

Decision Notice and Finding of No Significant Impact for the Halls Flat Windthrow Project

USDA Forest Service
Hat Creek Ranger District
Lassen National Forest
Lassen County, California

Introduction

The purpose of the project is to provide timely salvage of windthrown trees in order to recover the economic value of material and remove hazardous fuel accumulation from the wind event of February 6th, 2015. The need arises from the diminishing merchantability of the down timber and accumulations of fuels within proposed units, as well as the need to maintain existing defensible fuel profile zones (DFPZs) from hazardous standing dead and root-sprung trees (live trees that have been uprooted) along road corridors. An Environmental Assessment (EA) was prepared to document the analysis of this project to meet this need.

The Halls Flat Windthrow Project area is located in north of California Hwy 44, residing along both the east and west sides of the Pittville Highway, also known as County Road 111.

Decision

I have read the Halls Flat Windthrow Project Environmental Assessment (EA), reviewed the analysis in the project file, including documents incorporated by reference, and fully understand the environmental effects disclosed therein. I have also considered the comments submitted during the public scoping and the 36 CFR 218 Legal Notice and Comment period for this project. Comments on this EA and Forest response to these comments are available in the project file.

Based upon my review of the alternatives, it is my decision to select Alternative 1 – Proposed Action, which is fully described in the EA on pages 7-12. The proposed action would salvage windthrown trees within the Halls Flat project area, which consists of approximately 1,497 acres on National Forest System lands. Salvage would be accomplished through utilization of ground-based logging equipment, favoring the use of low-impact harvest techniques.

My decision includes Integrated Design Features (IDFs) necessary to protect resources within the Halls Flat Windthrow project area. The IDFs are described in detail on pages 7-12 of the EA. My decision is also based on a thorough review of the record with consideration for scientific integrity and responsible opposing views.

Non-Significant, Site-Specific Forest Plan Amendment

My decision includes this non-significant FPA allowing the salvage of windthrown material proposed in the Halls Flat Windthrow Project to occur in the Negro Camp Gulch and Upper Beaver Creek HUC-12 Watersheds, where the Equivalent Roaded Area (ERA) value is currently above the Threshold of Concern (TOC). This FPA is specific to salvage of windthrown material in units/watersheds for the Halls Flat Windthrow Project only, and will not change management prescription for any other areas included in the LNF LRMP.

Current Direction: Chapter 4 of the Lassen National Forest (LNF) Land and Resources Management Plan (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 threshold of concern (TOC) in all affected HUC-12 watersheds (LNF LRMP, pg. 4-32 (22b (4))).

Regional direction provides a range of TOC values which are meant to be adapted for the specific physiography of the landscape (USDA FS, 1988). Using 18 percent is the precedent on LNF for salvage sales, and project level analysis confirmed that it was an appropriate value for the Halls Flat Windthrow Project Area.

Background: The proposed action that the Halls Flat Windthrow Project proposes within the Negro Camp Gulch and Upper Beaver Creek HUC-12 Watersheds results in ERA values which are over the TOC. This is from the portions of the watersheds which were burned in the Bald Fire of 2014. Damage was severe enough that both of these watersheds are currently over threshold, without any further salvage activities having taken place. Table (1) shows the different contributions to the total ERA value for the proposed action.

Table 1 – Percent ERA for the Proposed Action Alternative

HUC-12 Watershed	Watershed Acres	ERA Threshold	% ERA Addition from Proposed Action	ERA after Proposed Action
Negro Camp Gulch	13682	18	0.05	34.6
Upper Beaver Creek	31209	18	0.37	18.7

These actions included in the proposed action would not meet the Lassen LRMP requirement that watersheds with ERAs over the TOC not be disturbed further in most circumstances.

Even though the Negro Camp Gulch HUC-12 Watershed is part of the Pit River Watershed, it is internally drained, and therefore cannot directly affect beneficial uses of the Pit River. The Upper Beaver Creek HUC-12 Watershed, however, has both ephemeral and intermittent tributaries to Beaver Creek, which in turn is surficially connected with the Pit River System. Site-specific IDFs were included to protect the stream banks, and thereby limit downstream migration of sediment. In the Project Area, the gradient is very low, which makes it so that any runoff does not generally have the energy to move sediment far and cause erosion problems. Between this, and the fact that the ERA in this HUC-12 watershed would only be raised by 0.37%, the additional disturbance caused by project activities are expected to be negligible.

