

Decision Notice
and
Finding of No Significant Impact
for the
Champs Project
USDA Forest Service, Lassen National Forest
Eagle Lake Ranger District
Lassen County

Decision and Reasons for the Decision

Introduction

The Champs Project is part of the pilot project to implement the Herger-Feinstein Quincy Library Group (HFQLG) Forest Recovery Act of October 21, 1998. The underlying need for the pilot project is to fulfill the Secretary of Agriculture's statutory duty under the HFQLG Act, to the extent consistent with applicable Federal law. That duty is to test and demonstrate the effectiveness of certain resource management activities designed to meet ecologic, economic, and fuel reduction objectives on the Lassen and Plumas National Forests, and Sierraville District of the Tahoe National Forest. The Act requires the Secretary to conduct a pilot project for a period of up to 5 years (recently extended through 2009). To accomplish the purpose of the Act, resource management activities of the following types are required: construction of a strategic system of defensible fuel profile zones (DFPZs), group selection harvest, individual tree selection harvest, riparian management, and watershed restoration projects.

The Champs Project area is located in portions of the following Management Areas (MAs): Ebey (MA 11), Harvey (MA 12), Ashurst (MA 13), Eagle (MA 14), and Crater (MA 19). It encompasses approximately 33,241 acres; 32,717 of which are National Forest System land, leaving 524 acres in private ownership. The project area is roughly 28 air miles northwest of Susanville, California, within Lassen County, located in all or portions of Township (T) 32 North (N), Range 9 East (E), Sections 2-4, 9-11, 14-16; T33N, R8E, Sections 5, 6, 8-17, 20-29, 36; T33N, R9E, Sections 1-4, 7-36; T33N, R10E, Sections 6, 7, 16-21, 30; Mount Diablo Meridian.

I have read the Champs 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 215 legal notice and comment period for this project. The comments to the EA and how they were considered are available in the project file.

Decision

Based upon my review of all the alternatives, it is my decision to select Alternative 9 with the exception of area thinning outside of plantations. Prescription G, as described in Alternative 9, incorporates a 20 inch upper diameter limit for area thinning within eastside pine. Prescription G as described under Alternative 1 incorporates a 30 inch upper diameter limit. A 20 inch upper diameter limit would slightly compromise the ability to create a stand structure closer to the desired conditions needed to initiate an understory vegetation response (Champs Project EA, page 178). To better meet Purpose and Need number 3, to promote forest health and provide structural diversity to forested stands and since the analysis showed no real difference between alternatives among the varying resources, I have decided to incorporate thinning Prescription G as described under Alternative 1. This also adds a slightly greater economic value to this decision.

Alternatives considered in detail are fully described in the EA on pages 27 through 36. This decision will implement 10,397 acres of fuel treatments including 6,072 acres of defensible fuel profile zones (DFPZs) created with mechanized equipment, and 3,115 acres of DFPZs created through underburning. An additional 1,210 acres of fuel treatments will be accomplished through individual tree selection (area thinning), which includes 676 acres implemented with mechanized equipment, and 534 acres treated through hand thinning. Fuel treatments will be accomplished by treating surface, ladder and canopy fuels utilizing a combination of commercial timber sales, service contracts, and Forest Service crews.

This decision will implement 261 acres of group selection (GS) utilizing timber sale contracts. Group selection densities will be limited to less than two percent of the forested area within the Champs Project area suitable for group selections, and the size of any one group will be approximately two acres.

This decision will also implement improvements to the existing transportation system within the Champs Project area. This decision includes the reconstruction of 2.3 miles of existing Forest system roads, the construction in the form of realignment of a 0.85 mile portion of Forest system and non-system road, and the re-classification of 1.5 miles of existing non-system roads to Forest system roads. Approximately 8.7 miles of existing non-system roads will be used for project activities. All roads used for the project will be maintained to provide for road surface protection and erosion control.

My decision includes all of the integrated design features necessary to protect resources within the Champs Project area. The integrated design features are described in detail on pages 37 through 44 of the EA.

I have reviewed the cumulative effects analysis, including the prediction for DFPZ maintenance. Based upon my review, my decision does not include DFPZ maintenance at this time. Future maintenance actions will be analyzed separately and site-specifically, in compliance with the National Environmental Policy Act (NEPA). These future maintenance options do not alter my decision to implement DFPZ construction as described below.

Reasons for the Decision

The reasons for my decision are based on the purpose and need for the Champs Project. The Champs Project will:

- 1) Implement the Herger-Feinstein Quincy Library Group Forest Recovery Act (1998 HFQLG Act), which requires the construction of a network of DFPZs, group selection timber harvest, and individual tree selection (area thinning) (Purpose and Need 1, EA, page 7).
- 2) Implement DFPZs as part of an extensive fuel treatment network that is effective in reducing the potential size of wildfires, and providing fire suppression personnel safe locations for taking actions in the event of a wildfire (Purpose and Need 2, EA, pages 7 through 12).
- 3) Implement individual tree selection (area thinning) to promote forest health and provide structural diversity to forested stands (Purpose and Need 3, EA, page 12).
- 4) Implement group selections to achieve a desired future condition of an all-age, multi-story, fire resilient forest, while contributing to the local economy through a sustainable output of forest products (Purpose and Need 4, EA, page 13).
- 5) Implement economically efficient treatments to reduce hazardous fuels and to contribute to community stability (Purpose and Need 5, EA, pages 13 through 14).
- 6) Provide the necessary access for the construction of the DFPZs, group selection timber harvest, and area thinning, and to reduce impacts of the transportation system (Purpose and Need 6, EA, page 14).

