



Order No. 19-08-02
USDA Forest Service
Lake Tahoe Basin Management Unit
Ward Fuel Reduction Project

Pursuant to 36 CFR 261.50(a), and to provide for public safety, the following act is prohibited within the Lake Tahoe Basin Management Unit. This order is effective from August 25, 2008, through September 26, 2008.

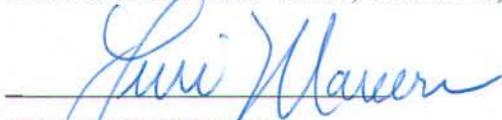
Going into or being upon Unit 11 of the Ward Fuel Treatment Area from 7:00 a.m. to 6:00 p.m., Monday through Friday. The boundary of Ward Unit 11 begins at Forest Road No. 15N60 near the west edge of section 14, Township 15 North, Range 16 East, Mount Diablo Base and Meridian, then continues north 200 feet to an unnamed forest trail, then continues southwest along the unnamed trail to its intersection with Forest Road No. 15N60, then follows Forest Road No. 15N60 southwest until it switchbacks to the southeast, then continues along the contour of the slope to a point 100 feet east of the section line between sections 14 and 15, then continues north back to the starting point, as shown on the attached map. 36 CFR 261.53(e).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

This prohibition is in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Done at South-Lake Tahoe, California, this 24 day of June, 2008.


TERRI MARCERON
Forest Supervisor

A violation of this prohibition is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

USDA Forest Service
Lake Tahoe Basin Management Unit
Ward Treatment Area Closure
Order No. 19-08-02

Chamonix Rd
Kitsbuhel Rd

15

15N60A

15N60

14

Courchevel Rd

15N60

Ward Creek Blvd

Ward Creek

22

23

R16E T15N



-  **Closed to Public Entry**
from 7:00 a.m. to 6:00 p.m. Monday through Friday
-  National Forest
-  Other
-  Local Road
-  Forest Road





Order No. 19-08-01
USDA Forest Service
Lake Tahoe Basin Management Unit
Ward Fuel Reduction Project

Pursuant to 36 CFR 261.50(a), and to provide for public safety, the following act is prohibited within the Lake Tahoe Basin Management Unit. This order is effective from June 26, 2008, through August 29, 2008.

Going into or being upon Unit 9 of the Ward Fuel Treatment Area from 7:00 a.m. to 6:00 p.m., Monday through Friday. The boundary of Ward Unit 9 begins at the east $\frac{1}{4}$ corner of section 14, Township 15 North, Range 16 East, Mount Diablo Base and Meridian, then continues north along the National Forest property boundary 150 feet, then continues west along the contour of the slope 4,000 feet, then continues south on an unnamed ridge 2,200 feet, then continues southeast along the contour of the slope 2,500 feet to the south $\frac{1}{4}$ corner of section 14, then continues east along the contour of the slope 2,200 feet to the southeast section corner of section 14, then continues north along the National Forest property boundary back to the starting point, as shown on the attached map.

