within the Sagehen Project area by treating approximately 2,350 acres with prescribed burning.

(6) Enhance six acres of aspen stands where they occur in existing treatment units.

(7) Stabilize and restore approximately 1.0 mile of road to a more natural state through decommissioning and re-contouring the roadbed to a hydrologically neutral state. In addition this road work will, in combination with the aspen improvement prescription, restore fen and wetland hydrology on approximately three acres.

The reasons for our decision are anchored in the needs for action, described in Chapter 1 of the EA (pages 13 through 16). Large, uncharacteristically severe wildfires have occurred in and around the Sagehen Basin, most notably the 1960 Donner Ridge Fire, which burned the southeastern one-third of the Basin. The majority of the Basin has not burned for decades, and the accumulation of forest fuels is creating the potential for a large, severe wildland fire. A rapidly spreading wildfire in the Basin would adversely affect numerous ecological values, including high quality late seral habitat for the marten, California spotted owl, and northern goshawk as well as unique habitats, including aspen stands and fens. Such a fire could have substantial adverse effects on riparian habitats and water quality in Sagehen Creek and its tributaries, the waters of which enter the Little Truckee and Truckee Rivers. The State of California has listed the Truckee River as being "water quality limited" under Section 303 (d) of the Clean Water Act, and Sagehen Creek has been recommended for designation as a Scenic River under the Wild and Scenic River Act (USDA, 1999). Finally, the Sagehen Basin is eligible for listing as a National Historic District; a severe wildland fire would likely adversely affect the numerous cultural resources in the Basin. Our decision focuses on the need to change the outcome of such a fire in the Sagehen Basin. If and when the Sagehen Project area burns in a wildfire, the thoughtfully planned and implemented fuels management actions that are part of this decision will create conditions where fire behavior would be moderate, and fire effects would be largely beneficial rather than destructive.

Critical to our decision is the need to maintain and enhance habitat for the marten and other sensitive species associated with late seral forest conditions. The most recent marten study in the Sagehen Basin (Moriarty et al. 2011) documented a dramatic decrease in marten occurrence as compared to results from earlier studies. This information accentuates the need to maintain and enhance marten habitat within the Basin over both the short and long term. Because high value marten habitat represents habitat components and conditions that are important to other late seral species, such as the northern goshawk and California spotted owl, maintaining and enhancing conditions for marten, along with protecting PACs, will also maintain and enhance habitat conditions for goshawks and spotted owls. Our decision is based on a maintaining and enhancing a landscape configuration of areas of high value habitats (such as reproductive, resting, foraging, and nesting habitats) combined with other habitat types (such as more open areas that provide habitat for prey species). This decision will retain and enhance the Basin's high value habitats for marten, goshawk, and spotted owl by: (1) retaining and recruiting large trees and crown cover; (2) retaining dense cover areas (DCAs) that currently provide dense, multilayered tree and vegetation conditions; (3) creating small areas that serve as early seral habitat for prey species; (4) maintaining or restoring connectivity across or around areas of unsuitable habitat; (5) retaining and recruiting trees with decay and/or "defect" structures to support cavity development or platforms for denning, nesting, and resting

sites; and (6) retaining and recruiting large and small dead wood features, such as snags, high stumps/short snags, and down logs, in various configurations.

Our decision will implement management actions aimed at creating heterogeneous forest stands expected to develop under an active fire regime. Enhancing forest heterogeneity at both the stand- and landscape-scale; reducing stand densities in certain locations; and modifying tree species composition, for example, by favoring more fire resilient pines on south facing slopes, will create a more heterogeneous landscape in which remaining trees and stands will be better able to cope with drought stress, insect infestation, and disease outbreaks. Climate change is anticipated to aggravate these stressors, and this decision will to develop stands in the Sagehen Basin that will be more resilient under anticipated future conditions.