Response to the Purpose and Need

My decision is based on careful consideration of the analysis presented in the Champs Project EA, the best available science, and public comments generated by the Champs Project draft EA.

I decided to develop and evaluate in detail Alternative 9 which further addresses concerns presented during the thirty (30) day public comment period. Responses to comments, including those concerns regarding California spotted owl habitat requirements and the retention of trees greater than 20 inches diameter at breast height (dbh) within the Champs Project area, are clearly shown in the EA or in the project record located at the Eagle Lake Ranger District office. These concerns were identified as significant issues during scoping, with Alternative 3 originally being developed to address them (EA, pages 27 through 31). However, during the thirty day public comment period I received more comments regarding these issues. Alternative 9 was developed to address these issues while meeting the purpose and need for treatments.

Fire Behavior

I determined this decision will change fire behavior within the DFPZs increasing our ability to suppress fires within the Champs Project area. Additionally, implementation of these actions will provide safe locations for firefighters to suppress wildland fire. Implementation of fuel treatments will decrease the risk of fire spread by modifying fire behavior and enhancing the ability of the firefighters to contain, suppress, and control wildfires within and adjacent to the treatment areas (EA, pages 114 through 129). The activities will move the existing conditions toward the desired fuel conditions in areas treated by reducing surface fuels and removing ladder fuels, thereby, raising canopy base heights and reducing

canopy fuels. The treatments will strategically connect and maintain areas that currently meet desired fuel conditions, and further the completion of a DFPZ network on the Eagle Lake Ranger District. Fuel reduction treatments will create conditions conducive to reintroducing periodic low-intensity prescribed fire.

Activities in Prescriptions A, B, and E of Alternative 9 will meet the purpose and need for fuel treatment by treating activity generated fuels, surface, ladder, and canopy fuels and providing fire suppression personnel with safe locations for taking action against wildfire. Prescription D will meet the purpose and need for fuel treatment by underburning surface fuels in areas that do not require thinning before burning. The project will reduce the likelihood of crowning and torching events and improve the ability to suppress fires. Fuel treatments will reduce canopy covers which will result in a lower probability of crown fire events compared to existing conditions. Flame lengths will be reduced and the rate of line construction will be increased, resulting in enhanced ability of fire management personnel to suppress, control, and contain fires impacting or starting in fuel treatment areas. This will result in potentially fewer acres of forest landscape being modified by high intensity wildland fire.

This decision includes fuel reduction treatments within suitable California spotted owl habitat under Prescription A (thinned and under burned), and Prescription B (thinned and jackpot piled and burned). Approximately 731 noncontiguous acres of fuel reduction treatments will occur in suitable California spotted owl habitat under Alternative 9. These acres are located in critical portions of the DFPZs that need to be treated in order to create effective DFPZ segments. These suitable owl habitat segments are discussed in the EA (pages 32 and 33) and are critical for treatment because they either completely breach the DFPZs, contain very heavy surface fuel loadings, or are in locations that are in alignment with the predominant winds in the area, or alignment with either adjacent drainages and/or downwind spotted owl Protected Activity Centers (PACs), all of which could combine to create extreme fire behavior in the event of a wildfire. Fuel reduction treatments within these segments will protect adjacent drainages and suitable spotted owl habitat.

The 731 acres of suitable spotted owl habitat treated to 40 percent canopy cover retention will be more susceptible to torching during prescribed fire operations and could lead to more damage and mortality in the residual stand. However, crowning and torching potential following treatment will still be greatly reduced in the event of a wildfire.

In the Champs Project area, the 40 percent canopy cover retention, the 20 inch upper diameter limit, and the 341 noncontiguous acres of untreated suitable spotted owl habitat, will support an effective DFPZ system.

Forest Health

I determined this decision will improve forest health conditions within thinned stands, particularly eastside pine stands, by reducing tree stress due to overstocking, improve the growth and vigor of residual trees, and reduce the risk of stand replacement due to wildfire (EA, pages 144 through 189). Many of the stands identified for treatment are outside of their range of natural variability in respect to historical

species composition, forest structure, and the natural processes of periodic low intensity fire. Post-treatment, stands thinned under modified Alternative 9 will have residual stand structures that will be open and consist of canopies with larger trees with relatively greater spacing between crowns and a lower surface and ladder fuel load. These conditions will move treated stands toward historic conditions.

Thinning treatments within eastside mixed conifer stands, including stands typed as suitable California spotted owl habitat, will only be effective in maintaining stand health for less than 10 years. Thinning will reduce stocking density in treated stands to just below the zone of imminent mortality. Tree growth and vigor will be impacted by inter-tree competition and will grow at increasingly slower rates as trees are stressed for resources. This lower intensity thinning will be less effective at stocking control, but will produce conditions that are conducive for effective fire suppression activities.

The fuel reduction treatments within the Riparian Habitat Conservations Areas (RHCAs) will increase the diversity and overall health of the riparian community and reduce the effects of wildfires. Treatments within the riparian zones will move the riparian community toward a more historic composition, providing the opportunity for native flora and fauna to trend towards a more sustainable condition. Effectiveness monitoring will evaluate if treatments within RHCAs and area thinning were effective in achieving desired outcomes.

Vegetation Management, Community Stability and Cost Effectiveness

I determined this decision alone will not convert the landscape to an all-age, multi-story, fire resilient forest; but, rather, it combines with previous thinning and fuel reduction treatments within the Champs Project area in transitioning the landscape toward a fire resilient forest with species diversity and multi-storied conditions. The project will meet the purpose and need for group selection and individual tree selection to achieve an all-aged mosaic of forested stands, while contributing to the local economy through a sustainable output of forest products. The level of treatments in modified Alternative 9 will provide an effective step toward a fire resilient forest with a limited amount of risk to affected resources.

