Appendix B - Full Application Checklist

SNC Reference#: _____

Project Name: Eastern Madera Wildfire Reforestation Project

Applicant: Yosemite/Sequoia Resource Conservation and Development Council

Please mark each box if item is included in the application. Please consult with SNC staff prior to submission if you have any questions about the applicability to your project of any items on the checklist. All applications must include a CD including an electronic file of each checklist item, if applicable. The naming convention for each electronic file is listed after each item on the checklist. (Electronic File Name = EFN: "naming convention". file extension choices)

Submission requirements for all Category One and Category Two Grant Applications

1. ☒ Completed Application Checklist *(EFN: Checklist.doc,.docx,.or .pdf)*
2. ☒ Table of Contents *(EFN: TOC.doc,.docx, or .pdf)*
3. ☒ Full Application Project Information Form *(EFN: SIform.doc, .docx, or .pdf)*
4. ☒ CCC/Local Conservation Corps Document *(EFN: CCC.pdf)*
5. ☒ Authorization to Apply or Resolution *(EFN: authorization.doc, .docx, or .pdf)*
6. ☒ Narrative Descriptions *(EFN: Narrative.doc or .docx)*
   a. ☒ Detailed Project Description (5,000 character maximum for section 6a only)
      Project Description including Goals/Results, Scope of Work, Location, Purpose, etc.
   b. ☒ Workplan and Schedule
   c. ☒ Restrictions, Technical/Environmental Documents and Agreements
      ☐ Restrictions / Agreements *(EFN: RestAgree.pdf)*
      ☐ Regulatory Requirements / Permits *(EFN: RegPermit.pdf)*
   d. ☒ Organizational Capacity
   e. ☒ Cooperation and Community Support
      ☐ Letters of Support *(EFN: LOS.pdf)*
   f. ☒ Tribal Consultation Narrative *(EFN: tribal.doc, docx)*
   g. ☒ Long Term Management and Sustainability
      ☐ Long-Term Management Plan *(EFN: LTMP.pdf)*
   h. ☒ Performance Measures
7. Budget documents
   a. ☒ Detailed Budget Form (EFN: Budget.xls, .xlsx)
8. Supplementary Documents
   a. Environmental Documentation
      ☐ California Environmental Quality Act (CEQA) documentation *(EFN: CEQA.pdf)*
      ☒ National Environmental Policy Act (NEPA) documentation *(EFN: NEPA.pdf)*
   b. Maps and Photos
      ☒ Project Location Map *(EFN: LocMap.pdf)*
      ☐ Parcel Map showing County Assessor's Parcel Number(s) *(EFN: ParcelMap.pdf)*

- ☐ Topographic Map *(EFN: Topo.pdf)*
- ☒ Photos of the Project Site *(10 maximum) (EFN: Photo.jpg, .gif)*

c. Additional submission requirements <u>for Fee Title Acquisition applications only</u>
- ☐ Acquisition Schedule *(EFN: acqSched.doc,.docx or .pdf)*
- ☐ Willing Seller Letter *(EFN: WillSell.pdf)*
- ☐ Real Estate Appraisal *(EFN: Appraisal.pdf)*

d. Additional submission requirements <u>for Site Improvement / Restoration Project applications only</u>
- ☐ Land Tenure Documents *(EFN: Tenure.pdf)*
- ☒ Site Plan *(EFN: SitePlan.pdf)*
- ☐ Leases or Agreements *(EFN: LeaseAgmnt.pdf)*

I certify that the information contained in the Application, including required attachments, is accurate, and that I have been authorized to apply for this grant.

2/29/2016

Signed *(Authorized Representative)* Date

Steve Haze, Executive Director

Name and Title *(print or type)*

Eastern Madera Wildfire Reforestation Project
Yosemite/Sequoia RC&D Council

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    i. **N/A** Restrictions / Agreements
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d. Organizational Capacity Cooperation and Community Support……19
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2. Budget documents
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3. Supplementary Documents
    a. Environmental Documentation (AppF.pdf) ……25
    b. Maps and Photos
        i. Project Location Map (EFN: LocMap.pdf)……29
        ii. **N/A** Parcel Map showing County Assessor's Parcel Number(s)
        iii. **N/A** Topographic Map
        iv. Photos of the Project Site (photo.jpg)……30
    c. Additional submission requirements for Site Improvement / Restoration Project applications only – N/A
        i. **N/A** Land Tenure Documents (EFN: Tenure.pdf)
        ii. Site Plan (EFN: SitePlan.pdf)……39
        iii. **N/A** Leases or Agreements (EFN: LeaseAgmnt.pdf)
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SIERRA NEVADA CONSERVANCY
PROPOSITION 1 – Watershed Improvement Program Project Information Form

SNC REFERENCE #

PROJECT NAME Eastern Madera Wildfire Reforestation Project

APPLICANT NAME *(Legal name, address, and zip code)*
Yosemite/Sequoia Resource Conservation and Development Council
P.O. Box 415
North Fork, CA 93643

AMOUNT OF GRANT REQUEST $488,320

TOTAL PROJECT COST $596,320

PROJECT LOCATION *(County with approx. lat/long, center of project area)*
Madera County, (37.275, -119.375)

SENATE DISTRICT NUMBER	**ASSEMBLY DISTRICT NUMBER**
8	5

PERSON WITH MANAGEMENT RESPONSIBILITY FOR GRANT CONTRACT

Name and title:	*Phone:*	*Email Address:*
☒ Mr. Steve Haze, Executive Director	(559)-855-5840	stevehaze007@gmail.com
☐ Ms.		

TRIBAL CONTACT(S) INFORMATION

Name: Maryann McGovran, Tribal Chairwoman
Phone Number: (559) 877-2461
Email address: mmcgovran@nfr-nsn.gov

COUNTY ADMINISTRATOR OR PLANNING DIRECTOR CONTACT INFORMATION

Name: Norm Allinder, Planning Director
Phone Number: (559)675-7821
Email address: norman.allinder@co.madera.ca.gov

NEAREST PUBLIC WATER AGENCY CONTACT INFORMATION

Name: Thomas Greci, General Manager, Madera Irrigation District
Phone Number: (559) 673-3514
Email address: tgreci@madera-id.org

Please identify the appropriate project category below and provide the associated details *(Choose One)*	
☒ Category One Site Improvement ☐ Category One Acquisition	☐ Category Two Pre-Project Activities
Site Improvement/ Acquisition Project Area (for Category One Projects Only) Total Acres: 350 SNC Portion (if different): **Acquisition Projects Only For Acquisitions Only** ☐ Appraisal Included	**Select one deliverable (for Category Two Projects Only)** ☐ Permit ☐ CEQA/NEPA Compliance ☐ Appraisal ☐ Condition Assessment ☐ Biological Survey ☐ Environmental Site Assessment ☐ Plan

Gmail by Google

Justine Reynolds <juss.reynolds@gmail.com>

SNC Prop 1 - Corps Consultation for Y/S RC&D Council's Wildfire Reforestation Project

Prop1 Community Corps <inquiry@prop1communitycorps.org> Fri, Feb 12, 2016 at 10:54 AM

To: Justine Reynolds <juss.reynolds@gmail.com>
Cc: "Prop 1@CCC" <prop1@ccc.ca.gov>

Hello Justine,

Shawn of the Fresno Local Conservation Corps has responded that they are able to assist with the Eastern Madera Wildfire Reforestation Project if it receives funding. The LCC is interested in speaking to the group. Please include this email with your application as proof that you reached out to the Local Conservation Corps.

Additionally, please feel free to contact Shawn Riggins (Shawn.Riggins@fresnoeoc.org) directly if your project receives funding.

Thank you,

Dominique

California Association of Local Conservation Corps

Proposition 1 – Water Bond

Consultation Review Document

Applicant has submitted the required information by email to the Local Conservation Corps (CALCC):

✓Yes (applicant has submitted all necessary information to CALCC)

After consulting with the project applicant, the CALCC has determined the following:

✓It is feasible for CALCC to be used on the project (deemed compliant)

APPLICANT WILL INCLUDE THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

On Wed, Feb 10, 2016 at 5:12 PM, Justine Reynolds <juss.reynolds@gmail.com> wrote:

Hello!

I am working on a grant application in coordination with the Sierra National Forest, and am requesting consultation as required by Sierra Nevada Conservancy's application process.

Project Title: Eastern Madera Wildfire Reforestation Project

Project Description:

This project would plant 350 acres of trees on public lands to reforest an area impacted by the French Fire in 2014. For site preparation we would fell, pile and burn 225 acres. We would also treat 225 acres with herbicides as a part of the site prep. 125 acres would be site prepared using FS funds. The forest service is planning to provide in kind match through 125 acres of site preparation. We would, however, be planning to site prep and plant additional acres with federal funds within the fire area. This work would be primarily be undertaken by USFS staff, with Y/S RC&D Council providing administrative support and community outreach on the importance of fire restoration.

Project Map: see attached - Please note that we are revising the map currently, but reforestation would take place in the French Fire footprint.

Project Implementation Timeline January 2017-December 2019
Project initiation in Jan 2017. Site prep would begin in Spring 2017. Planting in 2018 in areas not requiring herbicides. Herbicide application in 2018 in areas requiring herbicide. Planting in herbicide areas in 2019. Estimated completion date December 2019.

Thank you for your time,

Justine Reynolds
Project Manager
Yosemite/Sequoia RC&D Council

Office:(559) 877-8663
Office(alt):(559)-500-9971
Cell:(559)-999-9100
juss.reynolds@gmail.com

Gmail by Google

Justine Reynolds <juss.reynolds@gmail.com>

SNC Prop 1 - Corps Consultation for Y/S RC&D Council's Wildfire Reforestation Project

Prop 1@CCC <Prop1@ccc.ca.gov> Tue, Feb 16, 2016 at 4:16 PM
To: Justine Reynolds <juss.reynolds@gmail.com>, "Prop 1@CCC" <Prop1@ccc.ca.gov>, "inquiry@prop1communitycorps.org" <inquiry@prop1communitycorps.org>

Hello Justine.

Enrique Rios, the Conservation Supervisor at our CCC Fresno location has responded to the partnership for your project: Eastern Madera Wildfire Reforestation Project. CCC can assist with the project except for the herbicide application portion of the project.

Please include this email with your project application as proof that you reached out to the CCC. Feel free to contact Enrique Rios at Enrique.Rios@ccc.ca.gov directly if you have project-specific questions and when your project receives funding.

Thanks,

Nick Martinez

Region II Analyst

California Conservation Corps

Office (916) 341-3157

Nicholas.Martinez@ccc.ca.gov

From: Justine Reynolds [mailto:juss.reynolds@gmail.com]
Sent: Wednesday, February 10, 2016 5:13 PM
To: Prop 1@CCC <Prop1@CCC.CA.GOV>; inquiry@prop1communitycorps.org
Subject: SNC Prop 1 - Corps Consultation for Y/S RC&D Council's Wildfire Reforestation Project

[Quoted text hidden]

For grant application coming from Non-Governmental Organization
Resolution for Governing Board ***(Board of Directors)***

Board of Directors Resolution No. 2016-03

In the matter of: A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE Prop 1 - SNC program GRANT PROGRAM UNDER THE _____ ACT OF _____ [DATE]	Resolution No: 2016-03 Date: 1/28/2016

The following RESOLUTION was duly passed by the Board of Directors of the Y/S RC&D Council [NGO name] at a regular meeting held 1/28/15 [date], by the following vote:

Ayes: 16

Noes: 0

Abstentions: 0

Absent: N/A

Signed and approved by:

Chair, Board of Directors

WHEREAS, the Legislature and Governor of the State of California have provided Funds for the program shown above; and

WHEREAS, the Sierra Nevada Conservancy (SNC) has been delegated the responsibility for the administration of a portion of these funds through a local assistance grants program, establishing necessary procedures; and

WHEREAS, said procedures established by the Sierra Nevada Conservancy require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the SNC; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the SNC to carry out the project; and

WHEREAS, the Y/S RC&D Council [NGO name] has identified the EMWR [project name] as valuable toward meeting its mission and goals.

BE IT HEREBY RESOLVED by the Board of Directors of the Y/S RC&D Council, [NGO name] that this Board:

- Approves the submittal of an application for the EMWR project; and
- Certifies that Applicant understands the assurances and certification requirements in the application; and

- Certifies that Applicant or title holder will have sufficient funds to operate and maintain the resource(s) consistent with the long-term benefits described in support of the application; or will secure the resources to do so; and
- Certifies that Applicant will comply with all legal requirements as determined during the application process; and
- Appoints Steve Haze, or designee, as agent to conduct all negotiations, execute and submit all documents, including but not limited to: applications, agreements, payment requests, and so on, which may be necessary for the completion of the aforementioned project(s).

PASSED AND ADOPTED by the Y/S RC&D Council [NGO name] on the 28th day of January, 2016.

Narrative Description

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Detailed Project Description

Project Goals

The primary goal of the Eastern Madera Wildfire Reforestation Project is to fund restoration of 350 acres of public lands through site preparation and reforestation, as part of a larger priority project being undertaken by the Bass Lake Ranger District of the US Forest Service. Our secondary goal is to educate the public on the values of reforestation post-fire for water quality, canopy cover, and protected species though public meetings, field trips, educational materials, and media.

Scope of Work

In 2014, the French Fire burned over 14,000 acres of national forest lands on the Bass Lake Ranger District of the Sierra National Forest. Of those acres, over 3,000 acres are now in need of conifer reforestation due to high severity wildfire. The French fire was located in the Upper San Joaquin River Watershed – headwaters for the Sacramento-San Joaquin River Delta – and as such directly impacts the water quality and quantity of downstream users. This joint project, administered by the Yosemite/Sequoia Resource Conservation and Development Council (Council) and implemented by the Bass Lake Ranger District of the US Forest Service (BLRD), would restore 350 acres through conifer reforestation.

The California Water Plan recognizes the importance of the upper watersheds to the state's water resources. It specifically calls for restoration of forest health through ecologically sound forest management. Additionally, as referenced in SNC's Watershed Improvement Program Regional Strategy, "high-intensity burn areas can experience runoff and erosion rates five to ten times greater than low or moderate-intensity burn areas". The sediment resulting from large

increases in runoff and the lack of vegetation to stabilize soil enters nearby creeks and rivers, degrading water quality and adversely affecting aquatic habitat. This sedimentation also reduces the storage capacity of existing reservoirs and storage facilities.

Reforestation will improve watershed conditions by restoring severely burned areas to forested conditions, reducing sedimentation and turbidity, and improving water quality for downstream users. It will also improve habitat by providing stabilization that reduces erosion of streambanks and meadows. Additionally, reforestation of landscapes will provide canopy cover which is beneficial for wildlife species such as Pacific Fisher and Spotted Owl. This reduction in sedimentation would also would benefit public utility infrastructure, including Southern CA Edison and PG&E hydroelectric facilities, transmission infrastructure, and systems.

This project also addresses several objectives of SNC's Watershed Improvement Program as co-benefits: The reforested conifers as they grow will reduce greenhouse gases through carbon sequestration and reduce greenhouse gas emissions. The benefits of this increases over time as the trees grow larger in size. The restoration of these burn areas also provides benefits to the surrounding local communities, both in scenic value, restored and improved recreation, and economic benefits through tourism and local contracting.

An environmental assessment (EA) and NEPA (FONSI) has been completed for the French Fire. The document proposes to remove merchantable fire killed trees from about 5,700 acres within the French Fire area which began in the fall of 2015. Up to 3,000 acres are planned to be planted over the coming years within the French Fire. The funds from this project would supplement very limited US Forest Service reforestation funds by covering the costs of reforesting 350 acres with this grant of the 3,000 acres planned for reforestation. Once funding has been obtained for the remaining acres and the reforestation effort on the French Fire has been completed, 3,000 acres will be stocked and free to grow following Region 5 stocking standards.

This funding from Sierra Nevada Conservancy would pay for additional needed site preparation, including felling and removal of select dead trees based on USFS guidelines, piling and burning of slash, and some jackpot burning. Herbicide application would take place in identified areas the year prior to planting. Some planting may occur in 2017 where herbicide application was not needed; most planting will occur in spring 2018 and spring 2019. Monitoring will take place in fall 2019, with project completion in spring 2020.

Outreach for the project will operate through community channels already developed by the applicant and its community partners. These channels include press releases, email lists, signage, and community meetings. We are also planning to use social media, primarily our organization's Facebook page.

Workplan and Schedule

Work will be prescribed by a Forest Service certified Silviculturist and completed by BLRD staff and crews and contractors. Subcontracts for planting and herbicide application will be prepared and administered by Forest Service personnel. Grant administration, reporting, invoicing and outreach will be performed by Y/S RC&D Council staff.

Removal of fire killed trees and slash treatments will reduce surface and ladder fuels. Concentrations of small diameter dead trees in harvest areas would be felled. Scattered individual small dead trees would be left standing. Down logs as well as some snags larger than 16 inches dbh would be retained within or adjacent to treatment units as specified in the Sierra National Forest land management plan. Sufficient down logs would be retained in biomass removal units as well as piling areas to meet Sierra National Forest Land Management Plan standards. Site preparation and planting would not be done within Streamside Management Zones (SMZs). In some areas cull logs would be skidded to landings and decked for potential removal to the log deck and/or the bioenergy facility under construction at the North Fork Mill Site.

Following removal of fire killed trees, site preparation would begin. Slash concentrations in harvested areas would be spot tractor or grapple piled or jack pot burned. Areas covered with light slash concentrations would not be piled but slash would instead be left in place for soil stabilization. Jack pot burning would be done in areas where the hydrologist requested minimal ground disruption, steeper slopes or areas with insufficient scattered slash concentrations to warrant using a tractor. 50% or greater ground cover would remain in place to protect the site from erosion when tractor or grapple piling. One blade wide firelines to mineral soil would be created around piles. Piles would be compact and as tall as wide. Tractors would not pile on slopes exceeding 35%. Slash piles would be burned by Forest Service crews.

Heavily bear clover covered areas would be herbicide treated the year prior to planting. Herbicide treatments would apply by hand a mixture of Glyphosate, a surfactant, colored dye and water. Application would take place during the spring when bear clover was actively growing. The primary target species would be bear clover, but brush would be treated at the same time. In areas of light bear clover or light slash, planting could be completed a year or two earlier since initial treatments would not be needed. Herbicide release treatments would be implemented in areas where the initial herbicide treatment was not successful or areas that were planted before bear clover cover became a problem.

