DECISION MEMO

BIZZ JOHNSON POST-FIRE REPAIRS PROJECT
EAGLE LAKE RANGER DISTRICT, LASSEN NATIONAL FOREST

LASSEN COUNTY, CALIFORNIA

May 17th, 2021

BACKGROUND

The Eagle Lake Ranger District (ELRD) of the Lassen National Forest (LNF) is proposing the Bizz Johnson Post-Fire Repairs Project (Bizz Repairs Project). The purpose of this proposal is to repair areas of the Bizz Johnson National Recreation Trail (Bizz) damaged by the Hog Fire in July 2020 on the ELRD. The Bizz Repairs Project is located approximately eight miles west of Susanville, California along the Susan River Canyon, north of State Highway 36. The Bureau of Land Management (BLM) and the Federal Highway Administration is partnering with the LNF in order to repair portions of the Bizz damaged during the Hog Fire on both USFS and BLM lands. The project area extends along approximately 5 miles of the trail corridor, where project activities will occur at 7 specific locations within LNF administered lands. The Federal Highway Administration is funding the majority of the project and will be contracting the repair work on lands managed by the ELRD and BLM.

The repair proposal is needed because the Bizz is a highly visible and heavily utilized recreational feature of Lassen County, managed jointly by the ELRD and BLM. The Bizz is locally, regionally, and nationally recognized for its scenery and unique character by recreationists. One particular event which utilizes the Bizz is organized by Coastal Trail Runs which includes an annual marathon. The event is a Boston Marathon qualifying opportunity for contestants which attracts participants worldwide. The affected area of the Bizz is the middle section, thus splitting the overall trail opportunity into two disconnected sections and removing the long-distance, through-travel experience the "rails-to-trails" designation provides users.

PROJECT AREA

The project area is located within the Susan River watershed and extends through parts of T30 N, R10 E, Sections 34, and 35; T.29 N, R.10 E, Sections 1 and 2 of the Mt. Diablo Meridian (Figure 1). This is located in between the Devils Corral Trailhead and the Goumaz Campground. The project area will not exceed the Bizz trail bed.