It is projected that this decision will generate 104,010 CCF of wood fiber in the form of both sawlogs and biomass with a present net value of over \$1,390,954, with a cost-benefit ratio of 1.36:1, which indicates that the timber sale value will exceed the cost of the non-timber sale related activities. The total estimated employee related income is \$24,207,525 (addendum to Silviculture Report, Champs Project record). This contributes to the economic stability of rural communities and improves and maintains the ecological health of the forest. This meets the purpose and need to implement economically efficient treatments to reduce hazardous fuels and to contribute to community stability.

Significant Issues

Public comments were important in evaluating this project and in making my decision. The selected alternative addresses public concerns about the potential effects of project implementation to suitable California spotted owl habitat, and the need to retain trees greater than 20 inches dbh, which were identified as significant issues from scoping (EA, pages 25 through 26).

It is worth noting the Champs Project was designed to reduce impacts to California spotted owls. No alternatives proposed by the Champs Project will be located within any of the three California spotted owl protected activity centers (PACs, 300 acres) located either in, or adjacent to, the project area, or within 1,062 acre circles surrounding owl activity centers, or within the delineated home range core areas (HRCAs) for these owl sites. Therefore, there will be no direct or indirect effects to spotted owl habitat within these areas (EA, pages 58 through 87).

Additionally, in response to public comments, modified Alternative 9 is designed to further reduce short-term impacts to suitable California spotted owl habitat when compared to Alternative 1 by: 1) reducing the number of acres thinned within suitable owl habitat within eastside mixed conifer stands by approximately 341 acres; 2) reducing the number of acres treated under the group selection prescription within suitable owl habitat and potential habitat (mixed conifer) within the Area of Concern, or adjacent to California spotted owl PACs, by approximately 228 acres; 3) by retaining a minimum of 40 percent canopy cover within the 731 acres of suitable habitat that will be thinned under this alternative; and 4) retaining all trees 20 inches dbh and greater within all stands to be thinned (except within Prescription C - DFPZ, Thin and Underburn within RHCAs, and Prescription G, Area Thinning).

Modified Alternative 9 will produce an overall reduction of suitable spotted owl habitat of 78 acres, or a 1.14 percent reduction in the approximate 6,816 acres of suitable habitat within the Champs Project area. These acres are compared to a reduction of 1,031 acres and 0 acres for Alternatives 1 and 3 respectively. All other suitable habitat treated will retain a minimum of 40 percent canopy cover which is still considered to be a lower threshold for suitable foraging habitat. Even though stand densities within suitable habitat will be retained at higher levels, thinning these stands will produce conditions that are conducive for effective fire suppression activities, and improve stand health, however, for a shorter period of time.

In response to comments, Alternative 9 was designed to reduce impacts to trees ≥ 20 inches dbh. Under modified Alternative 9, all trees ≥ 20 inches dbh will be retained in all prescriptions except within Prescription C (DFPZ, Thin and Underburn within RHCAs), Prescription F (Group Selection), Prescription G (Area Thinning), and as necessary in rare occasions for operability (EA, pages 32 through 36). Where applied within the Champs Project area, the retention of trees ≥ 20 inches dbh will not effect stand health, or reduce DFPZ effectiveness (EA, pages 144 through 189, and pages 114 through 129).

The number of trees ≥ 20 inches dbh that will be effected (Prescriptions C, F, and G) will be minimal. As noted in the Integrated Design Features, all trees containing the characteristics of "old trees" will not be removed (EA, page 41). Additionally, empirical data within the Champs Project area indicates that approximately four trees per acre (of which, 3 are 20 to 23.9 inches diameter and 1 is 24 to 29.9 inches diameter), or 25 percent, of trees 20 inch dbh and greater could be removed within Prescription C (DFPZ, Thin and Underburn within RHCAs) and Prescription G (Area Thinning), with possibly up to eight trees per acre removed through group selection harvesting (Prescription F). This could occur within stands covering approximately 1,456 acres treated under Prescriptions C, F, and G, and out of the 10,658 total treatments acres included in modified Alternative 9. These will be young, second-growth trees. Generally, no trees 200 years or older will typically be cut, or will trees ≥ 30 inches dbh.

Alternatives Considered

Alternative 1: Proposed Action

Alternative 1 would use a combination of commercial timber sales, service contracts, and Forest Service crews to: 1) develop a network of DFPZs on 9,436 acres; 2) conduct area thinning on 1,210 acres, and 3) establish group selection harvest units on 489 acres on National Forest land within the Champs Project. Total treatment acres would be 11,135 acres. This alternative includes the reconstruction of 2.3 miles of existing Forest system roads, the construction in the form of realignment of a 0.85 mile portion of Forest system and non-system road, and the re-classification of 1.5 miles of existing non-system roads to Forest system roads. Approximately 8.7 miles of existing non-system roads would be used for project activities (EA, pages 14 through 23). Included in this alternative are integrated design features that would be applied in treatment areas to reduce or avoid adverse environmental effects of the alternative to forest resources. Integrated design features are fully described in the EA (pages 37 through 44).

I did not choose this alternative because it does not fully address the significant issues identified during scoping. Even though spotted owl PACs and HRCAs would not be affected by this alternative, this alternative would reduce approximately 1,031 acres of suitable spotted owl habitat to less than suitable (EA, pages 58 through 87). This alternative could also reduce approximately four trees per acre (of which, 3 are 20 to 23.9 inches diameter and 1 is 24 to 29.9 inches diameter), or 25 percent, of trees 20 inch diameter and greater through DFPZ and individual tree selection thinning, with possibly up to eight trees per acre removed through group selection harvesting (EA, pages 88 through 97).