Planting will be accomplished in accordance with US Forest Service region 5 guidelines. Follow-up replanting would be accomplished in those areas where stocking surveys indicated survival was poor. Stocking at year 5 would meet Forest Service R-5 standards. A mix of conifer seedlings, with Ponderosa or Jeffrey pine comprising the majority, will be planted to stocking levels that meet FS stocking standards for the site class of the area.

Deliverables:

Reforestation

- All grant funded site preparation and reforestation is identified as "first entry" locations in the map provided; however, some of these areas will have been site prepared and planted in spring of 2016. A final map of potential grant funded site preparation and reforestation areas will be prepared by the first quarter 2017. **Deliverable: map with all final grant funded treatment units by April, 2017.**

- Contract preparation would begin in fall of 2017 for herbicide application and planting. Award of planting and herbicide application contracts would occur prior to the end of February 2018 for 2018 work.
  Deliverable: Various contracts each year

- Some felling of small fire killed trees, not utilizing grant funding, began in late 2015. Grant funded felling would begin between July and December 2017 in priority areas released from the timber sale contract. Felling would resume, as needed, between July and December 2018.
  Deliverable: 225 acres felled

- Grant funded site preparation slash disposal (Forest Service or contract work would be awarded and accomplished July 2017 through early 2018). Slash concentrations would be spot tractor or grapple piled. Slash piles would be burned during the fall or early winter.
  Deliverable: 225 acres piled and burned

- Glyphosate would be applied by hand to control bear clover and brush the spring the year prior to planting. (Contract work would be accomplished generally between mid-April and early June 2018, 2019). Some treatments may be for release from bear clover where seedlings were planted prior to reinvasion of competing bear clover. Treatment timing would be the same as for site preparation. Herbicide application would take place in early spring when the bear clover is actively growing.
  Deliverable: **225 acres herbicide treatments**

- Planting would typically take place in April to late May depending on elevation.
  - Planting would begin in the spring 2018.
    Deliverable: 150 acres planted
  - Planting would continue spring 2019.
    Deliverable: 200 acres planting

- Monitoring would be done during the fall of each year beginning in 2018. Monitoring would consist of stocking surveys for the first 5 years following planting. 1st and 3rd year

surveys would follow a grid system with one plot per acre. 2nd, 4th and 5th year surveys would be walk throughs. Replanting and release needs would be noted for each unit surveyed. Insect problems, animal damage, wildlife and watershed concerns would also be noted. Release and replanting prescriptions would be prepared from the information collected.
Deliverable: Stocking report listing calculated percent seedling survival for each plantation for 1st and 3rd years and estimated stocking per acre for 2nd, 4th and 5th years.

Outreach

- Develop a presentation to be used by the Council for outreach activities. Presentations will be focused on educate the public on the values of reforestation post-fire for water quality, canopy cover, protected species, and overall forest health. Presentation will be made available online.
  Deliverable: 1 presentation posted online by Fall 2017

- Outreach meetings or field trips for key groups, focusing on youth and foothill communities.
  Deliverable: At least 3 community meetings and/or field trips

- Success stories will be posted in the local papers, as well as on our website and distributed to our mailing list. Additional stories and updates will be posted on our Facebook page.
  Deliverable: At least 1 success story per year, 4 total

Financial Management and Administrative

- Collection Agreement developed between the Council and the USFS
  Deliverable: Collections Agreement in Place by February 2017 (?)

- Six-month reporting until final reporting.
  Deliverable: Six-month Reports

- Final evaluation and reporting would be done upon completion of the project.
  Deliverable: Final Report

Detailed project deliverables	**Timeline**
Authorization by SNC	Fall 2016
Collections agreement between Y/S RC&D Council and US Forest Service	February 2017
Final map of grant funded treatment areas	April 2017
Community meeting – pre-treatment	June 2017
Six – Month progress Report	July 2017
Felling of small fire killed trees Deliverable: 225 acres of trees felled	July 2017 – December 2017
Site preparation – year 1 • slash piling • pile burning	July 2017 – December 2017
Contract preparation for herbicide application and replanting	Fall 2017
Reforestation presentation posted online	Fall 2017
12-month progress report	January 2018
Award of herbicide/replanting contracts	February 2018
Planting – year 1 **Deliverable: 150 acres planted**	Spring 2018
Herbicide application - year 1	April 2018 – June 2018
Public field trip and or/community meeting	Summer 2018
18-month progress report	July 2018
Additional felling of small fire killed trees, as needed	July 2018 – December 2018
Site preparation – year 2 • slash piling • pile burning **Deliverable: 225 acres piled and burned**	July 2018 – December 2018
Monitoring	Fall 2018
24-month progress report	January 2019
Planting – year 2 **Deliverable: 200 acres planted**	Spring 2019
Herbicide application – year 2 As needed	April 2019 – June 2019
Public field trip and or/community meeting	
30-month progress report	July 2019
Monitoring	Fall 2019
Final Report	January 2020

Restrictions Technical/Environmental Documents and Agreements

No property restrictions apply. All project activity will occur on National Forest System Lands and be implemented by the U.S. Forest Service.

Organizational Capacity

This project will be a collaborative effort between the Council and the Bass Lake Ranger District of the Sierra National Forest. The Council is currently managing or in the process of closing out several other projects in partnership with the USFS and funded by SNC, including the Willow Creek Planning Project (SNC 317), the Long Meadow Restoration Project (SNC 705), and the Upper Chiquito Creek Meadow Restoration Project (SNC 608).

The Council has extensive experience managing and administering grants and watershed programs and will act as fiscal agent and coordinate public outreach and education. The Council, with assistance from its partners, works on a variety of natural resource conservation and education project and programs within the foothill communities of four counties. Partners include; Tribal Governments, Fire Safe Councils, Resource Conservation Districts, Board of Supervisors, Community Development Councils and other grass root non-profit groups. These partnerships help leverage public involvement in local restoration projects like this while also providing capacity to the project as a whole.

Over the last 5 years the Council has completed the following projects through state and federal funding:

California FireSafe Council funding:

- 2009-10, YOSEMITE WEST III, $266,000.00
- 2010-11, CHIP I program, $53,501.00
- 2011-13, YOSEMITE WEST IV, $70,684.00
- 2011-13, CHIP II program, $112,000.00
- 2014-16, CHIP III program, $58,300.00

USDA NRCS federal grant funding:

- 2009-12, TRIBAL LIAISON, $63,000.00
- 2011-13, TRIBAL LIAISON, $50,000.00;
- 2010-11, Circle of Diamonds, $4,153.14

USDA USFS federal grant funding:

- 2010-12, Rural Business Enterprise Grant - BIOMASS UTILIZATION, $90,300.00
- 2012-13, Woody Biomass Utilization Grant, $134,000.00
- 2012-14, Road 274 fuel break maintenance, $23,000.00

State Funding:

- 2009-12, Sierra Nevada Conservancy grant - AG NAT TOURISM program, $20,000.00;
- 2009-12, Sierra Nevada Conservancy grant - Welcome to the foothills brochure, $49,999.00;
- 2009-12, Sierra Nevada Conservancy grant - CARE VIDEO, $49,999.00;
- 2012-14, Sierra Nevada Conservancy grant – North Fork Bioenergy Project CEQA, $75,000.00
- 2012-14, Ahwahnee Park – planning and construction project management, $470,750.00
- 2012-15, CA Department of Water Resources grant to create the Madera Integrated Regional Water Management Plan, $271,438.00

Other Vegetation Management Grants:

- 2014-2015: Six fuel reduction projects totaling over $260,000 through funding from PG&E

Bass Lake Ranger District

The Carstens Fire burned on the Bass Lake RD in June 2013. Following NEPA documentation, salvage logging was begun that fall. Site preparation began that fall as well. Planting began in the spring of 2014 and continued in 2015.

The French Fire began in late July 2014. Following completion of a roadside hazard NEPA document, hazard tree removal of fire killed trees began along Road 4S81 in February 2015. The final EA for the main French Fire area was completed by the end of July, 2015. Salvage removal of fire killed trees began in November 2015. Approximately 50 acres of small diameter fire killed trees were felled and slash tractor piled and burned in the vicinity of Mile High Vista this past fall. This site prepared area is scheduled to be planted during the spring of 2016.

The Bass Lake RD is presently implementing a 5 year Proposition 84 watershed improvement grant that emphasizes treating stands to increase overall forest health and resiliency to disturbances and reduce the likelihood of high severity wildfires which would damage the soils ability to filter and retain water. Prop. 84 and matching funds would treat a total of 4,680 acres through hand thinning and mastication. This grant is on track to be accomplished on time and as proposed.

The district has successfully completed a number of RAC (Resource Advisory Council) vegetation projects as well as two ARRA fuels reduction contracts over the past 10 years. The district has met or exceeded its vegetation management targets within budget every year for over 30 years.

Cooperation and Community Support

Support

This project ties together watershed improvement, fuels reduction, and vegetation management goals from multiple plans beginning with the National Fire Plan and 10 Year Comprehensive Strategy, California Fire Plan, Sierra National Forest Land Management Plan and Sierra Nevada Forest Plan Amendment 2004, Cal-Fire Madera, Mariposa, Merced Unit Strategic Fire Plan, Madera and Mariposa County Community Wildfire Protection Plans and Fresno River and Willow Creek Landscape Analysis documents. The overarching goals that all these guiding documents have in common is fuels reduction and vegetation management activities will be used to reduce hazard and risk of uncharacteristically severe wildfires to communities and the natural resources that provide goods and benefits to those communities.

The proposed project is associated with a number of collaborative efforts and significant community involved, including the following:

a. Sustainable Forest and Communities Collaborative. The Sierra Nevada Conservancy launched the Sustainable Forests and Communities Collaborative (SFCC) in 2009. The collaboration includes federal and state agencies, local governments, Resource Conservation Districts and Fire Safe Councils, nonprofit organizations, and other interested stakeholders. As an umbrella collaborative, the SFCC was responsible for launching or supporting many of the specific projects and efforts listed below, including the North Fork Bioenergy project, the Willow Creek Landscape Assessment, the Whisky Ridge NEPA community outreach, and the proposed USFS Bass Lake Ranger District stewardship contract. In their Strategic Plan, adopted February 2015, they identified public education and outreach on natural resources, as well as public engagement in forest planning processes, as one of their primary goals.

b. Willow Creek Landscape Assessment. A 'Landscape Assessment' is a watershed-level planning document used by the USFS to set desired conditions for future restoration activities. At the request of the USFS, the Sierra Nevada Conservancy facilitated a year-long collaborative planning process to update the desired conditions for the Willow Creek watershed (the watershed where some of the proposed reforestation activities will take place). This was a very successful process which included over 50 stakeholders including local groups representing recreational, environmental, Tribal, and community interests. The activities proposed in this grant application are in alignment with the desired conditions resulting from that planning process.

c. Whisky Ridge NEPA outreach. The proposed reforestation activities are adjacent to the Whisky Ridge project which completed its NEPA in early 2013. As a result of the Willow Creek Landscape Assessment the Bass Lake Ranger District decided to use the NEPA process to increase outreach and community education. This included community meetings and two fieldtrips with over 50 participants. In recognition of this community involvement, the project received the 2013 Honor Award from FS Region 5. Many of the

community members and stakeholders who participated in these outreach activities are anticipated to participate in our workshops, public meetings and outreach.

d. SNC-SRCD-USFS Interagency MOU. The USFS Region 5, the local Bass Lake Ranger District and the Sierra Nevada Conservancy have been working for almost one year to create an interagency agreement to develop partnerships which will supply biomass from the forest service lands to the North Fork bioenergy facility. One of Y/S RC&D Council's member organizations is Sierra Resource Conservation District, which was named as one of the partner organizations along with Sierra Nevada Conservancy and the US Forest Service in an interagency MOU signed in May 2015. This agreement will lead to the establishment of a long term management plans, which could include some aspects of this project.

Letters of Support

- Supervisor Tom Wheeler, Madera County District 5

Opposition

The Center for Biological Diversity and the John Muir Project litigated the Sierra National Forest's French Fire Recovery and Restoration Project stating the Forest Service failed to consider a sizeable portion of the French Fire area as un-inventoried roadless area and violated NEPA by not providing the public with a comment period on the Wilderness Analysis. The Court found in favor of the Forest Service in almost all points of the complaint. The Court gave deference to the Forest Service with their Wilderness Analysis and had no opposition to the continuation of the Project based on the complaint filed. However, the Court did direct the Forest Service to provide a comment period specifically on the Wilderness Analysis. This comment period began on December 21st and ended January 25th. The Forest Service is currently responding to comments to complete the Court Ordered comment period and have the injunction lifted prior to operations beginning July 1st, 2016. The vast majority of the proposed work to be undertaken under the EA lies outside of the area being litigated.

Tribal Consultation Narrative

During the 2014 French Fire, members of the North Fork Rancheria of Mono Indians of California (NFR) and the Picayune Rancheria of California Indians (Picayune Rancheria) attended a stakeholders meeting at the Incident Command Post at the South Fork Mill Site in South Fork, CA.

Consultation with tribes, local Native American communities, and other interested parties was initiated with a scoping letter on October 30, 2014 in accordance with the National Environmental Policy Act (NEPA). The letter was sent to members and groups in the Native American community (see French Project record). In addition, a consultation letter in

compliance with Section 106 of the National Historic Preservation Act (NHPA) and the Regional PA (2013) was sent to Native American community members and groups on October 28, 2014. These community members and groups included the North Fork Mono Tribe, Picayune Rancheria of Chukchansi Indians of California (Picayune Rancheria) and the Picayune Rancheria Tribal Historic Preservation Officer (THPO), North Fork Rancheria of Mono Indians of California (NFR) and the NFR Environmental Director, the Big Sandy Rancheria Band of Western Mono Indians (Big Sandy Rancheria) and the Big Sandy Rancheria EPA Program Manager, and several Native American interested individuals. On November 11, 2014, a public meeting regarding the French Project was held at the Bass Lake District Office in North Fork, CA. There was one tribal member from NFR in attendance. On November 12, 2014, the Sierra Tribal Forum was held at the Prather office on the High Sierra Ranger District. During this meeting, the Bass Lake District Archaeologist (BLDA) and Sierra NEPA Planner, presented the French Project to forum participants.

On December 10, 2014, the BLDA, the NFR Environmental Director, and two NFR tribal members visited both the Mile High Hazard Sale and the French Project area within the French Fire. On January 8, 2015, an office meeting was held at the BLRD with members of the Forest Service (FS) and NFR to discuss questions that had come up during the December 10, 2014 field trip. On January 13, 2015, FS representatives and NFR tribal members again visited the French Project and Mile High Hazard project areas. A subsequent field visit was conducted on January 29, 2015 to continue consultation and again on March 20, 2015. Consultation has consisted of office meetings, field meetings, letters, and presentations, and is documented in the French Project record.

Long Term Management and Sustainability Narrative

Monitoring would be done during the fall of each year beginning in 2018. Monitoring would consist of stocking surveys for the first 5 years following planting. 1st and 3rd year surveys would follow a grid system with one plot per acre. 2nd, 4th and 5th year surveys would be walkthroughs. Replanting and release needs would be noted for each unit surveyed. Insect problems, animal damage, wildlife and watershed concerns would also be noted. Release and replanting prescriptions would be prepared from the information collected.

a. This project will be monitored and maintained by the Bass Lake Ranger District. The project area is part of the Sierra Forest Plan, currently under revision, which is a long term forest management plan.
b. This project has been identified as Sierra National Forest Priority, and is part of a larger restoration project underway.
c. Federal legislation supports the Forest Service, including the Resources Planning Act, maintaining the presence of the Forest Service long-term
d. Community-driven collaborative, the Sustainable Forests and Communities Collaborative, will be able to provide feedback on the planning process

e. Y/S RC&D Council has multiple member organizations and natural resources agencies who can provide feedback on the project and reduced rate consulting

The US Forest Service Bass Lake Ranger District shall ensure that the SNC and its officers, employees, agents, and representatives shall have access to monitor the project site for a minimum of twenty-five (25) years from the date of the grant agreement execution.

Management Activity	Date
Project Implementation Batch 1	2017
Project Implementation Batch 2	2018
Batch 1 Implementation monitoring – year 1 1st grid/one plot per acre	Fall 2018
Project Implementation Batch 3	2019
Replanting and release as necessary	Spring 2019
Batch 1 Implementation monitoring – year 2, 1st walkthrough	Fall 2019
Batch 2 implementation monitoring – year 1, 1st grid	Fall 2019
Replanting and release as necessary	Spring 2020
Batch 1 Implementation monitoring – year 3, 2nd grid	Fall 2020
Batch 2 implementation monitoring – year 2, 1st walkthrough	Fall 2020
Batch 3 implementation monitoring – year 1, 1st grid	Fall 2020
Replanting and release as necessary	Spring 2021
Batch 1 Implementation monitoring – year 4, 2nd walkthrough	Fall 2021
Batch 2 implementation monitoring – year 3, 2nd grid	Fall 2021
Batch 3 implementation monitoring - year 2, 1st walkthrough	Fall 2021
Replanting and release as necessary	Spring 2022
Batch 1 Implementation monitoring – year 5, 3rd walkthrough	Fall 2022
Batch 2 implementation monitoring – year 4, 2nd walkthrough	Fall 2022
Batch 3 implementation monitoring - year 3, 2nd grid	Fall 2022
Replanting and release as necessary	Spring 2023
Batch 1 Implementation monitoring - standard USFS yearly monitoring	Fall 2023
Batch 2 implementation monitoring – year 5, 3rd walkthrough	Fall 2023
Batch 3 implementation monitoring - year 4, 2nd walkthrough	Fall 2023
Replanting and release as necessary	Spring 2024
Batch 1 & 2 Implementation monitoring - standard USFS yearly monitoring	Fall 2024
Batch 3 implementation monitoring - year 5, 3rd walkthrough	Fall 2024
Replanting and release as necessary	Spring 2025
All projects monitored as part of standard usfs yearly monitoring, replanting and release as needed	June, 2025 – October, 2030

Performance Measures

Success will be measured utilizing the 4 standard performance measures - (1) number of people reached, (2) dollar value or resources leveraged for the Sierra Nevada, (3) number and type of jobs created, (4) number of new, improved, or preserved economic activities. Project specific performance measures for this project will be (5) acres of land improved or restored and (6) tons of carbon sequestered or emissions avoided.

