

Decision Notice and Finding of No Significant Impact

USDA Forest Service

Bald Fire Salvage and Restoration Project

Hat Creek Ranger District, Lassen National Forest

Lassen & Shasta County, California

Background

The Bald Fire was started by lightning on July 30, 2014 and burned a total of 39,832 acres before being controlled on September 15, 2014. Of the total acreage, 31,324 were on National Forest System (NFS) lands. There are approximately 8,500 acres of Bureau of Land Management (BLM), State, and privately owned land within the fire perimeter. The Bald Fire Salvage and Restoration Project (Bald Project) is located approximately 14 miles southeast of Fall River Mills, California. The legal location for the Bald Project includes portions of Township (T) 34 North (N), Range (R) 5 East (E), Section 1; R6E, Sections 1-18, 20-23, and 27; R7E, Sections 5-7, and 18; T35N, R5E, Sections 11-15, 22-26 and 35-36; R6E, Sections 7-36; R7E, Sections 18-20 and 30-31; T36N, R5E, Sections 25-27 and 33-36; R6E, Sections 16, 19-22, and 26-35, in Shasta and Lassen Counties, California.

The environmental assessment (EA) for the Bald Project documents the analysis of the proposed action alternative which includes: 1) removing hazard trees along roads and the Burlington Northern Santa Fe (BNSF) Railroad, 2) salvaging fire-killed conifers, 3) fuels treatments, 4) site preparation, and 5) reforestation within the perimeter of the Bald Fire on the Hat Creek Ranger District (HCRD) of the Lassen National Forest (LNF). The EA also summarizes analysis of a No-Action Alternative (Alternative 2) and a Road Hazard Only alternative (Alternative 3).

The proposed action was developed by evaluating vegetative conditions following the Bald Fire. The interdisciplinary team (IDT) used the LNF Bald Fire Rapid Assessment of Vegetation Condition after Wildfire (located in the Bald Project Record), the Burn Area Emergency Response (BAER) Report (Day, Bald, and Eiler Fires), records of burn patterns and intensities, and a review of land allocations to determine the purpose of and need for action in the project area following the fire. The IDT recognized a need to improve safety (for Forest visitors, for current and future administrative action, and for fire fighters), as well as a need to follow LNF Land and Resource Management Plan (LRMP) direction to maintain forests in a forested condition and re-establish fire-resistant, shade-intolerant conifer and hardwood species. Recovery of the economic value of fire-affected timber is also important, as is protecting investment towards reforestation efforts. The environmental assessment (EA) documents the analysis of alternatives to meet these needs.

Decision

I have read the Bald Project EA, reviewed the analysis in the Project file, and considered the comments submitted during public scoping and the 36 CFR 218 legal notice and comment period for this project (comments and Forest responses are available in the Project Record). I fully understand the environmental effects disclosed in this analysis and have used this as the basis for my decision. My decision is also based on a thorough review of the record, which displays relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and 'risk.' It is my decision to select Alternative 1, as fully described in the EA on pages 12-16.

Implementing Alternative 1 will:

- Treat approximately 4,815 acres of roadside hazard trees (15% of NFS lands), 3,632 acres of area salvage (12% of NFS lands), 5,499 acres of fuels treatments (18% of NFS lands), and reforest an estimated 12,200 acres (46% of NFS lands) within the fire perimeter.
- Bring 2.2 miles of existing non-system roads (needed to implement the project for multiple entries) into the Forest road system as Maintenance Level (ML) 2 roads. These roads currently meet Forest transportation standards.

The desired conditions for the Project area are guided by the direction contained in the 1992 Lassen National Forest Land and Resource Management Plan (LRMP) and 1993 Record of Decision (ROD) as amended by the 2004 Sierra Nevada Forest Plan Amendment (SNFPA) Final Supplemental Environmental Impact Statement (FSEIS) and Record of Decision (ROD), and the 2007 SNFP Management Indicator Species Amendment. The Bald Fire perimeter included 31,324 acres of National Forest System lands. The Project area is located in the Ladder Management Area (MA5) as identified in the LRMP. Pertinent Forest Plan land allocations within the Bald Fire perimeter include northern goshawk protected activity centers (PACs), Riparian Conservation Areas (RCAs), General Forest, and Old Forest Emphasis Area.

Time is of the essence since the Bald Fire started nearly a year ago, and the trees killed by the fire have already lost substantial economic value. With every passing day, the deterioration process continues. The winter of 2014/2015 was abnormally warm, which accelerated the deterioration processes. There is an urgency to implement this project as soon as possible to improve public and Forest Service personnel safety and to recover economic value of the fire-affected timber. Therefore, it is imperative to begin implementing the project in the upcoming weeks and months to maximize the amount of work that can be achieved. Any delay jeopardizes the agency's ability to offer economically viable contracts; without viable contracts, the Bald Project will not be implemented. This means public and worker safety would be threatened for years to come, critical environmental restoration work would not occur, and the area would be at heightened risk of yet another high-intensity fire like the Bald Fire.

