



# **Decision Memo**

## **Scottiago Road Hazard Tree Abatement Project**

### **USDA Forest Service**

#### **Eldorado National Forest, Amador Ranger District**

#### **El Dorado County, California**

### **Purpose and Need**

The project area includes approximately 67 miles of roads, north of highway 88, and west of the Panther Creek Rd. and State Route 88 intersection (see map). The purpose of the Scottiago Hazard Tree Abatement Project is to reduce the hazards that dead trees and other hazard trees pose, reduce the fuel loading and fire danger in the project area, and capture some value from the dead and other hazard trees by removing them, and where possible selling the timber for use as forest products. Trees become a hazard when there is likelihood of imminent failure and are within falling or striking distance of road infrastructure. This situation has been exacerbated by a recent tree mortality event in the area, related to drought and insect and disease. There is a need to maintain public safety along NFS roads in the project area by mitigating hazards to the roadway from dead, dying, and structurally unsound trees while being considerate of resource needs. In addition, many of the roads in the project area need to have shrubs and small tree cover reduced along the roadside to: improve line of sight for safety of road users, provide clearance for vehicles, and reduce fire risks in the event of fire starts.

### **Decision**

I have decided to implement the Scottiago Hazard Tree Abatement Project, which includes felling and removal of hazard trees, associated recent tree mortality pockets, and road brushing treatments for public health and safety associated with road maintenance of the Forest's transportation system. The decision covers hazard trees within approximately 200 feet of the centerline of Level 2, 3, 4, and 5 NFS roads. Hazard trees will be identified using the Pacific Southwest Region Hazard Tree Guidelines for Forest Service Facilities and Roads in the Pacific Southwest Region, 2012 Report # RO-12-01, further refined by the District Silviculturists, or any Regional Guidelines that supersede these guidelines. Where pockets of dead trees, snags, are within the road hazard distance, and extend outside of the 200 feet clearing area, the entire pocket may be treated by felling and removal of dead trees, or treated to achieve acceptable fuel loading on site, using piling, burning, chipping, mastication or other methods.

Ground disturbance will be minimized as much as possible. Felled snags/trees will be transported to nearby landings via skid trails, and/or self-loading logging trucks. New skid trails may be created, depending on distance between felled trees and landing locations. Existing landings and/or deck areas will be used to process logs with the intent to offer decks for future sale. New landings/deck areas may be created if the location of existing landings/deck areas are inadequate or impractical related to location of hazard trees. In limited cases, there may be need to skid, or use landing greater than 350 feet from the treated road center, where this is the case locations will be evaluated and cleared by relevant resource specialists before the activity takes place.

Slash from hazard trees will be: chipped, masticated, hand or machine piled and burned/removed, or lopped and scattered where acceptable to fuels specialist. Cull trees/snags (trees that do not meet merchantability standards) and associated cull logs (> 10 dbh on large end and > 10 feet in length) would be felled, decked, and removed or burned. In some cases these trees may be retained in place (outside of road prism) for wildlife and soil benefits where resultant fuel concentration is not deemed excessive in specific treatment areas, as determined by fuels personnel.

Road side treatments of brush and small trees (<10" dbh) using, hand tools, mastication, chipping, and piling and burning as appropriate will be implemented reduce the brush and small trees along the roadways. Limbs that extend over the roadbed to a height of 16 feet shall be removed. Treatments would not exceed 35 feet from the road centerline, be road based for equipment use, and would occur on some or all of the same roads identified for the hazard tree treatments.

### **Design Criteria**

#### *General*

1. All standards and guidelines from the Eldorado National Forest Land and Resource Management Plan (1989), as amended by the 2004 Sierra Nevada Forest Plan Amendment will be followed.
2. All Best Management Practices described in the National BMPs for Water Quality will be followed (FS-990a, April 2012).
3. Should any TES species be located during project implementation, a qualified biologist or botanist should be informed, and appropriate measures will be taken to minimize impacts to TES species prior to further work.