Acres of Land Improved or Restored

350 acres will be restored to a mixed conifer habitat through reforestation activities – these acres will be documented by USFS – acres are identified in project map as first entry treatment areas.

Restoration/Improvement project purposes include
(i) 225 acres of Natural Disaster Risk Reduction for fire achieved through site preparation, including felling of dead trees, jackpot burning, and piling and burning of slash material, which would reduce the risk of loss due to future wildfires by reducing fuel loadings and excessive small diameter snags;

(ii) 350 acres of Natural resource protection through mixed conifer planting/reforestation;

(iii) Much of the French Fire burned with such high fire intensity that very little to no conifer seed source remains. Planting would begin to restore terrestrial habitat to that present prior to the fire over 350 acres;

(iv) Resource Management, e.g. increasing site productivity, vegetation management, forest management, etc.: 350 acres of previously forested lands would be planted to native conifers.

(v) Recreation: Visual quality degraded as a result of the French Fire would begin to be restored within 350 acres in the vicinity of the Sierra Vista Scenic Byway.

Tons of Carbon Sequestered or Emissions Avoided

Greenhouse gas calculations will be completed utilizing the Carbon Online Estimator (COLE) v2.0. COLE data are based on USDA Forest Service Forest Inventory & Analysis and Resource Planning Assessment data, enhanced by other ecological data.

The estimates for GHG emissions for no action taken was calculated using data from the following research papers:

- *High-severity wildfire effects on carbon stocks and emissions in fuels treated and untreated forest*, North and Hurteau, 2011.
- *Greenhouse Gas Emissions from four California Wildfires: Opportunities to prevent and reverse Environmental and Climate Impacts FCEM Report No. 2, Bonnicksen 2008.*

Note: this data is a modification of previous GHG reduction calculations estimated for 1,000 acres of treatment area.

Proposed Treatment	**Reforested Area (Acres)**	**Total Tree Carbon Sequestered over 100 yrs (metric tons/C)**	**Greenhouse Gas Emissions 100 yrs (metric tons)**
Reforestation	350	204912	
No Treatment (Natural Recovery Only)	0	8645*	-70,156
		* 20 years of Carbon Sequestration only shown	After snags have fallen over

(- denotes GHG emissions released as C02)

SIERRA NEVADA CONSERVANCY
SNC Watershed Improvement Program - DETAILED BUDGET FORM

Project Name: Eastern Madera Wildfire Reforestation Project

Applicant: Yosemite/Sequoia Resource Conservation and Development Council

SECTION ONE **DIRECT COSTS**	2017 **Year One**	2018 **Year Two**	2019 **Year Three**	2020 **Year Four**	**Year Five**	**Total**
Project Management Costs	$5,400.00	$16,500.00	$6,100.00			$28,000.00
Site Preparation & Planting Costs	$68,200.00	$215,625.00	$80,400.00			$364,225.00
Project Equipment, Building, Land purchases						$0.00
Project Materials & Supplies Purchased	$3,800.00	$3,475.00	$500.00			$7,775.00
						$0.00
						$0.00
						$0.00
DIRECT COSTS SUBTOTAL:	$77,400.00	$235,600.00	$87,000.00	$0.00	$0.00	$400,000.00

SECTION TWO **PARTIAL INDIRECT COSTS**	**Year One**	**Year Two**	**Year Three**	**Year Four**	**Year Five**	**Total**
Monitoring						$0.00
Publications, Printing, Public Relations	$4,000.00	$4,000.00	$4,000.00	$4,000.00		$16,000.00
Reporting, Perf Measures, Invoice Billings	$3,400.00	$11,300.00	$3,900.00	$1,400.00		$20,000.00
						$0.00
INDIRECT COSTS SUBTOTAL:	$7,400.00	$15,300.00	$7,900.00	$5,400.00	$0.00	$36,000.00
PROJECT TOTAL:	$84,800.00	$250,900.00	$94,900.00	$5,400.00	$0.00	$436,000.00

SECTION THREE **Administrative Costs (Costs may n*ot exceed 15% of the above listed Project costs*) :**						**Total**
Grant Administration (12%)	$10,464.00	$15,696.00	$15,696.00	$10,464.00		$52,320.00
						$0.00
						$0.00
						$0.00
						$0.00
ADMINISTRATIVE TOTAL:	$10,464.00	$15,696.00	$15,696.00	$10,464.00	$0.00	$52,320.00
SNC TOTAL GRANT REQUEST:	$95,264.00	$266,596.00	$110,596.00	$15,864.00	$0.00	$488,320.00

SECTION FOUR **OTHER PROJECT CONTRIBUTIONS**	**Year One**	**Year Two**	**Year Three**	**Year Four**	**Year Five**	**Total**
List other funding or in-kind contibutors to project (i.e. Sierra Business Council, Department of Water Resources, etc.)						
USFS site prep. & planting	$30,000.00	$35,000.00	$35,000.00			$100,000.00
Y/S RC&D Council	$2,000.00	$2,000.00	$2,000.00	$2,000.00		$8,000.00
						$0.00
						$0.00
						$0.00
						$0.00
Total Other Contributions:	$32,000.00	$37,000.00	$37,000.00	$2,000.00	$0.00	$108,000.00

NOTE: The categories listed on this form are examples and may or may not be an expense related to the project. Rows may be added or deleted on the form as needed. Applicants should contact the SNC if questions arise.

Appendix F - CEQA/NEPA Compliance Form

(California Environmental Quality Act & National Environmental Policy Act)

Instructions: All applicants must complete the CEQA compliance section. Check the box that describes the CEQA status of the proposed project. You must also complete the documentation component and submit any surveys, and/or reports that support the checked CEQA status.

If NEPA is applicable to your project, you must complete the NEPA section in addition to the CEQA section. Check the box that describes the NEPA status of the proposed project. Submit any surveys, and/or reports that support the NEPA status. For both CEQA and NEPA, submittal of permits is only necessary if they contain conditions providing information regarding potential environmental impacts.

NOTE: Effective July 1, 2015, AB52 compliance is required.

CEQA STATUS

(All applicants must complete this section)

Check the box that corresponds with the CEQA compliance for your project. The proposed action is either Categorically Exempt from CEQA, requires a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report per CEQA.

☐ **Categorical Exemption or Statutory Exemption**

If a project is exempt from CEQA, all applicants, including public agencies that provide a filed Notice of Exemption, are required to provide a clear and comprehensive description of the physical attributes of the project site, including potential and known special-status species and habitat, in order for the SNC to make a determination that the project is exempt. A particular project that ordinarily would fall under a specific category of exemption may require further CEQA review due to individual circumstances, i.e., it is within a sensitive location, has a cumulative impact, has a significant effect on the environment , is within a scenic highway, impacts an historical resource, or is on a hazardous waste site. Potential cultural/archaeological resources must be noted, but do not need to be specifically listed or mapped at the time of application submittal. Backup data informing the exemption decision, such as biological surveys, Cultural Information Center requests, research papers, etc. should accompany the full application. Applicants anticipating the SNC to file an exemption should conduct the appropriate surveys and submit an information request to an office of the California Historical Resources Information System (CHRIS).

1. Describe how your project complies with the requirements for claiming a Categorical or Statutory Exemption per CEQA:

2. If your organization is a state or local governmental agency, submit a signed, approved Notice of Exemption (NOE) documenting the use of the Categorical Exemption or Statutory Exemption, along with any permits, surveys, and/or reports that have been completed to support this CEQA status. The Notice of Exemption must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.
3. If your organization is a nonprofit, there is no other California public agency having discretionary authority over your project, and you would like the SNC to prepare a NOE for your project, let us know that and list any permits, surveys, and/or reports that have been completed to support the CEQA status. All supplementary documentation must be provided to the SNC before the NOE can be prepared.

☒ **Negative Declaration OR**
☐ **Mitigated Negative Declaration**

If a project requires a Negative Declaration or Mitigated Negative Declaration, then applicants must work with a qualified public agency, i.e., one that has discretionary authority over project approval or permitting, to complete the CEQA process.

1. Describe how your project complies with the requirements for the use of a Negative Declaration or a Mitigated Negative Declaration per CEQA:

   Under Section 15221 of the CEQA Guidelines "When a project will require compliance with both CEQA and NEPA, State or local agencies should use the EIS or Finding of No Significant Impact rather than preparing an EIR or Negative Declaration if the following two conditions occur:
   (1) An EIS or Finding of No Significant Impact will be prepared before an EIR or Negative Declaration would otherwise be completed for the project; and
   (2) The EIS or Finding of No Significant Impact complies with the provisions of these Guidelines."

   As indicated below, this project completed both an EA and a FONSI, as signed by Forest Supervisor Dean Gould on August 26, 2015. This was completed well before an EIR or Negative Declaration would otherwise be completed for the project. FONSI should comply with the provisions of the CEQA guidelines - but in case it does not, we will pursue a Negative Declaration, and we request that SNC assist as CEQA lead agency.

2. Submit the approved Initial Study and Negative Declaration/Mitigated Negative Declaration along with any Mitigation Monitoring or Reporting Plans, permits, surveys, and/or reports that have been completed to support this CEQA status. The IS/ND/MND must be accompanied by a signed, approved Notice of Determination, which must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.

☐ **Environmental Impact Report**

If a project requires an Environmental Impact Report, then applicants must work with a qualified public agency, i.e., one that has discretionary authority over project approval or permitting, to complete the CEQA process.

1. Describe how your project complies with the requirements for the use of an Environmental Impact Report per CEQA:

2. Submit the Draft and Final Environmental Impact Report along with any Mitigation Monitoring or Reporting Plans, permits, surveys, and/or reports that have been completed to support this CEQA status. The EIR documentation must be accompanied by a signed, approved Notice of Determination, which must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.

NEPA STATUS

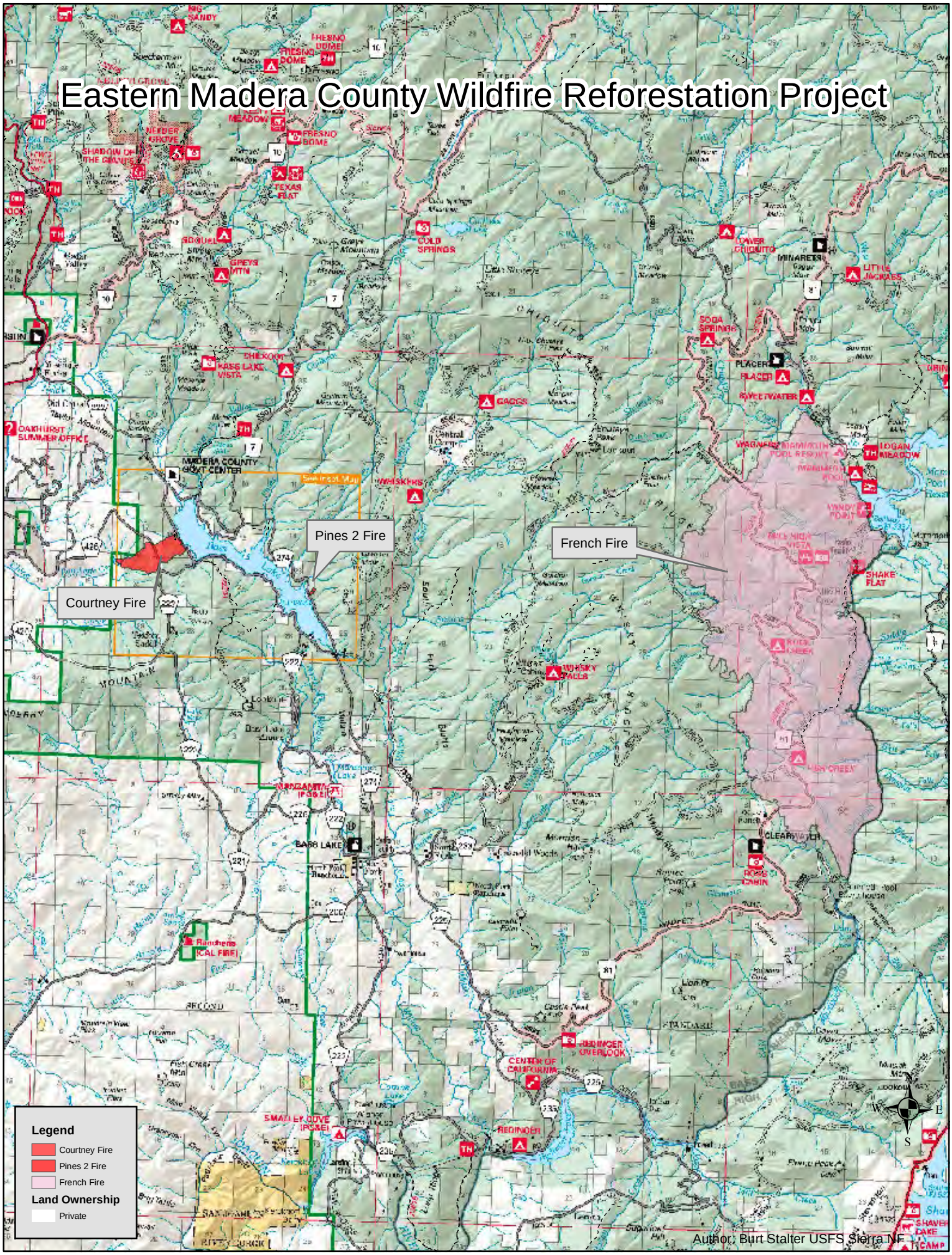
Check the box that corresponds with the NEPA compliance for your project.

☐ **Categorical Exclusion**
Submit the signed, approved Decision Memo and Categorical Exclusion, as well as documentation to support the Categorical Exclusion, including any permits, surveys, and/or reports that have been completed to support this NEPA status.

☒ **Environmental Assessment & Finding of No Significant Impact**
Submit the signed, approved Environmental Assessment and Finding of No Significant Impact along with any permits, surveys, and/or reports that have been completed to support this NEPA status.

☐ **Environmental Impact Statement**
Submit the Draft and approved, Final Environmental Impact Statement, along with the Record of Decision and any permits, surveys, and/or reports that have been completed to support this NEPA status.

Eastern Madera County Wildfire Reforestation Project



STOP

Photos

Figure 1. Post French Fire

Figure 2. Post – French fire

Figure 3. Post French Fire

Figure 4. Post French Fire

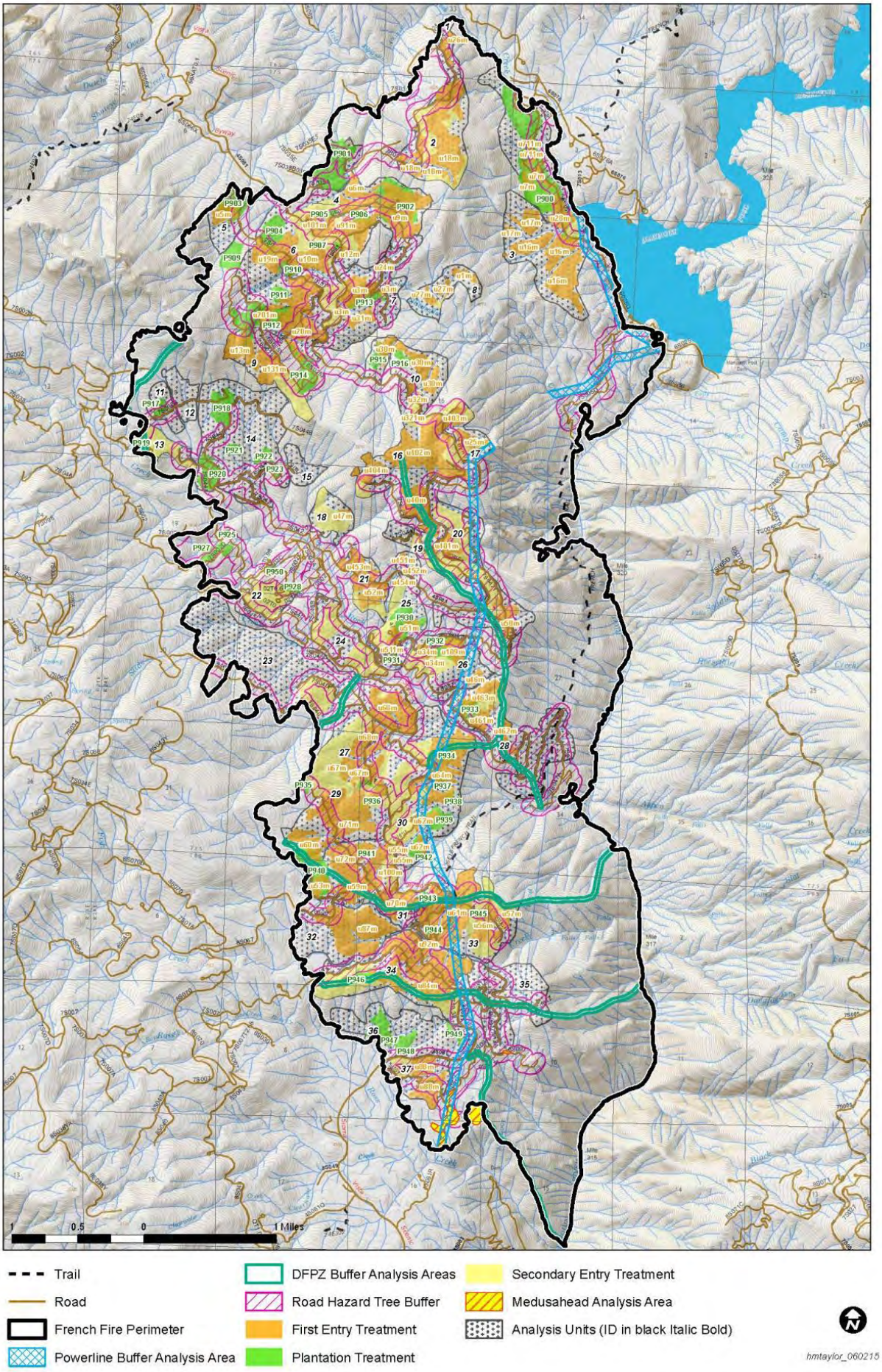
Figure 5. Example of Bear clover after herbicide application.

Figure 6. Demonstration of site preparation.

Figure 7. Planting

Figure 8. Immediately post planting demonstration.