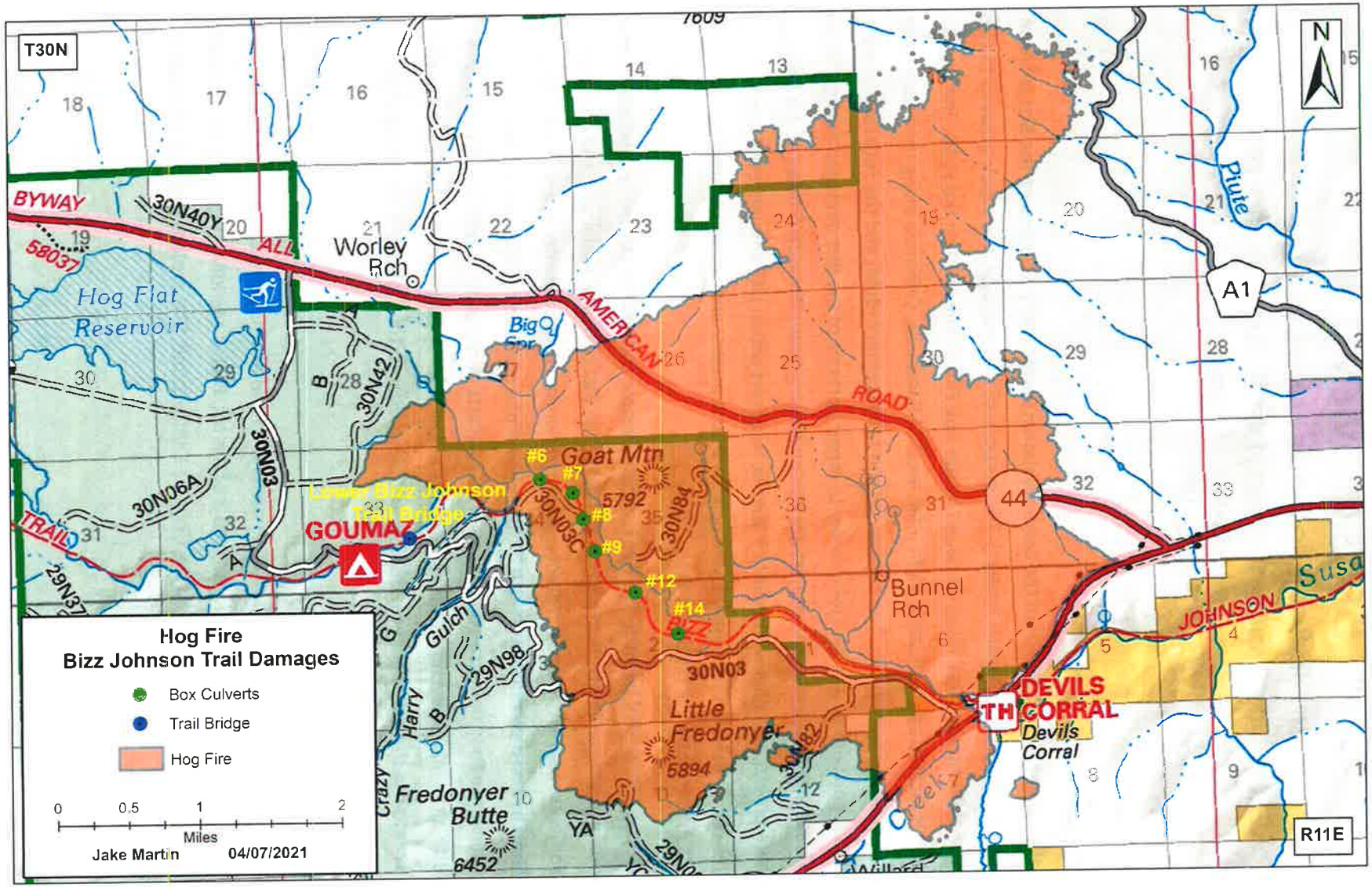

Figure 1. Bizz Johnson Trail Damages Overview Map

DECISION

I have decided to implement the Bizz Repairs Project encompassing approximately 5 miles of the Bizz Trail corridor, where project activities will occur at 7 specific locations on National Forest System lands. This includes the repair of 6 box culvert crossings and the replacement of decking on the Lower Bizz Johnson Bridge. The LNF will be repairing box culverts 6, 7, and 9 which were only partially damaged during the Hog Fire. This includes replacing the exterior burnt timber decking accessible without the removal of the aggregate trail bed. The wooden safety railings at these locations will be replaced as well. The Federal Highways Administration is funding and contracting the work to replace the damaged timber decking on the Lower Bizz Johnson Bridge and the repairs associated with box culverts 8, 12, and 14. Heavy vehicular traffic during suppression efforts during the Hog Fire damaged and splintered the bridge timber decking which will be replaced complimentary to its condition previous to the fire.

Repairing box culverts 8, 12, and 14 will include the removal of the aggregate rock trail bed in order to access and replace the burnt timber decking situated in between two concrete abutments at each site. The removed aggregate fill material would be stockpiled and staged for later use on top of the Bizz. The concrete abutments will be repaired and stabilized by epoxy crack injection repair to the concrete structures as well as drilling steel dowels into the abutments where appropriate. Box culvert 8 will have a timber bridge installed behind and over the top of the existing drainage structure abutments. Afterwards the aggregate and trail bed would be restored to its previous condition utilizing the previously stockpiled material for each location. Concrete post holes would be established at each corner of box culverts 8, 12, & 14 for further stabilization.

My decision is based on a review of the project record that shows thorough consideration of the proposed action using the best available science and engineering. The attached Integrated Design Features (IDFs) are resource protection measures that were developed by specialists and incorporated as part of the Proposed Action for this project. They are in addition to Best Management Practices (BMPs) and Standards and Guidelines from the LNF Lands Resource Management Plan, as amended. These IDFs are also included for implementation parameters that will be incorporated into the Federal Highways Administration contract and will be used to guide Forest Service personnel in conducting implementation.

Category of Exclusion

The applicable category of action identified in agency procedures is Categorical Exclusion (36 CFR 220 § 6e(1)) – Construction and reconstruction of trails including but not limited to: (i) Constructing or

reconstructing a trail to a scenic overlook, (ii) Reconstructing an existing trail to allow use by handicapped individuals. This category of action is applicable because the Bizz is damaged to the extent that handicapped individuals can no longer access certain parts of the trail. The Bizz is a National Recreation Trail that provides users with a unique scenic experience throughout the entirety of the trail. The necessary archaeological, botanical, hydrological, and wildlife surveys and documents have been completed and hereby incorporated by reference in the Bizz Repairs Project record at the Eagle Lake Ranger District office.