*Aquatic Species*

**Table 1.** Operating requirements for ground based mechanized equipment in Riparian Conservation Areas (RCAs).

Habitat Type <sup>1</sup>	RCA Zone	Width (feet)	Equipment Requirements	Operating Requirements
Perennial/ Intermittent Streams and Special Aquatic Features (SAFs)	Exclusion Zone	0 to 100 feet from stream or SAF edge; or 0 to 25 feet beyond riparian vegetation, whichever is greater	<b>Prohibited:</b> <b>Mechanical Harvesting/ Shredding<sup>2</sup> and Skidding<sup>3</sup></b>	Equipment reach in may be allowed upon consultation with RCA team <sup>4</sup> . Where reach-in is used, grooves and bare soil created would be mitigated with hand-built water bars and/or slash placement.  Hazard trees within this RCA exclusion zone may be hand felled away from stream channels and SAFs. If logs can't be removed with reach in, they would be left in place. Any portion of a felled tree outside of the RCA exclusion zone may be bucked and removed. Coordination with the RCA team would occur for specific site exceptions.  If sale administrator identifies situation where it appears that a log or portion of a tree should be removed within this RCA exclusion zone, the RCA team will be consulted.  No piling/pile burning would occur within this RCA zone.
Perennial Streams and SAFS	Partial Treatment	100 to 300 feet from stream edge; or 25 feet beyond riparian vegetation to 300 feet	Allowed:  Mechanical Harvesting/ Shredding <sup>2</sup> and Skidding <sup>3</sup>	Ground based equipment operations prohibited on slopes greater than 25%. Use existing skid trails except where unacceptable impact would result. Do not construct new primary skid trails or landings within RCA zones without consultation of a relevant specialist.
Intermittent Streams	No Restrictions	100 to 150 feet from stream edge; or 25 feet beyond riparian vegetation to 150 feet	Allowed:  Mechanical Harvesting/ Shredding <sup>2</sup> and Skidding <sup>3</sup>	
Ephemeral Streams	Exclusion	0 – 25 feet	<b>Prohibited:</b> <b>Mechanical Harvesting/ Shredding<sup>2</sup> and Skidding<sup>3</sup></b>	Equipment reach in may be allowed upon consultation with RCA team <sup>4</sup> . Where reach-in is used, grooves and bare soil created would be mitigated with hand-built water bars and/or slash placement.
	Transition	25 – 150 feet	Allowed:  Mechanical Harvesting/ Shredding <sup>2</sup> and Skidding <sup>3</sup>	Ground based equipment operations prohibited on slopes greater than 25%. Use existing skid trails except where unacceptable impact would result. Do not construct new primary skid trails or landings within RCA zones without consultation with the RCA team.

<sup>1</sup> Perennial streams flow year long. Intermittent streams flow during the wet season but dry by summer or fall. Ephemeral streams flow only during or shortly after rainfall or snowmelt. Special aquatic features (SAFs) include lakes, ponds, meadows, bogs, fens, wetlands, vernal pools and springs

<sup>2</sup> Low ground pressure track-laying machines such as feller bunchers and masticators

<sup>3</sup> Rubber-tired skidders and track-laying tractors

<sup>4</sup>RCA team is one or more of the following: Forest Service hydrologist, botanist, or aquatic biologist

4. Existing waterholes and other aquatic sites including ponds, lakes, and streams used for water drafting will be surveyed for aquatic TES species and flow levels taken prior to use. In the event TES species are found or are known to occur at drafting sites, sites will not be used unless an aquatic biologist is consulted and other minimization measures are put into place.
5. In perennial and intermittent streams, pump intake screens shall have openings not exceeding 3/32-inch (0.09375 inch) and be sized according to the pump intake capacity. Place hose intake into bucket in the deepest part of the pool. Use a low-velocity water pump and do not pump natural ponds to low levels beyond which they cannot recover quickly (approximately one hour).
6. Tightly woven fiber netting or monofilament netting (or similar materials) shall not be used for erosion control or other purposes when netting is left exposed.
7. No fuel storage would take place within any of the RCA zones. Refueling would take place in RCAs only where there is no other alternative.
8. Piles that lie within the RCA (outside the 100 foot RCA exclusion zone and 300 foot CRLF breeding habitat buffer) can be burned, but would, to the extent practicable, be ignited in a manner that allows any organisms to flee from the pile (for example, light on the leeward side so that fire moves as a front through the pile).

