



USDA Forest Service  
Pacific Southwest Region  
Lake Tahoe Basin Management Unit



Decision Memo for Implementation of the

Draft

Deh-iw-dee-ish-to-gahm-mum  
Hazardous Fuels Reduction Project  
Expenditure of Federal Funds  
Carson City, Nevada

**BACKGROUND:**

This project is one of 5 projects funded under the 2012 Hazard Mitigation Treatments on Non-Federal Lands funding program, which consist of an allocation to National Forests for "Hazard Mitigation Treatments on Non-Federal Lands" (aka "Stevens Authority") for 100% pass through to specific non-federal partners based on regional office prioritization of projects submitted by the Forests. This prioritization is consistent with national Program Direction.

This project is funded by a grant of \$102,000 to the Washoe Tribe of NV & CA for hazard fuels reduction work on 24 acres on Washoe Tribe's Skunk Harbor parcel lands.

The project area was originally analyzed as part of the Spooner Hazardous Fuels Reduction & Healthy Forest Restoration Project (Spooner Project). In 2003 Public Law 108-67 conveyed approximately 24 acres of NFS lands to the Department of the Interior to be held in trust for the Washoe Tribe (Skunk Harbor parcel). The boundary of the Skunk Harbor conveyance was corrected under Public Law 111-11, 2009.

**PURPOSE AND NEED:**

Conduct forest thinning and hazard fuel reduction on 24 acres on the Skunk Harbor parcel (figure 2) to reduce the threat of catastrophic wildfire and improve native forest composition and structure.

The current conditions for tree density, tree species composition, and surface fuel loading increase the risk of large scale mortality from potential insect outbreaks, disease, and wildfire. Figure 1 shows one view of the project area including the current vegetative and fuels conditions. The project will reduce the threat of catastrophic wildfire and improve native forest composition and structure. Project area was identified in the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy (December 2007) for treatment to occur within the next 5 years and will complement fuels reduction/forest health treatments implemented under the Spooner Project.