Potential adverse Cumulative Watershed Effects (CWE) would be mitigated by the implementation of Best Management Practices (BMPs), site specific Integrated Design Features (IDFs), and standards and guides in the Lassen National Forest LRMP, as amended by the Sierra Nevada Forest Plan Amendment (2004).

The proposed action is consistent with all other LRMP management direction concerning soils, fisheries, and hydrology. This FPA deviates from the current LRMP by allowing management activities in the Negro Camp Gulch and Upper Beaver Creek HUC-12 Watersheds. Analysis

determined the ERA value for Negro Camp Gulch is 34.6 percent, while Upper Beaver Creek is at 18.7 percent. These modeled values decrease in the decade following the completion of Project activities.

Evaluation of Significance

Non-Significant changes: Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management, including adjustments of management area boundaries or prescriptions, and/or minor changes in the standards and guidelines.

The activities authorized by this FPA would not result in significant, long-term increases in CWEs above the existing condition. This FPA does not adjust management area boundaries. The change in management prescription applies to treatments in the specified HUC-12 watersheds for the Halls Flat Windthrow Project only and would not be considered long-term.

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

The movement of sediment into waterbodies is a threat to beneficial uses, water quality, bank stability, and even instream flows. However, no project activities would take place in water bodies or RCAs.

The very limited scope and scale of this project, along with the gentle gradient will prevent any significant impacts to the Pit River system. This is particularly important since portions of the Pit River and its impoundment in Lake Britton are listed as impaired waterbodies under section 303(d) of the Clean Water Act.

Circumstances that may cause a significant change:

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 Halls Flat Windthrow Project area.

The FPA and the activities it allows will not cause further impacts to those HUC-12 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 34 percent of the area planned for treatments. See discussions in significance and background sections 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 Upper Beaver Creek HUC-12 Watersheds within the Halls Flat Windthrow 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
- Will not affect the modeled ten year recovery time for watersheds damaged in the Bald fire.

Based on consideration of the factors above and the analysis contained in Halls Flat Windthrow Project EA, I determine that the Forest Plan Amendment for allowing post-fire activities proposed in the Halls Flat Windthrow Project to occur in the Negro Camp Gulch and Upper Beaver Creek HUC-12 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

When compared to the other alternatives, Alternative 1 best meets the purpose and need for this project. It will provide recovery of economic value of windthrown trees and remove hazardous fuel accumulation as identified in the purpose and need for action on pages 3-4 of the Final EA. The Proposed Action and IDFs identified within pages 7-12 of the Final EA have been tailored to resolve the issues identified within the interdisciplinary team and public scoping comments, including potential effects to TES plant and animal species, MIS wildlife species, heritage resources, fuels, hydrologic features and sensitive soils, while providing for a merchantable salvage of windthrown trees and reduction of hazardous fuels. Consideration of other alternatives was completed by the interdisciplinary team and resolved through the refinement of the Proposed Action and IDFs.

Response to the Purpose and Need

The Proposed Action would respond to the purpose and need by allowing for the salvage of windthrown material and reduction of hazardous fuel accumulation, while achieving the resource protection needs identified within 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), the 2007 SNFP Management Indicator Species Amendment, and all other applicable federal laws, regulations, and policy. Specifically, resource protection would be achieved by:

Fire and Fuels – The Proposed Action would provide beneficial impacts to fire and fuels by reducing fire suppression needs and costs associated with potential wildfire within the project area and reducing hazardous fuel accumulations. For more information, see the Fire and Fuels section of the EA on pages 14-17 of the Final EA.

Terrestrial TES Wildlife Species – Though the Proposed Action would decrease structural components of the project areas habitat, retention of snags and non-merchantable trees would still maintain suitable foraging habitat for northern goshawks and bat species. For more information, see the Terrestrial TES Wildlife Species section of the EA on pages 17-22 of the Final EA.

Management Indicator Species (MIS) – MIS species would not experience a net reduction of habitat as a result of the Proposed Action, and resilience would be increased through the reduction in surface fuels. For more information, see the Management Indicator Species (MIS) section of the EA on pages 23- 25 of the Final EA.

Hydrology – With the design of the Proposed Action, no hydrologic features would be directly impacted through the action, with beneficial indirect impacts to watershed through the reduction of down fuels that could increase the intensity of future wildfires. For more information, see the Hydrology section of the EA on pages 25-26 of the Final EA.