36 CFR 261.53(e)

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

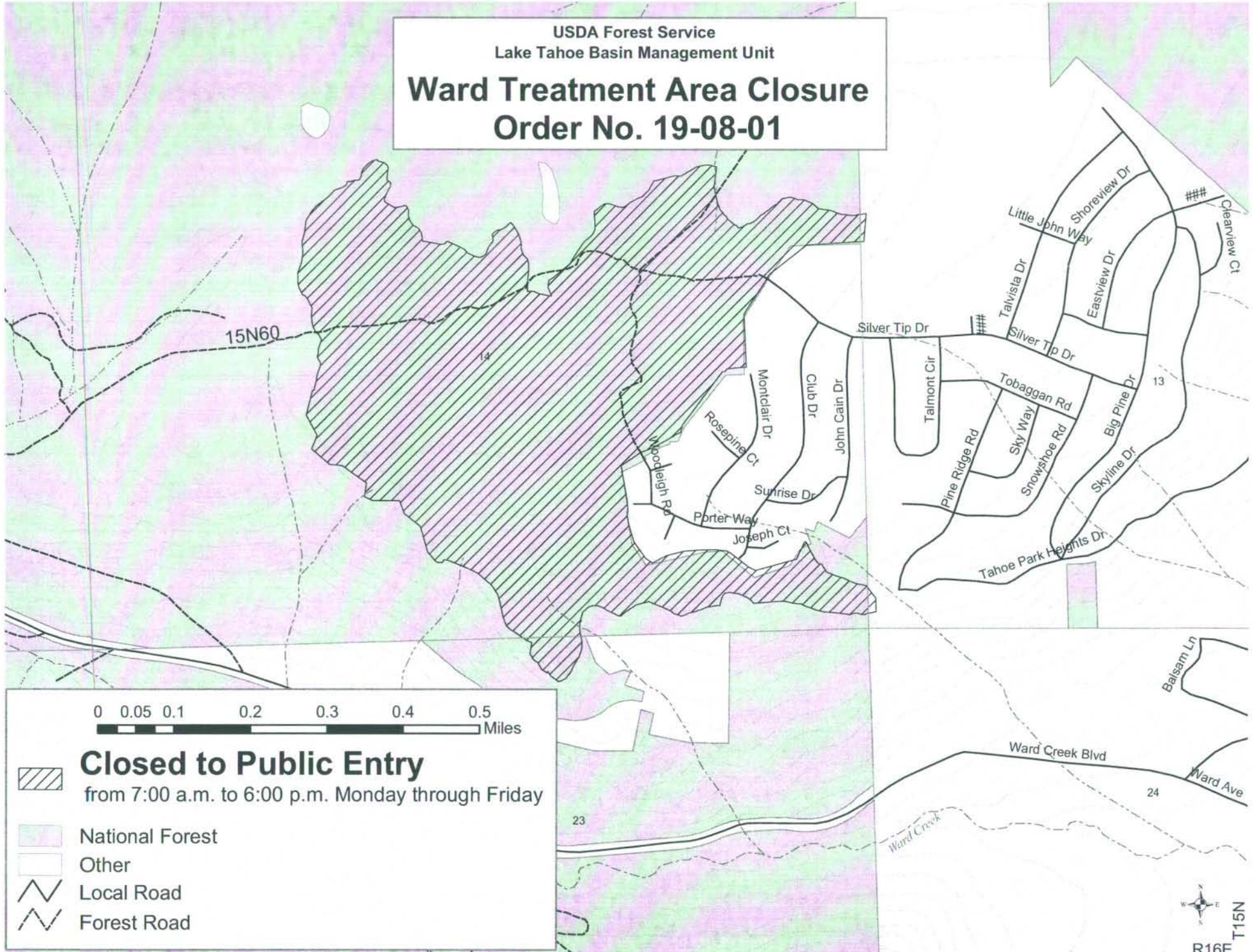
This prohibition is in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Done at South Lake Tahoe, California, this 24 day of June, 2008.

TERRI MARCERON
Forest Supervisor

A violation of this prohibition is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both.
16 USC 551 and 18 USC 3559, 3571, and 3581.

USDA Forest Service
 Lake Tahoe Basin Management Unit
Ward Treatment Area Closure
Order No. 19-08-01



15N60

14

13

23

24

0 0.05 0.1 0.2 0.3 0.4 0.5 Miles

Closed to Public Entry
 from 7:00 a.m. to 6:00 p.m. Monday through Friday

National Forest

Other

Local Road

Forest Road

N
 W E S
 R16E T15N

- Shoreview Dr
- Little John Way
- Eastview Dr
- Clearview Ct
- Talvasta Dr
- Silver Tip Dr
- Silver Tip Dr
- Tobaggan Rd
- Big Pine Dr
- Skyline Dr
- Tahoe Park Heights Dr
- Talmont Cir
- Pine Ridge Rd
- Sky Way
- Snowshoe Rd
- Ward Creek Blvd
- Ward Ave
- Balsam Ln
- John Cain Dr
- Club Dr
- Montclair Dr
- Rosepine Ct
- Woodleigh Rd
- Surprise Dr
- Porter Way
- Joseph Ct