If the project is not implemented quickly, hazard trees will continue to pose a threat to users of the road systems and employees as they proceed with their daily management activities. Timely removal of fire-affected trees that pose a danger to public safety along high-use roads is an important part of this decision. These roads are used by the public to access National Forest system lands, by adjacent private land owners to access their lands, by contractors and by Forest Service employees in the course of their administrative duties. A substantial majority of the public has shown interest in moving this project forward in a timely manner.

A delay in implementation would also jeopardize restoration and recovery objectives, such as fuels reduction and site preparation/reforestation. Project design features that avoid or minimize environmental harm are included in the integrated design features (IDFs) specific to botany, cultural resources, recreation, silviculture, fuels, watershed, wildlife, soils, transportation, and air quality. These can be found within the Bald EA (EA pages 15-22).

An Emergency Situation Determination (ESD) was requested from the Chief of the FS and granted on May 13, 2015 for the Bald Project. The ESD letter and relevant information document are located in the project record.

Non-Significant, Site-Specific Forest Plan Amendment

My decision includes this non-significant Forest Plan Amendment (FPA) allowing post-fire activities (salvage, fuels treatments, and reforestation) proposed in the Bald Project to occur in the Negro Gulch and Middle Beaver Creek HUC-12 watersheds where the modeled equivalent roaded acre (ERA) values are currently above the threshold of concern (TOC). This FPA is specific to post-fire treatments in units/watersheds for the Bald Project only and will not change management prescription for any other areas included in the LNF LRMP.

Current Direction: Chapter 4 of the LNF LRMP, as amended, provides Standards and Guidelines for the protection and maintenance of water and riparian areas on the Forest. The Lassen LRMP directs the Forest to adjust project impacts and/or timing to keep disturbance below the appropriate TOC in all affected subbasins and watersheds (LNF LRMP, pg. 4-32 (22b (4))). This FPA is consistent with plan amendment direction found in the 2012 Planning Rule at 36 CFR 219.5 (a)(2)(ii) and 219.13 (a)(b).

Regional direction provides a range of TOC values which are meant to be adapted for the specific physiography of the landscape (USDA FS, 1988).

Background: The Bald Project proposes actions within the Negro Camp Gulch and Middle Beaver Creek HUC-12 watersheds, which are currently over the TOC due to the large patch size of moderate-to-high soil burn severity resulting from the Bald Fire in 2014. Damage was severe enough that both of these watersheds are currently over threshold, without any post-fire management activities having taken place. Additionally, past, present, and reasonably foreseeable management activities on private and public lands influence ERAs for project-affected watersheds.

The Lassen LRMP directs the forest to adjust project impacts and/or timing to keep disturbance below the TOC in affected watersheds (LRMP, page 4-32). Modifying the timing of the activities included in Alternative 1 is not a viable option due to the urgent nature of the situation. Salvage activities need to begin immediately to improve public and Forest Service personnel safety and to recover economic value of the fire-affected timber. Loss of viable timber sales jeopardizes restoration and recovery objectives, such as fuels reduction and site preparation/reforestation.

This FPA deviates from the current LRMP by allowing management activities in the Negro Camp Gulch and Middle Beaver Creek HUC-12 watersheds. Analysis determined the ERA value in these watersheds to be above the 18 percent TOC.

For the Negro Camp Gulch watershed, the pre-fire ERA was five percent. A large proportion of the watershed was affected by the fire where 80 percent of the 13,600 acre watershed burned at moderate-to-high burn severity. The effects of the fire raised the ERA 23 percent resulting in post-fire ERA of 28 percent. Alternative 1 is expected to increase the ERA for the Negro Camp Gulch watershed by an additional six percent in the short-term. However, within five years the ERA is projected to drop to 26 percent, and to 10 percent after 10 years (EA, pages 58-62).

The Negro Camp Gulch HUC-12 Watershed is internally drained, and therefore cannot directly affect the beneficial uses in Beaver Creek and the Pit River.

The Middle Beaver Creek watershed's, pre-fire ERA was two percent. Of the 12,000 acre in the watershed 75 percent burnt, 65 percent at moderate-to-high burn severity. The effects of the fire raised the ERA 18 percent resulting in post-fire ERA 20 percent. Alternative 1 is expected to increase the ERA for the Middle Beaver Creek watershed by an additional 5 percent in the short-term. However, within five years the ERA is projected to drop to 19 percent, and to 7 percent after 10 years (EA, pages 58 - 62).

The Middle Beaver Creek HUC-12 Watershed has both ephemeral and intermittent tributaries to Beaver Creek. Site-specific IDFs were included to minimize potential impacts to the stream banks from project activities, and thereby limit downstream migration of sediment. This includes a 25 foot no mechanical equipment buffer adjacent to the channel. Furthermore, downstream of the proposed treatments, the topography becomes less steep and many of the seasonal channels tend to have a low gradient and are poorly defined.

Potential adverse cumulative watershed effects (CWEs) from project activities would be mitigated by the implementation of BMPs and project-specific IDFs. Alternative 1 is consistent with all other LRMP management direction concerning soils and hydrology.