Soils – While impacts to soils associated with compaction from mechanized equipment and reduction of downed woody debris from windthrown trees in the Proposed Action, low-impact harvesting techniques prescribed within the Proposed Action and retention of snags that will fall in the future would reduce impacts to porosity and retain soil nutrient cycling within the project area. For more information, see the Hydrology section of the EA on pages 27-28 of the Final EA.

In addition, implementation of this alternative provides a positive socioeconomic impact to the forest products industry, its employees, and the local communities. Furthermore, the overall reduction in fuel is a benefit to local communities as well as federal governments both measurable fiscally and innate qualities of life. For more information, see the Socioeconomics section of the EA on pages 13-14 of the Final EA.

Other Alternatives Considered

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area as defined within the Alternative 2 – No Action description on page 12 of the Final EA. Alternative 2 would not meet the purpose and need for this project (cite page #s).

Additional alternatives considered but eliminated from detailed study can be found in the EA on pages 5- 6.

Public Involvement and Scoping

A proposal to salvage windthrown material within the Halls Flat area was listed in the Schedule of Proposed Actions (SOPA) starting on January 1st, 2016. The proposal was provided to the public and other agencies for comment during scoping which began on March 16th, 2016. Comments raised concern regarding the need for salvage along the separate roadside hazard units, sought clarification of the proposed action and IDFs regarding direction for retaining downed material for resource concerns, raised concerns regarding the merchantability of timber, potential TES species within the project area, appropriate NEPA level of analysis, NEPA scoping period duration, and identified existing planning direction relating to the project. The analysis of the public comments is contained in the document titled “Halls Flat Project Scoping Comments / Disposition of Comments” (located in the Halls Flat Windthrow Project Record, Hat Creek Ranger District office). A draft EA was made available for a legal notice and comment period which began on June 15th, 2016 and ended on July 15th, 2016. One comment letter was received, requesting further economic, wildlife, fuels and soils analysis within the

EA. The analysis of the EA public comments is contained in the document titled “Halls Flat Windthrow Project Legal Notice and Comment Analysis” (located in the Halls Flat Windthrow Project Record, Hat Creek Ranger District office). This project was subject to the objection process under 36 CFR 218 subparts A & B. A 45-day objection period on the EA began on July 26th, 2016 and extended until September 9th, 2016. No objections were received.

Finding of No Significant Impact

As the responsible official, I have evaluated the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the selected alternative will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15_05. “Significant” as used in NEPA requires consideration of both context and intensity of the expected project effects.

Context means that the significance of an action must be analyzed in several contexts (i.e. local regional, worldwide), and over short and long time frames. For site-specific actions, significance usually depends upon the effects in the local rather than in the world as a whole. This project is limited in scope and duration. The project was designed to minimize environmental effects through

Intensity refers to the severity of the expected project impacts and is defined by the 10 points below.

Context

For the proposed action and alternatives the context of the environmental effects is based on the environmental analysis in this EA.

The local context of the proposed action is limited to the northern portion of the Lassen National Forest, in locations described on page 1. Proposed treatments focus on salvage of windthrown timber in concentrations within the Halls Flat area. Only with active management could this material be made available for sale, fuels concentrations reduced, and hazards along roadways removed. Proposed treatments and any follow up would take place following the awarding of a timber sale contract for the material within the units identified within the Halls Flat project area (see Map 1 of Final EA on page 2). Even in the context of seasonality and duration of activities, analysis prepared in support of the EA (Biological Evaluations, Management Indicator Species Assessment, Noxious Weed Risk Assessment, and Cumulative Effects Analysis, hereby incorporated by reference, and available upon request), indicate that the Proposed Action would not pose significant short-term or long-term effects.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The Forest has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the

ten factors identified in 40 CFR 1508.27(b). The following factors were considered to evaluate intensity.

1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

Effects determinations are summarized in the Halls Flat Windthrow Project EA (pages 12-29) 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 degree to which the proposed action affects public health or safety.

2) The degree to which the proposed action affects public health or safety.

There will be no significant effects on public health and safety, because the Proposed Action would integrate hazardous tree removal along roadways (see EA page 7). Salvage activities would include standard operating procedures within the contract and achieve a reduction in the risk of hazardous trees falling within the public roadways.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There will be no significant effects on unique characteristics of the area, because the IDFs identified for the project (see EA pages 8-10) would require protection of the sixteen cultural resource sites identified within the APE. Indirect beneficial impacts may occur associated with the reduction of the potential for high intensity and long duration fire effects to cultural resources and tree fall impacting cultural resource features and/or artifacts (see EA page 29).