Civil Rights Impact Analysis

Closure for Ward Fuel Reduction Project, Unit 9 & 11

USDA Forest Service

Lake Tahoe Basin Management Unit

Per

Forest Order

This document fulfills the requirements of USDA DR-1512-1 (5) Civil Rights Impact Analysis, FSM 1730, and FSH 1709.11, for Civil Rights Impact Analysis to be done for actions with potential impacts on all publics, agency delivery of goods and services, agency employees and agency organizational dynamics.

Action

To implement a Forest Order to temporarily close Unit 9 and Unit 11 of the Ward Fuel Reduction Project on National Forest System Lands administered by the Lake Tahoe Basin Management Unit. This action provides for public safety.

Pursuant to 36 CFR Part 261 – Prohibitions to provide short-term resource protection or to protect public health and safety. The following act is prohibited:

36 CFR 261.53 – It is prohibited to go into or be upon any area which is closed for the protection of public health and safety.

The following persons are exempt from this order:

1. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Persons engaged in a business, trade or occupation in the area.

Duration

This is to be in effect from June 9, through September 26, 2008. However, should operations be completed sooner, the unit may be opened sooner by rescinding the Forest Order.

Forest Service Law Enforcement Officers and Forest Protection Officers would implement the Forest Order.

Background:

On October 4, 2002, a Decision Notice and Finding of No Significant Impact was signed by the Forest Supervisor for "Fuel Hazard Reduction Treatments – Ward Management Unit". Following the decision a contract was issued on September 29, 2006, to implement the treatment in Ward Unit # 9. A contract was issued on April 25, 2007 to implement the treatment in Unit # 11. Currently hazardous fuel reduction treatments and equipment operations are occurring.

Mitigation:

The Forest Order will be posted at the Lake Tahoe Basin Management Unit, Supervisor's Office, at the closure site, and the Lake Tahoe Basin Management Unit external website. The effected unit closure will be posted with signs during the prohibited period so the users have a clear understanding what areas are closed. There are no alternate routes. Monitoring will occur on an on going basis.

Recommendation:

This is an administrative action following the Forest Service Law Enforcement Handbook 5309.11 Chapter 30, 8/22/2000, page 25 of 31 to develop a Forest Order. No known adverse impacts will be imposed on either the general population or on any minority groups.

The United States Department of Agriculture prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status.

Agency:

Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150
Phone: (530) 543-2684
E-Mail: rguebard@fs.fed.us

Approved By:


TERRI MARCERON
Forest Supervisor

Date

6/24/08

CC: Gary Barnett, Patrol Captain
CC : Civil Rights Officer

Decision Memo

Ward Fuel Reduction Project, Units 9&11

USDA Forest Service
Lake Tahoe Basin Management Unit
Placer County, California
T.15N, R.16E, Sections 14 & 15

Background

On October 4, 2002, a Decision Notice and Finding of No Significant Impact was signed by the Forest Supervisor for "Fuel Hazard Reduction Treatments – Ward Management Unit". Following the decision a contract was issued on September 29, 2006, to implement the treatment in Ward Unit # 9. A contract was issued on April 25, 2007 to implement the treatment in Ward Unit # 11. Forest Order 19-08-01 is issued to temporarily close National Forest land within Ward Units 9 & 11, from June 9, 2008 through September 26, 2008. **This closure is necessary to protect public health and safety from an active fuel treatment operation.** The closure will be in effect from 7:00 a.m. to 6:00 p.m., Monday through Friday. The closure is within the Lake Tahoe Basin Management Unit (LTBMU), Placer County, California.