We believe that meeting the Sagehen Project's objectives for reducing hazardous fuels, modifying landscape-scale fire behavior, maintaining and enhancing habitat for the marten and other sensitive species, creating heterogeneous forest stand conditions, enhancing the ecological role of fire, and restoring declining aspen stands are important and necessary endeavors. We acknowledge that some reduction in canopy cover is expected; however, implementation of Alternative 1's treatment prescriptions will maintain and enhance key habitat for the marten and other late seral wildlife species while reducing the potential for a large, uncharacteristically severe wildfire in the Sagehen Basin.

Further reasons for selecting Alternative 1 include the following:

(1) Alternative 1 achieves the purpose and need for taking action (described on pages 13 through 16 of the EA) in the most responsible and effective manner, particularly when compared to the other action alternative (Alternative 3) and the no action alternative (Alternative 2).

(2) Alternative 1 implements Tahoe National Forest Plan standards and guidelines, consistent with the *Tahoe National Forest Land and Resource Management Plan* (1990) as amended by the *Sierra Nevada Forest Plan Amendment* (2004) and the *Sierra Nevada National Forests Management Indicator Species Amendment* (2007). A non-significant forest plan amendment is needed for the mechanical treatments that will be implemented in a portion of the Northeast (NE) Sagehen goshawk protected activity center (PAC). Alternative 1 includes mitigation measures in the form of standard management requirements (referenced in the EA on page 64 and detailed in Appendix A), riparian area conservation guidelines (EA, Appendix D), and Best Management Practices (BMPs) for protecting water quality (EA, Appendix A). These measures ensure that potentially adverse effects on forest resources are minimized or avoided.

(3) Environmental analyses of the potential effects of Alternative 1 on forest resources (including forest stands; fuels and fire behavior; habitats for Management Indicator Species; Threatened, Endangered, and Sensitive species and their habitats; soil productivity; water quality and riparian areas; and cultural and historical resources) demonstrates that implementing Alternative 1 will have minimal adverse impacts, and, in some cases, result in beneficial effects, on these resources.

(4) We have considered the degree to which this project's actions add cumulative effects to the various natural resources in and around the Project Area. We believe that the standard management requirements that are included in the Alternative 1 will reduce effects from this project to a level of non-significance for all affected resources, while still accomplishing the purpose and need for the Project.

During the comment period, we heard concerns about the potential effects associated with mechanically treating a portion of the Northeast (NE) Sagehen goshawk protected activity center (PAC) and the risk that treatments could result in marten habitat fragmentation. To address these concerns, the interdisciplinary

team fuels specialists conducted additional fire/fuels analyses and the wildlife biologist worked with the province ecologist to analyze potential marten habitat fragmentation associated with the Sagehen Project's treatments. To document these analyses, an addendum to the Sagehen Project Fire/Fuels Report was prepared, and the Biological Evaluation (BE) for terrestrial wildlife was expanded to further discuss effects of the Sagehen Project on potential marten habitat fragmentation. As a result of the additional fire/fuels analyses, we have decided to move forward with implementing the mechanical treatments in approximately 160 acres of the NE Sagehen goshawk PAC (Unit 38) while deferring treatment in the 32 acres of nest core habitat (Unit 39), which was initially proposed for underburning. In addition, we have added an explicit NE Sagehen goshawk PAC monitoring strategy to Alternative 1 as well as monitoring to record key marten habitat features (decadent feature enhancement, dense cover areas, snags, and large down logs) based upon marking records and design layout to better inform the characterization of habitat fragmentation risk associated with project implementation.

Sierra Forest Legacy requested that the Forest Service, Pacific Southwest Research Station and UC Berkeley create a written, binding instrument in 2013 that committed the parties to two rounds of post-treatment monitoring for marten occurrence and habitat use in Sagehen Basin. We recognize that the Sagehen Project is unique, with its location within an experimental forest and its landscape-level treatments and objectives to reduce hazardous fuel loading and modify landscape-scale fire behavior, create heterogeneous forest stand conditions expected to develop under an active fire regime, and maintain and enhance habitat for sensitive species, particularly the Pacific marten and northern goshawk. The Pacific Southwest Research Station (PSW) and the Tahoe National Forest (TNF) agree, in principle, to collaborate on post-treatment monitoring, with design lead from PSW, that includes assessing the occupancy status of existing goshawk PACs and conducting a marten survey during the summer and winter after the final unit is treated. The relative contributions of personnel and funding from PSW and the TNF would be determined and negotiated at a later date. We recognize the importance of species monitoring following treatments, and we commit to explore and attempt to secure sources of funding for this work. Finally, using collaborative expertise from both branches of the Agency and to the extent funding allows, we would track the amount and distribution of predicted high quality habitat for marten in the Sagehen Basin over time and provide for a Basin-wide analysis of the connectivity of predicted high quality marten habitat.