Alternative 2: No Action

Under the No Action alternative, current management plans would continue to guide management of the project area (EA, page 27). This alternative would not completely meet the Purpose and Need for the Champs Project or the address the significant issues.

I did not choose this alternative because it would not enhance the ability of fire management personnel to suppress, control, and contain fires within the Champs Project area. Additionally, firefighter safety would not be improved and, more likely, would become more uncertain as fuel conditions continue to build. Because fuel treatments, group selection, and individual tree selection would not be implemented, this alternative would make a negligible contribution to an all-aged, multi-storied landscape in terms of fire resistant trees and low stand densities. The risk of losing suitable spotted owl habitat to wildfire would not change from existing conditions in the short-term; however, given the fire risk of the area and the high fire hazard due to fuel conditions, the likelihood of a stand replacing fire exists. In such an event, losses to suitable spotted owl habitat would be great. The risk of losing trees ≥ 20 inches dbh to wildfire or density related mortality would also not change from existing conditions in the short-term.

Alternative 3

Alternative 3 was developed to address significant issues which include potential loss of California spotted owl foraging, dispersal and breeding habitat, reduction of project area habitat within an Area of Concern (AOC), and the amount of suitable habitat at various scales surrounding an owl activity center.

Alternative 3 was also developed to address the retention of old trees which are perceived to be scarce on the landscape.

Alternative 3 would use a combination of commercial timber sales, service contracts, and Forest Service crews to: 1) develop a network of DFPZs on 9,681 acres; 2) conduct area thinning on 1,210 acres, and 3) establish no group selection harvest units within the Champs Project area. Total treatment acres would be 10,891 acres. Alternative 3 would retain all trees ≥ 20 inches dbh. Within suitable spotted owl habitat, stands would also retain 40 percent canopy cover. This alternative includes the reconstruction of 0.05 miles of existing Forest system roads, the construction in the form of realignment of a 0.6 mile portion of Forest system road, and the re-classification of 0.8 miles of existing non-system roads to Forest system roads. Approximately 8.7 miles of existing non-system roads would be used for project activities (EA, pages 27 through 31). Included in this alternative are integrated design features that would be applied in treatment areas to reduce or avoid adverse environmental effects of the alternative to forest resources. Integrated design features are fully described in the EA (pages 37 through 44).

I did not choose this alternative because it would not meet one of the Purpose and Needs for the Champs Project (#4) which is to implement group selection harvests. Group selections are designed to contribute to goals of the 1998 HFQLG Act while meeting requirements of the amended Forest Plan (EA, page 13). Though Alternatives 1 or 9 would not implement the full compliment of group selections as required by the Act, implementing no group selections as proposed under Alternative 3 would not meet this element of the Purpose and Need.

Even though Alternative 3 was developed to address the significant issues identified during scoping, subsequent comments received from several groups during the 30-day comment period indicated that Alternative 3 still did not meet their concerns about potential project effects to suitable spotted owl habitat. These comments indicated a continued concern about, 1) the amount of acres thinned within suitable owl habitat, 2) the number of acres treated under the group selection prescription within suitable owl habitat and potential habitat within the Area of Concern, or adjacent to owl PACs, 3) a minimum retention of 40 percent canopy cover within suitable habitat treated, and 4) the retention of trees 20 inches dbh and greater (EA, page 32). Therefore, in response to these comments, I decided not to select Alternative 3, and instead, develop Alternative 9 which is designed to further reduce impacts to suitable California spotted owl habitat.

Alternatives 4 through 8

Additional alternatives considered, and rationale for their elimination from detailed study, can be found in the EA on pages 44 through 54.

Public involvement

The Champs Project was listed in the Lassen National Forest's Schedule of Proposed Actions (SOPA) starting in October 2005, and has been listed in the SOPA continuously since that time. It was also listed in the SOPA as part of a larger project (Champs/Gooch) starting in March of 2002. The Proposed Action was provided to the public and other agencies for scoping in a letter dated January 23, 2006. Responses to

the Proposed Action were requested by February 27, 2006; however, responses were received into March 2006. Approximately 45 letters were mailed to agencies, tribal governments, groups, and individuals requesting comments on the Proposed Action and Purpose and Need. In addition, as part of the public scoping process, the Eagle Lake Ranger District presented the Proposed Action to the Pit River Tribe on March 1, 2006, April 12, 2006, July 5, 2006, and then again on July 3, 2007, and to the Susanville Indian Rancheria on February 14, 2006 and November 7, 2007. The Proposed Action was also presented to the Lassen County Fire Safe Council on February 6, 2006 (EA, pages 24 through 25).

A Champs Project field tour was offered to agencies, tribal governments, groups, and individuals who expressed interest in the Champs Project. This field tour was conducted on May 21, 2007. Approximately six individuals from the public attended this tour.

The draft Champs Project EA was presented to the public for a 30-day comment period on June 12, 2007. At their request, a Champs Project site visit with representatives of the Sierra Forest Legacy group and the Lassen Forest Preservation Group was conducted on August 22, 2007. Also at their request, a timber industry field tour to the Champs Project area was provided on July 17, 2007; approximately eight industry representatives attended. Seven individuals, tribes, and/or organizations provided comments to the draft EA (EA, page 27). A summary of comments received from the public to the draft Champs Project EA is located in the project record (Champs Project Record, ELRD office)

Finding of No Significant Impact

After considering the environmental effects described in the EA for Alternative 9, I determined these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts as stated 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 of both Context and ten elements of Intensity. The eleven elements of this definition 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, and is therefore exempt from requirements to prepare an environmental impact statement (EIS). Thus, an EIS for the Champs Project will not be prepared. I base my finding on the following:

(a) Context:

The local context of the Champs Project area is limited to the northwestern portion of the Eagle Lake Ranger District of the Lassen National Forest, in locations described on page 3 of the EA. Treatments focus on thinning in relatively young stands (approximately 100 years old) which are generally overstocked with small trees of reduced vigor. These stands represent a mid-seral range and do not currently provide the majority of the habitat attributes needed by old growth dependent wildlife species. Only with active management will the stands develop the qualities and characteristics of remnant, old trees in the foreseeable future.