5.1.2. Alternative 2 and 3 Map



BOARD OF SUPERVISORS
COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER
200 WEST FOURTH STREET / MADERA, CALIFORNIA 93637
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970

TOM WHEELER
SUPERVISOR, DISTRICT 5

February 29, 2016

RE: Support – Eastern Madera County Wildfire Reforestation Project

To whom it may concern:

I, the Board of Supervisor for the project area, would like to express full support for the Yosemite/Sequoia Resource Conservation and Development Council's grant application to fund the "Eastern Madera County Wildfire Reforestation Project" This project is imperative for forest health, not only today but for future generations. I ask that you strongly consider their application.

Reforestation is an important component of properly managing our forests into the future. With the recent wildfires in Easter Madera County and the Governor Brown's tree mortality emergency declaration in October 2015 we must now begin to think about restoration efforts associated with those catastrophes. To do so, a variety of partners are looking to restore the public and private lands that were impacted in order to avoid massive erosion issues and maintain the local landscape.

With these requested dollars Eastern Madera County residence, impacted by these disasters, will be provided an opportunity to learn more about carbon sequestration and watershed protection benefits of reforesting their land. Information will be disseminated to communities to encourage attendance at community meetings and field trips.

We ask that you give this project your full consideration.

Sincerely,

Tom Wheeler
District 5 Supervisor

DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

FRENCH FIRE RECOVERY AND REFORESTATION PROJECT

U.S. FOREST SERVICE, SIERRA NATIONAL FOREST,

BASS LAKE RANGER DISTRICT

MADERA COUNTY, CA

INTRODUCTION

The Forest Service prepared an Environmental Assessment (EA) for the French Fire Recovery and Reforestation Project (Project) in compliance with the National Environmental Policy Act (NEPA) and other relevant laws and regulations. The EA discloses the direct, indirect, and cumulative effects that would result from alternatives.

This document contains a Decision Notice and Finding of No Significant Impact (FONSI). The Decision Notice identifies the decision and the rationale for selecting or modifying any alternative from the EA. The FONSI shows that the decision does not cause significant impacts on the human environment and explains why an environmental impact statement (EIS) is not necessary. Additional documentation, including more detailed analyses of Project area resources, may be found in the Project record located at the Bass Lake Ranger District (BLRD), Sierra National Forest (SNF) in North Fork, California and available upon request.

Location

The Project area encompasses 13,832 acres of the BLRD, SNF, approximately 85 miles northeast of Fresno, California. The Project area is almost entirely within the Lower Chiquito Creek, Rock Creek, Fish Creek, San Joaquin River, and Mammoth Pool Reservoir-San Joaquin watersheds. The legal description is Township 6 South, Range 24 East, Section 33; Township 7 South, Range 24 East, Sections 3-11, 14-22, 26-30, 32-35; Township 8 South, Range 24 East, Sections 2-5, 8-11, 15& 16, Mount Diablo Base Meridian. Elevation ranges from 2,300 in the canyon bottom along the San Joaquin River on the eastern flank of the Project boundary to 7,100 feet in the highest elevations.

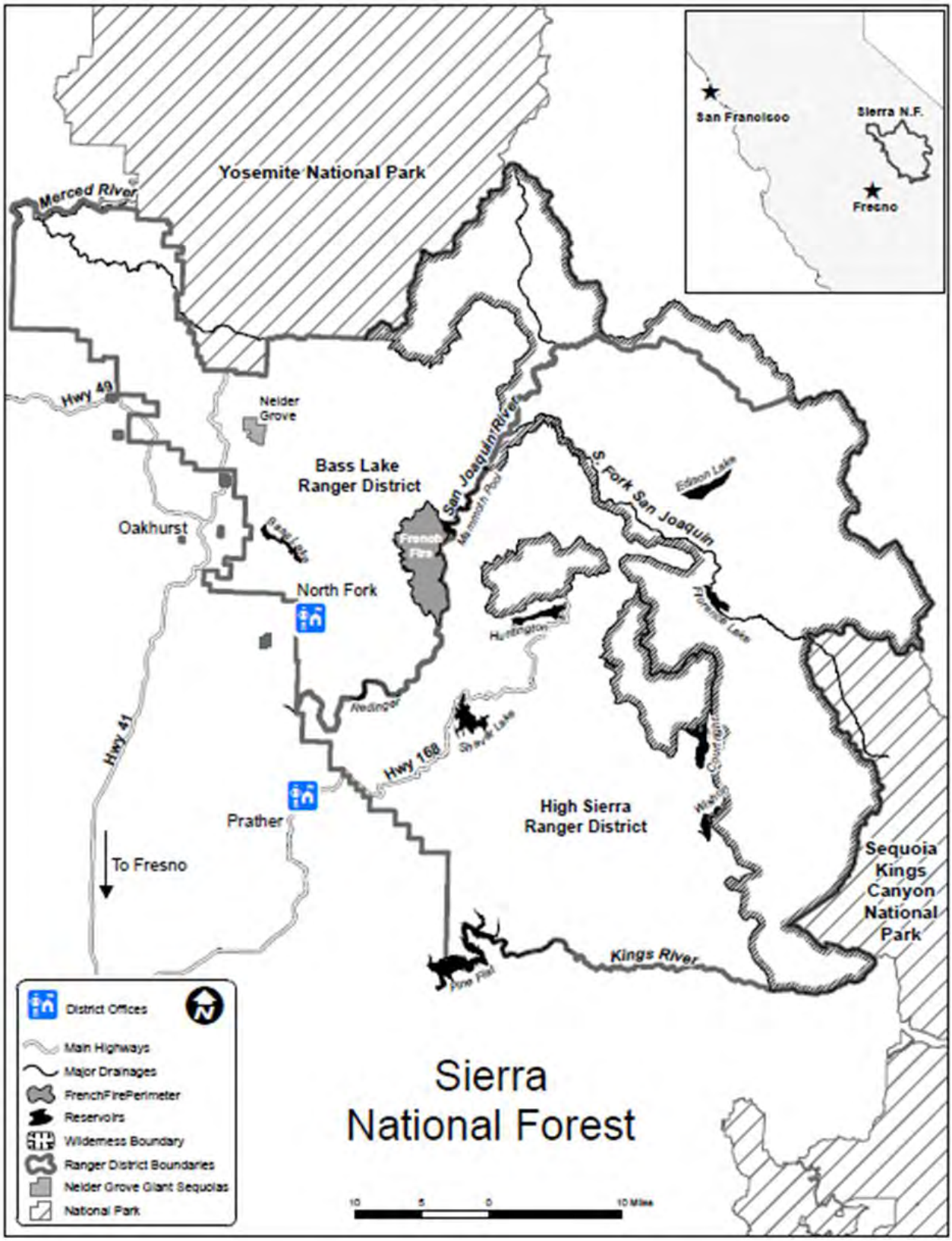


Figure 1. Location of the French Fire area (the Project) within the Sierra National Forest

Background

The French Fire started on July 28, 2014 on the west drainage bottom of the San Joaquin River, within Lower Chiquito Creek, Rock Creek tributary watersheds. The fire moved across the rugged and heavily forested drainage of Rock Creek, crossing Forest Road 81 then moving up the canyon to Mile High Vista and Mammoth Pool Reservoir. The fire spread west towards Shuteye Peak, then to the south threatening several small communities; before finally being contained on August 8, 2014. The cause of the fire was found to be an abandoned campfire. The fire burned approximately 13,832 acres of NFS lands and 3 acres of private land.

The fire burned at varying intensities as it moved across the landscape, resulting in a mosaic of vegetation burn severity effects (percent of basal area loss determined by Rapid Assessment of Vegetation Condition uses satellite imagery and describes post fire conditions on National Forest System (NFS) lands). Within the fire perimeter, some areas exhibit very high vegetation burn severity effects where most, if not all, of the trees were killed by the fire. Other areas exhibit low to moderately low vegetation burn severity effects, where at least half of the stands (as measured by stand basal area) still include a green tree component. Of the approximately 13,832 acres of NFS lands that burned in the fire, approximately 53 percent (7,315 acres) of the fire area burned at high and moderate severity. Virtually all trees within the very high severity areas (5,466 acres) are dead or expected to die. A substantial portion of trees in the moderately high vegetation burn severity areas (approximately 1,800 acres of NFS lands) have been killed by the fire, and those that survived the fire are expected to experience high mortality as trees weakened by fire are more susceptible to insect attack.

Current drought conditions in California have not been this severe since the 1970's. The previous winter of 2013-2014 was recorded as the fourth driest year in the past four decades and the dry conditions are predicted to persist, according to the U.S. Drought Monitor (January 27, 2015), and 2014-2015's winter showed no improvement. The existing condition of fire-injured trees in low and very low fire severity areas is expected to worsen because of the additional stresses of the ongoing "exceptional" drought and the presence of bark beetles.

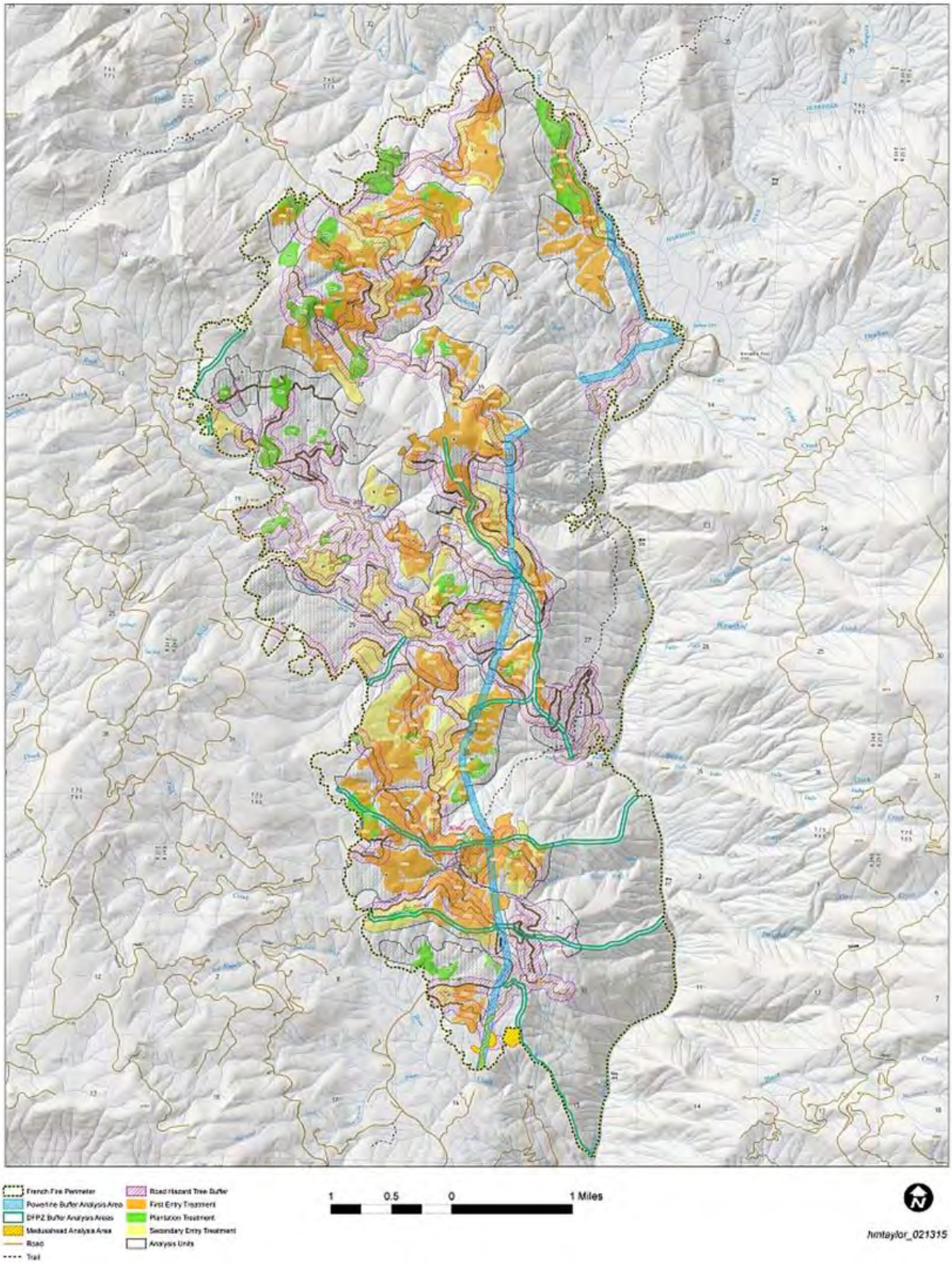


Figure 2. Project Proposed Actions

The purposes of the Project are to protect the health and safety of the public, workers, and private citizens; capture remaining forest product economic value; benefit wildlife habitat, maintain the existing wildlife habitat and develop future wildlife habitat; reduce potential soil erosion and the loss of soil productivity caused by loss of vegetation and surface organic matter; eradicate noxious weeds; maintain roads; manage fuels in defensive fuel profile zones and in Southern California Edison's power line right-of-way; and reforest suitable portions of the landscape deforested by the French Fire. The EA (Section 1.1.3) describes the purposes and needs for action in more detail.

DECISION

Based upon my review of the alternatives, consideration of public comment and best available science, and the analysis set forth in the Project Final EA and the associated planning record, I have decided to implement Alternative 2 (proposed action) as fully described in the Final EA and shown in Figure 2 above, with one exception. Based on concerns raised by the U.S. Fish and Wildlife Service, I have decided to withdraw the use of herbicide (glyphosate) during reforestation activities on two acres identified as suitable California red-legged frog habitat within the Project area (Figure 4, French Project biological assessment). The remainder of the Project will be implemented as described in the EA. I have decided to prioritize implementation of three timber sale units (units 7, 28 and 711) in the timber sale contract due to their small timber size and the probability that they would not retain sufficient value to be treated at all if left until later in the timber sale operations. Sale harvest operations (with the exception of road reconstruction, road maintenance, dust abatement, and hauling of products) are prohibited during the limited operating periods (LOPs) described in the design criteria (EA, Section 2.1.6).

No additional complete alternatives were suggested or requested during the opportunity to comment. Various actions and design criteria were recommended during the comment period; these were considered but were eliminated from detailed study. The reasons for not analyzing these actions and design criteria in detail are included in section 1.5.1 of the Final EA and in the Inter-disciplinary Team's (IDT) response to comments (Appendix I, Section 5.9).

In reaching this decision, I reviewed and considered the most recent information, including the SNF Land and Resource Management Plan (SNF LRMP) (USDA FS 1992), as amended, resource specialists reports that utilized the best available science, and input from interested parties (see French Project Comment Period comments in the Project Record and Response to Comments located in Appendix 6.9). The proposed action will salvage treat only 3,320 acres out of 7,266 total acres which burned at moderate and high fire severity in the 13,832 acres analysis area (EA, Section 2.1.2.4.). Harvest activities will be implemented on slopes less than 35 percent, with short traverses up to 40 percent (EA, Section 2.1.2.2.). Sale harvest operations (with the exception of road reconstruction, road maintenance, dust abatement, and hauling of products) are prohibited during the LOPs described in the design criteria (EA, Section 2.1.6). Treatment is also limited by the landscape and by land designations (wildlife Protected Activity Centers [PACs], streamside management zones [SMZs], rock, etc.). These limitations, including leaving four snags per acre averaged over each ten acres in clumps within salvage units for wildlife resources (EA Section 2.1.6.11 Terrestrial Wildlife – Snags), are incorporated into the Project design. Therefore, approximately 7,867 acres will not be treated at all, including leaving four snags per acre averaged over each ten acres in clumps within salvage units for wildlife resources (EA Section 2.1.6.11. Terrestrial Wildlife – Snags). This also considers reforestation, some of which occurs outside of salvage areas. My decision includes the specific actions listed below:

1. **Remove Roadside and Campground Hazard Trees**: My decision authorizes removal of weakened and fire-affected trees identified as hazards within 300 feet of roads and developed areas within the Project area, including Fish Creek and Rock Creek Campgrounds (EA, Section 2.1.2.1).

2. **Recover Economic Value of Fire-Affected Trees**: My decision authorizes removal of fire-affected conifer trees from high and moderate fire severity areas (up to approximately 2,000 acres) and on up to 910 acres where post-fire, drought, and bark beetle effects increase mortality levels to moderate and high, and on 477 acres of fire affected plantations, while retaining snags to meet soil and wildlife standards and guidelines. This decision includes the use of an Environmental Protection Agency registered borax fungicide to prevent the spread of annosum root disease within developed recreation sites, Fish Creek and Rock Creek Campgrounds (EA, Section 2.1.2.2.).
3. **Retain Snags**: My decision authorizes the snag retention strategy outlined in the EA (Section 2.1.2.3), as a means of maintaining heterogeneity in the landscape for wildlife within treatment areas and in the remaining Project area.
4. **Reestablish Forested Conditions**: My decision authorizes reforestation (including site preparation with herbicide, planting, and release of native conifer seedlings) in areas of moderate and high vegetation fire severity (up to 3,000 acres) (EA, Section 2.1.2.4).
5. **Road Maintenance and Construction of Temporary Roads and Landings**: My decision authorizes road maintenance on 83 miles of NFS roads, including dust abatement using a combination of water and dust abatement binder such as oil or magnesium chloride. My decision also authorizes the construction of approximately 2.5 miles of temporary roads and associated landings (EA, Section 2.1.2.5).
6. **Create and Maintain Defensive Fuel Profile Zones (DFPZ's) in Strategic Locations to Help Manage Future Wildfires**: My decision authorizes fuels reduction treatments and maintenance (hand and mechanical) on approximately 221 acres within existing and proposed DFPZ's, 126 of these acres overlap with other treatments. These areas are 150 feet wide and are located along dominant ridges and terrain features. Treatments for DFPZs include burning piles and underburning/jackpot, hand, mechanical (dozer or mastication) and chemical (glyphosate and surfactant R11) treatments and would occur one or two times over the course of a 5 or 6 year period, with no be more than one treatment in any given year (EA, Section 2.1.2.6).
7. **Cleanup of felled trees along SCE Stevenson 12 kilovolt (kV) distribution line right of way**: My decision authorizes the fuels treatments within a 300 foot buffer (150 feet from center line) of the SCE power line right-of-way by mechanically removing currently downed trees utilizing ground-based logging systems and other methods to reduce fuels; and piling, burning piles and underburning with jackpots of fuels (EA, Section 2.1.2.7).
8. **Noxious Weed Eradication**: My decision authorizes noxious weed (medusahead and other weeds found in surveys [Section 1.1.3.9.]) eradication on 32 acres of identified medusahead within the fire perimeter as well as in other harvest treatment locations in the Project area, using hand and chemical methods (glyphosate plus surfactant R-11) (EA, Section 2.1.2.8).