In summary, we have carefully considered and responded to concerns raised by the public in the Responses to Comments section (attached to this Decision Notice/FONSI) and have, in some cases, added to the analyses in the EA and supporting resource specialist reports to ensure these potential effects have been adequately explored and disclosed. We believe Alternative 1 strikes a responsible balance between meeting the needs to take action, as described above, while addressing public concerns regarding the potential adverse effects associated with vegetation and fuels management activities.

ALTERNATIVES CONSIDERED

Three alternatives were considered in detail: **Alternative 1- the Proposed Action** (as described in the Sagehen Project EA), **Alternative 2 - No Action**, **Alternative 3 - Non-commercial Funding Alternative**.

Alternative 2 - No Action Alternative

Alternative 2 (no action) will not respond to the purpose and need. Specifically it does not reduce hazardous fuel loadings or modify landscape scale wildland fire behavior; enhance habitat for marten and other late seral forest species; create heterogeneous forest stand conditions; enhance the ecological role of fire; nor restore declining aspen stands. In addition, this alternative does not provide for testing new forest management practices in an experimental forest setting, implement actions congruent with GTR 220

recommendations, nor test the fuels strategy delineated in a 2007 UC Berkeley study, which is dependent upon post-treatment fuels data. This alternative results in a greater potential for the area's resources to be adversely impacted by an uncharacteristically severe wildfire.

Alternative 3 - Non-commercial Funding Alternative

Alternative 3 was developed in accordance with Eastern District Court Judge England's November 4, 2009 order for Case 2:05-cv-00205-MCE-GGH. The order requires the Forest Service to analyze a non-commercial funding alternative in detail for all new fuel reduction projects not already evaluated and approved as of November 4, 2009. To develop this alternative, the proposed treatment areas were revisited to determine (a) if a beneficial fuel treatment was possible and (b) what those treatments would be. A total of approximately 1,132 acres were proposed for hazardous fuels reduction treatments under Alternative 3. In order to keep implementation costs to around \$1million, the most critical units in need of treatment to meet the Project's hazardous fuels reduction objectives were included in Alternative 3. (Including the fuels reduction only prescriptions for all of the proposal's treatment units would have doubled the estimated \$1 million implementation cost.)

The treatments identified only partially meet the purpose and need for the Sagehen Project by reducing hazardous fuel loadings across approximately 1,132 acres with mechanical, manual, and prescribed fire vegetation treatments. The treatments are concentrated around the Sagehen Field Station for protection of improvements. Wildland fire intensity would be less in treated areas, but would remain high in untreated areas. Insufficient acres are treated under this alternative to modify landscape scale fire behavior. The risk of high intensity, stand replacing fires would remain high in the Project Area under Alternative 3.

In addition, other identified project needs would not be completely addressed. While this alternative does not propose treatments in much of the identified high quality habitat for marten and other late seral forest species and maintains most of this habitat in its current condition, opportunities are lost for management to enhance habitat for marten and other late seral forest species. Vegetation treatments are designed for hazardous fuels reduction objectives only. Heterogeneous forest stand conditions expected under an active fire regime are not created. This alternative was not designed to enhance the ecological role of fire.

This alternative also does not provide for testing new forest management practices in an experimental forest setting, implement actions congruent with GTR 220 recommendations, nor fully test the fuels strategy delineated in a 2007 UC Berkeley study, which is dependent upon post-treatment fuels data. This alternative results in a greater potential for the area to be impacted by uncharacteristically severe effects in the event of a wildfire.