Treatments, and any follow up mechanical treatment of ground fuels, will take place in dispersed locations, primarily during July through October, over a 3-4 year period. Underburning and pile burning

of ground fuels will also take place in dispersed locations on an infrequent basis during the Spring and Fall seasons, after completion of thinning activities, or as a separate prescribed fire activity (Prescription D). 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), indicates there are no significant short- or long-term effects.

The Champs Project is part of the larger Herger-Feinstein Quincy Library Group Forest recovery Act Pilot Project. The law that authorizes this pilot project, was passed by Congress, and signed into law by the President in October 1998. An EIS was completed for this Pilot Project in 1998, and was supplemented in 2003. The Act limits total acreage affected by resource management activities to about 70,000 acres annually. The 10,558 acres of treatments selected for the Champs Project, will constitute approximately 15 percent of the total annual acreage of management activities under HFQLG if all the activities were implemented in one year. For that reason, the scale of the Champs Project is not indicative of significant effects, even when considered in terms of local effects within the Pilot Project area, and even when considered in terms of only one year's program of activities under the Pilot Project.

(b) Intensity:

(1) Impacts both beneficial and adverse.

Effects determinations are summarized in the Champs Project EA (pages 58 through 235) 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.

(2) Public health or safety.

There will be no significant effects on public health and safety, because of project design and the implementation of Integrated Design Features (EA, pages 58 through 235).

Development for access and harvest operations will involve use of mechanical equipment; falling of trees; hauling of harvest products on Forest roads, county roads, and state highways; and use of prescribed fire, all of which potentially pose risks to workers and to the public. Such risks will be reduced because the public will be alerted to active harvest areas, and haul routes on Forest roads will be clearly signed and monitored as required in contract provisions to warn and protect the public of project activities. Roads within the project area may be closed to the recreating public on a temporary basis for safety reasons. Typically, these closures are caused by roads being blocked with heavy equipment operating on project related activities. These closures are of limited duration lasting within a range of minutes to a few hours (EA, pages 138 through 139).

The DFPZ network will reduce the amount of acres burned in the event of a wildland fire. The decreased flame lengths and fireline intensity, which will result from the DFPZ treatments, will give firefighters a better chance of halting the progress of a wildland fire and keeping the final amount of acres

burned to a minimum. This effect will result in increased protection for areas outside of the DFPZ network including communities, watersheds and wildlife habitat (EA, pages 114 through 129).

The project area lies within the Lassen County Air Quality Management District (LCAQMD). In accordance with Title 17 of the California Code of Regulations, a smoke management plan will be submitted to and approved by the LCAQMD prior to any prescribed fire ignitions that are part of the action alternatives. Prescribed burning will only occur on ‘permissive’ burn days as defined by the California Air Resources Board (CARB). Adherence to the smoke management plan (SMP) for pile and understory burning will decrease the chance of negative impacts to communities and other smoke sensitive areas. It will also help to decrease the chance that particulate matter emissions from pile or understory burning will violate the National Ambient Air Quality (NAAQ) emission standards.

Daily coordination among local fire management officials (Air Quality Management Districts, the California Air Resources Board, the National Weather Service and agencies that are conducting prescribed fire operations), adherence to the SMP and the daily determination of smoke transport conditions by CARB will help to ensure the smoke and related emissions for the prescribed fire activities will stay within the standards of the Clean Air Act. Coordination helps ensure burning only occurs when atmospheric conditions are conducive to good smoke dispersion and that the cumulative effects of all prescribed burning remain at levels within the provisions of the Clean Air Act (EA, pages 129 through 131).

Treatment of fuels will result in decreased smoke production and associated emissions in the event of a wildland fire. This decrease in emissions will help to reduce smoke related impacts to nearby communities.

(3) Unique characteristics of the geographic area.

There will be no significant effects on unique characteristics of the area because of project design, and because of the nature of the resources within the Champs Project area.

Harvey Valley contains the only known occurrence of prostrate buckwheat (*Eriogonum prociduum*) on the Lassen National Forest. *Eriogonum prociduum* is a Forest Service Sensitive plant species restricted to northeast California. With the implementation of Integrated Design Features, no direct or indirect effects are expected to *Eriogonum prociduum* (EA, pages 104 through 112).

Approximately five miles of the mainstem of Pine Creek are within the Champs Project area. Pine Creek is the major tributary within the Eagle Basin, a closed basin that terminates in Eagle Lake. Historically, Eagle Lake rainbow trout (Forest Service Sensitive aquatic species) relied on Pine Creek for most of their reproductive success since the creek has the most reliable perennial waters. The mainstem of Pine Creek is approximately 35 miles long with seven miles of perennial waters confined to the upper reaches. All of Pine Creek within the project area is seasonally flowing and cannot support year-round fish use.

There will no direct effects to Eagle Lake rainbow trout or loss of habitat because treatments will not occur while Eagle Lake trout are present in the project area and there are no changes to Pine Creek as a result of the project. Potential risks for short-term indirect effects such as increased sediment production

in Pine Creek is low due to implementation of project integrated design features (which include BMPs) within the RHCAs, distance from the mainstem of Pine Creek, and the flat nature of the topography before water from upstream project activities enters Pine Creek. Potential cumulative watershed effects are not expected to meet or exceed threshold levels within Pine Creek subwatersheds (EA, pages 97 through 104)

(4) Highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial. There is little scientific controversy over the impacts of the project (EA pages 57 through 235).