Design Criteria Included in this Decision

When implementing this Project, we will adhere to standards and guidelines to protect important natural and cultural resources. These measures have been demonstrated to be effective in mitigating potential effects of the proposed activities. Design criteria and Best Management Practices (BMPs) are incorporated into Alternative 2 to minimize potential environmental harm (EA, Section 2.1.6 and Appendix 6.5).

DECISION RATIONALE

The rationale for my decision has evolved over ten months, attempting to bring together various opinions and suggestions through internal and public scoping, in addition to the analysis completed by the IDT. I provided comment periods to ensure public opinion is heard and that I come to a balanced decision. At my direction, the EA analyzed the effects of five alternatives in detail: the proposed action (Alternative 2), the no-action (Alternative 1), no-herbicide (Alternative 3), hazard trees and plantation salvage only (Alternative 4) and no secondary entry (Alternative 5). I also considered five alternatives which were proposed by the public. I carefully considered and analyzed each one of these but for various reasons explained in the EA, I decided to eliminate them from detailed study, focusing on the full range of alternatives represented by Alternatives 1 – 5. Analyzing five alternatives requires more resources; however, the key issues raised by the public were important and contained different scientific points of view. Therefore, I chose to analyze a broad range of alternatives (Alternatives A through E were considered after public scoping, 6 additional actions were considered and responded to by the IDT after opportunity to comment period) (EA, Section 2.1.7 and Appendix I, Section 5.9).

I have decided to implement Alternative 2 with one slight modification on 2 acres as described above because this alternative: 1) best responds to the purpose and need (summarized below and described in detail in section 2.1.2 of the EA; 2) provides a comprehensive, rigorous, and thorough set of Project design criteria and BMPs (EA, Section 2.1.6 and Appendix 6.5) that are specifically designed to minimize adverse environmental effects; and 3) best responds to the public comments received.

How My Decision Meets the Purpose and Need

The Purpose and Need for responding to the effects of the French Fire includes:

- Addressing the threat to human health and safety as trees continue to create a hazard by providing for a safe and dependable transportation system and developed recreation sites free of fire-affected hazard trees or other hazards in areas of public and administrative use; The use of NFS roads and surrounding forest within the fire perimeter increases exposure and elevates the risk of injury to the public and forest workers as well as during fire suppression efforts from the collapse of dead or damaged trees.
- Recovering economic value of forest products in a manner that is beneficial to local communities and achieves forest management objectives. Fire-affected trees would be removed cost-effectively through timber sales to capture commodity value and initiate site preparation for reforestation. The SNF supports an active timber industry, and wood products infrastructure. A viable timber industry and wood products infrastructure greatly improves the ability to treat and manage forest vegetation in a cost-effective and efficient manner, while providing long-term local employment.
- Managing surface fuel load levels (20-40 tons per acre) to reduce the likelihood of high-intensity, large-scale fires within forest stands. The rapid accumulation of fuels post-fire in the Project area poses an increase in fire hazard and potential for high severity fire throughout the area. Fire-affected trees would fall to the ground and become down woody material, creating hazardous surface fuel conditions.
- Furnishing landscapes dominated by site-appropriate trees with variable densities and structure that provide watershed functionality, long term restoration of scenic/recreation value, diverse wildlife habitat including coarse woody debris and snags, and forest products. Snag retention areas provide habitat and are part of diverse habitat structures that favor a mix of wildlife species.

- Reducing potential soil erosion and the loss of soil productivity caused by loss of vegetation and surface organic matter. Within the high and moderate soil burn severities all or nearly all of the pre-fire soil cover and surface organic matter (litter, duff, and fine roots) has been consumed, leaving these areas highly susceptible to accelerated erosion and the loss of soil productivity.
- Re-establishing forested conditions Most of the trees in the moderate to high severity burned areas that would provide a conifer seed source were killed. Without reforestation efforts conifer recovery would be very slow and much of the area could stay in the brush field/grassland stage for a century or more.
- Managing fuel loadings within Defensive Fuel Profile Zones (DFPZ's) in strategic topographic locations. DFPZ's have been identified in existing pre-attack planning maps and used during the suppression of the 2013 Aspen fire and the French fire. In these areas, fire-affected trees fall to the ground and become down woody material and vegetation re-growth of shrubs would create hazardous live and dead surface fuel conditions inhibiting effective fire management in the future.
- Reducing existing fuel load and salvage trees felled along Southern California Edison Company Stevenson 12 kilovolt (kV) distribution line right of way. These trees were felled by the utility company during distribution line replacement operations from damage sustained during the French Fire. The current fuel loading due to the felled trees is well over 100 tons per acre (the desired fuel load is less than 20 tons per acre in the power line right of way).
- Promoting native vegetative communities free from noxious weeds and invasive non-native plants; enable native species to recover naturally after fire or other disturbance. The French fire has created conditions suitable for the spread of invasive weeds, particularly medusahead. Post-fire conditions, such as increased light, water, and nutrients, along with reduced competition for several years; can promote the growth and expansion of invasive weed species.

These purposes and needs are met by my decision as follows:

Provide for Safety

I am committed to providing safe access for visitors, workers, and firefighters and maintaining the integrity of the National Forest transportation system. As a result of the French Fire, many trees along SNF and Madera County roads were damaged and could fall into the roadway, posing a safety and access hazard to area residents and landowners, Forest Service personnel and contractors, special use permit holders, and the visiting public. It is not uncommon for high, gusty winds associated with winter or summer storms to suddenly blow down many hazardous trees at one time, posing an unacceptable risk to area residents, forest workers, and visitors. These trees could fall and injure people, or they could fall or roll onto roads and trap area residents, forest workers, and visitors. It is important to remove these hazardous trees in a timely, efficient, and cost-effective manner so that safe access to affected areas can be restored and normal National Forest operations can be resumed.

We have identified approximately 83 miles of roads that need hazard tree abatement in the French Fire area. Hazard tree abatement is also needed at trailheads, including the trailhead for the French Trail, and at campgrounds, including Fish Creek and Rock Creek campgrounds. While some hazard tree abatement was already conducted along the Sierra Vista Scenic Byway (Forest Road 81) in the fall of 2014 through spring of 2015, additional hazard tree removal will likely be needed along that road, as well. The public uses the road system in this area for recreation activities including hunting, fishing, hiking, camping, wood cutting, picnicking, and sightseeing. Road systems are also critical to providing access for possible future fire suppression efforts and to allowing egress of visitors and other evacuees in the event of another fire.

Trees that posed immediate hazards were felled during fire suppression activities to provide a safe working environment for firefighters. However these activities did not mitigate concerns related to the trees that have become hazards since the fire or may continue to develop into hazards into the fall as they become weakened as a result of their fire injuries. If the hazard trees are not removed, most of the roads in the French Fire area will become too unsafe for use by the general public or agency employees. Closing the roads is not a viable option due to the access they provide for management and recreational purposes. Moreover, closure of the affected NFS roads would eliminate management options for National Forest lands in the burned area. Public access for recreational opportunities would also be greatly reduced, while leaving hazardous conditions unmitigated along roads and trails and at recreation sites. We have a critical need to remove these hazards in the upcoming fall 2015 field season before major tree deterioration takes place with its accompanying increase in safety risks to the public.

Salvage tree harvesting in areas other than roadsides under the Project will also serve to mitigate safety hazards posed by the large numbers of standing dead trees (snags) created by the French Fire. Snags can fall at any time posing a continued threat to people working or recreating in the forest. I am particularly concerned about hazards to crews working to reforest burned areas. While not all dead trees will be salvaged within the salvage treatment units (at least four large snags per acre, averaged across 10 acres, will be retained in the treatment units for wildlife), safety hazards to work crews conducting site preparation, tree planting, and follow-up tree release treatments will be substantially reduced by salvage tree removal.

Avoid Loss of Commodity Value of Fire-Affected Trees

Timely capture of economic value of fire-affected trees and subsequent bark beetle mortality of weakened trees through removal is necessary to maximize economic recovery from fire-affected trees. By harvesting them before wood quality, volume, and value is lost to natural deterioration, we are better able to meet desired conditions that benefit local communities and forest management. Revenue generated by commercial timber harvest can be used to pay for some of the reforestation costs; the balance of the reforestation costs will need to be covered by Congressional appropriations. In other words, the Forest Service uses commercial timber harvesters to accomplish its mission objectives while conserving taxpayer dollars.

The Forest Service plays a large role in providing a wood supply for local manufacturers and sustaining a part of the employment base in rural communities [SNFPA Record of Decision (ROD) 2004, page 4]. The SNPFA provides for salvage logging following wildfires for the objective of recovering economic value from fire-killed trees (SNFPA ROD 2004, page 52). Therefore this objective was included in the purpose and need of this project.

Salvage timber harvest under Alternative 2 will be implemented on 3,371 acres. These acres include first entry and secondary entry units within moderate/high and high vegetation burn severity and plantations, utilizing ground-based logging systems. The estimated timber harvest volume is approximately 31.5 million board feet (Mmbf) and a value estimated at $269,000 (EA, Section 3.4.4; French Project Economic Analysis located in Project record). Alternative 2 will allow for 564 potential direct and indirect full time jobs and an associated potential employee income of $22.5 million. Additional volume equating to additional revenue, wood supply and jobs may occur over the next three years as the secondary salvage occurs depending on additional mortality of fire-affected trees (EA, Section 3.4). Moreover, the public safety benefit explained above is served by the timely capture of economic value of fire-affected trees in the salvage units, and particularly in the plantation units where the smaller-diameter trees are decaying at a higher rate and are likely to lose value very quickly. If these trees are not removed in a timely manner, they could soon lose all economic value, rendering their removal unlikely to happen

at all. If they are not removed, these weakened trees are at a heightened risk of falling, and could pose a significant danger to reforestation crews working in the units to reforest these burned areas.

Manage Fuel Loading Levels

There is a need to protect infrastructure and natural resources on the landscape from the effects of a high intensity wildfire. There is a need to manage fuel loading within the Project area to achieve short-term and long-term desired conditions. The French Fire resulted in a large reduction to near total elimination of surface and small understory (ladder) fuels particularly in areas of moderate to very high vegetation burn severity. But of course, the fire did not burn away all of the timber in the forest. It killed some trees and left them standing. In the short term this change in fuel loading and composition is expected to reduce wildfire intensities and rates of spread for several years. However, as the standing dead trees decay and fall to the ground, these areas will become occupied by a complex arrangement of fallen trees and broken tops and branches intermixed and suspended within an increasingly heavy shrub component. In the long term these conditions will result in increased fuel loading which could limit the ability of firefighters to safely and effectively control future wildfires, particularly in strategic locations that could be used for future fire suppression actions.

The conditions in the Project area raise the potential for future fires to spread rapidly through the landscape if the dead and dying trees impacted by the French Fire are not removed. With implementation of my decision, hazardous fuels would be less than if no action was taken (reduced to less than 30 tons/acre compared to over 100 tons/acre [EA, Section 3.5 Fire and Fuels]), and the risk to forest resources, hydro-electric infrastructure, local communities, and private land holdings from future high-intensity wildfires will be reduced because potential flame lengths will be smaller.

Without this decision, the resulting snag densities would be high with a large number of down logs across the French Fire area, impeding fire line construction, increasing safety hazards, and increasing the potential for fire-spotting. The Forest Service has seen the effects of leaving this situation untreated many times before. During the recent Willow Fire (2015) on the Sierra National Forest, firefighters had direct experience with these types of conditions. The Willow Fire burned 5,702 acres of forested area, and approximately 2/3 of that acreage was within the footprint of the 2001 North Fork Fire, where no salvage operations were conducted after the wildfire. While fire crews attempted to contain the Willow Fire with direct attack methods initially, increased snag levels and heavy fuel loadings (large downed logs, brush and grass fuels) remaining from the 2001 North Fork Fire prevented this method from being successful and required the evacuation of three communities and over 450 residences. Although flame lengths were between 4-8 feet and rates of spread were moderate (15-35 chains/hour), firefighters experienced increased spotting distances from embers created by snags (some as far as ¼ mile from fire), increased safety concerns with the density of snags within the fire area and an increased time required to construct fireline due to the volume of large downed logs needing to be cleared for fireline. Indirect fireline was required with firing operations to contain the Willow Fire successfully, but this was successful due in part to previous fuels reduction treatments that had been completed along these areas which reduced fuel loadings (brush, trees and downed logs) as well as snag densities and a moderation of weather conditions. Additional recent evidence of wildfire control problems in previously burned areas has been verified on the Plumas National Forest by the Chips Fire, which burned in the footprint of the old Storrie Fire. Under such conditions, fire containment lines must be constructed far from the fireline where it is safe and practical to do so, ultimately increasing fire size.

These examples illustrate how failure to act quickly to remove dead trees before they significantly deteriorate may have severe consequences when the next wildfire occurs. Removing fire-killed trees within the salvage treatment areas and hazard trees along roads will make future successful wildland fire suppression efforts within the French Fire area more readily achievable as a result of reduced fuel loads over time, reduced probability of snag torching, and improved fire “resistance to control” measures.

Provide Wildlife Habitat through Large Woody Debris and Snag Retention

Removing fuel loads, however, impacts wildlife habitat, and at the same time, there is a need to preserve habitat for a wide variety of native wildlife species in the Project area. The French Fire created large areas of snag-dominated habitat. Snag retention areas provide habitat and are part of diverse habitat structures that favor a mix of wildlife species that live in or forage around snags. My decision balances the need for snag retention with the need to reduce fuels hazards and future loss of live, conifer-dense canopied habitats. Wildlife species that use snags would have an opportunity to use the snags retention areas within treatment areas. Snag retention and fuel load management aids in the creation of a more diverse structure within the fire affected landscape (EA, Section1.1.3). My decision to implement the selected alternative will balance the need for snag retention with the need to reduce the fuels hazard by leaving approximately 7,867 burned acres undisturbed, without any salvage treatments or roadside hazard tree removal. Approximately 517 additional acres of snag retention areas outside of roadside hazard units, within salvage treatments and SMZs, are being retained in large patches and multi-snag clumps.

Large woody debris would be maintained/provided for as needed to meet Forest Plan standards as well as to meet habitat and soil needs identified through observations from the Aspen project (EA, Section 2.1.2.3, 2.1.6, and 3.9), while reducing the fuel load with fuel treatments (EA, Sections 2.1.2.4, 2.1.2.6, and 2.1.6).

Reduce Potential Soil Erosion and the Loss of Soil Productivity Caused by Loss of Vegetation and Surface Organic Matter

There is a need to reduce potential soil erosion and the loss of soil productivity caused by loss of vegetation and surface organic matter from the French Fire. Severely burned areas result in a reduction of ground surface cover that, if present, would contribute to the support of plant growth, soil hydrologic function, and maintaining watershed function. Within the high and moderate soil burn severity areas of the French Fire, all or nearly all of the pre-fire soil cover and surface organic matter (litter, duff, and fine roots) has been consumed, leaving these areas highly susceptible to accelerated erosion and the loss of soil productivity. The canopy foliage of the remaining trees within the high and some moderate soil burn severity areas has been completely consumed with few to no needles or leaves remaining to provide for protective soil cover. Increasing ground cover will provide the short-term protection necessary to allow for soil stabilization and long-term forest productivity (EA, Section 3.10 Hydrology and 3.1 Soils).

By providing design criteria to increase ground cover within salvage units, my decision meets the need to reduce soil erosion and the loss of soil productivity.

Re-establish Forested Conditions

The French Fire burned thousands of acres with high severity fire, resulting in deforested conditions where the seed source of desired species is insufficient to naturally regenerate these areas (EA, Section 3.6). Vegetative recovery within the 13,832 acre French Fire area will rely upon a combination of natural regeneration and artificial regeneration (conifer planting). Of the over 7,315 acres of formerly forested areas that experienced moderate to high and high intensity fire, over 5,400 acres will be relying upon natural regeneration to reestablish forested conditions and habitat. However without human intervention, shrub species will dominate these areas for decades and delay re-establishment of forested conditions. The early establishment of conifers through reforestation will expedite forest regeneration and the development of forested conditions (EA, Section 3.6).

Site preparation (including the use of herbicide) and planting to achieve reforestation will occur on up to 3,000 acres. Reforestation will be accomplished through natural regeneration in other treated and untreated areas of the Project area. Areas that burned with moderate/high to high vegetation burn severity resulting in inadequately stocked forest land will receive preference for planting. This is will result in 125 to 200 six- to seven-inch diameter breast height (dbh), 20 to 26 feet tall conifers per acre at age 20. At age

50, conifers will be 9 to 11 inches dbh, 55 to 75 feet tall, and at 70 years, conifers are estimated to have grown to 20 to 23 inches dbh, 75 to 100 ft. tall (EA, Table 10). Based on this information, the rate of growth in the first 20 years would be five times greater than the no action (EA, Table 10).

My decision will create an environment suitable for establishment and growth of shade intolerant species such as pine and accelerate conifer growth. Brush cover will be generally below 20 percent in reforested areas (EA, Table 9).

Manage Fuel Loadings within DFPZs in Strategic Topographic Locations

There is a need to manage vegetation re-growth and fuel loading in identified DFPZs to provide fire managers the needed anchor points and safe locations to engage future wildfires. DFPZs have been identified in existing pre-attack planning maps (located in the Project Record) and used during the suppression of the 2013 Aspen Fire and the 2014 French Fire.

In these areas, fallen fire-affected trees and shrub re-growth creates hazardous live and dead surface fuel conditions, inhibiting effective future fire management. Managed DFPZs are also needed to help protect the established reforested areas in the event of another fire, especially while the planted trees are more vulnerable at a younger age.

My decision includes the use of herbicide to help control the brush within DFPZs as a means of maintenance because these areas are critical to effective fire management and public and firefighter safety. Science shows that herbicide use is the most effective way to adequately control brush in these zones. I am aware that the public raised concerns about the use of herbicide and effects to drinking water. Studies have shown that the herbicide glyphosate "…rapidly attaches to organic matter on top of the soil and its mobility is very limited" (EA, Section 3.7.4). At this time, the EPA does not consider glyphosate a carcinogen, and the Forest Service risk assessment concurs with that finding. If the EPA changes their classification of glyphosate, the Forest Service will consider the new information at that time. (EA, Section 3.7.4). The EA analysis showed that the overall effects of Project herbicide use on both humans and wildlife is low (EA, Chapter 2 Table 10) and therefore I am comfortable with its use on this Project in light of its benefit to fire fighter safety.