- Biological Evaluation Sensitive Aquatic Species, 03/09/2021
- Biological Evaluation for Terrestrial Species for the Bizz Repairs Project, 03/09/2021
- Project Management Indicator Species Report for the Bizz Repairs Project, 03/09/2021
- Cultural Resources Report, Bizz Repairs Project, 10/15/20
- Hydrology input for the Bizz Repairs Project, 10/15/2020
- Biological Evaluation and Assessment for Threatened, Endangered, and Sensitive Plant Species, Bizz Repairs Project, 03/04/2021
- Invasive Plant Species Risk Assessment, Bizz Repairs Project, 05/17/2021

Based on surveys, integrated design features incorporated into the project, and the completed analysis for the project, I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

Findings Regarding Extraordinary Circumstances

FSH 1909.15, Section 31.2, specifies that the following resource conditions be considered to determine if extraordinary circumstances related to the proposed action warrant further analysis are:

Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species

1. **Aquatic species**:

   A. Project Effects to Federally Listed Species: There are no aquatic federally listed species under the Endangered Species Act (ESA) with ranges within the project area (USFWS 2017a and 2017b, Table 1a in Biological Evaluation Sensitive Aquatic Species report), so no aquatic Federally listed species would be affected from the proposed Bizz Repairs Project.

   B. Project Effects to Region 5 Sensitive Aquatic Species: The proposed activities in the Bizz Repairs Project will not impact Sensitive Aquatic Species.

2. **Botanical species**:

A. Project Effects to Federally Listed Species: There are no known occurrences of Federally Listed plant species within the project area. Therefore, there would be no effects from implementation of the proposed action for the Bizz Repairs Project to any Federally Listed plant species.

B. Project Effects to Region 5 Sensitive Species: There are no known occurrences of Region 5 Sensitive plant species within the project area. Therefore, there would be no effects from implementation of the proposed action of the Bizz repairs Project to any Region 5 Sensitive plant species.

3. **Terrestrial species**:

A. Project Effects to Federally Listed Species: The Bizz Repairs Project area is outside the current range for terrestrial species of concern. Because of this, as well as appropriate mitigation measures such as pertinent IDFs that were made part of project design, the Bizz Repairs Project would have no effect on the following Federally Listed or Proposed threatened or endangered terrestrial species or their critical habitat:

Pacific fisher, northern spotted owl, valley elderberry beetle, and giant garter snake.

B. Project Effects to Region 5 Sensitive Species: The Bizz Repairs Project would have no effect on the following listed forest service sensitive species because the project area is outside the range or there is lack of suitable habitat or habitat components in the project area.

Northern bald eagle, northern goshawk, California spotted owl, California wolverine, American marten, Sierra Nevada red fox, Townsend's big-eared bat, great gray owl, willow flycatcher, greater sandhill crane, yellow rail, Shasta hesperian snail, northwestern pond turtle.

The Bizz Repairs Project may affect individuals of the following listed forest service sensitive species, but is not likely to result in a trend towards federal listing or loss of species viability because there may be some long-term minor beneficial effects on the habitat.

pallid bat, fringed myotis, and western bumble bee.

Floodplains, wetlands, or municipal watersheds.

The project does not pose a risk to wetlands, floodplains or municipal watersheds. There is one active stream channel with associated floodplain at RR Culvert #8 in the project area. The floodplain will be protected by adhering to best management practices as described in the Hydrology Integrated Design Features below. As a result, there will be no adverse effects to the floodplain from the implementation of this project. A categorical exclusion, by definition, only covers projects that will have no significant or cumulative effect on the environment. As a result, no further review or analysis is required in this case.

Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas. None are located in the project area.

Inventoried roadless areas. The project does not occur within any Inventoried Roadless Areas.

Research natural areas. None are located in the project area.

American Indians and Alaska Native religious or cultural sites.

The Susanville Indian Rancheria, the Pit River Tribe, and the Greenville Rancheria were mailed a copy of the scoping document regarding this project. The Susanville Indian Rancheria and the Pit River Tribe were consulted on a quarterly basis concerning this project over the last year. None of the tribes identified any religious or cultural sites within the project area.

Archaeological sites, or historic properties or areas.

The intent of this project is to restore the Bizz Johnson Trail infrastructure to its original condition so members of the public can safely access and utilize this National Recreational Trail. This restoration process involves considering the historic significance of the Bizz Johnson Trail. The Bizz Johnson Trail was originally the historic Fernley to Lassen railroad. The restoration or replacement of infrastructure will be done so in a manner that compliments and mirrors the historic look and feel of the historic resources damaged by the Hog Fire. This project will positively impact the historic value of the Bizz Johnson Trail. The surrounding area has been surveyed for additional historic properties. With the use of standard protection measures no extraordinary circumstances will occur to archaeological sites as a result of this proposal. The standard protection measures are outlined in the IDFs found at the end of this document.