Some controversy exists concerning the reduction of suitable spotted owl habitat. As noted earlier, this decision will produce an overall short-term reduction of suitable spotted owl habitat by 78 acres, or a 1.14 percent reduction in the approximate 6,816 acres of suitable habitat within the Champs Project area. These acres are compared to a reduction of 1,031 acres and 0 acres for Alternatives 1 and 3 respectively. All other suitable habitat treated will retain a minimum of 40 percent canopy cover which is still considered to be a lower threshold for suitable foraging habitat. Even though stand densities within suitable habitat will be retained at higher levels, thinning these stands will produce conditions conducive for effective fire suppression activities, and improve stand health, even if only for a shorter period of time.

Additionally, some controversy exists concerning the removal of trees greater than 20 inches dbh. Also noted earlier, the number of trees ≥ 20 inches dbh affected under this decision (Prescriptions C, F, and G) will be minimal. As noted in the Integrated Design Features, all trees containing the characteristics of “old trees” will not be removed (EA, page 41). Additionally, empirical data within the Champs Project area indicates approximately four trees per acre (of which, 3 are 20 to 23.9 inches diameter and 1 is 24 to 29.9 inches diameter), or 25 percent, of trees 20 inch dbh and greater could be removed within Prescription C (DFPZ, Thin and Underburn within RHCAs) and Prescription G (Area Thinning), with possibly up to eight trees per acre removed through group selection harvesting (Prescription F). This could occur on approximately 1,456 acres treated under Prescriptions C, F, and G, and out of the 10,658 total treatments acres. These will be young, second-growth trees. Generally, no trees 200 years or older will typically be cut, or will trees ≥ 30 inches dbh.

Some controversy exists concerning the use of Sporax® and its anticipated effects because it is registered by the State of California as a pesticide. The application of Sporax is an approved fungicide in Region 5 for annosus root disease prevention and control. Other methods for controlling annosus root disease have been suggested and are discussed in the EA (pages 45 through 49).

Applications of Sporax within the Champs project will follow all applicable Federal regulations (Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136 as amended]), and California rules and regulations, including requirements for worker protection, storage, and environmental protection. The use of Sporax in the control of annosus root disease does not present a significant risk to humans or wildlife species under most conditions of normal use, even under the highest application rate. Given the highly focused application method for Sporax, application of granular product to cut tree stump surfaces,

exposures considered for both the human health and environmental risk assessments are limited to those which are not expected to result in significant exposure (EA, pages 144 through 189).

(5) 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 (EA pages 57 through 235).

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

This decision is not likely to establish a precedent for future actions with significant effects, because no significant environmental effects were identified. The implementation of this decision will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Any additional resource projects within or adjacent to the Champs Project area will require a separate environmental analysis at that time (EA pages 57 through 235).

Use of a 20 inch upper diameter limit under the selected alternative does not set a precedent or decision in principle about future projects that are similar in nature. In the Champs Project, the average quadratic mean diameter (QMD) is low enough that forest health thinning objectives can be met in most cases without removing trees greater than 20 inches dbh (Forest Vegetation Simulator modeling, Champs Project record). However, these site specific conditions may not appreciably exist in other project areas where similar treatments are applied.

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

This decision does not represent potential significant cumulative adverse impacts when considered in combination with other past, ongoing, or reasonably foreseeable future actions.

A cumulative effects analysis was completed separately for each resource area. The geographic scope of the cumulative effects analysis area varied among resource areas, and is discussed within the respective specialist reports. None of the resource specialists found the potential for significant adverse cumulative effects (EA pages 57 through 235).

A summary of past, ongoing, and reasonably foreseeable future actions within the project area are described in the EA (Appendix B, pages 243 through 278).

DFPZ maintenance is discussed on pages 260 through 261 of the EA. My decision does not include DFPZ maintenance. Treatments of stand structures are designed to be effective for a minimum of 10 years, with a desired target efficacy of approximately 20 years. Some stands or portions of stands may require maintenance within ten years of the initial treatment. Maintenance treatments of surface fuels are not expected to be necessary for the first five years following the initial treatment. Therefore, DFPZ maintenance was analyzed as a reasonably foreseeable action in cumulative effects, during the analysis of this project. Future maintenance actions will be analyzed separately and site-specifically, in compliance with NEPA.

(8) Adverse effects on properties listed or eligible for National Register of Historic Places, or loss of significant scientific/cultural/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, or cause the loss or destruction of significant scientific, cultural, or historical resources.

Out of the eighty-eight identified properties within the Champs Project area boundary, approximately 71 historic properties are directly within treatment areas. However, Standard Resource Protection Measures (SRPM) as defined in the Regional Programmatic Agreement and Interim Protocol will be employed as integrated design features and applied to all heritage resources within the Area of Potential Effect (APE), and therefore there will be no effect to heritage resources resulting from treatments within the project area (EA, pages 131 through 135).

Activities associated with this decision will comply with the National Historic Preservation Act (NHPA) of 1966, as amended; the Archaeological Resources Protection Act of 1979 (ARPA), the Native American Grave Protection and Repatriation Act, the American Indian Religious Freedom Act (1978), and as called for by the First Amended Regional Programmatic Agreement Among The U.S.D.A. Forest Service, Pacific Southwest Region California, State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding The Process For Compliance With Section 106 Of The National Historic Preservation Act For Undertakings On The National Forests Of The Pacific Southwest Region (2001) (Regional PA), and the 2004 Interim Protocol for Non-Intensive Inventory Strategies for Hazardous Fuels and Vegetation Reduction Projects (Interim Protocol).