Reduce Existing Fuel Load and Salvage Trees Felled Along Southern California Edison Company Stevenson 12 kilovolt (kV) Distribution Line Right of way.

There is a need to clean up the felled trees within the Southern California Edison Company Stevenson (SCE) 12 kilovolt (kV) distribution line right of way, to reduce the fuel load. The trees were felled by the utility company during distribution line replacement operations from damage sustained during the French Fire. The current fuel loading due to the felled trees is well over 100 tons per acre (the desired fuel load is less than 20 tons per acre in the power line right of way) (Stalter professional opinion, winter 2014-2015). This current level of fuel loading will provide a significant fuel bed capable of generating a very hot fire beneath and adjacent to the distribution lines, creating the potential for a very difficult and unsafe situation for SCE crews and fire suppression crews. A fire in this type of fuel loading would also impact the recipients of the power provided by the power lines.

As all action alternatives include the reduction of existing fuel loading and the salvage of trees along SCE's power line right of way, my decision to implement Alternative 2 fully meets this need.

Eradicate Invasive Weeds to Protect Native Vegetation and Wildlife Habitat

There is a need to address invasive weed infestations found within the Project area. The French Fire has created conditions suitable for the spread of invasive weeds. Eradication of medusahead inside and immediately adjacent to the fire perimeter is necessary to prevent the spread of this highly invasive grass

into vulnerable burned areas. Medusahead (*Elymus caput-medusae*) is known to be present across at least 32 acres in the southern part of the burn area and along roads outside the burned area. My decision will provide a means to control these weeds from spreading into the French Fire area, where conditions are ripe for noxious weed infestation. The weed eradication effort will work to reduce the likelihood of a negative impact on native plant species recovery from the French Fire. Alternative 2 will do this by chemically (with the use of herbicides) and manually eradicating the populations of noxious weeds known to be in the area (EA, Section 2.1.2.6).

Addressing Key Issues

Scoping comments from the public, tribal governments, State, and other Federal agencies were used to identify key issues which drove alternative development and focused the EA analysis. I identified five key issues that have been addressed through: Project design, design criteria incorporated into the proposed action, environmental effects analyses, and/or were used to develop alternatives. Those key issues addressed as alternatives were considered and either fully analyzed or eliminated from detailed study (EA, Section 1.6 and 2.1.7.).

The following is a brief summary of how my decision responds to the five key analysis issues.

- **Protection of California Spotted Owl.**

  I understand that some members of the public were concerned about the effects of tree harvest on owl foraging around California spotted owl protected activity centers (PACs). My decision includes design criteria to limit impacts to owl foraging habitat around PACs:

  - surveying to be completed within a ¼ mile of suitable habitat,
  - salvage harvests are prohibited in PACs unless rendered unsuitable, and
  - Limited Operating Period (LOP) is implemented within a ¼ mile of spotted owl nests or activity centers (Section 2.1.6.11, #163-165).

  The analysis showed that with the implementation of these design criteria the effects on owl foraging around PACs will be minimal. There is some correlation between owl reproduction and foraging within a certain distance (relatively close to the activity center). Surveys will confirm whether occupied nests are present, which, if so, will prohibit operations during LOPs. The design criteria LOP will limit the potential for disturbance from Project activities during reproduction timeframes, thereby limiting impacts to owl foraging around PACs. Foraging can also occur farther from the nest. Because the short-term effects on owl foraging around PACs are minimized, and the Project will result in long-term benefits to owl habitat by growing mature forest faster and reducing the risk of future uncharacteristic wildfire in the area, my decision is beneficial for owls in the long run.

- **Provide for Natural Range of Variability and Complex Early Seral Forest (CESF) on the Landscape.**

Members of the public were concerned about the effects of salvage logging on CESF. Complex early seral forest is a valued ecosystem on the SNF. Every ecosystem is important and having an appropriate amount of CESF on the Forest is an important consideration. There are different points of view as to how much CESF is enough and so I carefully weighed the science and the analysis related to this issue. Members of the public recommended avoiding salvage logging in at least 15 percent of high severity areas and to retain a minimum of five patches of high burn severity areas at least 150 acres in size. The analysis showed that this recommendation was met in all alternatives and exceeded in some. I have designed the Project to carefully balance the need for salvage logging and reforestation to accelerate the development of mature forests for habitat, scenery and recreation, on one hand, with the need to allow the development of CESF on the other hand. I have therefore limited the total reforested acres to no more than 3,000 acres, and over 5,400 acres will be relying

upon natural regeneration to reestablish forested conditions and habitat to regrow naturally after Project hazard tree removal or salvage harvest.

I have determined that the selected alternative will have no significant adverse effects on resources in the analysis area (EA, section 3.0). (Also see the FONSI portion of this document for the basis for the finding that there are no significant adverse effects.)

- **Impacts of Herbicide Use**

I heard from members of the public that they had strong concerns about the use of herbicide in the Project area. To ensure that strong consideration was given to this concern, I asked my team to put special effort into looking at the effects of herbicides. My team focused specific analysis on this issue, including seeking help at the FS Region 5 office (EA, Section 3.7, SERA 2003-2011, Project Risk Assessment and worksheets in Project Record). The results of this focused analysis showed that the Project-related effects of herbicides on humans and terrestrial and aquatic wildlife are low to negligible (EA, Section 3.7.4 Cumulative Effects for Human Health for All Pesticides). The benefits of more rapid reforestation from controlling competing brush (EA, Section 3.6.4) and stopping the spread of noxious weeds are very important and would be at risk without the use of herbicide (EA, Section 3.3 Botany). Providing for the swifter return of habitat for imperiled species and maintaining ecosystems threatened by noxious weeds is a prime consideration. It is significantly more expensive and resource intensive to address noxious weeds once they have spread and established themselves in the Project area; the most effective and least expensive method of killing these weeds before they spread is to combine hand and chemical methods. For these reasons I have included herbicide use into my decision.

- **Consideration of Wildlife Habitat Within High Burn Severity Areas**.

I heard from the public the concern for wildlife habitat within high burn severity areas, a concern that I share. To respond to these concerns, I asked our terrestrial wildlife biologist to examine the effects on Black-backed woodpeckers (BBWO) in a Supplemental Report (Project Record). As mentioned before, my decision will include a total of approximately 8,625 acres of snag retention, most of which are untreated acres, which would leave large patches and clumps of snags for wildlife resources, particularly in BBWO habitat. Some patches of snags (517 acres) I have deliberately left in the treated acres to leave a mosaic of snags for habitat throughout the burned area.

Pacific fisher and California spotted owl habitat occupied approximately 9,934 acres of pre-fire habitat in the Project area, so understanding how the Project may affect the current and future habitat for these sensitive species was an important priority. The reforestation component of the Project provides a great benefit to these two species, increasing the canopy cover back to pre-fire conditions within a 30 year period. Within 50 years, the reforested areas are projected to qualify as suitable owl nesting and fisher denning habitat (EA, Section 2.1.8, Table 10). Several design criteria were incorporated into Alternative 2 to further protect these species, including a LOP for fisher (EA, section 2.1.6.11, design criteria #168), and owl monitoring in the Project area prior to any treatments which could result in a LOP for owls if warranted (design criteria #164). Also, the design criteria provide for retention of three to five large downed logs per acre on the forest floor. Where available, three of the five required down logs per acre would be in the largest size classes, in decay classes 1, 2, and 3 (SNFPA S&G 10) (SNF LRMP 64d) and all existing logs at least 20 inches in diameter and 20 feet in length would be retained. This will ensure sufficient large woody debris is maintained for wildlife habitat (design criteria # 174 – 176).

The analysis in the final EA shows that no significant impacts to special-status wildlife species would result from implementation of the Alternative 2 (EA section 3.9).

- **Provide for Forest Resiliency When Planting**

A recommendation and concern was made by the public that reforestation measures include methods which provide opportunities for natural tree regeneration and a heterogeneous resilient forest. The recommendation included specific tree spacing and stocking levels. I considered the feasibility of this recommendation, the best available science, as well as current policy and direction, in creating the Project design. This issue is addressed under each alternative analyzed in chapter 3, by using the lower end of the stocking numbers from the SNF LRMP.

How Comments Were Considered

The public comments we received on this Project were very important to me in making my decision. I have reviewed the public comments we received during this analysis and the responses to those comments (EA, Section 1.5.1; Appendix 6.9). I have also reviewed the changes from the EA for Comment to the Final EA (Final EA, Section 1.5.1). I want to specifically address some of the comments here in order to better explain my decision.

Topics of concern that were raised by the public during the scoping and public comment period included:

- BBWO,
- California spotted owls,
- Pacific fisher,
- migratory birds,
- snags and logs,
- soils,
- fuels,
- economics,
- noxious weeds and herbicide use,
- fire severity,
- aquatic species,
- ecological benefits,
- NEPA efficiency,
- 2004 Framework (SNFPA),
- CESF,
- hydrology, and;
- best available science.

We also received comments from supporters interested in harvesting as soon as possible to avoid further deterioration of wood value and allowing for the potential of helicopter logging.

My decision addresses many of these concerns by incorporating appropriate Project design criteria and BMPs. Issues addressed through the implementation of design criteria include: snags, California spotted owl, BBWO, Pacific fisher, migratory birds, snags and logs, soils, fuels, noxious weeds and herbicide use, aquatic species, CESF, and hydrology. For example, approximately 8,000 acres will not be harvested. These large and small patches of untreated burned vegetation will provide habitat for specialized wildlife species. Additionally, within salvage treatment areas an additional 517 acres of snag retention areas will be retained and will meet the 4 snags per acre standard and guideline (EA, Section 2.1.2.3). A variety of snag types, sizes, and decay classes will be present on the landscape post treatment. I tried to balance the short-term needs of wildlife species after the fire with the long-term habitat needs of species needing mature forest by carefully determining which acres to leave untreated and which to treat. My decision results in untreated acres within the French Fire perimeter greatly exceeding those treated. California spotted owl PACs will remain untreated, except along roads where hazard trees jeopardize the safety of those traveling the roadway. In addition, LOP periods will be applied to the limited areas (31 acres) where

we are treating within PACs due to the need to abate the roadside hazards and to protect the powerline (12 acres) where trees have already been cut, minimizing adverse impacts to the most important owl habitat (EA, Section 2.1.6.11 and 3.9). My decision only treats in PACs that are within the roadside hazard (301 acres) and beneath the powerlines (12 acres) where the trees have already been cut and only need to be removed to lessen the fire hazard around this key infrastructure.

We received public comments concerning post-project retention of burned forest habitat for wildlife species (BBWO, California spotted owl, northern goshawk and two bat species). The BBWO serves as the Forest Management Indicator Species for snags in burned forest habitat. I took a hard look at the different kinds of habitat that BBWO utilizes, which can vary by burn severity, tree concentration, and size. Our analyses indicated the French Fire created approximately 3,617 acres of potentially suitable BBWO habitat (CWHR 3MD, 4MD, 5MD with greater than 50 percent basal area mortality). My decision is to treat hazard trees and conduct salvage operations on approximately 1,946 acres (53 percent) of potentially suitable BBWO habitat, leaving 1,673 acres (47 percent) untreated. I am choosing to retain 46 percent of the suitable habitat (1,673 acres). The amount of burned habitat in the Sierras has been increasing over past levels, rather than decreasing (Fuels Report, Project Record). It is well documented that this year alone there are numerous wildfires burning 1,000s of acres in the Sierras, including fires on the SNF. Most of the smaller fires have no salvage logging proposed, leaving many areas of additional unlogged BBWO habitat on the Forest outside of the Project area.

I have designed the Project to place snag retention areas near live and partially burned sites, facilitating access to burned forest habitat for foraging and nesting birds and for fisher, thereby reducing habitat fragmentation. Salvage restrictions along stream corridors also will ameliorate fragmentation of burned forest habitat across the Project area.

I deliberately selected treatment areas which provided the most important restoration and recovery and avoided important habitat areas. In carefully crafting the Project both in design and added design criteria, I assured that my decision would minimize effects to natural resources (EA, Section 3.0).

Additional questions and suggestions received via public comments and field trips consist of: expediting the planning process to implement harvest before deterioration rates increase, use and interpretation of the 2004 Sierra Nevada Forest Plan Amendment (SNFPA) Record of Decision (ROD), and implementation restrictions. I found the Project planning process to be rigorous, thorough, and took a hard look at the proposed activities and the associated effects. The need to reach a decision for the Project before deterioration rates increase is critical to the overall success of the Project—and indeed, the timing of this decision will likely determine whether the Forest can implement the Project at all. The SNF LRMP, as amended by the 2004 SNFPA ROD guided the Project with standards and guidelines, desired conditions specific to land allocations, and overall salvage direction. Best available science has been utilized by the specialists to accurately analyze the Project's impacts. The SNF LRMP is the SNF's current management direction and the Project specific design criteria help address and meet management direction, as well as the changing nature of the landscape, incorporating design criteria for newly listed species or other resource concerns, as necessary.

OTHER ALTERNATIVES CONSIDERED

In addition to the selected alternative, I considered four other alternatives in detail as summarized below. The EA (Section 2.1.8) includes a comparison of the alternatives considered in detail and describes the alternatives in detail in Section 2.1. The EA also describes five alternatives considered but eliminated from detailed study (EA, Section 2.1.7). A summary of the effects of each of the five alternatives is displayed in Table 9 and 10 (EA, Section 2.1.8).

Alternative 1 (no action)

Under Alternative 1, salvage harvests, fuels reduction, reforestation, treatment of DFPZs, mitigation of fuel loading along SCE's power line right-of-way, and noxious weed eradication treatments would not occur. Existing conditions in the Project area would be driven by vegetation response to fire effects, drought, and insect attack. Fire-affected trees would be subject to decay and breakage. Refer to EA, Section 2.1.1 for a full description of Alternative 1.

I did not select Alternative 1 for the following reasons:

1) Fire-affected trees will continue to die and become hazards along roads and in developed areas and will create unsafe conditions for forest users, contractors, and Forest Service employees. Existing decisions do not treat all roads or remove all hazards from roads within the Project area. Hazardous trees would pose a serious threat to all road users for at least 30 years. (EA, Section 3.2.2.1, also see Section 3.5).

2) Future reforestation projects (seedling tending, thinning, and prescribed burning) not part of this Project would be high-risk endeavors, and may be precluded due to the risks to workers of falling trees and limbs. (EA, Section 3.6.3.).

3) The Forest may be forced to close the roads that would not receive treatment due to safety concerns from hazard trees until such time as enough appropriated dollars could be obtained to treat the roadside hazards internally or through another environmental analysis to treat the roadside hazards. (EA, Section 3.6.3.indicator 3).

4) With unplanned events playing the greatest role in controlling forest structure under Alternative 1, the slowed return of conifer dominance would delay the return of moderate and dense tree cover associated with California spotted owls and Pacific fisher, who depend on "old forest" habitat. (EA, Section 3.9.18).

5) Alternative 1 effects also include brush competition greater than 20 percent, lack of seed, poor pine reproduction (less than 125 trees per acre over 90 percent of stands), and dominance by shade tolerant incense cedar and white fir. (EA, Section 3.6.3, Indicator 4).

6) Alternative 1 would provide limited employment benefit. The only full time jobs created would be the employment of FS personnel involved in the planning of the Project. (EA, Section 3.4.3, Indicator 3).

7) Alternative 1 increases the levels of fuel loading from fire and insect-killed trees over the extent of the Project area, making fire control tactics more costly and less effective (EA, Section 3.5.3.1). Also, as snags fall, fuel loading may eventually exceed pre-fire fuel loading, increasing future potential fire intensity and severity, and thereby increasing the risk to forest resources including wildlife habitat. (EA, Section 3.5.3.1).

8) Under this alternative, future suitable habitat for productive owl sites as a result of fire would become patchy or unevenly distributed, and the abundance of owls in the wildlife analysis area could decline. (EA, Section 3.9.3).

9) Soil cover would increase slowly in moderate and high soil burn severity areas where "hydrophobic" soil layers exist and erosion would be greatest; increased hillslope erosion will likely deliver sediment to stream channels; increased peak flows will likely cause in-channel erosion in response to reaches. (EA, Section 3.10.3).

10) Noxious weeds would not be treated, which may impact vegetation communities in the Project area. Noxious weeds (primarily medusahead and bull thistle) would rapidly expand through certain portions of the landscape. These weeds would not be able to be eradicated because the seeds are viable for more than a year. (EA, Section 3.3.3).

11) Management of identified DFPZs and removal of fuel from under SCE's power line right-of-way, as described in the purpose and need (EA, Sections 1.1.3.7 and 1.1.3.8) would not occur in the no action alternative.

12) Alternative 1 would not meet the purpose and needs of the Project area to 1) improve public safety by removing hazard trees along roadside areas; 2) avoid loss of commodity value of trees killed by the French Fire for the benefit to local communities and forest management; 3) manage fuel loading levels; 4) reduce potential soil erosion and loss of soil productivity; 5)reduce surface fuel loads which minimize high-intensity fires; 6) re-establish forested conditions; 7) manage fuel loads with DFPZs; 8) reduce existing fuel load along SCE power line right-of-way; and 9) eradicate and control noxious weeds from native vegetative communities.

Alternative 3 (no herbicide)

Alternative 3 excludes the use of herbicides in the Project area. All other treatments would remain the same as Alternative 2. Essentially, chemical methods used in reforestation treatments and noxious weed eradication in Alternative 2 would be replaced with mechanical and/or hand methods (EA, Section 2.1.3).

Although many of the effects of Alternative 3 are similar to Alternative 2, I did not select Alternative 3 for the following reasons:

1) Conifer survival and growth is lower and growth is slowed as compared to the selected alternative due to the amount of competition from bear clover and other brush. Both growth rates and seedling survival would be 65 to 75 percent less than Alternative 2 (EA, Section 3.6.5.).

2) Using only manual methods (hoeing, string trimmers) for medusahead control, the likelihood of successful eradication (defined as the complete absence of any plants for several consecutive years upon conclusion of treatments) of medusahead is low (EA, Section 3.3.5).

3) The risk is especially high that the noxious weed would negatively affect Forest Service Sensitive Plants (FSS), specifically *Madera leptosiphon* (EA, Section 3.3.5).