#### **California Red-legged Frog (CRLF)**

9. Off-road mechanical equipment operations would not occur within 1-mile of areas identified as potential CRLF breeding habitat during the wet season (defined as starting with the first frontal rain event that deposits a minimum of 0.25 inches of rain after October 15 and ending April 15).
10. No piling/pile burning would be located within 300 feet of potential CRLF breeding habitat. Potential breeding habitat is defined as aquatic habitat below 4,000 feet in elevation, in ponds and small lakes, or perennial and intermittent stream reaches with less than 2% gradient.
11. Pile burning within CRLF foraging habitat – defined as all terrestrial habitat that lies within both 1 mile of potential breeding habitat and 300 feet of aquatic habitat - may take place year-round. However, between October 15 and April 15, a Limited Operating Period (LOP) shall apply. Under the LOP pile burning would not be conducted during or immediately after a precipitation event that deposits a minimum of 0.25 inches of rain (measured locally or at the closest gauge) and may resume only after a 72-hour drying period.

#### *Terrestrial Wildlife*

12. Due to the hazardous conditions that exist, and the intent of the project, limited operating periods (LOPs) for species protection will be evaluated, and surveys prioritized to facilitate reducing hazards to both the public, and administrative personnel. Where surveys and/or an assessment by the district biologist confirm that owls or goshawks nesting would not be affected by harvest and project activities LOPs would be waived/lifted. Where the LOP cannot be lifted, a limited operating period (LOP) for California spotted owls (March 1 through August 15) and for northern goshawks (February 15 through September 15) would restrict activities for roads/routes, or portions of roads/routes, that are located within/border spotted owl or goshawk Protected Activity Centers (PACs).
13. Unless surveys and/or biologists assessments lift the LOP as previously described, LOPs would be implemented for all or portions of roads within/bordering spotted owl PACs: ELD0020, ELD0023, ELD0024, ELD0031, ELD0039, ELD0142, ELD0143, ELD0145, ELD0159, ELD0167, ELD00188, and ELD0218.
14. Unless surveys and/or biologists assessments lift the LOP as previously described, LOPs would be implemented for all or portions of the following goshawk PACs: R05F03D51T37\_01, R05F03D51T37\_02, R05F03D51T37\_03, R05F03D51T37\_07, R05F03D51T37\_08, and R05F03D51T38\_01.

#### *Botanical Resources*

15. Sensitive and watchlist plant populations within the project area would be flagged for avoidance. All ground disturbing activities, landing, skid trails, burn piles, hazard tree removal, brushing, and mechanical equipment, would be excluded from sensitive plant protection areas. Where it is necessary to remove trees or conduct roadside brushing from within site boundaries, the project botanist would be consulted to mitigate impacts. All thinning of trees adjacent to site boundaries would be directionally felled away from the site. If new sensitive plant occurrences are discovered during project implementation the project botanist would be notified to develop necessary protection measures.
16. All potential habitat for Sensitive Plants would be surveyed prior to project implementation. Any unsurveyed potential habitat would be flagged for avoidance.
17. Lava caps, which support unique plant communities in the project area, would be protected from motorized equipment and vehicles. Skid trail construction through lava cap communities would be avoided when feasible.
18. All equipment and vehicles (Forest Service) used for project implementation must be free of invasive plant material before moving into the project area. Equipment will be considered clean when visual inspection does not reveal soil, seeds, plant material or other such debris. Cleaning shall occur at a vehicle washing station or cleaning facility before the equipment and vehicles enter the project area.

19. Known invasive plant sites along roads in the project area will be flagged prior to implementation and will be avoided as much as possible. If infestation cannot be avoided contact a Forest Service Botanist.
20. Where proposed work occurs in known invasive plant infestations equipment would be cleaned prior to leaving infested areas.
21. Any straw or mulch used for erosion control would be certified weed-free. A certificate from the county of origin stating the material was inspected is required.

*Hydrology and Soils*

**Table 2.** Summary of Best Management Practices (BMPs) and Design Criteria for the Scottiago Road Hazard Tree Abatement Project.<sup>1,2,3</sup>