A significant proportion of the Bald Fire burned within the Negro Camp Gulch and Middle Beaver Creek watersheds. There is a substantial need to permit management activities within the watershed due to the significant loss of forest cover from the fire and presence of hazards to the public along roadways. While the actions proposed under Alternative 1 would not in themselves reduce watershed ERA values, they would assist post-fire recovery within the watershed by accelerating the development of forest cover and

help to restore riparian vegetation. Implementing reforestation actions within these watersheds prior to brush establishment will prevent increased ground and soil disturbance that may result from postponing site preparation. Increasing ground cover within treatment units would help reduce erosion in these areas within the first few years following a fire when it is most likely to occur.

Evaluation of Significance

Non-Significant changes

Under the Directives for the 2012 Planning Rule (FSM 1926.51), changes to the land management plan that are not significant can result from:

Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management

The activities authorized by this FPA would not result in significant, long-term increases in cumulative watershed effects above the existing condition. The change in standards and guidelines applies to treatment in units of the Negro Camp Gulch and Middle Beaver Creek watersheds for the Bald Project only and would not be considered long-term.

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 FPA does not adjust management area boundaries or management prescriptions.

Minor changes in standards and guidelines

As stated above, LRMP directs the Forest to adjust project impacts and/or timing to keep disturbance below the TOC in affected watersheds. Modifying the timing of the activities included in Alternative 1 is not a viable option due to the urgent nature of the situation, and a minor change to the standard and guidelines is required for implementation.

Opportunities for additional projects or activities that will contribute to achievement of the management prescription

The activities authorized by this FPA would aid in mitigating potential damage to watershed resources. Additional groundcover would be left on bare soils within RCAs where project activities occur, to help stabilize soils and reduce additional erosion. Riparian hand planting, where needed, along Beaver Creek would help reestablish riparian vegetation, and would locally help trend riparian areas towards reforestation. While these actions would not reduce ERA values, they would reduce erosional processes and the risk of effects to aquatic ecosystems.

Circumstances that may cause a significant change

Under the Directives for the 2012 Planning Rule (FSM 1926.52), changes to the land management plan that are significant could result from:

Changes that would significantly alter the long-term relationship between levels of multiple-use goods and services originally projected.

This FPA does not alter long-term levels of goods and services originally projected from the LRMP. The high to very high ERA values would affect two of the five HUC-12 watersheds in the Bald Project area for a short duration. Within ten years, the ERA model predicts that ERA values for these watersheds will be in the low to moderate range. The FPA and the activities it allows will not cause further impacts to those watersheds over the TOC beyond what is discussed in the EA and Hydrology Specialist Report.

Changes that may have an important effect on the entire land management plan or affect land and resources throughout a large portion of the planning area during the planning period.

Implementing with this FPA will affect approximately 37 percent of the area planned for treatments. See discussions in significance and background section above. There will be no important effects to the entire LRMP. Land allocations or management direction will not be changed for the LRMP with this FPA.

Conclusion

As discussed in the Evaluation of Significance above, the Forest Plan Amendment included in this decision:

- does not significantly alter, or cause significant changes to the multiple-use goals and objectives for long-term land and resource management
- represents a minor change in standards and guidelines and is a site-specific amendment that applies only to the portion of the Negro Camp Gulch and Middle Beaver Creek watersheds within the Bald Project Area
- provides opportunities for additional management practices that contribute to achievement of the management prescription
- does not alter the long-term relationships between the levels of goods and services projected in the Forest Plan
- does not change land allocations or management direction for other elements of the LRMP
- is short in duration, only for implementation in the proposed units for the Bald Project.

Based on consideration of the factors above and the analysis contained in Bald Project EA, I determine that the Forest Plan Amendment for allowing post-fire activities proposed in the Bald Project to occur in the watersheds where the ERA value is currently above TOC is not significant in the context of the National Forest Management Act (NFMA). I hereby amend the Lassen LRMP with the non-significant amendment described above.

Reasons for the Decision

My rationale for choosing Alternative 1 is described below.

Response to Purpose and Need

Alternative 1 responds to the five Purpose and Need (P&N) elements for this project in the following ways (when compared to the no-action alternative):

Reduce public safety hazards in high use areas including National Forest System roads

With this decision, the LNF will fall and remove or fall and leave in place fire-affected hazard trees along ML 2 and higher roads and BNSF railway within the Bald Fire perimeter on the LNF. The selected alternative best provides for public and Forest Service personnel safety by removing hazard trees. Approximately 21 miles of roads in the project area are ML 3 and higher. The remaining 110 miles are ML 2 roads. These ML 2 roads are open to the public for recreation and wood gathering, and provide access to the private land in the fire perimeter. Failure to remove hazard trees in the project could affect the safety of forest visitors, access to the project area, and the quality of recreation activity in the long-term. The felling of hazard trees will also improve the opportunity for current and future fire management options along the roads. Active management of the transportation system will improve public access and firefighter safety, as well as minimize adverse environmental effects and reduce future maintenance costs (EA pages 5, 24, 28, 30 and 68-69).

Recover the economic value of fire-killed trees

The selected alternative best provides for recovery of the economic value from timber lost to the Bald Fire with the inclusion of 8,447 acres of area salvage (roadside hazard trees and salvage). The estimated volume of trees available for harvest is 39.3 mmbf¹, with an estimated value of \$982,500. If harvest is delayed, there will be a 42 percent reduction in volume by October, 2015 (Relevant Information Document, Bald Project Record). My decision to implement Alternative 1 will also result in a positive effects on local industries that depend on service contracts or a steady supply of forest products and have a positive effect on maintaining local infrastructure that is imperative to implementing future fuels reduction projects, as well as counties that use timber yield taxes to fund county programs (Silviculture Report page 34).