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial. There is no known scientific controversy over the impacts of the project (see EA pages 12-29). Impacts to resources identified within the EA were summarized based upon resource specialist scientific expertise and no scientific controversy regarding potential effects was identified in public scoping or EA legal notice and comment.

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

We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 12-29). Salvage activities are often completed across the Lassen National Forest, with predictable effects to forest resources. The experience of the project interdisciplinary team has incorporated this knowledge into the effects analysis of the EA.

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.

The action is not likely to establish a precedent for future actions with significant effects, because the action would only apply to the unique purpose and need associated with the limited project area (see

EA pages 3-4). Effects analysis has considered the effects to resources specific to this project location and documented those site-specific effects to support the significance determination presented here.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The cumulative impacts are not significant because all associated projects within the project area have been considered within the EA (see project PORRFA and EA cumulative impacts sections by resource section on pages 12-29). The Proposed Action has independent utility as a standalone project and no other connected actions are proposed that the action's objectives would be dependent upon.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The action 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, because the IDFs identified for the project (see EA pages 8 through 10) would require protection of the sixteen cultural resource sites identified within the APE. Indirect beneficial impacts may occur associated with the reduction of the potential for high intensity and long duration fire effects to cultural resources and tree fall impacting cultural resource features and/or artifacts (see EA page 29). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because the above IDFs cover all known scientific, cultural, or historic resources within the project area.

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.

The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, because retention of snags and green top trees would still maintain suitable foraging habitat for northern goshawks and bat species. (see EA pages 17-22). Given the above analyses, it has been determined that that the proposed project may affect individuals of northern goshawks and fringed myotis and pallid bats, but is not likely to result in a trend towards federal listing or loss of species viability. No TES aquatic or plant species have been identified within the project area. Thus, there will be no impacts or effects to aquatic or plant TES species as a result of the Halls Flat Windthrow Project.

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

The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA page 3). Other Federal, State, and local laws were considered within the effects analysis with each resource and the Proposed Action and IDFs were designed to ensure compliance with all laws.

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that the Proposed Action will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.

Findings Required by Other Laws and Regulations

Lassen LRMP: 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) FSEIS and ROD (2004), and the *Sierra Nevada Forests Management Indicator Species* (SNF MIS) Amendment FEIS and ROD (2007).

Specifically, the Proposed Action would respond to the LRMP Standard and Guidelines 19. TIMBER (19), which states, "Conduct an active program of salvage/sanitation harvesting while meeting specified snag levels as stated in the Forest-wide Standards and Guidelines, Management Prescriptions, and Management Area direction." The Proposed Action also is provided for within the SNFPA ROD stating, "The Forest Plan provides for ecosystem restoration following large, catastrophic disturbance events. Restoration activities may be conducted and include objectives for managing disturbed areas for long-term fuel profiles and recovering the economic value of some dead and dying trees. Restoration projects can include salvage of dead and dying trees for economic value, as well as for fuels reduction." The Proposed Action has been designed to provide for the protection of TES species within the project area in compliance with the Endangered Species Act.

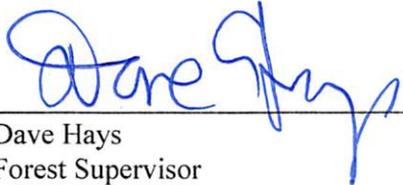
The Decision Notice for the Halls Flat Windthrow Project amends the Lassen's LRMP with a non-significant, site-specific Forest Plan Amendment as described in the Decision above.

Administrative Review and Objection Rights

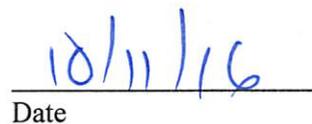
The Halls Flat Windthrow Project is not subject to the appeal process under 36 CFR part 215. This project was subject to the pre-decisional objection process at 36 CFR part 218, subparts A & B. No objections were received in response to the objection period. No further review will be provided by the Forest Service for this project. Implementation is expected by September 30th, 2016.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact: Crystal Danheiser, 43225 E. Hwy. 299, Fall River Mills, CA 96028, (530) 336-3388, cdanheiser@fs.fed.us. Approved by:



Dave Hays
Forest Supervisor
Lassen National Forest



Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer and lender.