Units 9 & 11 lie within the Wildland Urban Intermix (WUI) Defense and Threat Zones. These units are adjacent to several subdivisions on the West shore of Lake Tahoe. As such, the area is highly populated and used by locals from within the subdivisions as well as the general public.

The scope of work within Units 9 & 11 consists of cut-to-length equipment (harvester and forwarder) cutting and removing biomass and small sawlog material over the entire 182 acre area. This creates a hazard to the public from falling trees and limbs. Following the removal of that material the unit will be chipped or shredded which causes material (chips/slash) to be blown or thrown a considerable distance from the operating machine (approximately 300 feet).

The numerous user created trails within Units 9 & 11, and the nature of the operation (cut-to-length followed by chipping or shredding) makes it difficult to close only a portion of the unit. There are 7 points of road and trail access into these units that the public uses for recreation access, thereby making it difficult for both Forest Service contract administrators and the contractor to inspect and warn public users of the harvest operations. Harvest activities occur over a 2 to 3 acre area each day as the contractor progresses through the stand. Therefore, the location of where activities are occurring is constantly changing. Therefore the closure will be in effect for the entire Ward Units 9 & 11 (approximately 182 acres).

Public entry into the unit (walking, vehicle or mountain bike) is prohibited. It is determined that public safety is at risk because of operating equipment and fuel hazard reduction treatment that is occurring.

Decision

It is my decision to temporarily close the National Forest land within Ward Units 9 & 11 located between Silver Tip and Forest Road 15N60, under Forest Order 19-08-01 to provide for public safety. This order will be rescinded at the soonest possible time.

This action is categorically excluded from further documentation in accordance with Forest Service Handbook 1909.15, Chapter 30 – Categorical Exclusion from documentation. The action is within category 31.12 -1, issuance of special orders pursuant to 36 CFR Part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety.

Public Involvement

Numerous personal contacts between Forest Service employees and current users of the area have taken place since operations began in June, 2008. In addition the contractor who owns and operates the equipment has signed the area explaining the possible hazards that exist within the unit. He has also made numerous contacts with the public. Education and dialogue with the public is on going through media releases and personal contacts. The public has expressed concern over how long the unit would be closed, but with a few exceptions understands the need to provide for public safety.

Findings Required by Other Laws

The following resource conditions were considered in determining whether extraordinary circumstances related to this proposed action warrant further analysis and documentation in an EA or an EIS:

- 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.
- b. Flood plains, wetlands, or municipal watersheds.
- c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.
- d. Inventoried roadless areas.
- e. Research natural areas.
- f. American Indians and Alaska Native religious or cultural sites.
- g. Archaeological sites, or historic properties or areas.

No extraordinary circumstances exist within Ward Units 9 & 11.

This decision is consistent with the Lake Tahoe Basin Management Unit Land and Resource Management Plan, as amended. The decision furthers the resource management emphasis by maintaining or achieving environmental standards. The decision will not conflict with the 1998 Accessibility Action Plan for recreation facilities (only general forest areas, not facilities are affected).

The decision is consistent with the Memorandum of Understanding with the Tahoe Regional Planning Agency (TRPA). The decision is consistent with the direction as outlined in TRPA's Regional Plan, and is also fully consistent with their recreation environmental thresholds.

The decision is consistent with the activities permitted under the Lahontan Regional Water Quality Control Board MOU with the LTBMU.

Other Laws: The decision is also fully consistent with the Endangered Species Act and Historic Preservation Act.

Implementation Date

This decision may be implemented immediately.

Administrative Review or Appeal Opportunities

This decision is not subject to appeal pursuant to 36 CFR 215.12

Decisions for actions that have been categorically excluded from documentation in an EA or EIS pursuant to FSH 1909.15, Chapter 30.

Contact Person

For further information call Robert Guebard, Sale Administrator, Lake Tahoe Basin Management Unit, (530) 543-2684. E-mail: rguebard@fs.fed.us

Address: LTBMU, 35 College Drive, South Lake Tahoe, CA 96150


TERRI MARCERON
Forest Supervisor

6/24/08

Date