Reduce surface fuel load to levels, which facilitate site preparation for planting, minimize the difficulty of suppressing future wildfires, and protect forest resources

With this decision, the post-fire concentration of fuels will be reduced to decrease the potential for and severity of a reburn through removal, mastication, felling and lopping, piling, or prescribe burning (EA page 25, 29-31). Treatments would also facilitate artificial and natural regeneration efforts and help protect plantations, which are both an investment of money and resources, once they become established. Seedlings and saplings would be at high risk from any wildfire event in early stages of growth due to low

¹ mmbf=million board feet

crown heights and heavy shrub growth. Reducing existing and future heavy fuel loading prior to planting will help to protect young plantations should wildfire occur in the future (EA page 29). Reduced fuels will increase worker safety, including for firefighters and reforestation crews (EA, pages 5, 25, and 28-29).

Implement reforestation including maintaining vegetative diversity

Artificial regeneration with native conifer seedlings would allow for the return of forested cover in a much shorter time period than natural recovery would allow. Artificial regeneration would also affect future stand composition and structure. This could speed the recovery of habitat for forest dependent wildlife species. The selected alternative will reforest approximately 12,200 acres on sites prepared by salvage harvest and fuels treatment. In addition, other site preparation such as treatment of sprouting competing vegetation may also occur prior to reforestation to ensure planted tree establishment (EA, pages 14-15). Planting trees as soon as possible following a fire ensures the best possible survival rate, especially without use of herbicides to release planted seedlings from vegetative competition. Deferring reforestation treatments would result in the need for even more ground disturbing activities to achieve any reforestation results (EA, page 25).

Reforestation strategies include considerations for vegetative diversity where it exists within the project area, especially to encourage hardwoods and to enhance meadow and riparian function. Shrubs, forbs, and grasses will become a component of planted areas and maintain vegetation diversity. Approximately 47 percent of the project area will be montane chaparral, consisting of unburned and low fire severity chaparral and untreated burned/ barren areas that would become dominated by shrubs. Additional areas in proposed units would not be treated (like wildlife retention islands) to retain patches of standing dead trees and intact green vegetation, avoid riparian habitat, and leave dense areas of oak vegetation untouched (EA, pages 21 and 26).

Manage road infrastructure for project implementation

The selected alternative will use existing Forest System roads wherever possible. Road maintenance, including surface protection and erosion control will be performed on portions of the system as needed for project implementation. A dust abatement plan would be included to control wind-caused erosion from road use. National Forest System roads and non-paved County roads used for haul would receive pre-, during-, and post-haul maintenance.

Approximately 2.2 miles of existing non-system roads within the project area would be needed for project implementation, including salvage and fuels treatments, reforestation, and maintenance, due to the changed condition caused by the fire. These non-system roads will be added to the Forest transportation system as ML2 roads. Approximately one mile of temporary roads may be constructed to access proposed treatment areas. Following project implementation, these temporary roads would be decommissioned.

All water sources proposed for use in this project for dust abatement would meet best management practice standards.

Comments from the public have highlighted contrasting concerns over the management and treatment of the Bald area and a need to consider areas of action and no-action. Selecting Alternative 1 allows me to consider and balance the concerns expressed against standards and guidelines in the LRMP. Strategic placement of area salvage, fuels and reforestation units in portions of the Bald Fire retains the unique habitat created by the fire as part of the landscape. Some sparsely treed areas and burned areas with no living trees will be planted and will move the project area toward structural heterogeneity more quickly as reforested areas mature. Other areas will not be reforested, but will progress through succession as brush fields before becoming forested with conifers and hardwoods. The identification and selection of specific areas for treatment encourages a mosaic of habitat in the area, rather than large blocks of a single habitat type.

I am satisfied the EA appropriately details and adopts all practical means to avoid or minimize environmental harm. Concerns raised by the interdisciplinary team during proposal development were addressed through project design features (EA pages 17-22). Public comments received during scoping and issue disposition are summarized in the Bald Project Public Scoping Comment Analysis and Alternative Development document which is included in the project record. Comments on the EA and Forest Service response are documented in the Response to Comments, also located in the project record.

I believe the EA presents an objective and well-documented analysis of environmental effects expected to result from implementation of the Selected Alternative. The analysis shows that the Selected Alternative will eliminate roadside hazard trees for public and worker safety, recover economic value, and maintain the forest in a forested condition through reforestation while resulting in a Finding of No Significant Impact, as described later in this document. After considering both the Finding of No Significant Impact and EA, I determine these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared. My conclusion is based on a thorough review of relevant scientific information contained in the project record, a consideration of opposing views, acknowledgment of incomplete or unavailable information, scientific integrity, and risk.

Alternative 1 is in compliance with applicable laws, regulations, and policies (refer to the Finding of No Significant Impact (FONSI) section of this decision document).