PUBLIC INVOLVEMENT

As discussed above and in the EA, the proposed action was developed through an extensive collaborative effort with numerous stakeholders. This effort included ten formal collaboration meetings, some of which were field meetings; dozens of informal committee/subgroup meetings; and numerous emails/contacts regarding requests for feedback, reviews, information sharing, and comment submission. One purpose of this effort was to identify potential issues from all interested parties and design a project that addressed issues and concerns from the beginning. This effort and all the stakeholders involved provided the basis for the project's mailing lists. The project mailing list is included in Chapter 4 of the EA.

The Sagehen Project proposal has been published in the Tahoe National Forest's quarterly Schedule of Proposed Actions (SOPA) since January 2005. The proposal was provided to the public, other agencies, and

all stakeholders participating in the collaboration effort for scoping, beginning on November 23, 2011. A scoping legal notice was published in the newspaper of record, Grass Valley's *The Union*, on November 23, 2011 as well. To provide notice to local interests, an additional notice was published in the *Sierra Sun*, Truckee, California on November 23, 2011. In total, the notice for scoping was mailed to 125 potentially interested citizens and agencies, including three notices to the Washoe Tribe of Nevada and California (Washoe Tribe). Scoping comments were accepted and incorporated throughout the entire environmental planning and analysis process.

In March 2013, a notice of the availability of the preliminary EA was mailed to those who had participated in project planning and/or the collaboration process, expressed interest in the project, or requested notification about the project. The preliminary EA and all specialist reports were posted to the Tahoe National Forest's website. Hard copies of all materials were mailed to one interested stakeholder and to the Washoe Tribe. The legal notice of the 30-day opportunity to comment was published in Grass Valley's *The Union* on March 6, 2013 as well as the *Sierra Sun* on March 6, 2013. We considered and responded to these comments; the responses to these comments are attached as an appendix to this decision.

Notification of this decision will appear in *The Union*, the newspaper of record, and the *Sierra Sun*. This decision document will be distributed specifically to those who have requested it or submitted comments during the 30-day comment period, as well as to the stakeholders involved with this project. This DN/FONSI and the EA and supporting documents will be posted to the Tahoe National Forest's website and hardcopies will be made available upon request.

FINDING OF NO SIGNIFICANT IMPACT

We have determined that this action will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed. This determination is based on the effects analysis documented in the Sagehen Project EA, which is hereby incorporated by reference, and considers the following factors listed in 40 CFR 1508.27:

(a) **Context** - This project would not pose significant effects either in a local context or in the broader context of the Tahoe National Forest (EA, pages 73 through 74).

(b) **Intensity**

1. **Beneficial and adverse impacts.** Benefits of this project were not used to offset adverse impacts, and adverse impacts of this project are not significant even when separated from the benefits. See EA pages 73 through 227.
2. **The degree to which the Proposed Action affects public health or safety.** Implementation of this project will not cause any significant effects relative to public health and/or safety. See EA pages 227 through 229.
3. **Unique characteristics of the geographic area.** This project would not have any significant effects on unique characteristics of the geographic area. See EA pages 229 through 230.
4. **The degree to which the effects on the human environment are likely to be highly controversial.** Public involvement has not identified any legitimate scientific controversy regarding the effects of this project. See EA page 231.

5. ***The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*** Effects of implementing the selected alternative are not highly uncertain, nor do they represent unique or unknown risks. See EA page 231.
6. ***The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*** This action does not establish a precedent for future actions or represent a decision about future management considerations. See EA page 231.
7. ***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*** This action would not cause any significant cumulative, environmental impacts. See EA pages 231 through 270.
8. ***The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources.*** This action would not pose any significant adverse effects on cultural or historical resources. See EA page 271.
9. ***The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*** The selected alternative would not affect any federally threatened or endangered species or their designated critical habitat. The selected alternative will not cause a trend toward Federal listing or a loss of viability for any Forest Service Pacific Southwest Region Sensitive Species. See EA pages 272 through 273.
10. ***Whether the action threatens a violation of Federal, State, or local law or other requirements imposed for the protection of the environment.*** The selected alternative conforms to all applicable Federal, State, and local laws and requirements. See EA pages 274 through 285.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

We find that all actions included in Alternative 1 (with the exception of the objectives for mechanically treating the NE Sagehen goshawk PAC, as discussed below) are consistent with direction in the *Tahoe National Forest Land and Resource Management Plan* (1990) as amended by the *Sierra Nevada Forest Plan Amendment* (2004) and the *Sierra Nevada National Forests Management Indicator Species Amendment* (2007). A non-significant forest plan amendment (described below) is necessary for the mechanical treatments in the NE Sagehen goshawk PAC. All actions meet *National Forest Management Act (NFMA)* requirements detailed in 36 CFR 219.27.