Best Management Practices (BMPs)	<p>A number of applicable BMPs are contained in pages 131-135 of the following document: <i>National Best Management Practices for Water Quality Management on National Forest System Lands - Volume 1: National Core BMP Technical Guide</i>.<sup>1,2</sup> The text of the BMPs are in:</p> <ul style="list-style-type: none"> <li>• Section Veg.-2: Erosion Prevention and Control.</li> <li>• Section Veg.-3: Aquatic Management Zone.</li> <li>• Section Veg.-4: Ground-based skidding and yarding operations.</li> </ul>	
Design Criteria applicable to Riparian Conservation Areas (RCAs)	<p>The construction of new landings would require an on-site visit and approval by at least one Resource Specialist (Hydrologist, Aquatic Specialist, or Soil Scientist).</p> <p>Hazard trees with no commercial value would be retained in place provided the felled trees would not interfere with the safe use of the road or block culverts in the future.</p> <p>Should a felled hazard tree enter a stream or other aquatic feature, the Project Administrator and a Resource Specialist would determine the fate of the tree (e.g. repositioning of the tree, leaving a portion of the tree as felled, etc.).</p> <p>After use, all skid trails would be receive treatment for erosion control that may include one or more of the following: waterbars, rolling dips, placement of woody material such as logs and/or slash, or other treatment as approved by a Resource Specialist (Hydrologist, Aquatic Specialist, or Soil Scientist).</p>	<p>These Design Criteria will reduce erosion and the delivery of sediment to aquatic features.</p>

<sup>1</sup> The Design Criteria follow the BMPs in the *National Best Management Practices for Water Quality Management on National Forest System Lands - Volume 1: National Core BMP Technical Guide* (April 2012). This document can be found on the internet by typing in the name of the document in a search engine such as GOOGLE.

<sup>2</sup> The *Water Quality Management Handbook for Region 5* of the US Forest Service (Dec. 5, 2011) expired on December 5, 2016. As a result, BMPs from that handbook are not cited.

<sup>3</sup> The Riparian Conservation Area (RCA) is 300 feet on each side of a perennial stream, 300 feet surrounding a special aquatic feature (spring, meadow, wetland, etc.), and 150 feet on each side of intermittent and ephemeral streams.

22. Within the RCAs (Table 2), 70% post-implementation soil cover would be maintained when possible and dominated by material less than 3 inch in diameter. Application methods could include cutting and lopping, or mastication of pre-commercial material, cutting and scattering of activity material, non-whole tree harvesting methods, or mulch applications. Utilize on site biomass to generate mulch materials wherever possible.
23. Existing skid trails and landings will be used where feasible. Log landings, new or reused, would be situated outside of RCA zones (Table 2) to the maximum extent possible. Construction of new skid trails and landings within Riparian Conservation Areas (RCA) will generally be avoided. If skid trails and landing construction within an RCA is needed to facilitate project operations, they will be constructed in only a small portion of the RCA of a stream or other aquatic feature in consultation with the hydrologist, soil scientist, or aquatics biologist.
  - a. Reuse of existing landings within an RCA may occur where creation of a new landing is likely to result in more resource damage than use of the landing within the RCA.
  - b. Re-used landings within the RCA would be rehabilitated using a combination of de-compaction and slash coverage.
24. In areas where there is potential for unauthorized wheeled motor vehicle use off of designated roads and trails, disguise skid trails and openings created by the project with natural materials to discourage motor vehicle use off of designated routes.
25. No piling/pile burning would occur within meadows, fens or springs.

#### *Archaeology and Heritage*

26. The Scottiago Hazard Tree Project will comply with Section 106 of the National Historic Preservation Act of 1966, as amended in accordance with provisions of the “Programmatic Agreement among the U.S.D.A. Forest Service, Pacific Southwest Region (Region 5), the California State Historic Preservation Officer, the Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forest of the Pacific Southwest Region” (Regional PA 2013).
27. Known historic properties will be flagged and avoided during ground disturbing project activities as specified in the *Cultural Resource Management Report: Scottiago Hazard Tree Removal* (R2018-05-03-51013). Hazard tree removal on or in the vicinity of cultural resource sites will be coordinated with the District Archaeologist. All felling of trees adjacent to site boundaries will be directionally felled away from the site. Non-merchantable trees and brush may be removed by hand, from within site boundaries, in coordination with the District Archaeologist. Slash must be chipped and piled off site and away from sensitive artifacts and features. Areas that were not accessible due to road access will require survey before project implementation. Notify the District

Archeologist prior to the project activities to allow ample time for completed needed fieldwork and to coordinate work in and around sites.