Scoping and Public Involvement

The Bizz Repairs Project was developed in conjunction with the BLM and Federal Highways Administration. The project objectives were provided to the public, sovereign tribal groups, and other agencies for comment during early collaborative meetings.

The following list outlines the public involvement process for the Bizz Repairs Project:

- The project has been listed in the Lassen National Forest Schedule of Proposed Actions (SOPA) since October 2020.
- Susanville Indian Rancheria and the Pit River Tribe were consulted at quarterly meetings concerning this project. There were no comments made.
- Tribal Consultation letters were sent to the Susanville Indian Rancheria, Greeneville Rancheria, and Pit River Tribe on March 23rd 2021.

Scoping for this project was initiated on April 14th 2021. The scoping document was made available as a legal notice published in the Lassen News online paper. There have not been any comments submitted concerning this project since the project has been listed on the LNF SOPA. No comment letters were

received by district staff and therefore no issues were raised that required modifying the proposed action.

Findings Required by Other Laws

My decision complies with the National Forest Management Act of 1976 and all other applicable laws and regulations, including:

The Lassen National Forest LRMP as amended:

This decision is consistent with the 1992 *Lassen National Forest Land and Resource Management Plan* (LRMP) and 1993 *Record of Decision* (ROD) as amended by the 2004 *Sierra Nevada Forest Plan Amendment* (SNFPA) Final Supplemental Environmental Impact Statement (FSEIS) and ROD, the 2007 *Sierra Nevada Forests Management Indicator Species* (SNF MIS) Amendment FEIS and ROD

Endangered Species Act:

This decision is consistent with the Endangered Species Act as found in the wildlife, aquatic, and sensitive plants and biological assessments.

Clean Water Act as amended:

All federal agencies must comply with provisions of the Clean Water Act. The Clean Water Act regulates forest management activities near Federal surface waters and riparian areas. The Proposed Action meets the terms of the Clean Water Act for non-point sources of pollution, primarily pollution caused by erosion and sedimentation. Compliance with the Clean Water Act is accomplished through implementation of Best Management Practices for National Forests in California.

National Historic Preservation Act:

This project meets the requirements of the National Historic Preservation Act of 1966, as amended, and implementing procedures outlined in the Region 5 Programmatic Agreement (see project design features for this project).

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

The Bizz Repairs Project area does not contain invasive species. Consistent with this order, the Bizz Repairs Project has incorporated Integrated Design Features (IDFs) as part of the proposed action, to considerably reduce risk factors for invasive plant invasion and spread within the project area. Anticipated invasive plant species response to the project is low to moderate for potential introduction and spread. (Invasive Plant Species Risk Assessment, Bizz Repairs Project, (05/17/2021).

The resource reports in the project record provide further discussion regarding consistency with applicable laws and regulations.

Administrative review or appeal opportunities

This categorically excluded decision is not subject to legal notice & comment and appeal procedures pursuant to Section 431 of the Consolidated Appropriations Act of 2014 and Section 8006(a)&(b) of the Agricultural Act (Farm Bill) of 2014.

Implementation Date

Project implementation is scheduled to start August 2021.

Contact Person

For additional information concerning this decision, contact (Jake Martin), Eagle Lake Ranger District, Lassen National Forest, (530) (260-6288).

CAROL THORNTON Date 05/14/21

Eagle Lake District Ranger

Eagle Lake Ranger District, Lassen National Forest

INTEGRATED DESIGN FEATURES

The following Integrated Design Features (IDFs) are resource protection measures that were developed by specialists and incorporated as part of the Proposed Action for this project. They are in addition to Best Management Practices (BMPs) and Standards and Guidelines from the LNF LRMP, as amended. These IDFs are also included for implementation parameters that would be incorporated into treatments and contracts and/or used to guide contractors and Forest service personnel during implementation.

Heritage Resources:

All potentially eligible and unevaluated historic properties (archaeological sites and or features) will have their site boundaries flagged for avoidance and protection using "flag & avoid" methods inside all treatment areas, proposed actions, or undertakings within the project's area of potential effect. However, with the approval of the District Archaeologist, there are special circumstances that allow for the following IDF's:

- Linear sites such as historic roads, ditches, or communication lines may be crossed on a limited basis in previously disturbed areas. All crossings would be made perpendicular to the site, and the site would be returned to its original design at project completion. All crossings would be designated by the District Archaeologist. The number of crossings is to be minimized by project and amongst multiple projects in the same general location. The remainder of the linear site is to be avoided, and traffic is to be clearly routed through designated crossings.
- Installation or placement of erosion control devices, ditches, features or other treatments may be placed within site boundaries when such measures are reviewed by the District Archaeologist and

hydrologist or soil scientist, and their use is proved as unlikely to affect the integrity of a historic property.