The project is in full compliance with the Endangered Species Act, the Clean Air Act, the Clean Water Act, and the National Historic Preservation Act.

Non-Significant Forest Plan Amendment

Under the selected alternative (Alternative 1), mechanical treatments will be conducted within a portion of a northern goshawk protected activity center (PAC) to implement the following silvicultural prescriptions: variable thin, legacy tree treatment, suppressed cut, early seral opening, and dense cover area. In addition, decadent feature enhancement and underburning treatments will be conducted in a 160-acre portion of this PAC under Alternative 1.

The affected PAC (the NE Sagehen Goshawk PAC (D57T23)) falls entirely within a wildland urban intermix (WUI) threat zone. *Sierra Nevada Forest Plan Amendment Record of Decision* (SNFPA ROD, 2004) Standard and Guideline #72 states: "In PACs located in WUI threat zones, mechanical treatments are allowed where prescribed fire is not feasible and where avoiding PACs would significantly compromise the overall effectiveness of the landscape fire and fuels strategy. Mechanical treatments should be designed to maintain habitat structure and function of the PAC." (2004 SNFPA ROD, pg. 60). In addition, Forest Plan direction for mechanical thinning treatments within PACs states, "...where treatment is necessary, remove only material needed to meet project fuels objectives. Focus on removal of surface and ladder fuels." (2004 SNFPA ROD, Standard and Guideline #7, pg. 51).

Under Alternative 1, the portion of the NE Sagehen PAC encompassed within treatment unit #38 will be mechanically treated as part of the Sagehen Project's landscape fire and fuels strategy. (Refer to the Fire/Fuels Report Addendum (April 29, 2013) for the analysis of treating Unit 38 as part of the Project's landscape fire and fuels strategy.) However, a Forest Plan amendment is needed because the mechanical treatments in this PAC are designed to meet objectives beyond simply reducing hazardous fuels as part of a landscape fire and fuels strategy and would remove material beyond that needed to solely meet fuels reduction objectives. The treatments are based on principles from GTR-220 (North et al. 2009), with specific objectives to not only reduce hazardous fuels but also improve wildlife habitat for mature forest associated species, such as the goshawk. The treatments are aimed at promoting forest resiliency and patch-scale heterogeneity to meet marten habitat enhancement and stand-level ecological restoration objectives. Specific treatments include variable thinning and legacy tree treatments to promote the development and growth of larger trees; early seral openings and dense cover areas to promote forest heterogeneity; and decadent feature enhancement to increase snag densities.

Mechanical thinning treatments within this PAC will meet the forest-wide standards for mechanical thinning treatments (SNFPA ROD, pp. 50 through 51), consistent with Standard and Guideline #73 direction that treatments in PACs (outside a 500-foot radius around the activity center) meet the forest-wide standards and guidelines for mechanical thinning (SNFPA ROD, pg. 60).

The amendment applies to the portion of forest-wide Standard and Guideline #7 that requires mechanical treatments in PACs remove only material needed to meet project fuels objectives. The amendment will allow for mechanical treatments aimed at not only reducing hazardous fuels but also promoting forest resiliency and patch-scale heterogeneity in NE Sagehen Goshawk PAC (D57T23) under the Sagehen Project. The National Forest Management Act (NFMA) requires that proposed forest plan amendments be evaluated for whether they would constitute a significant change in the long-term goods, outputs, and services projected for the national forest. The following criteria are used to determine the significance of forest plan amendments (Forest Service Manual 1926.51-52).