28. Should any previously unrecorded cultural resources be encountered during implementation of this project, all work should immediately cease in that area and the District Archaeologist be notified immediately. Work may resume after approval by the District Archaeologist; provided any recommended Standard Protection Measures are implemented. Should any cultural resources become damaged in unanticipated ways by activities proposed in this project; the steps described in the *Regional PA 2013* for inadvertent effects will be followed.

## Environmental Analysis

This action has been categorically excluded from documentation under the Environmental Policy and Procedures Handbook, FSH 1909.15, Section 31.2, category 4, "Repair and maintenance of roads, trails, and landline boundaries" (36 CFR 220.6(d)(4))." This category is applicable because the purpose of the Scottiagio Hazard Tree Abatement Project is to reduce the risk of hazard trees as part of road maintenance for public health and safety along NFS roads.

It has been determined that there are no identified extraordinary circumstances or conditions associated with this project that would have a significant effect on the environment (FSH 1909.15, section 30.3). The following describes the contributing information that led to this conclusion.

### Assumptions and context for the environmental analysis:

- Implementation will be spread over the next 10-15 years and ground disturbing activities will only affect portions of the project area, at any given time, due to the scattered nature of hazard trees. Along a given road system, there may be no hazard trees, individual hazard trees, or small to moderate sized pockets of hazard trees/recently dead trees that need to be felled.
  - Given the Districts experience with similar work, it is not anticipated that all of road system may be treated in any given year, and treatment will be prioritized based on exposure (critical infrastructure and public safety potentially affected and likelihood of imminent tree fall based on scientific information), operability and efficiency of treatment, and potential for recovered timber value, respectively.
- a) *Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.*

Summarized from the Biological Evaluation/ Biological Assessment (dated April 25, 2018) for terrestrial wildlife, aquatics, and plants, which are hereby incorporated by reference (Loffland 2018).

### Botany

#### **Federally Listed Species**

There is are no federally listed threatened plant species or associated potential habitat in the project area.



## Forest Service Sensitive Plant Species

There are known occurrences of *Calochortus clavatus* var. *avius*, *Peltigera gowardii*, *Lewisia kelloggii* var. *hutchisonii*, *Mimulus pulchellus* within the project area. In addition, potential habitat for the following species is known to occur in the project area:

- 1) *Allium tribracteatum*
- 2) *Botrychium* spp.
- 3) *Cypripedium montanum*
- 4) *Ophioglossum pusillum*  
*Poa sierra*

With the included Design Criteria, impacts to these species would generally be avoided. However, there may be impacts to undiscovered individuals. Therefore, the proposed project may affect undiscovered individuals but is not likely to result in a trend toward Federal listing or loss of viability for these plant species.

## Terrestrial Wildlife Species

### **Federally Listed Species**

There are no federally listed threatened or endangered terrestrial wildlife species that have the potential to be impacted by this project. No direct or indirect effects are anticipated.

### **Forest Service Sensitive Species**

There are five Forest Service sensitive species that occur or have suitable habitat within the project area that may be affected by this project, including California spotted owl, northern goshawk, pallid bat, Pacific fisher, fringed myotis, and western bumble bee. It was determined that the proposed project may impact individuals but will not likely lead towards federal listing or loss of viability for these five sensitive species. For each of these species, the project will affect suitable habitat components, however the effects are expected to be minimal as the removal of hazard trees will be limited to the hazard trees and recent mortality pockets associated with the roadway only trees that are dead and/or meet the hazard tree marking guidelines will be felled and removed. Overall, the project will only directly affect a small amount of habitat, which is presently of lower capability due to proximity to roadways and background levels of use and associated disturbance.

### ***CA Spotted Owl and Goshawk***

Habitat impacts have been described above, and due to the current low habitat value and continued management of these area, little to no impact to individuals or local populations would be expected to occur. Disturbance also is unlikely to occur to known owls and goshawks, as the LOPs would protect known locations from activity related disturbance. Foraging individuals, and non-nesting individuals could be temporarily displaced, but no impacts reproduction would be expected to result from this project. Pockets of complete or near complete mortality, drought and insect related, no longer provide quality habitat for these species due to reductions in living live trees and associated reductions in canopy cover. Where these areas occur in existing habitat,

and/or PACs impacts to these species would be minimal due to the reduced habitat capability associated with the tree mortality.