This decision will reduce the risk of impacts to heritage resources by reducing hazardous fuel accumulations around the sites, thus reducing the risk of subsequent high intensity fires which will have an overall beneficial effect to heritage resources.

(9) The degree to which this action may adversely affect an endangered or threatened species or critical habitat. (I have also included Forest Service Region 5 Sensitive Species in this section.)

The action will have no significant adverse effects on Federally Listed threatened or endangered species, or Forest Service Region 5 Sensitive Species.

I determined this action will have no effect on the following terrestrial Federally Listed threatened or endangered species or their critical habitat: northern bald eagle, northern spotted owl, valley elderberry beetle (EA pages 199 through 242). I determined this action will have no effect on the following aquatic Federally Listed threatened or endangered species or their critical habitat: Central Valley steelhead Distinct Population Segment, Central Valley spring-run Chinook salmon Evolutionarily Significant Unit (ESU), Delta smelt, Winter-run chinook salmon ESU, California red-legged frog, Giant garter snake, Shasta Crayfish, Conservancy fairy shrimp, Vernal pool fairy shrimp, and Vernal pool tadpole shrimp (EA pages 97 through 104, and pages 236 through 242). No Federally Listed threatened or endangered plant species occur within the project area (EA pages 104 through 112, and pages 236 through 242).

I determined this action will have no effect on the following terrestrial Forest Service Sensitive species: California wolverine, American marten, Pacific fisher, Sierra Nevada red fox, western red bat, Swainson's hawk, great gray owl, willow flycatcher (EA pages 199 through 242). I determined this action will have no effect on the following aquatic Forest Service Sensitive Species; Foothill yellow-legged frog, Mountain yellow-legged frog, Cascades frog, Northwestern pond turtle, California floater, Great Basin Rams-horn, Scalloped Juga, Montane Peaclam, Nugget pebblesnail, and Central Valley fall/late-fall-run Chinook salmon ESUs (EA pages 97 through 104, and pages 236 through 242). I determined this action will have no effect on the following plant Forest Service Sensitive Species: prostrate buckwheat (*Eriogonum prociduum*) (EA pages 104 through 112, and pages 236 through 242).

I determined this action may affect individuals of the following terrestrial Forest Service Sensitive species, but is not likely to result in a trend towards federal listing or loss of species viability: California spotted owl, northern goshawk, greater sandhill crane, pallid bat, Townsend's big-eared bat (EA pages 199 through 235). I determined this action may impact individuals of the following aquatic Forest Service Sensitive species, but is not likely to cause a trend toward federal listing or a loss of viability: Topaz Juga and Eagle Lake rainbow trout (EA pages 97 through 104).

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

This 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 as noted above and below (pages 57 through 235).

National Forest Management Act of 1976 (NFMA; Public Law 94-588)

The National Forest System lands affected by the Champs Project are subject to management direction in the 1993 LNF LRMP as amended by the 1999 HFQLG ROD and the 2004 SNFPA ROD. The Forest Plan, as amended, guides management of all National Forest lands and resources within the Champs Project area. It includes direction for forest management, goals and objectives, standards and guidelines, area management direction, Management Indicator Species (MIS), and the anticipated outputs of forest products. Treatments are consistent with the management direction, standards and guidelines in the LNF LRMP as amended.

The NFMA management requirements (per 36 CFR 219.27) for resource protection, vegetative manipulation, silvicultural practices, even-aged management, riparian areas, soil and water, and diversity have all been addressed in the EA. I have found the following to be true for the NFMA findings in this analysis:

1. Harvest is limited to suitable lands unless for salvage or multiple use values.

Thinning treatments will only take place on lands that are considered suitable for timber harvest, as per the LNF LRMP, as amended by both the HF-QLG FEIS and ROD and the SNFPA FEIS ROD (EA pages 144 through 189). The LNF LRMP as amended allows timber management to meet fuel management objectives.

2. Harvest is made in such a way that lands can be reforested within 5 years after final harvest.

Group selections can be adequately restocked within five years of final harvest. Stands in the vicinity with comparable site conditions have received similar silvicultural treatment and resulted in full stocking within five years of final harvest (EA pages 144 through 189).

3. Harvest is suited to the multiple use goals established for the area.

Treatments within the project area meet the objectives of the LNF LRMP, as amended. Treatments to achieve the desired outcomes include thinning from below to remove ladder fuels and prescribed burning to reduce surface fuels, both of which are consistent with the standards and guidelines of the LNF LRMP as amended (EA, pages 114 through 129, and pages 144 through 189).

4. The proposal is not chosen primarily because it returns the greatest amount of dollars or timber, although these factors shall be considered.

None of the treatments under this decision were generated to produce the greatest amount of dollars or timber. The Purpose and Need for this project includes constructing DFPZs designed to be part of a larger DFPZ network. To construct an effective DFPZ, surface, ladder, and canopy fuels need to be treated. Ladder and canopy fuels in the treatment areas will be treated by thinning from below, while generally leaving the largest trees in the stands. Surface fuels will be treated with underburning, mastication, or jackpot piling and burning, all of which reduce project economics (EA pages 112 through 189).

Although economics was not the only consideration in generating the treatments, contributing to the economic stability of rural communities is part of the Purpose and Need (EA pages 7 through 14). This project will contribute to the economy of local communities via both service and timber sale contracts. It will also generate a return to the Federal Treasury via timber sale contracts (EA pages 112 through 114).