- If cultural resources are identified during project implementation (unanticipated discovery) all work would stop immediately in the project area until the situation is reviewed by the District Archaeologist.
- Felling and removal of hazard, salvage, and other trees within historic properties under the following conditions after the approval of the District Archaeologist:
  1. Trees may be limbed or topped to prevent soil gouging during felling;
  2. Felled trees may be removed using only the following techniques: hand bucking, including use of chain saws, and hand carrying, rubber-tired loader, crane/self-loader, helicopter, or other non-disturbing, HPM-approved methods;
  3. Equipment operators shall be briefed on the need to reduce ground disturbances (e.g., minimizing turns);
  4. No skidding nor tracked equipment shall be allowed within historic property boundaries.
- When any changes in proposed activities are necessary to avoid historic properties (e.g., project modifications, redesign, or elimination; removing old or confusing project markings or engineering stakes within site boundaries; or revising maps or changing specifications), these changes shall be completed prior to initiating any project activities and must be reviewed by the District Archaeologist.
- Only Forest Service archaeologists responsible to manage heritage resources, shall make final determinations of eligibility, final management recommendations, and heritage design measures for historic properties or materials (isolates, sites, or features) within areas of potential effect for this project.

Threatened, Endangered, and Sensitive (TES) Plant Species:

- New occurrences of threatened, endangered, or sensitive (TES) plant species discovered before or during ground-disturbing activities will be protected through flag-and-avoid methods.

Noxious weeds:

- All off-road equipment would be weed-free prior to entering the Forest. Staging of equipment would be done in weed-free areas. Right now, only one staging area is proposed for this project on BLM administered land. If additional landings are required, the Interdisciplinary Team must review the proposed location.
- New small infestations identified during project implementation would be evaluated and treated according to the species present and project constraints and avoided by project activities. If larger infestations are identified during implementation, they would be isolated and avoided by equipment, or equipment used would be washed after leaving the infested area and before entering an uninfested area.

- Post-project monitoring for implementation and effectiveness of weed treatments and control of new infestations would be conducted as soon as possible and for a period of two years after completion of the project.
- If project implementation calls for mulches or fills, they would be certified weed-free. Seed mixes used for revegetation of disturbed sites would consist of locally adapted native plant materials to the extent practicable.

Hydrology:

- Use suitable measures to locate, construct, and decommission or stabilize bypass roads to avoid, minimize, or mitigate adverse effects to soil, water quality, and riparian resources.
- Use suitable surface drainage and roadway stabilization measures to disconnect the road from the waterbody to avoid or minimize water and sediment from being channeled into surface waters and to dissipate concentrated flows.
- Use suitable measures to avoid, minimize, or mitigate damage to the waterbody and banks when transporting materials across the waterbody or AMZ during construction activities.
- Set bridge abutments or footings into firm natural ground (e.g., not fill material or loose soil) when placed on natural slopes.
- Avoid placing abutments in the active stream channel to the extent practicable.

Wildlife:

- Trees that are located outside of mapped treatment areas that are identified as hazards to roads or operators would be felled and left on the ground to contribute to downed log habitat.

References

- Biological Evaluation and Assessment for Threatened, Endangered, and Sensitive Plant Species (LNF Eagle Lake Ranger District) for the Bizz Johnson Post-Fire Repairs Project. 05/17/2021. Allison Sanger.

- CA ERFO BLM 2376(3) Bizz Johnson Trail: Approval of Plans, Specifications, Estimate, and Entry.

- Eagle Lake Field Office (BLM ELFO). 04/22/2021. Cultural Resource Narrative Report: SU2-2020-15 Post-Hog Fire Bizz Johnson Trail Repair Project. Marilla Martin et. al.

- Invasive Plant Species Risk Assessment (LNF Eagle Lake Ranger District) for the Bizz Johnson Post-Fire Repairs Project. 05/17/2021. Allison Sanger

- USDI Fish and Wildlife Service (USDI FWS). 2021. List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project [Bizz Johnson Post-Fire Repairs Project]. Letter of May 6, 2021, Sacramento Fish and Wildlife Office. Consultation Code: 08ESMF00-2021-E-05023