### ***Pacific Fisher***

Suitable habitat for fisher is present in the project area. The project would affect suitable habitat for this species by reducing snags and down log recruitment, but this would take place within the areas adjacent to roads, where habitat value is lower due to disturbance levels. This species tends to avoid areas where human disturbance is greatest, and is therefore, unlikely to select roadsides as denning and reproducing areas. Disturbance to individuals is unlikely to occur as the treatments would occur in areas the species if present tends to avoid, and this species is not believed to be present in the project area at this time. For this reason impacts to individuals or reproduction are not expected to occur.

### ***Fringed Myotis***

Suitable habitat for fringed myotis is present in the project with hazard trees providing some potential for roosting locations. Impacts to individuals could occur, and some small-scale impacts to reproduction may result where hazard trees are being utilized by the bats. The likelihood of this happening, and number of individuals affected by this disturbance are low, due to the scattered nature of the hazard trees, and relatively low numbers of bats that are thought to be in the project area.

### ***Western Bumble Bee***

Road brushing is most likely to directly reduce available foraging habitat for this species, and could disturb and displace foraging individuals. The removal of hazard trees would not affect foraging habitat directly, but may disturb, or inadvertently crush nest locations where equipment use overlaps nest locations. The number of western bumble bees that are likely to be using the project areas is likely either very low, or zero, as the species has not been detected in large numbers across this range in many years. Impacts to foraging quantity/quality, and or disturbance impacts to either individuals or nests are unlikely, but should they occur, very few individuals would be expected to be impacted.

## Aquatic Wildlife Species

### **Federally Listed Species**

There are two federally listed species with potential habitat within the project area, including the California red-legged frog (federally threatened), and Sierra Nevada yellow-legged frog (federally endangered).

Effects to riparian and aquatic habitats from ground disturbing activities and associated changes in vegetative cover are expected to be negligible due to the limited amount of ground disturbing activities that may occur within RCAs through the implementation of standards and guidelines, BMPs, and project design criteria for hydrology and soils and aquatic resources. Sedimentation effects and effects to water quality are likely to be negligible and may not be measurable. In addition, the effects to temperature of streams and amount of large woody debris in streams is expected to be minor or negligible.

### ***California Red-Legged Frog***

Suitable breeding habitat for CRLF is defined as aquatic habitat below 4,000 feet in elevation, in ponds and small lakes, or perennial and intermittent stream reaches with less than 2% gradient. Suitable non-breeding and foraging habitat for CRLF is defined as the area within 300 feet of all aquatic habitat that is within 1-mile of potential breeding habitat (below 4,500 feet in elevation). Suitable dispersal habitat includes all water and land within 1-mile of potential breeding habitat. The application of BMPs and project design criteria (e.g. exclusion zones) are expected to reduce the potential for direct or indirect effects to individual CRLF and their habitats. Limited operating periods within potential CRLF habitat would restrict project actions to time periods when frogs are not expected to be in terrestrial habitats and further reduce the potential for direct harm (i.e. crushing or burning) to individuals. It was determined that the project may affect, but is not likely to adversely affect CRLF.

### ***Sierra Nevada yellow-legged frog***

Suitable habitat occurs above 4,500 feet in elevation and includes permanent water bodies or those hydrologically connected with permanent water such as wet meadows, lakes, streams, rivers, tarns, perennial creeks, permanent plunge pools within intermittent creeks, and pools, such as a body of impounded water contained above a natural dam. Suitable habitat includes adjacent areas, up to a distance of 82 feet. The application of Conservation Measures from the *Programmatic Biological Opinion for Nine Forest Service Programs on Nine National Forests in the Sierra Nevada of California for the Endangered Sierra Nevada Yellow-legged Frog, Endangered Northern Distinct Population Segment of the Mountain Yellow-legged Frog, and Threatened Yosemite Toad* (dated December 19, 2014), BMPs, and project design criteria reduce the potential for effects to SNYLF and their habitats.

For example, the mechanical exclusion zones and no piling/pile burning within 100 feet of perennial, intermittent, and special aquatic features, as described in Table 1, would protect SNYLF habitat from direct or indirect effects to suitable habitat. The probability of impacting individuals is extremely low. It was determined that the project may affect, but is not likely to adversely affect SNYLF.

### **Forest Service Sensitive Species**

There are two Forest Service sensitive aquatic species that occur or have suitable habitat within the project area, including foothill yellow-legged frog and western pond turtle. The effects to these sensitive aquatic species are similar to what is described above. It was determined that the project may affect individuals, but is not likely to lead to a trend toward federal listing or loss of viability.