1. Actions that do not significantly alter the multiple-use goals and objectives for the long-term land and resource management. The amendment is consistent with the Forest Plan goals to "protect, increase, and perpetuate desired conditions of old forest ecosystems and conserve species associated with these ecosystems while meeting people's needs for commodities and outdoor recreation activities" (SNFPA ROD, pg. 31). Including objectives for protecting and enhancing marten habitat and promoting stand-level ecological restoration for mechanical treatments within the NE Sagehen goshawk PAC for this single project will not significantly alter, and will be consistent with, Forest Plan goals and objectives to provide habitat for old forest dependent species in the long-term (SNFPA ROD, pg. 6).

Mechanical treatments to be conducted in the NE Sagehen Goshawk PAC include variable thinning, legacy tree treatment, suppressed cut, decadent feature enhancement, and creation of early seral openings. Other treatments in this PAC include retention of dense cover areas and underburning. Under Alternative 1,

approximately 132 acres of nesting habitat and 7 acres of foraging habitat would be mechanically treated. Out of 132 acres of suitable nesting habitat, 93 acres would change from CWHR 4D to 4M post-treatment, and 39 acres of CWHR 4M would remain 4M post-treatment. Mechanical treatments would change canopy cover in the portion of Unit 38 that lies within the PAC (160 acres) from 71 to 50 percent, resulting in a short-term reduction in habitat quality. However, all treated habitat would remain suitable goshawk habitat following treatments.

Understory vegetation would become more open as a result of the thinning treatments and underburning, which would provide more open forest conditions preferred for hunting by goshawks. Legacy tree treatments would promote the growth of larger trees, which would provide more nesting structures. Decadent feature enhancements would enhance prey habitat and goshawk roosting/resting habitat by increasing the abundance and distribution of snags. Overall, when considered together, all the various treatments, including retention of dense cover areas and creation of early seral openings, would provide increased horizontal and vertical diversity that would be beneficial to goshawks for nesting and foraging in the long term.

2. Adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management. This amendment will not change management area boundaries or management prescriptions. The amendment will not trigger changes in the classification and management of northern goshawk PACs on the Tahoe National Forest. Ultimately, this amendment supports achievement of multiple-use goals for reducing hazardous fuels, protecting and enhancing habitat for the marten, and providing for stand-level ecological restoration while maintaining and improving the habitat structure and function of the treated goshawk PAC.

3. Minor changes in standards and guidelines. The amendment makes a one-time, minor change in the forest-wide standard and guideline for mechanical thinning treatments, specifically in PACs (SNFPA ROD, Standard and Guideline #7, pg. 51). (While this standard and guideline specifically refers to California spotted owl PACs, other standards and guidelines for California spotted owl and northern goshawk PACs (SNFPA ROD, pp. 59 through 61) indicate that this standard and guideline also refers to treatments in northern goshawk PACs.) The amendment accommodates objectives aimed at protecting and enhancing habitat for the marten (and other old forest associated species, including the goshawk) and providing ecological restoration at the stand level. As described under Item #1 above, the treatments in the NE Sagehen PAC under Alternative 1 would provide increased horizontal and vertical diversity that would be beneficial to goshawks for nesting and foraging in the long term.

4. Opportunities for additional projects or activities that will contribute to achievement of the management prescription. With the exception of a minor change to SNFPA ROD forest-wide standard and guideline #7 to allow treatments in a PAC under the Sagehen Project to meet project objectives aimed at benefitting long-term habitat conditions for the marten and other old forest species, including the northern goshawk, Sagehen Project activities are consistent with all existing Forest Plan standards and guidelines for PACs, including avoiding mechanical treatments in the Sagehen Project Area's four other goshawk PACs and applying limited operating periods. This approach of focused treatment in one PAC as part of the landscape-level fuels strategy and to meet marten habitat protection and improvement objectives while avoiding treatments in other PACs would contribute to achieving the Forest Plan's overall goal of "sustaining viable populations of at-risk species associated with old forest ecosystems well-distributed across Sierra Nevada national forests" (SNFPA ROD, pg. 31).

