



# **Decision Memo**

## **Caples Ecological Restoration Project**

### **Eastern Vegetative Island Burning**

**USDA Forest Service**  
**Eldorado National Forest**  
**Amador Ranger District and Placerville Ranger District**  
**El Dorado County and Alpine County, California**

## **Background**

This decision tiers to the analysis conducted for the Caples Ecological Restoration Project Decision Memo signed February 9, 2016. The environmental analysis for the Caples Ecological Restoration Project conducted by the interdisciplinary team analyzed approximately 8,800 acres of prescribed burning within the Caples Creek watershed, which included approximately 4,400 acres in the lower elevations (western portion of the project area) and 4,400 acres of vegetative island burning in the higher elevations (eastern portion of the project area). The February 9, 2016 decision was made for most of the project area (approximately 6,800 acres), while the decision for the remaining 2,000-acre area in the eastern portion of the vegetative island burn unit was deferred until consultation with the USFWS was completed for the Sierra Nevada yellow-legged frog and Yosemite toad.

Consultation with the USFWS has now been concluded for the Sierra Nevada yellow-legged frog and Yosemite toad (letter dated August 31, 2016). This NEPA decision is for the 2,000-acre area in the eastern portion of the vegetative island burn unit (see attached map). When combined with the February 9, 2016 decision, prescribed burning may occur within approximately 8,800 acres of the Caples Creek Watershed, with a total of approximately 4,400 acres of vegetative island burning in the higher elevations or eastern portion of the project area.

The purpose and need for this portion of the project area is the same as described in the Decision Memo for the Caples Ecological Restoration Project (February 9, 2016).

## **Decision**

I have decided to implement prescribed burning activities (vegetative island burning) within the Caples Creek Watershed on the Amador and Placerville Ranger Districts of the Eldorado National Forest. The Caples Ecological Restoration Project-Eastern Vegetative Island Burning would re-introduce fire back into the landscape to restore a vital ecosystem process in the watershed after nearly a century of fire exclusion. This project, in combination with the February 9, 2016 decision is intended to improve forest health and fire resiliency, meadow and aspen ecosystems, and wildlife habitat.

Under this decision, prescribed burning within vegetative islands (separated by barren rock) may occur within approximately 2,000 acres of the Caples Creek watershed using manual and aerial ignition methods. Multiple entries within a 15 year timeframe would be necessary to meet multiple resource objectives and would be prescribed based on monitoring results. When

combined with the February 9, 2016 decision, approximately 4,400 acres is identified for vegetative island burning within the Caples Creek Watershed.

A more detailed description of the project activities and the design criteria are found in the February 9, 2016 Decision Memo.

## Environmental Analysis

This action has been categorically excluded from documentation under the Environmental Policy and Procedures Handbook, FSH 1909.15, Section 32.2, category 6, “*Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction*” (36 CFR 220.6(e)(6).” This category is applicable because the purpose of the Caples Ecological Restoration Project-Eastern Vegetative Island Burning when combined with the Caples Ecological Restoration Project is to re-introduce fire through prescribed burning to improve forest health and fire resiliency, aspen and meadow ecosystems, and wildlife habitat within the Caples Creek Watershed.

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 rationale to support this conclusion is described in more detail in the February 9, 2016 Decision Memo and is briefly summarized below.

- 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.*

### Botany

A Biological Evaluation for Plant Species (dated 11/16/15) was completed for this project. There are no known federally threatened or endangered plant species or designated critical habitat within or adjacent to the project area. There are three known occurrences of Hutchison’s Lewisia (*Lewisia kelloggii ssp. kelloggii*) that occur in open rocky areas at the top of the Caples Creek Watershed. All occurrences will be flagged and avoided during project implementation. Some suitable habitat for moonwort species (*Botrychium ascendens*, *Botrychium crenulatum*, *Botrychium lunaria*, *Botrychium minganense*, *Botrychium montanum*, *Botrychium paradoxum*, *Botrychium pendunculolum*) and Bolander’s bruchia (*Bruchia bolanderi*) occurs in the Caples Watershed Restoration Project area, but no occurrences were not found during past or recent surveys. The proposed project may affect undiscovered individuals, but is not likely to result in a trend toward Federal listing or loss of viability for the 10 species listed above.

### Terrestrial Wildlife Species

A Biological Evaluation and Assessment for Terrestrial Threatened, Endangered, and Sensitive Wildlife Species (dated September 21, 2015) was completed for this project. There are no known federally threatened or endangered terrestrial wildlife species or designated critical habitat within or adjacent to the project area. There are nine Forest Service sensitive species that occur or have suitable habitat within the project area, including California spotted owl, northern goshawk, great gray owl, willow flycatcher, American marten, pallid bat, Townsend’s big-eared bat, fringed myotis, and western bumble bee. It was determined that the proposed project may affect/impact individuals but is not likely to result in a trend toward Federal listing or loss of viability for these nine sensitive species.

### Aquatic Wildlife Species

A Biological Assessment and Evaluation of Aquatic Species for the Caples Ecological Restoration Project (February 3, 2016) was completed for this project. There are no Forest Service sensitive aquatic wildlife species that have the potential to be affected by this project. Two federally listed species have potential habitat within the project area, including Sierra Nevada yellow-legged frog (federally endangered) and Yosemite toad (federally threatened). Proposed Critical Habitat for SNYLF also occurs within the project area.

The Eldorado National Forest, along with additional Sierra Nevada National Forests, has consulted programmatically on its vegetation management program activities and its meadow restoration program activities. This Programmatic Consultation resulted in the “Programmatic Biological Opinion on Nine Forest 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. Consultation for the Caples Ecological Restoration Project-Eastern Vegetative Island Burning was initiated with the USFWS January 4, 2016 and completed August 31, 2016 (08ESMF00-2015-F-1275), appending this project to the Programmatic Biological Opinion, dated December 14, 2014.