- b) *Flood plains, wetlands, or municipal watersheds.* The project will have no effect on floodplains, wetlands, or municipal watersheds. There are no floodplains or wetlands within the project area and no municipal watersheds within the Eldorado National Forest. While no municipal watersheds have been designated on the forest, the watersheds are used for domestic water supply and hydroelectric power. The number of hazard trees that need to be felled and removed within riparian conservation areas (RCAs) is anticipated to be small and limited due to the nature of the project (i.e. only hazard trees that have the potential to hit the roadway would be felled and removed, and recent mortality pockets that are adjacent to the road corridor). Through implementation of standards and

guidelines, BMPs, and project design criteria, and the limited ground disturbing activities that would occur within RCAs, the amount of sedimentation reaching riparian and aquatic features would be negligible and effects to water quality is likely to be negligible and may not be measurable. In addition, the effects to temperature of streams and amount of large woody debris in streams is expected to be minor or negligible. (Hydrology Report dated January 24, 2018)

- c) *Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas.* There are no congressionally designated areas that would be affected by the project.
- d) *Inventoried roadless areas or potential wilderness areas.* There are no Inventoried Roadless Areas (IRAs) or potential wilderness areas within or adjacent to the project area.
- e) *Research natural areas.* There are no RNAs in the project area.
- f) *American Indians and Alaska Native religious or cultural sites* – There are no American Indians and Alaska Native religious or cultural sites within the project area.
- g) *Archaeological sites, or historic properties or areas* – Protection measures are detailed in the Regional PA, Appendix E, Section 2.2, (b)(1)(A-K) and would be established based on consultation with the timber personnel or Sale Administrator when the expected locations of ground disturbing activities are determined. The locations of staging areas and log decking will be reviewed by the District Archaeologist to ensure historic properties are not adversely affected. With the implementation of protection measures and coordination with the District Archaeologist, there would be no effects to archaeological sites, historic properties or areas.

## Public Involvement

This action was originally listed as a proposal on the Eldorado National Forest Schedule of Proposed Actions in January 29, 2018 and updated periodically during the analysis. On December 6, 2017, a letter initiating scoping and requesting comments on the proposed action was e-mailed to local governments, local municipalities, environmental organizations, and private landowners. The Forest Service received seven comment letters or communications on the proposed action. The proposed action was modified to include roadside brushing as a result of the scoping comments received. The Forest attended numerous meetings with the Amador Calaveras Consensus Group (ACCG), and the project had its origins in field trip to the area with the ACCG. The summary of scoping comments is in the project file.

## Findings Required by Other Laws and Regulations

This action is found to be consistent with all applicable laws and the Eldorado National Forest Land and Resource Management Plan (1989), as amended by the Sierra Nevada Forest Plan Amendment (2004).

This project complies with Section 106 of the National Historic Preservation Act of 1966, as amended in accordance with provisions of the *Programmatic Agreement among the U.S.D.A. Forest Service, Pacific Southwest Region (Region 5), the California State Historic Preservation*



*Officer, the Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forest of the Pacific Southwest Region (Regional PA 2013).*

This project is consistent with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and Clean Water Act. Consultation with the USFWS required under section 7 of the ESA has been completed for this project. In addition, applicable project activities will be enrolled under the California Regional Water Quality Control Board, Central Valley Region Waste Discharge Requirements General Order (Order No. R5-2017-0061) or other permitting requirements that supersede the General Order prior to implementation.

### Administrative Review (Objection) Opportunities

This decision is not subject to legal notice and comment procedures of 36 CFR 218.22, and is not subject to the pre-decisional administrative review process pursuant to 36 CFR 218.

### Implementation Date

Applicable project activities will be enrolled under the California Regional Water Quality Control Board, Central Valley Region Waste Discharge Requirements General Order (Order No. R5-2017-0061) prior to implementation. Implementation is expected to begin in the late summer/fall 2018.

### Contact

For additional information concerning this decision, contact: Chuck Loffland, Project Leader, and/or Richard Hopson, Amador District Ranger, Eldorado National Forest, 26820 Silver Dr., Pioneer, CA 95666; Phone 209-295-4251.

RICHARD G. HOPSON  
Amador District Ranger

Date



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