Alternatives Considered

Alternative 1: Proposed Action

Alternative 1, the Proposed Action, will implement activities within the Bald Fire perimeter and responds fully to the purpose and need for this project. The project will salvage harvest fire-killed and fire-injured trees on 8,447 acres, including hazard trees along 131 miles of Forest System roads that pose a safety threat to forest users and workers. Fuels will be treated on an additional 5,499 acres and reforestation will occur on approximately 12,200 acres. Approximately 2.2 miles of existing non-system roads within the project area needed for project implementation will be upgraded to standard and added to the Forest transportation system as ML 2 roads.

Alternative 2: No Action

Under the No Action alternative, current management plans would continue to guide the management of the Project area. Hazard tree felling could occur along roads currently open to the public, trails, and developed recreation sites. These hazard trees could be felled and left in place as part of road maintenance as per LRMP direction. The No Action alternative would not preclude activities already approved in this area or activities planned as separate projects. No fuels treatments, site preparation, or reforestation would occur.

This alternative does not meet the purpose and need and was not selected because:

- 1) Roads where hazard trees are not removed immediately would continue to present a risk for members of the visiting public as well as Forest Service employees, contractors, and adjacent private landowners in those areas.
- 2) There would be no economic timber value recovered (EA page 27).
- 3) Surface fuel loads would remain high into the future increasing the potential for a high severity reburn and high severity fire effects. In the event of a wildfire, this would create serious control problems, high suppression costs, and high volumes of smoke emissions (EA pages 31-33).
- 4) No reforestation would occur. Re-establishment of forest cover would rely on natural regeneration and could take decades or longer. High severity burn areas (66% of the project area) would recover primarily with shrubs, resulting in a continued loss of forest habitat (EA page 27). Forest Plan direction to maintain forest cover at certain levels would not be met.

Alternative 3: Road Hazard Only

To respond to concerns raised during public scoping, a hazard tree only alternative was analyzed that limited treatment to hazard tree removal along approximately 131 miles of roads. Commercial sized hazards would be felled and removed along ML2 and higher roads. Sub-merchantable hazards would be felled and left in place or piled and burned. No other site preparation or reforestation would occur along these roads. No other management activities (besides those previously authorized) would occur. The total footprint of treatments on National Forest lands under Alternative 3 would be approximately 4,736 acres. Existing roads used under this alternative would be repaired and maintained. While this alternative meets the need to remove hazards along roads for the visiting public and administrative use, and recovers some economic value, it was not chosen because it did not meet the need to reduce fuels and or meet LRMP direction to maintain forests in a forested condition (as discussed above for Alternative 2).

Public Involvement

The following list outlines the public involvement process for the Bald Project:

- The Rapid Assessment was presented and discussed with the Collaborative Forest Landscape Restoration Group (CFLR).
- The Rapid Assessment was presented and discussed at the annual meeting with the American Forest Resource Council (AFRC).
- Tribal Consultation meetings were held with the Pit River Tribe and the Susanville Indian Rancheria.
- Pre-Scoping News Releases were published with a brief description of the projects and project-lead contact information in the Lassen County Times on December 9, 2014; the Inter-Mountain News on December 3, 2014; and the Mountain Echo on December 16, 2014.
- The project was listed in the Lassen National Forest Schedule of Proposed Actions (SOPA) in January and April 2015.
- The project was presented and discussed to the Lassen County Board of Supervisors meeting in January 2015.

Scoping for this project was initiated on December 19, 2014. Scoping information packets were made available to the public. Letters were sent to adjacent landowners, the Shasta and Lassen County Boards of Supervisors, the Hat Creek, Shasta, and Lassen Fire Safe Councils, the affected Range Permittees, the Central Valley Regional Water Quality Control Board, and the Natural Resource Conservation Service. The Pit River Tribe also received this information packet. Scoping information was published on the Lassen National Forest web site.

Ten individuals/organizations responded in writing or verbally. All suggested changes to elements of the proposed action received from the public were considered. The analysis of the public scoping comments is contained in the document titled *Bald Project Public Scoping Issue Analysis and Alternative Development* (located in the Bald Project Record).

The Bald project EA was made available for legal notice and comment period which began on April 28, 2015, and ended on May 28, 2015. Three individuals/organizations responded in writing. The analysis of the public comments is contained in the document titled *Bald Public Legal Notice and Comment Analysis* (located in the Bald Project Record).

Finding of No Significant Impact

After careful consideration of the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts as defined in the regulations for implementing NEPA, 40 CFR Parts 1500-1508. These regulations include a definition of “significantly” as used in NEPA. Significance as used in NEPA requires considerations for both context and ten elements of intensity. These eleven elements taken together are critical to reducing paperwork through use of a Finding of No Significant Impact when an action would not have a significant effect on the human environment. In a local context, the site-specific actions of the selected alternative (Alternative 1), both short- and long-term, are not significant. Therefore, an environmental impact statement will not be prepared. This determination is based on the following intensity factors.

Context

The local context of the proposed action is limited to the area of the LNF affected by the Bald Fire. Specific locations are described on page 1 of this document. Proposed treatments focus on removing fire-killed and fire-affected trees along ML 2 roads and in area salvage units. Fuels treatments would then occur in preparation for reforestation with native conifers appropriate for the site. This active management will help speed the recovery of the fire-affected stands proposed for treatment, helping to develop the desired qualities and characteristics of fire resistant, shade-intolerant conifer species (EA page 25).