5. Potential effects on residual trees and adjacent lands are considered.

The effects of the treatments on residual trees have been discussed in the EA (pages 88 through 97, and pages 144 through 189). Thinning from below will move stands toward a level that is more in line with the land's carrying capacity. This treatment will move the stands towards the historic pine dominated, open (fire resilient), healthy condition, while facilitating the removal of the majority of the existing ladder fuels that allow surface fires to become crown fires.

Prescribed underburning will reduce surface fuel loadings. Damage to residual trees may occur but will be minimal (EA, pages 114 through 129, and pages 144 through 189).

The DFPZs implemented in the Champs project area are designed and located to be part of a larger strategic system of DFPZs that provides fire suppression personnel relatively safe locations from which to take action against wildfires. The increased number of acres added to the DFPZ network will increase the probability that any wildland fire start in the project area will be in close proximity to a DFPZ and this will also help in keeping fires smaller (EA, pages 114 through 129). The DFPZs are a link in the HFQLG DFPZ network. Portions of DFPZs have been completed within the project area, but the network is

currently incomplete. The DFPZs connect to Blacks Mountain Experimental Forest on the west, completed DFPZs to the south of the Champs project area.

6. Permanent impairment of site productivity is avoided and soil and water resources conserved.

There will be no permanent impairment of site productivity (EA pages 144 through 189). Through the implementation of Integrated Design Features and BMPs (EA pages 37 through 44, and pages 135 through 138, pages 189 through 197), site productivity and soil and water resources will not be impaired.

The direct effect on the soil resource from prescribed burning includes a reduction of the potential wildfire intensity. Without the selected treatments, wildfire could be so intense or severe that it could have an adverse impact to the soil resource (EA pages 189 through 197).

7. Even-aged management meets Forest Plan objectives/requirements.

This decision does not include even-aged management. The objectives of the project include developing a system or network of DFPZs by reducing surface and ladder fuels and contributing to the economy of rural communities. In addition, the objective is to create un-even aged stands through individual tree selections and group selections. All of the treatments in this decision meet the objective of the LNF LRMP, as amended.

Clean Water Act [as amended in 1972 (Public Law 92-500) and 1977 (Public Law 95-217)]

All Federal agencies must comply with the provisions of the Clean Water Act. The Clean Water Act regulates forest management activities near federal waters and riparian areas. This decision meets the terms of the Clean Water Act for non-point sources of pollution, primarily pollution caused by erosion and sedimentation. As described in the 1999 HFQLG FEIS, compliance with the Clean Water Act is accomplished through implementation of Best Management Practices (BMPs) for National Forests in California (USDA FS 2000a).

The State and Regional Water Quality Control Boards entered into agreements with the U.S. Forest Service to control nonpoint source discharges by implementing control actions certified by the State Water Quality Control Board and the EPA as BMPs. BMPs are designed to protect and maintain water quality and prevent adverse effects to beneficial uses both on-site and downstream. In addition, the land disturbing activities will be dispersed in time and space so that the subwatersheds will not reach or exceed the threshold of concern for overall watershed disturbance (EA pages 135 through 138).

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 (Service) and/or the United States Department of Commerce National Marine Fisheries Service (NMFS), whichever is appropriate, during project planning when Threatened or Endangered species, or their associated critical habitat, may be affected by a project.

Consultation was not required for the Champs Project because no Threatened or Endangered species, or their associated critical habitat, will be affected by this decision (EA pages 199 through 242).

Herger-Feinstein Quincy Library Group Forest Recovery Act of 1998 (Title IV, Section 401)

Forest Supervisors for the Plumas, Lassen, and Tahoe National Forests signed a ROD for the HFQLG FEIS in August 1999. The ROD amended the three Forest Plans to establish a pilot project to demonstrate and test the effectiveness of management activities described in the HFQLG Act of October 21, 1998. Champs Project incorporates all of the elements of that decision.

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 will not cause a measurable negative effect to migratory bird populations due to the small amount of acreage where project activities will occur during the breeding season relative to the large amount of migratory bird habitat across the Forest. The Forest will comply with Terms and Conditions for the protection of migratory birds as provided by the Fish and Wildlife Service.

Implementation

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition. In the event of multiple appeals, the implementation date is controlled by the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR Part 215. Only those individuals and organizations that submitted written or oral comments during the 30-day comment period (36 CFR 215.6), and otherwise meet the specific requirements of 36 CFR 215.11(a), have standing to appeal. Appeals must be filed within 45 days from the publication date of the legal notice for this decision in the Lassen County Times, the newspaper of record. Notices of appeal must meet the specific content requirements of 36 CFR 215.14. An appeal, including attachments, must be filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer (36 CFR 215.8) within 45 days following the publication date of this notice. The publication date of this notice is the exclusive means for calculating the time period to file an appeal (36 CFR 215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

Appeals must be submitted to Randy Moore, Regional Forester, 1323 Club Drive, Vallejo, CA 94592, (707) 562-8737. Appeals may be submitted by FAX [707-562-9091] or by hand-delivery to the Regional Office, at the address shown above, during normal business hours (Monday-Friday 8:00am to 4:30pm).

Electronic appeals, in acceptable [plain text (.txt), rich text 9.rtf] or Word (.doc) formats, may be submitted to appeals-pacificsouthwest-regional-office@fs.fed.us with Subject: Champs Project.

Contact person

For additional information concerning this decision or the Forest Service appeal process, contact: Theresa Frolli, District Ranger, or Dominic Cesmat, Champs Project Leader, Eagle Lake Ranger District, 477-050 Eagle Lake Road, Susanville, CA 96130, (530) 257-4188.

/s/ *Jerry Bird*

11/28/07

JERRY BIRD
Acting Forest Supervisor
Lassen National Forest

Date:

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