The USFS’ Biological Assessment (BA) for Actions that Affect the Sierra Nevada yellow-legged frog, Northern DPS Mountain yellow-legged frog, and Yosemite toad on National Forest Lands in the Sierra Nevada dated June 13, 2014, upon which the USFWS Programmatic Biological Opinion is based, was of necessity a very conservative approach to estimating potential effects to these newly listed species. The biological assessment generated and analyzed worse case scenarios regarding potential impacts to the three amphibians in order to achieve Endangered Species Act coverage over nine programs in nine National Forests. By appending to the Programmatic BO, this conservative approach encompassed and continues to include many projects, such as Caples Ecological Restoration Project-Eastern Vegetative Island Burning that might not otherwise be determined as likely to adversely affect these species when considered at the site specific project level. Therefore, under a less conservative approach, the effects analysis would lean toward determinations other than likely to adversely affect these species. For this reason, the determination of “likely to adversely affect” should be viewed within that context and would not be considered an extraordinary circumstance for this project.

The proposed action implements standards and guidelines and Best Management Practices (BMPs) that will minimize potential project level effects. In addition, project-specific design criteria were developed that either minimize the intensity and duration of project activities or exclude such from occurring within suitable SNYLF or YOTO habitat or within a proportion of habitat. The Caples Ecological Restoration Project has been designed to implement all of the Conservation Measures and Terms and Conditions described in the Programmatic Biological Opinion.

In regards to Proposed Critical Habitat, it was determined that the project is not likely to destroy or adversely modify Proposed Critical Habitat of the SNYLF.

- b) *Flood plains, wetlands, or municipal watersheds.* The project occurs within the Caples Creek Watershed, which is within a municipal watershed. Design criteria for vegetative buffers should be adequate to protect water quality, to an extent that is practically possible, from sediment and nutrients in the runoff from ground disturbed by fire lines or burned ground itself. There are not impairments to Caples Creek or the larger 5th order watershed (Silver Fork American River), including sediment, turbidity or nutrient loading that might be

cumulatively impacted by the proposed project. Such impacts as they might occur would be negligible and immeasurably small in either Caples Creek or on the Silver Fork American River. (Hydrology Report, June 1, 2015)

- c) *Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas.* There are no congressionally designated areas within the project area.
- d) *Inventoried roadless areas or potential wilderness areas.* The project occurs within the Caples Creek Inventoried Roadless Area (IRA) and Caples Creek Recommended Wilderness Area. The purpose of this project is to re-introduce fire, as a natural process, back into the landscape to improve forest health and fire resiliency, and meadow and aspen ecosystems. The proposed action and design criteria incorporate actions, such as line construction using “light on the land” concepts and restoration and minimum impact suppression tactics (MIST) to minimize the effects to roadless area and wilderness characteristics. Implementation of the Caples Creek Ecological Restoration Project would maintain roadless area characteristics and wilderness character (naturalness, undeveloped, opportunity for solitude or primitive and unconfined recreation) and would not preclude the future designation of the area as wilderness.
- e) *Research natural areas.* The project will not occur within research natural areas (RNA).
- 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 would be implemented based on the risk to values associated with each class of resources (Cultural Resource Management Report Caples Ecological Restoration Project, R2015050360010). 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 Fuels personnel when the expected fire behavior, burning conditions and specific locations of ground disturbing activities are determined. The locations of staging areas, including campsites and pack stock holding areas, would be reviewed by the District Archaeologist to ensure historic properties are not adversely affected. Crews constructing hand line around the perimeter of the burn may be accompanied by an archaeologist to recommend mitigations or approve of campsite locations during implementation.

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)*.

In addition, the project has limited context and intensity (40 CFR 1508.27), and this action will produce little or no individual or cumulative environmental effects, to either biological or physical components of the human environment (40 CFR 1508.14).

## Public Involvement

This action was originally listed as a proposal on the Eldorado National Forest Schedule of Proposed Actions (SOPA) in April, 2015 and updated periodically during the analysis. The SOPA is mailed to individuals, organizations, and agencies that have asked to be notified of proposed

actions on the Eldorado National Forest. The SOPA is also posted on the Eldorado National Forest website. On April 6, 2015, a letter initiating scoping and requesting comments on the proposed action was mailed to special use permittees, local municipalities, local governments, environmental organizations, wilderness organizations, and private landowners. The Forest Service received seven written letters on the proposed action, including four letters that expressed general support of the project. Several scoping comments raised questions or concerns that resulted in minor clarification of the proposed action. The summary of scoping comments and how they were considered is in the project file.

Tribal consultation for this project was initiated during the scoping process and included mailing notices to Jackson Rancheria, Shingle Springs Rancheria, Ione Band of Miwok Indians, United Auburn Indian Community, Washoe Tribe of Nevada and California and the Buena Vista Tribe of Mi-wuk Indians. Meetings were requested by the Shingle Springs Rancheria and the Washoe Tribe of CA and Nevada. A field visit to the project area with the Tribal Historic Preservation Officer for the Washoe Tribe of Nevada and California was also conducted.

## 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).

## 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

This decision may be implemented immediately.

## Contact

For additional information concerning this decision, contact: Jennifer DeWoody, NEPA Planner, Eldorado National Forest, 4260 Eight Mile Road, Camino, CA 95709; Phone 530-647-5382.



DUANE NELSON  
District Ranger, Placerville Ranger District

9/13/16

Date



RICHARD G. HOPSON  
District Ranger, Amador Ranger District

9/20/16

Date

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