Proposed area salvage and hazard tree treatments will take place as quickly as feasible to recover the economic loss of timber value and to decrease the safety concerns raised with the presence of hazard trees along the roadways. Fuels treatments and reforestation will take place as soon as feasible to take advantage of the decreased vegetation competition and reduce the need to mechanically remove shrubs. Delay would allow time for shrubs to fully occupy reforestation sites. Removal of shrubs after they are established will increase related ground disturbance, increase expense and increase potential impacts to watersheds. Even in the context of seasonality and duration of activities, analysis prepared in support of the EA (Biological Evaluations, Management Indicator Species Assessment, Invasive Plant Risk Assessment, and Cumulative Effects Analysis, hereby incorporated by reference), indicate that these actions would not pose significant short- or long-term effects.

Intensity

1) Impacts both beneficial and adverse

Effects are summarized in the Environmental Effects section of the Bald EA (pages 23 through 74) and supporting analysis. Both beneficial and adverse effects have been taken into consideration when making the determination of significance. Beneficial effects have not, however, been used to offset or compensate for potential significant adverse effects.

The impacts of the Bald Fire to the Bald Project area are the reason for the project actions, and those fire impacts can make it difficult to differentiate the fire effects from those of the project. Evaluating impacts of a project by changes in the California Wildlife Habitat Relationship (CWHR) system rating does not work efficiently for displaying how these changes were caused by the fire, not the project itself. In the short-term, salvage, hazard tree, and fuels treatments will remove dead and dying trees from the forest landscape, reducing snags in burned forest habitat that is a result of the Bald Fire. Indirectly, this will reduce the fuels in the project area and increase safety for wildland fire fighters and other forest workers as they operate in both day-to-day administrative operations and emergency situations. In the long-term, reforestation of these areas will promote the re-establishment of fire-resistant, shade-intolerant conifer species that could speed recovery of this habitat for the forest dependent wildlife species. With this decision, approximately 35 percent of the project area will consist of young, reforested areas and approximately 65 percent of the project area will proceed with natural regeneration. In the short-term, the shrub component will persist in planted areas and may dominate where tree mortality is high. In other sparsely forested areas, conifers will regenerate and develop a multi-storied forest with a component of understory vegetation (EA page 26).

Watershed: Overall, the change in condition of the watersheds from the project would be negligible, not measurable, and there would be no effects to downstream beneficial uses due to integrated design features (IDF), Best Management Practices (BMP), overall lack of drainages, lack of connectivity to downstream perennial waterbodies, and natural recovery of watershed processes (EA pages 54 through 57).

2) Public health or safety

Public health and safety are not adversely affected by the proposed action. Implementation of the Bald activities is governed by standard public health and safety guidelines, Forest Service direction, and other applicable laws and guidelines.

The removal of hazard trees along ML2 and higher roads and trails will improve visitor safety for travel through the project area (EA pages 68-69). Road maintenance activities will improve both administrative and public access, and firefighter safety (EA page 69). Standard contract provisions will provide traffic control measures to limit effects to the safety of the public and employees using roads and trails during project implementation (EA page 69).

3) Unique characteristics of the geographic area

This project will not adversely affect unique characteristics of the geographic area. Nor will the actions adversely affect or change the character of the project area. There are no park lands, prime farmlands, or designated wild and scenic rivers that would be affected by the project.

I have considered the visual resources (EA pages 70 through 71) and I do not anticipate the effects of the project to adversely affect access by recreation users.

Cultural resources will be protected through integrated design features and contract requirements. All National Register of Historic Properties (NHRP) eligible or potentially eligible properties will be protected (EA page 63).

4) Highly controversial

Legitimate controversy must be based on credible scientific evidence. Comments submitted during the legal notice and comment period were generally split down the middle as to whether effects on the quality of human environment with implementation of this project would be beneficial or controversial, including controversy over implementing more salvage of burned acres vs. less salvage of potential snag habitat acres. The Bald analysis does not identify any science-based, high controversy for this project.

Environmental effects for the Bald Project are summarized in the Environmental Assessment (pages 23 through 74). No significant issues were identified during Public involvement efforts (Bald Project Public Scoping Issue Analysis and Alternative Development, Bald Project Record). Resource protection measures or Integrated Design Features (IDFs) are found beginning on page 17 of the EA.

Hazard tree and salvage harvest, fuels treatments, and reforestation are standard practices in forest management. A measure of controversy over these standard practices exists, however opposing science from commenters has been addressed in the Response to Comments summary (hereby incorporated by reference), resource specialist reports for the project and effects of project actions summarized in the EA (pages 23 through 74).

After the Bald Fire, approximately 5,769 acres of medium and large diameter burned snags ecosystem component existed within the USFS portion of the fire, suitable habitat for the black-backed woodpecker (BBWO), the management indicator species (MIS) for snags in burned forest habitat. Alternative 1 would reduce snags on approximately 3,646 acres (63 %) of the available habitat. Cumulatively, a negligible amount would be removed because of harvest on state, private and to a lesser extent BLM lands, Approximately 2,121 acres (37%) would be retained in the untreated areas and remain available as burned forest habitat for the BBWO (EA page 46-47).