The NE Sagehen goshawk PAC has been continuously monitored for occupancy since the activity center was discovered in 2011. Under this decision, the PAC will be monitored to protocol for 2 years following completion of the mechanical treatments in Unit 38. If this PAC is found to be unoccupied after the first year's survey, suitable goshawk habitat within the Sagehen Basin north of Sagehen Creek will be monitored the following year to assess goshawk presence.

5. Changes that would significantly alter the long-term relationship between levels of multiple-use goods and services originally projected (36 CFR 219.10(e)). This amendment does not alter the long-term relationships between the levels of goods and services projected by the 1990 *Tahoe National Forest Land and Resource Management Plan* as amended by the *Sierra Nevada Forest Plan Amendment Record of Decision* (2004) and the *Sierra Nevada Forests Management Indicator Species Amendment* (2007). This amendment constitutes a minor change to a portion of a standard and guideline for one goshawk PAC (the NE Sagehen goshawk PAC) under the Sagehen Project only. As such, this amendment would not alter the long-term relationship between levels of multiple-use goods and services originally projected in the Forest Plan.

6. Changes that may have an important effect on the entire forest plan or affect land and resources throughout a large portion of the planning area during the planning period. This amendment would affect a small portion (approximately 0.8 percent or 1 out of 128 PACs) of the Tahoe National Forest's existing goshawk PACs. In addition, implementation of the Forest Plan's standards and guidelines for minimizing disturbance to breeding goshawks and minimizing impacts to goshawk habitat in PACs under the Sagehen Project would have an overall beneficial effect of minimizing disturbance to goshawks and their habitat in the Sagehen Basin. This amendment does not change land allocations or management direction for other elements of the Forest Plan. It would reduce the quality of suitable goshawk habitat in a small portion (approximately 0.5 percent or 139 out of 27,492 acres) of the overall acreage in goshawk PACs across the Tahoe National Forest. This reduction in habitat quality would be a short-term effect. The proposed amendment does not affect the entire Forest Plan, nor does it affect land and resources throughout a large portion of the planning area during the planning period.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

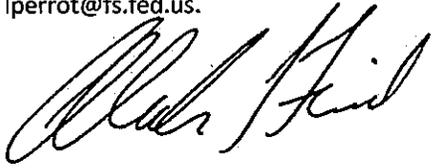
This decision is subject to appeal pursuant to the regulations in 36 CFR §215. Individuals or organizations who submitted comments or otherwise expressed interest in the project during the comment period specified at §215.6 may appeal this decision. Appeals must be filed within 45 days following the date of the published legal notice of this decision in Grass Valley's *The Union* newspaper. The publication date of the legal notice in *The Union* is the exclusive means for calculating the time to file an appeal (§215.15 (a)), and those wishing to appeal should not rely upon dates or timeframe information provided by any other source. Notices of appeal must meet the requirements in 36 CFR §215.14. A statement of appeal, including attachments, must be filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the Appeal Deciding Officer, Regional Forester, 1323 Club Drive, Vallejo, California, 94592. The office business hours for those submitting hand-delivered appeals are 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to appeals-pacificsouthwest-regional-office@fs.fed.us. 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.

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision may begin on, but not before, the 5th business day following the close of the appeal filing period (36 CFR §215.9). When an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of appeal disposition (36 CFR §215.9). In the event of multiple appeals, the implementation date is controlled by the date of the last appeal disposition.

Contact Person

For further information concerning this decision or the Forest Service appeal process, contact: Kris Boatner, District NEPA Coordinator, Truckee Ranger District, 10811 Stockrest Spring Rd. Truckee, California 96161, (530) 587-3558, ex 255, kboatner@fs.fed.us or Laurie Perrot, Forest Environmental Coordinator, Supervisor's Office, 631 Coyote Street, Nevada City, California 95959, (530) 478-6244, lperrot@fs.fed.us.



Alexander L. Friend
Responsible Official, Director
Pacific Southwest Research Station

06 MAY 13

Date



Tom Quinn
Responsible Official, Forest Supervisor
Tahoe National Forest

5/6/13

Date

Attachment: Responses to Comments

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