4) The conifer reforested areas would remain vulnerable to high tree mortality from fires (wildfire) until they reach ages greater than 20 years (McGinnis 2010). Due to the increased competition from bear clover that would reduce growth of these trees, the time to reach a safe size for fire survival would increase to from 20 to 70 years (EA, Section 3.5.3.3).

5) The DFPZ treatment areas would be less effective at providing an anchor point for fire management in the long term (EA, Section 3.5.3.3, Indicator 1).

6) Habitat recovery could be delayed considerably due to the competition from bear clover and manzanita on planted pines and cedar within the reforestation areas. Within 50 years, conifer establishment under this alternative is projected to be equivalent to CWHR size class 2 (sapling, 1-6 inches dbh) and canopy closure S (10-24 percent canopy cover), which is not suitable spotted owl nesting or fisher denning habitat. In addition, this does not promote the connectivity of the fisher corridor (EA, Section 3.9.5 and 3.9.20).

7) There would be no effects from herbicides to humans or wildlife from the use of herbicides as compared to the selected alternative (low to negligible effects). However, since the risk of negative effects to humans and wildlife is low to negligible under the selected alternative and the risk of noxious weeds spreading and negatively affecting native plant communities is high without the use of herbicides, I believe that selecting Alternative 2 is the better trade off of important values compared to Alternative 3 (EA, Sections 3.7.4 and 3.7.5).

8) Using mechanical means to control bear clover for reforestation (e.g., blading or tilling) would require the clearing (by dozer piling) each area of downed woody material to allow for effective mechanical release. The loss of ground cover and disruption of the soil structure over 2,300 acres would exacerbate cumulative watershed effects (CWE), potentially leading to accelerated erosion and sediment delivery to streams; therefore, under Alternative 3 hand grubbing would be the only way to mitigate a CWE response (EA, Section 3.10.5). Hand grubbing would need to be done repetitively over a number of years as brush continued to rebound utilizing forest resources and repeatedly disturbing soil. Chemical treatment utilized in my decision is more efficient and effective minimizing forest resources and does not result in any soil disturbance.

Alternative 4 (hazard tree and plantation salvage only)

Alternative 4 excludes the treatment of salvage units - including the first entry units, secondary entry units, and plantation units within 1.5 kilometers (circular area) of California spotted owl PACs. The other proposed treatments for 514 acres of plantations not within 1.5 km of a PAC, snag retention, roads, DFPZ, SCE's power line right-of-way, and invasive weeds would be the same as the selected alternative.

Again, many of the effects of Alternative 4 are similar to Alternative 2, however, I did not select Alternative 4 for the following reasons:

1) Although approximately 2,400 acres of high and moderate fire severity patches that would be reforested under Alternative 4, approximately 3,205 acres of conifer typed high and moderate severity burn areas would not receive salvage treatments. (EA, Section 3.6.6.).
2) Fuel reduction and reforestation treatments would not be implemented in 1,697 acres of predominately high severity burn areas. 300 acres of previously established plantations would not be reforested (EA, Section 3.6.6.).
3) Alternative 4 would harvest approximately 21.5 Mmbf less of timber and $173,467 less timber value than Alternative 2; this difference impacts the ability to complete the remaining actions proposed to recover the Project area (EA, Section 3.4.6.).
4) Less of the key linkage area "D" between fisher core populations 4 and 5 would be treated and reforested under this alternative, which could lead to a more fragmented population (EA, Section 3.9.21).
5) Alternative 4 has the potential for allowing California spotted owl habitat fragmentation resulting from the French Fire to persist across more of the Project area by reforesting 1,376 fewer acres of fire-affected habitat (EA, Section 3.9.6).

Alternative 5 (No Secondary Entry)

Alternative 5 excludes the treatment of secondary salvage units, therefore 910 acres of predominately moderate burn severity would not be treated. First entry units, u33m (4 acres) and u53m (4 acres) would also not be treated so that patches of 10 acres or less would not be treated in high severity areas. And first

entry units u47m (5 acres), u453m (23 acres) and portions of u52m (9 acres) would not be treated because they fall within a 1 km circular area of CSO PAC MAD45, in which less than 32 percent of the territory burned at high severity. The other proposed treatments for snag retention, roads, DFPZ, SCE's power line right-of-way, and invasive weeds would be the same as the selected alternative.

Again, many of the effects of Alternative 5 are similar to Alternative 2; however, I did not select Alternative 5 for the following reasons:

1) Does not reforest 490 acres of highest severity fire areas and is estimated to reforest approximately 3 percent fewer acres than the selected alternative. (EA, Section 3.6.7). Although Alternative 5 has close to the same amount of acres of reforestation as the selected alternative, the location of the planting would be restricted to areas of high burn severity in the roadside hazard tree treatment and the plantation units that do receive salvage treatment. This restriction on reforestation locations would lead to forest regrowth in less critical areas away from some of the highest severity fire areas where natural regeneration may be most limited (EA, Section 3.6.7).
2) Implementation of Alternative 5 would result in secondary treatment areas obtaining "old forest" conditions 50 to 75 years later than in Alternative 2 (EA, Section 3.6.7).
3) Due to the insect mortality the forest is currently experiencing (Bulaon and MacKenzie 2015), the secondary entry units help to address this issue by treating areas that have the potential to propagate the beetle infestation within the already fire-weakened trees (French Fire Insect Killed Pines Photos, Project Record; EA, Section 3.6.1, and 2.1.2.2.; French Project Silviculture Report, Project Record).
4) There is less economic recovery with this alternative. Approximately 27 Mmbf, would be harvested with an approximate value of $230,585. This is approximately 4.5 Mmbf and $39,348 of timber value less than Alternative 2 (15 percent less). As the effects are similar to Alternative 2 it makes sense to me to choose the Alternative resulting in the maximum funds for restoration activities in the Project area as well as maximizing the opportunity for a wood supply for local manufacturers and the employment base in rural communities.

Conclusion

My decision to implement Alternative 2 provides for treatments with beneficial effects that include fuel reduction, long term defragmentation to wildlife habitat, more rapid regeneration of the old forest conditions, control of noxious weeds, public safety, support of future fire suppression, protection of public utilities and retention of snags for wildlife. Any potential negative resource impacts from the Project have been carefully considered and the environmental analysis showed adverse effects to be less than significant (EA Chapter 2 Table 10). As described in the Final EA and specialist reports, the long-term benefits of safety, economic recovery, re-establishing forest conditions, providing long-term wildlife habitat and large woody debris, and eradicating noxious weeds outweigh the short-term impacts (e.g. short-term loss of habitat) of this Project. I have considered the degree to which this Project's actions add cumulatively to the various natural resource projects in and around the Project area. I believe that the management requirements included in the selected alternative reduce the effects from this Project to a level of non-significance for all affected resources, including cumulative effects, while still accomplishing the purpose and needs for the Project.

I requested that an emergency situation determination (ESD) be granted by the Chief of the Forest Service for this Project because risk to human health and safety and substantial loss of commodity value to the federal government and local economy will occur if implementation of this decision is delayed (Emergency Situation Determination, French Fire Recovery and Restoration Project, Bass Lake Ranger

District, Sierra National Forest, Letter from May 7, 2015). The ESD grants a waiver of the objection period for the Project, expediting the implementation schedule, thereby helping to ensure the economic recovery will be reinvested into the land to mitigate resource impacts of the fire. Without these financial resources, restoration of this landscape will be delayed and there would be a higher risk of future high-intensity wildfire in the area, as fuel loading would not be reduced.

Delay of implementation will result in substantial deterioration of the timber before it can be removed. Due to increased deterioration rates, operations need to be started in the 2015 operating season to ensure the timber sale is economically viable to a prospective purchaser and to maximize recovery of economic value. Without sufficient economic value in the trees, a timber sale purchaser would have no financial incentive to operate the sale and the trees would not be removed, and as a result the SNF could only afford to implement limited reforestation and fuel load reduction efforts. Hazard tree removal would be a burden to the Forest's budget and could result in closing areas to the public if funds could not be made available to fund the hazard tree removal. If funds were found to do this work it would take funds away from other critical land management work on the Forest. The ability of the SNF to accomplish the purpose and needs for the Project is therefore strongly tied to the timing of the salvage harvest treatments. The Emergency Situation Determination issued by the Chief of the Forest Service estimated the economic loss to the government at $72,295 if implementation were delayed from its original projected start date of July 2015 until October 2015 (Emergency Situation Determination, French Fire Recovery and Restoration Project, Bass Lake Ranger District, Sierra National Forest, Letter from May 7, 2015). I had hoped to issue this decision by the original projected date in July; however, unanticipated delays in the project planning process have pushed the Project to the brink of economic viability. I have decided to move forward with my decision without further delay as I believe we are nearing the close of the last window of opportunity to have a successful timber sale and realize the benefits of the Project's post-fire restoration components. The timber still has value. Implementing the Project in 2015 would still allow for recovery of commodity value before the timber deterioration is too great, thereby allowing the Forest Service to effectively conduct the Project's fire-related restoration work that is supported by the dollars generated from removing the burned timber.

Moreover, the value of the timber, while substantial, does not adequately reflect the importance of this Project to the local community and to the larger picture of forest management on the SNF. By recovering economic value of burned timber in a portion of the French Fire area, the Project plays a vital role in the local economy and will help sustain the infrastructure that is necessary to the management of National Forests. This Project is vitally important to help sustain the local industry and needed infrastructure to carry out our fuels reduction and forest health objectives while protecting forest resources.

It is my determination that the selected alternative meets the Project's purpose and needs and addresses the issues as a whole. It addresses the safety of the public and agency staff and reduces long-term adverse fire behavior. Conifer planting will more quickly result in forested conditions.

I recognize that there are differing opinions surrounding salvage logging in burned forests, as well as re-planting, particularly over effects on wildlife habitat. I have considered those opinions. The alternatives were evaluated against the purposes and needs for this Project (EA, Sections 2.0 and 3.0). This Project was designed to ensure protection of forest resources from significant long-term impacts through implementation of Project design criteria and BMPs. In addition, salvage timber harvest will not occur on the majority of public land in the French Fire's perimeter under the selected alternative, providing important habitat for wildlife species that depend on snags and burned forest, and allowing for a natural CESF in untreated areas. Also, the early establishment of conifers through reforestation will expedite forest regeneration and the development of forested conditions, and accelerate the development of habitat structure benefitting old-forest species, including the connectivity of the Pacific fisher corridor.

My conclusions are based on a thorough review of the best available science and consideration of responsible opposing views (EA, Appendix I, Section 5.9). The environmental analysis process was

conducted in accordance with the NEPA and the direction provided in the Forest Service Manual and Handbook. This decision is consistent with the goals and objectives of the SNF LRMP, as amended.

The direct, indirect and cumulative environmental effects of this Project are within acceptable limits and are consistent with the goals, objectives, and Standards and Guidelines in the SNF LRMP. These effects will be mitigated by the Project Design Criteria listed in Section 2.1.6 of the EA. I agree with the EA that these Project Design Criteria measures are effective in reducing environmental impacts based upon the SNF LRMP analysis and past experience in using these measures. The Selected Alternative requires Project Design Criteria to help ensure protection of soils, watershed conditions, cultural resources, scenic resources, wildlife habitat and other resources. I have found that the Project Design Criteria are effective based on their successful use in similar projects. The Selected Alternative's Project Design Criteria ensure the Project's objectives will be achieved in an environmentally sensitive manner.

After consideration of all of the above, I believe my decision is well-supported and strikes an important and necessary balance between competing resource objectives and is truly made in the spirit of "the greatest good." The selected alternative will provide natural resources needed by society, resulting in regional economic benefits and opportunities, while protecting the forest resources and accelerating the return of vital wildlife habitat in the long-term.

PUBLIC INVOLVEMENT

I want to thank the individuals, organizations and agencies that participated and provided comments for this analysis. The input was valuable to me in making my decision.

The Project proposal was published to the Schedule of Proposed Actions in January 2015 and was updated periodically during the analysis. The proposal was put on the Forest Service website in October of 2014 and provided to the public and other agencies for comment during scoping in October 30, 2014. The BLRD received 11 scoping comment letters from individuals, organizations, and interested parties. Using the scoping comments from the public, the IDT developed a list of issues to address. A compilation of the scoping comments and a summary of the issues analysis are located in the project record at BLRD in North Fork, CA. Using the comments from the public and other agencies, 15 potential issues were identified during scoping. Four of the potential issues were used to develop additional design criteria (EA, section 1.7). Several comments were addressed under the no action alternative. Five additional issues were addressed: four of which were analyzed in detail as parts of separate alternatives to the proposed action, one was considered and found to already be in all alternatives, and two suggestions were considered as alternatives but eliminated from detailed study (EA, Sections 1.6 and 2.1).

After completing the analysis of the Project, the draft EA was distributed to the public and the comment period began on May 7, 2015 with a legal notice in the *Fresno Bee*. A total of 9 written comments letters on the draft EA were received during the opportunity to comment period. All comments received and the responses to these comments are contained in the Appendix 6.9 of the EA. Some comments made recommendations for different actions, but no additional alternatives were suggested (EA, Section 1.5.1). The recommended actions were discussed by the IDT and found to either not be in the scope of the Project, follow Forest Service law, regulation or policy, or outside of Forest Service jurisdiction (EA, Appendix 6.9).

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the Final EA (Section 3.0), 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 (40 CFR 1508.27). Thus, an environmental impact statement will not

be prepared. I incorporate, by reference, the Final EA and Project record in making this determination. I base my finding on the following:

CONTEXT

The local context of this action is limited to the Project area, on the BLRD, SNF (Figure 1). Project activities focus on removing roadside hazards; removing salvage timber; fuels reduction treatments (including the DFPZs and SCE power line right-of-way); site preparation, release and reforestation; construction of temporary roads, landings, and skids trails; and eradication of noxious weeds in the Project area (described in EA, Section 2.1.2). The extent of ground disturbance will be limited to 5,724 acres of roadside hazard and salvage timber removal (EA Table 1. Summary of Alternative 2 treatment activities). Site preparation and reforestation will occur within salvage timber harvest treatment units on up to 3,000 acres. The total footprint of all treatments from the selected alternative within the Project area is approximately 5,965 acres (EA, Section 2.1.2); this footprint represents 43 percent of the entire 13,835-acre fire perimeter (Project area). When considering the context of the activities expected to take place within the French Fire perimeter, there are no significant effects.

INTENSITY

The intensity of effects was considered in terms of the following:

1. **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial.** My finding of no significant environmental effects is not biased by the beneficial effects of the action (EA, Section 3.0). Project benefits include providing safe access for Forest Service personnel, contractors, special use permit holders, and visitors to the NFS (EA, Section 1.1.3.1); recovering the economic value of fire-killed trees, contributing to potentially 564 jobs and $22.5 million in employee income (EA, Section 3.4.4); and re-establishing forest conditions. No significant adverse direct or indirect effects to the environment from this Project were identified during the environmental effects analysis (EA, Section 3.0). Adverse effects on vegetation, plants and wildlife, watershed, and from herbicide use are judged to be not significant due to the small scale of the operational impacts, the short-term temporary nature of the Project, and the implementation of Project Design Criteria. Project design features, and BMPs will reduce, eliminate, and/or avoid adverse effects (EA, Section 2.1.6 and Appendix 6.5).

   The Project will have beneficial effects to economic or social environments because the wood provided to local manufacturers will sustain the economy for a number of years. If this Project was not implemented it is likely that other Forest projects would be implemented over the same time period to provide a supply to the mills; however, benefits to the Project area would be foregone (EA, Section 3.4). The Project will have no significant effects on snags and CESF because over half of the Project area will not receive any type of harvest treatment, providing for retention of snags and the generation of CESF (EA, Sections 3.3 and 3.6).

2. **The degree to which the proposed action affects public health or safety**. There will be no significant effects on public health and safety (EA, Section 3.7). The Project involves routine work that has occurred and continues to occur near the Project area on NFS lands. Signs will be used to warn public users of project activities such as vehicles using roads, vegetation cutting, and equipment usage (required in contract provisions and clauses). Roadside hazard and salvage timber harvest will involve cutting trees, skidding, loading, and hauling with mechanical equipment and logging trucks, overall reducing risks to public safety by removing hazards. Conifer release will involve hand cutting and chemical applications. Noxious weed eradication

will involve hand pulling and chemical applications. The human health risk assessment for herbicides used in the Project area concludes that the selected alternative, along with the associated design criteria to mitigate impacts, will have negligible or unlikely direct and indirect effects to human health for the herbicides/fungicides: glyphosate, Borax, and R-11 (EA, Section 3.7). Roads, trails, and campgrounds within the Project area may be closed to the recreating public on a temporary basis for safety reasons during Project implementation. These closures will be of limited duration (during felling, skidding, loading, and hauling).

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 are no park lands or prime farmlands within the Project area. Unique characteristics of the area include riparian conservation areas (RCAs) and historic and cultural resources; there are no wet meadows in the Project area (EA, Section 3.10). By using BMPs (and associated Erosion Control Plan) (Appendices 6.5), the Project provides protection to RCAs and SMZs, and meets the requirements of the 2004 SNFPA ROD.

   The Project will not have significant effects on historic or cultural and botanical resources because sites will be avoided by flagging and requiring contractors to exclude these areas from any activity (EA, Section 2.1.6).

   The Project does occur on approximately 142 acres within polygons inventoried for potential wilderness designation as part of the Sierra NF plan revision process. An analysis was done on these impacts and the character of the area, and it was determined that the area lacks the requisite wilderness character for designation. Therefore the Project will not affect an area with unique characteristics (French Fire Recovery and Restoration Project Wilderness Resource Impact Analysis, 8/26/2015). Based on that evidence, it is not reasonably foreseeable and it is not likely that the SNF will designate as potential wilderness any areas that the French Project affects.

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. The activities included in this decision are routine road, forest vegetation, and watershed management activities, and there is no known credible scientific controversy over the impacts of the proposed action. Based on comments received during the public involvement process and the IDT's review of all literature provided by commenters, there is no substantive scientific controversy related to the effects of the proposed treatment on the human environment (EA, Section 1.5 and 1.5.1, and Appendix 6.9 – Response to Comments). Public involvement with interested and affected individuals and agencies throughout the environmental analysis identified concerns regarding the environmental effects of implementing the proposed actions, particularly with regard to implementation, decision timing, and impacts on wildlife species (Appendix 6.9- Response to Comment). The Final EA adequately addresses these concerns and discloses the associated environmental effects.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Forest Service has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risks. The lack of scientific literature concerning aquatic species and herbicide is mitigated by Project design criteria (EA, Sections 3.2.2 and 2.1.6). The possible effects of implementing Alternative 2 are neither highly uncertain nor will they present unique or unknown risks. The consequences of these actions are known, as described in specialist reports (Project record and summarized in EA, Section 3.0).