While there is an effect in decreasing snags in burned forest habitat with the Bald Project, my decision will not alter the existing trend in the ecosystem component, or lead to a change in the distribution of black-backed woodpecker across the Sierra Nevada bioregion. This reduction of less than 4,000 acres of burned forest black-backed woodpecker habitat would not alter the existing trend in this ecosystem component, nor would it lead to a change in the distribution of black-backed woodpecker across the Sierra Nevada bioregion, given that from 2006 to 2013 wildfires created an estimated 168,761 acres of burned forest, black-backed woodpecker habitat (EA page 47).

Some of the controversy with reforestation standard practices involves reforestation versus natural revegetation (shrubs). Prior to the Bald Fire 73 percent of the project area was forested, and 27 percent was non-forested (23 percent of that found in shrubs) (Silviculture report, page 12). For analysis, it was

assumed that shrub and forested stands with high fire severity that became barren, and are proposed for planting become forested, and; shrub and forested stands with high fire severity that became barren, and which are not proposed for planting expected to become shrub dominated. Post-fire conditions were 15 percent forested and 85 non-forested. With the chosen alternative, half of the area becomes forested (EA page 26). The effects of reforestation in the Bald project have been analyzed and summarized in the EA, pages 23 through 74.

5) Degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks

The possible effects of the proposed action are neither highly uncertain nor would they represent unique or unknown risks. The proposed action would implement basic forest vegetation management practices that have been used for decades in the Hat Creek Ranger District and the Lassen National Forest. They are routine in nature and employ site-specific protection measures and their effects are well known. The known consequences of these actions are described in each resource report. The possible effects are summarized in the EA on pages 23 through 74.

6) Precedent for future actions with significant effects or decisions in principle about future considerations

The actions proposed in the Bald Project are routine in nature. Implementation of project actions will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

7) Relationship to other actions with individually insignificant but cumulatively significant impacts

A cumulative effects analysis was completed for each resource area (EA pages 23-74). The geographic scope of the cumulative effects analysis area varied among resource areas and this scope of cumulative effects areas is also discussed in the analysis in the EA and in the resource reports. No potential for significant adverse cumulative effects with the Bald Project was identified in the specialist's analyses. The Past, Present, and Reasonably Foreseeable Future Actions (PORFA) - List of Cumulative Actions is located in the Bald Project Record.

Watershed: The Equivalent Roaded Acre (ERA) method for determining cumulative watershed effects, calculates the existing condition of two fire-affected subwatersheds (including past activities, fire effects and private land activities) to be above the Threshold of Concern. Implementation of the Bald Project will slightly increase ERAs in the short-term, however; it was determined that project actions will not result in measureable increases in cumulative watershed effects above the existing conditions (EA pages 58-61).

8) Adverse effects on properties listed or eligible for National Register of Historic Places, or loss of significant scientific/cultural/historic resources

The Bald actions will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP). All NRHP eligible or potentially eligible properties will be protected (see EA page 63). This Decision only implements actions in those units for which heritage surveys are complete to current standards and Section 106 compliant. The actions will not cause loss or destruction of significant scientific, cultural, or historical resources. All historic properties will be protected from project-related impacts with implementation of protection measures included in the project design (EA page 18).

9) The degree to which this action may adversely affect an endangered or threatened species or critical habitat

The following specialist reports, located in the project record, are hereby incorporated by reference: Biological Evaluation for the Bald Project (Terrestrial), Biological Evaluation and Assessment for Federally listed and Forest Service Sensitive Aquatic Species, and Biological Evaluation and Assessment for R5 Forest Service Sensitive and Federally Listed Plant Species – Bald Project.

The actions will not affect any Federally listed Threatened or Endangered species and/or habitat determined to be critical under the Endangered Species Act (ESA) of 1973 (EA pages 37, 40, 42, and 43).

10) Whether the action threatens a violation of Federal, State, or local law or requirement imposed for the protection of the environment

The actions will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered as demonstrated throughout the EA, in referenced supporting documents, and as noted above and below.

Lassen Land and Resource Management Plan (LRMP) & National Forest Management Act of 1976 (NFMA; Public Law 94-588)

This decision is consistent with the 1992 Lassen National Forest Land and Resource Management Plan (LRMP) and 1993 Record of Decision (ROD) as amended by the Sierra Nevada Forest Plan Amendment (SNFPA) FSEISs and ROD (2004), and the Sierra Nevada Forests Management Indicator Species (SNF MIS) Amendment FEIS and ROD (2007). The LNF LRMP guides management of all National Forest System lands and resources within the project area and Bald Project actions are consistent with the LRMP, as amended. The LRMP includes direction for forest management, goals and objectives, standards and guidelines, area management direction, MIS, and the anticipated outputs of forest products. Resource protection, vegetative manipulation, silvicultural practices, even-aged management, riparian areas, soil and water, and diversity have all been addressed in the EA for the Bald Project.

Analysis of effects to Forest Service Sensitive Species as listed in the Regional Foresters RS Sensitive Species List is included in the Bald Project Biological Evaluation for the Bald Project (Terrestrial),

and the Biological Evaluation and Assessment for R5 Forest Service Sensitive and Federally Listed Plant Species. These reports are included in the Bald Project record.

The Decision Notice for the Bald Project amends the Lassen's LRMP with a non-significant; site specific Forest Plan Amendment as described in the Decision above.

Endangered Species Act of 1973 (Public Law 93-205)

Section VII of the Endangered Species Act requires federal agencies to consult with the United States Department of the Interior Fish and Wildlife Service (USFWS) and/or the United States Department of Commerce National Marine Fisheries Service (NMFS), whichever is appropriate, during project planning when Federally listed Threatened or Endangered species, and/or their designated critical habitat, may be affected by a project. Consultation was not required for the Bald Project.

Migratory Bird Treaty Act of 1918 as amended (16 USC 703-712)

At the project scale, pertinent standards and guidelines will be implemented to maintain habitat diversity. Habitat modification would not cause a measurable negative effect to migratory bird populations. This is due to the small amount of acreage where project activities would occur during the breeding season relative to the large amount of migratory bird habitat across the Lassen National Forest. The Bald Project will comply with Terms and Conditions for the protection of migratory birds as provided by the United States Fish & Wildlife Service (USFWS) see the Migratory Landbird Conservation on the Lassen National Forest, Bald Project Assessment report located in the Bald Project Record.

Executive Order 13112 Invasive Species 64 FR 6183 (February 8, 1999)

Consistent with this order, the Bald Project has incorporated feasible and prudent mitigation measures in Alternative 1 to minimize risk of harm caused by invasive plant species (EA pages 17 to 18). Anticipated weed response to the Bald Project is moderate to high risk for potential spread (Bald Project Invasive Plant Risk Assessment page 7).

Clean Water Act (as amended in 1972 (Public Law 92-500) and 1997 (Public Law 95-217))

The Bald Project is consistent with the laws and regulations contained within the Clean Water Act. There are no 303(d) waterbodies or streams within the project area. Beaver Creek meets state and federal requirements for water quality. Once Beaver Creek leaves the Project area, it is approximately 13 miles until its confluence with the Pit River. From this confluence it is approximately 15 miles until the impoundment, which forms Lake Britton. Lake Britton is 303(d)² listed by the US EPA and California Water Resources Control Board as having mercury contamination (Board, 2010). While it is a tributary to the Pit River upstream of Lake Britton, Beaver Creek and its respective tributaries are not 303(d) listed. The only surficial hydrologic connection between the Project area and the Pit River is through Beaver Creek. (Hydrology Report page 2). Analysis is included in the Hydrology Report for the Bald Project,

² Section 303(d) of the Clean Water Act (1972), as amended, requires the US EPA to maintain a list of "impaired" water bodies – those whose waters do not meet the standards mandated in the act.

and it was determined that implementation of the project would not result in increases in these parameters within waters listed under the 303(d) listing.

Clean Air Act (as amended)

The Bald Project is compliant with the provisions of the Clean Air Act. All burning implemented under the Bald Project will be completed under approved burn and smoke management plans. Particulate concentrations are regulated through compliance with the local air quality management district (AQMD) and California Air Resource Board (CARB) (EA pages 34 to 35).

Administrative Review or Objection Opportunities

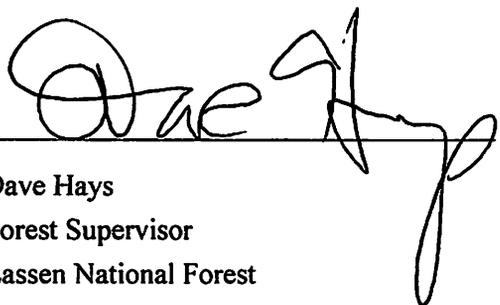
The Chief of the US Forest Service has granted an Emergency Situation Determination for the Bald Project in order to facilitate immediate implementation. Pursuant to the Code of Regulations (CFR), an emergency situation is defined as *a situation on National Forest System lands for which immediate implementation of a decision is necessary to achieve one or more of the following: relief from hazards threatening human health and safety; mitigation of threats to natural resources on National Forest System or adjacent lands; avoiding a loss of commodity value sufficient to jeopardize the agency's ability to accomplish project objectives directly related to resource protection or restoration* (36 CFR 218.21(b)). The determination that an emergency situation exists is not subject to administrative review (36 CFR 218.21(c)), and with an ESD granted, this project and the site-specific Forest Plan amendment are not subject to the pre-decisional objection process (36 CFR 218.21(d) and FSH 1909.12(21.31)).

Implementation

The Chief of the Forest Service has determined an emergency situation exists with the Bald Project. With an ESD (Decision Memo from Thomas L. Tidwell, Chief - Emergency Situation Determination, May 13, 2015 Bald Project, Lassen NF located in the Bald Project record), implementation of the decision may begin immediately.

Contact Person

For additional information concerning this decision, contact: Terre Pearson Ramirez, Planning Forester, Eagle Lake Ranger District, 477-050 Eagle Lake Road, Susanville, CA 96130, 530-257-4188.



Dave Hays
Forest Supervisor
Lassen National Forest

Date: 7/8/15