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 selected alternative will not establish a precedent for future actions with significant effects, because it

conforms to all existing SNF LRMP direction and is applicable only to the Project area. Salvage projects are common on Forest Service land after a large fire. No significant effects are identified (Final EA, Section 3.0), nor does this action influence a decision in principle about any future considerations.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** There are no known significant cumulative effects between this Project and other ongoing or planned projects in or adjacent to this Project. The effects of other reasonably foreseeable future actions as well as past actions and ongoing actions, including other ongoing and reasonably foreseeable future activities within the French Fire perimeter, were included in the specialists' analyses (Appendix 6.6 and Project record).

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, 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, nor will it cause loss or destruction of significant scientific, cultural, or historical resources because all cultural resources will be avoided by flagging sites and requiring contractors to exclude these areas from any activity. (EA, Section 3.1 and Cultural Report for the Project [Classified] [Potter 2015] located in the Project record).

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The SNF has begun consultations with US Fish and Wildlife Service (the Service) concerning the Sierra Nevada yellow-legged frog and the California red-legged frog; in addition to engaging in optional conferencing on the Pacific fisher. The SNF submitted its Biological Assessment (BA) to the Service on June 7, 2015. The SNF found:

   - Sierra Nevada yellow-legged frog (Endangered)
     - Species: *May affect, likely to adversely affect*
     - Proposed Critical habitat: *Will not affect proposed critical habitat*
   - California red-legged frog (Threatened)
     - Species: *May affect, likely to adversely affect*
     - Habitat: *Will not affect critical habitat*
   - (Optional Conferencing) Pacific fisher (Proposed Threatened)- *may affect but is not likely to jeopardize the continued existence of the Pacific fisher*

   Adverse effects to species habitat would be reduced through application of Project design criteria. Indirect effects to the Sierra Nevada yellow-legged frog and California red-legged frog and their habitat from sedimentation, road decommissioning, herbicide application, a reduction of canopy or food, or an increase in stream temperature from implementation of the Proposed Action would be minimal.

   For the Sierra Nevada yellow legged frog, 41 acres (19 individual areas) of Sierra Nevada yellow-legged frog habitat would receive roadside hazard treatment; 11 areas would receive vehicle use; and 10 areas would receive road maintenance. Design criteria have been put in place to minimize any impacts to this species including treatment requirements that logs be felled and left in place. Treatment will only occur where public safety is at risk, and is designed to minimize any impacts to the species. (EA Table 10. Comparison of Alternatives by resources analyzed in full).

For the California red legged frog, 4 acres (one individual area) of California red-legged frog habitat would receive road hazard treatment and vehicle use; the 2 acres (one individual area) of California red-legged frog habitat which were to have received plantation treatment have been withdrawn from the project under my decision. (EA Table 10. Comparison of Alternatives by resources analyzed in full). I decided to amend the Biological Assessment in conversations with the Service on August 19th, withdrawing the use of herbicide during reforestation activities on 2 acres identified as suitable California red-legged frog habitat within the Project area.

For the Pacific fisher, 2,062 acres in the low/moderate mortality categories would be treated, and 2,639 acres in the high mortality category would be treated (EA Table 10. Comparison of Alternatives by resources analyzed in full). The Project may have some short-term adverse effects to fisher habitat; however, the reestablishment of connectivity and forested area will be a long-term benefit. The suitability of much of the habitat in the Project area has already been compromised by the effects of the French Fire, and the severely burned areas where most of the project treatments occur have a current canopy cover of only 3 to 7 percent. Adverse effects of Project treatments have been minimized, and the environmental analysis shows that impacts to various fisher related indicators are low. (EA, Section 3.2.3 and 3.9.19).

10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment**. The selection of Alternative 2 will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the Final EA and are described below. The action is consistent with the 1992 SNF LRMP, as amended.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

In addition, the Project complies with other laws and regulations as described below.

Legal Requirements for Environmental Protection

I have determined that implementation of the selected alternative is not a major action that will constitute a significant effect on the human environment and is consistent with requirements of the following laws and regulations. Therefore, it does not require the preparation of an Environmental Impact Statement.

National Environmental Policy Act (NEPA)

My decision and the analysis process documented in the EA comply with the National Environmental Policy Act. Direction in 40 CFR Parts 1500-1508 and Forest Service Handbook (FSH 1909.15) was followed throughout development of this EA for this Project.

The National Forest Management Act (NFMA)

The National Forest Management Act and its regulations govern National Forest management planning through Forest level planning. This Project and my decision comply with the SNF LRMP and with NFMA.

I have evaluated the selected alternative and compared it to the SNF LRMP, as amended, to determine if the selected alternative is in compliance with Forest wide Desired Conditions, Forest wide Objectives, Forest wide Standards and Guidelines, and Desired Conditions and Standards in the Forest Plan and with those Management Area Prescriptions involved in the Project. The selected alternative is consistent with the SNF LRMP and will contribute toward reaching Forest Plan goals and objectives. The Final EA evaluates Management Indicator Species (MIS) in Section 3.8 and in the MIS report located in the Project record. In addition to the FONSI, I find that this Project is consistent with the standards and guidelines for

land management activities described in the 1992 SNF LRMP as amended by the 2004 SNFPA ROD because, as section 2.1.6 states, design criteria and all applicable standards and guidelines from the SNF LRMP as amended are incorporated into the Project design. This Project is consistent with the requirements of the SNF LRMP and therefore also consistent with NFMA.

Endangered Species Act (ESA)

Section 7(d) of the Endangered Species Act (ESA) of 1973 requires that after initiation of consultation required under section 7(a)(2), a Federal agency "shall not make any irreversible or irretrievable commitment of resources with respect to the agency action which has the effect of foreclosing the formulation or implementation of any reasonable and prudent alternative which would not violate subsection (a)(2)." The BA for Threatened and Endangered Species evaluated effects of the selected alternative upon these species and their habitats (EA, Sections 3.2.3 and 3.9.19, and BA/Biological Evaluations located in the Project record).

The French Fire started on July 28, 2014. Forest Service biologists conducted a field trip with the Service biologist in the French Fire burn area on February 18, 2015 to discuss conditions and concerns for listed species.

The Forest Service then prepared a BA considering the effects to two federally listed species found within the Project analysis area: California red-legged frog (Threatened) and Sierra Nevada yellow-legged frog (Endangered). That BA determined that the overall project "may affect, [and is] likely to adversely affect" the California red-legged frog and the Sierra Nevada yellow-legged frog. The Forest Service also requested optional conferencing on the Pacific fisher, because the fisher is prevalent in the Project area and the Service has proposed listing it.

Based on that BA, the Forest Service engaged with the Service in formal consultation and requested a Biological Opinion (BiOp) in support of these determinations with the acknowledgement that effects to individuals or habitat are not discountable.

The Forest Service made a determination of "may affect, likely to adversely affect" for California red-legged frog and Sierra Nevada yellow-legged frog was limited to a total of 47 acres of treatments. Section 7(a)(2) of the ESA requires Federal agencies, in consultation with the Service, to insure that their actions are "not likely to jeopardize the continued existence of any" listed species (or destroy or adversely modify its designated critical habitat; 16 U.S.C. § 1536(a)(2)). As such, I have decided to prohibit any operations in those 47 acres until the Forest Service and the Service complete their formal consultation. I am expecting the Service to issue a BiOp.

Approval and operational implementation of Project activities outside of the 47 acres referred to above prior to completion of formal consultation with the Service and issuance of a BiOp is consistent with the requirements of ESA Section 7(d) because approval and/or conduct of these activities will not foreclose the formulation or implementation of any Reasonable and Prudent Alternative (RPA) measures that may be necessary to avoid jeopardy (or the likely destruction or adverse modification of critical habitat). The Project does not lie within a critical habitat unit for the California red legged frog per the Federal Register (March 17, 2010; Volume 75, Number 51) and is not within a proposed critical habitat unit for the Sierra Nevada yellow legged frog per the Federal Register (April 25, 2013; Volume 78, Number 80). Indeed, the vast majority of the Project will not affect either listed frog species.

Consistent with ESA Section 7(d), the Project treatments related to felling and leaving hazard trees at stream crossings during hazard tree removal work and treating a part of one unit of hazard trees and salvage logging that intersects California red legged frog habitat will be held in abeyance until the

completion of formal consultation with the Service and issuance of a BiOp. No operational implementation activities or treatments within the 47 acres related to California red-legged frog and Sierra Nevada yellow-legged frog will be undertaken prior to completion of formal consultation with the Service and issuance of a BiOp. In this way, the Forest Service will ensure compliance with ESA Section 7(d) while we await the Service's formal opinion on how it believes the Project will impact the California red-legged frog and Sierra Nevada yellow-legged frog. While I would have preferred to have waited for Service and the Forest Service to complete their formal consultation, for the economic viability concerns explained above and below, I cannot hold up the rest of the Project to wait for that process to finish. Indeed, the NEPA regulations give me authority to establish appropriate time limits for action. 40 C.F.R. §§ 1500.5, 1501.8.

Under this decision, when the formal consultation process finishes, the Forest Service may implement the Project in the 47 acres related to California red-legged frog and Sierra Nevada yellow-legged frog. In that case, I would likely adopt mitigation measures or reasonable and prudent alternatives that the USFWS would propose in that BiOp. Based on the analysis in the BA, I do not expect any mitigation measures to result in any significant impacts or alterations to the Project design in those 47 acres.

With respect to the Pacific fisher, while the Forest Service does not expect the Project to jeopardize the continued existence of the species, we nonetheless elected to conference with the Service on Pacific fisher. The Forest Service anticipates that the Service may list the fisher under the ESA during the implementation period of the Project, and the Forest Service sought to ensure the Project treatments are in alignment with the Service's recommendations. However, because the rapidly deteriorating timber in the Project threatens to render the project economically unviable if any further delay to this decision is allowed, and due to the uncertainty surrounding the Service's timing for issuing a conference report, I have determined that it is necessary to proceed with the project decision and implementation while conferencing with the Service on the fisher is ongoing. To continue to wait for the issuance of a conference report could result in the Project not being implemented at all due to the loss of economic viability of the timber sale, resulting in unrealized actions needed to address the restoration needs of this burned area. I have carefully examined the analysis of Project impacts to the fisher prepared by our own Forest Service biologist, and am confident in her conclusions that Project would result in insignificant impacts to indicators related to Pacific fisher. We designed the Project to be sensitive to the Pacific fisher and its habitat, and I expect those designs will minimize impacts to the fisher. If the Service's conference report, when received, provides further management recommendations or design criteria to aid in protecting the fisher or its habitat, I will make every effort to incorporate those recommendations into the Project activities as they are implemented on the ground. Based on the analysis in the BA, I do not expect any of these mitigation measures for the Pacific fisher to result in any significant impacts or alterations to the Project design.

The National Historic Preservation Act

Heritage and tribal interests are regulated by federal laws that direct and guide the Forest Service in identifying and protecting heritage resources. The selected alternative complies with these federal laws. Heritage resources within the Project area were considered during Project development. A cultural resource report was completed for this Project which documents the identification and management of historic properties in the Project area, in accordance with the 2013 Programmatic Agreement Among the USDA Forest Service, Pacific Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forests of the Pacific Southwest Region (Regional PA). No adverse effects to cultural resources are anticipated from implementation of the selected alternative. Specific protection and management measures derived from the Regional PA would be

applied to cultural resources as design criteria (EA, Section 2.1.6.4). The protection and management measures are described in detail on a site-specific basis in the cultural resource report (Potter 2015). All National Register of Historic Places-eligible and potentially eligible properties would be managed for no adverse effect (per the Regional PA) from Project activities.

Clean Air Act (CAA)

The basic framework for controlling air pollutants in the United States is the 1970 Clean Air Act, as amended in 1990 and 1999 (42 USC 7401 et seq.) The Clean Air Act was designed to protect and enhance the quality of the nation's air resources. The selected alternative will have little to no impact to air quality and is consistent with and complies with the Clean Air Act (EA, Section 3.1.1).

Clean Water Act

The Forest Service has the statutory authority to regulate, permit and enforce land-use activities on the NFS lands that affect water quality. The implementation of the Project Design Criteria (EA, Section 2.1.6), additional Best Management Practices listed in Appendix 5.5 of the EA (as also stated in the Erosion Control Plan), and monitoring (Hydrology Report, Project record) will protect water quality in the French Fire area during the implementation of the Project and will aid in the land's recovery. The selected alternative is consistent with the Clean Water Act.

Pursuant to NEPA and the Clean Water Act, the SNF will be submitting an "Application for Conditional Waiver for Timber Harvest Activities on US Forest Service Lands" (Timber Harvest Waiver) to the Central Valley Regional Water Quality Control Board (CVRWQCB) in accordance with California Water Code section 13269. The Timber Harvest Waiver was renewed on December 4, 2014, by CVRWWQB Order No. R5-2014-0144.

Migratory Bird Treaty Act (MBTA) and Executive Order 13186

The selected alternative was evaluated against SNF LRMP Standards and Guidelines, and Project Design Criteria, to ensure consistency and to eliminate or reduce potential adverse effects to migratory birds.

Under the National Forest Management Act (NFMA), the Forest Service is directed to "provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives." (P.L. 94-588, Sec 6 (g) (3) (B)). The January 2000 USDA Forest Service (FS) Landbird Conservation Strategic Plan, followed by Executive Order 13186 in 2001, in addition to the Partners in Flight (PIF) specific habitat Conservation Plans for birds and the January 2004 PIF North American Landbird Conservation Plan all reference goals and objectives for integrating bird conservation into forest management and planning.

In late 2008, a *Memorandum of Understanding between the USDA Forest Service and the US Fish and Wildlife Service to Promote the Conservation of Migratory Birds* was signed. The intent of the MOU is to strengthen migratory bird conservation through enhanced collaboration and cooperation between the Forest Service and the Fish and Wildlife Service as well as other federal, state, tribal and local governments. Within the National Forests, conservation of migratory birds focuses on providing a diversity of habitat conditions at multiple spatial scales and ensuring that bird conservation is addressed when planning for land management activities.

The Project will not adversely impact migratory landbird species or their associated habitats. Potential impacts to migratory species would be minimized through the adherence of LRMP Standards and Guidelines for snags/down woody debris, riparian reserve buffers, limited ground disturbance, and maintenance of canopy closure. Only hazard tree removal activities would occur within suitable post-fire California spotted owl PACs (no goshawk detections within the Project area). Harvest activities may occur in PACs that have been rendered unsuitable as determined by the wildlife biologist and documented

within a Biological Evaluation; however, due to Project design there have been no PACs rendered unsuitable. If repeated occupancy occurs or a nest site is located, new PACs would be established in accordance with the SNFPA 2004. A limited operating period would be in effect within ¼ mile of detected spotted owl nests or activity centers (SNFPA 2004 S&G 75 incorporated as EA design criteria 165).

IMPLEMENTATION DATE

Except as explained above with respect to the 47 acres subject to ongoing consultation with the Service, implementation of this decision may begin immediately upon publication of the legal notice of this decision, in accordance with 36 CFR 220.7(d).

Chief of the Forest Service, Thomas L. Tidwell, recognized the importance and urgency of this Project in determining that an emergency situation exists for the entire Project area as provided for in 36 CFR 218.21 (Emergency Situation Determination, French Fire Recovery and Restoration Project, Bass Lake Ranger District, Sierra National Forest, Decision Memorandum for Thomas L Tidwell, Chief, signed May 13, 2015).

It is critical that we begin salvage harvesting and hazard tree removal activities under this decision as early during the 2015 operating season as possible. Local timber industry representatives have expressed interest in the Project, provided that salvage harvest and hazard tree removal operations can begin soon so that as much of the Project can be harvested in the 2015 field season as possible. Due to the delays already incurred in Project planning, the timeframe for the timber sale receiving any bids is coming to an end. Our assessment of available logging and trucking capacity indicates that the timber volume include in the French Salvage Project could be removed over an estimated 6 month period. Winter weather usually precludes logging and trucking operations after November. Hence we need as much time to operate this field season to recover as much of the timber value as possible, so that bidders would be willing to bid on the sale and thereby accomplish other Forest Service objectives.

The opportunity to start salvage harvesting and hazard tree removal operations as early as possible will allow the Forest to address the need for public and worker safety more quickly and within this operating season. In addition, implementing the project in 2015 will result in the lowest economic losses to the government due to less timber deterioration, thereby allowing the Forest Service to effectively conduct the reforestation work associated with this decision.

If the timber sale contract award and/or implementation of the Project was delayed beyond September, the likelihood of receiving bids for a contract later in the season would be extremely low due to both substantial deterioration of the timber during the remaining dry, warm fall months and the difficulty a contractor would have in mobilizing woods workers and equipment so late in the season. The risk to the contractor would be extremely high, and the Forest's sensing with industry indicates that a contract offered later in the season would receive no bids.

Ultimately, if the Project was delayed beyond September, the cost of removal would far exceed the value of the trees, and the Forest Service would be faced with the dilemma of responding to increasing safety hazards, increasing fuel loads and fire suppression difficulties, and previously forested areas rapidly converting to shrublands that will remain for decades, with no funds available to mitigate those long-term, post-fire impacts. Recreation and other incidental incomes may also decrease due to imposed closures of the French Fire area if safety hazards cannot be removed in a timely manner.

CONTACT

The Project Final EA and supporting documents are available for public review at the Sierra National Forest, Bass Lake Ranger District, 57003 Road 225, North Fork, CA 93643, (559) 877-2218, and online at: http://www.fs.usda.gov/project/?project=45636 . It is also possible to navigate to the project website via the SNF webpage (www.fs.fed.us/r5/Sierra). Select the "Land and Resources Management" tab, then select "Projects," and then find the project name. For additional information concerning this decision, contact: Jody Nickerson (jnickerson@fs.fed.us), French Project IDT Leader, at 559-297-0706.

8/26/15

Dean A. Gould
Forest Supervisor
Sierra National Forest

Date

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References

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