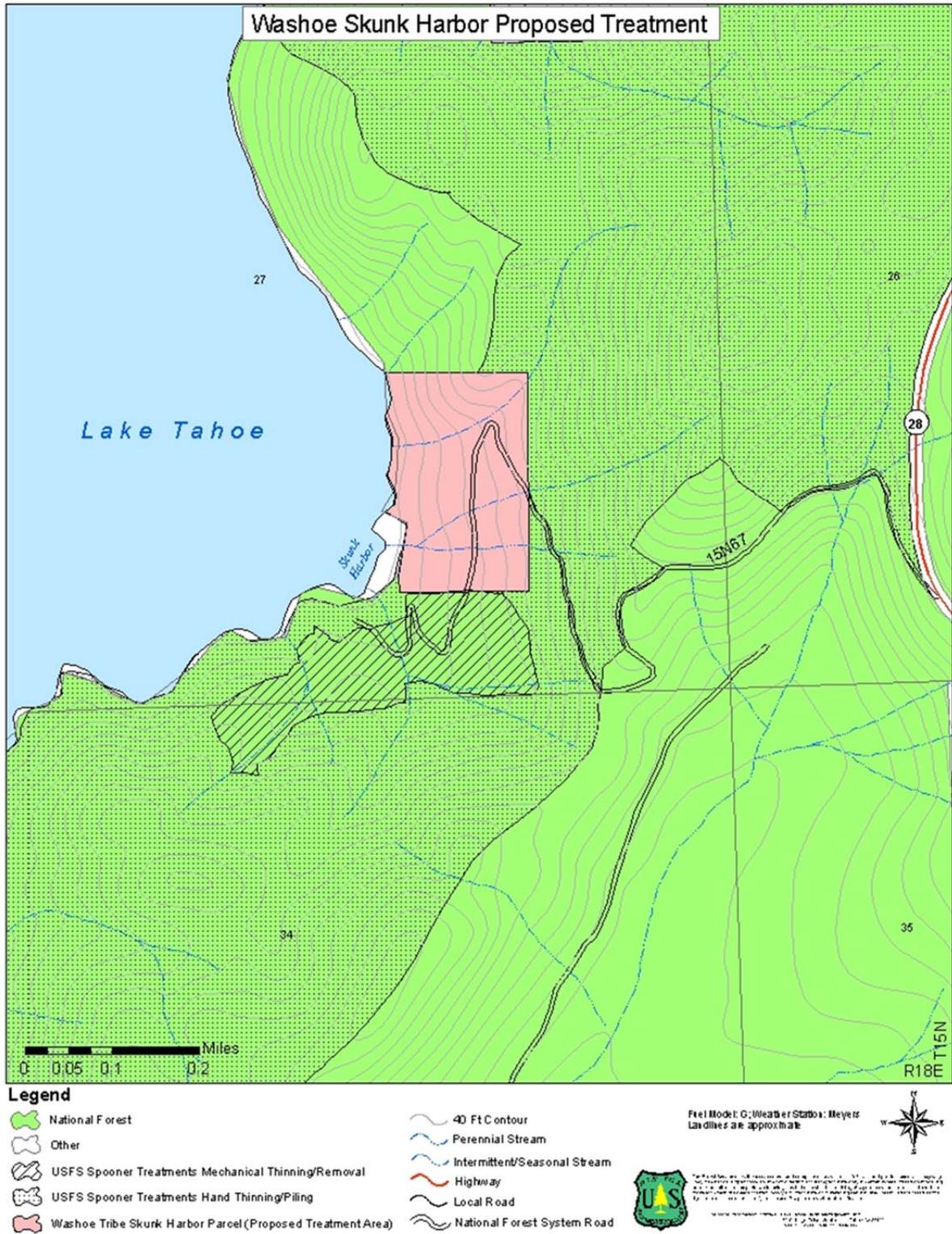


**Figure 1.** View of Skunk Harbor (north end of project looking southwest). Note steep slopes dense forest and “flashy” surface fuels.

## **PROPOSED ACTION:**

Thinning and surface fuels reduction treatments under this project could include a combination of hand crew thinning/piling, mechanical ground based thinning/piling, and prescribed burning. Best Management Practices (BMPs) would be used in order to protect soil and water resources during implementation of the project. Forest Service Road 15N67 would be used to access the project. Specific treatment criteria include the following:

- Thinning of trees up to 29” dbh to a basal area of approximately 100 - 140 square feet per acre. Thinning “from below” will occur in order to meet the target basal area with a preference for retaining the healthiest dominant and co-dominant crown class Jeffrey pine, sugar pine, and incense cedar.
- Biomass (tree tops, limbs and non-commercial sized trees) utilization as chips or other products may occur depending on markets at the time of implementation. Some biomass may be transported off-site. Firewood size material may be made available for Tribal members. Some woodchips may be used on site as BMPs.
- Follow up fuels treatment would occur in order to reduce surface fuels. All slash less than 8” dbh will be followed up with a fuels treatment (including but not limited to: mastication, chipping, machine grapple, piling/burning). Prescribed burning will be used where it is determined to be effective in meeting project goals for surface fuels reduction. Prescribed burning may require 2 years to complete. This means that fuels need to dry (generally up to 2 years) after treatment in order to have effective burning conditions.



**Figure 2.** Project Location

## **SPECIAL CONSIDERATIONS AND PROJECT DESIGN FEATURES:**

Requirements for Grant funding:

- If the scope or design of the proposed project is altered or changed, additional review by Forest Service personnel regarding hydrology and SEZ influence may be necessary.
- If the scope or design of Project is altered or changed, additional review by the Heritage Resource Program may be required. If any previously unrecorded cultural resources are discovered during this project, all project related activities must cease immediately and the consultation process as outlined in Section 800.13 of the Advisory Council on Historic Preservation's regulations 39 CFR 800 must be initiated.
- Comply with all applicable regulations and permit requirements of the Tahoe Regional Planning Agency.

## **REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION:**

CEQ regulations allow Federal agencies to exclude from documentation in an environmental assessment (EA) or environmental impact statement (EIS) categories of actions that do not individually or cumulatively have a significant effect on the human environment, based on the agency's experience and knowledge.

An environmental analysis was conducted for this proposed action. As a result, a determination has been made that the action is in a category of actions that are excluded from documentation in an Environmental Assessment or an Environmental Impact Statement. I have concluded that the proposed action fits under:

FSH 1909.15, 32.2 (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)]

## **EXTRAORDINARY CIRCUMSTANCES:**

It was also determined through the environmental analysis that there were no extraordinary circumstances associated with this proposal that might cause the action to have significant effects. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist. (36 CFR 220.6(b)):

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The potential effects of this decision on listed wildlife, fish, and plant species have been analyzed and documented in a BA. There are no federally listed species habitats and/or individual listed species that will be impacted by this project so there

will be no effects to listed species and/or their habitat. The BA is located in the project file. A Biological Evaluation (BE) was not required for this project as this project will not occur on National Forest System lands.

2. Flood plains, wetlands, or municipal watersheds – Flood plains, wetlands, or municipal watersheds will not be negatively impacted. The project area does not have any mapped wetlands. This has been validated by map and site-review. However, a few small seeps were noted within the treatment areas during field surveys along the seasonal streams (see figure 2). These can be defined as wetlands, but are too small to be noted on maps. To ensure that wetland-related impacts are minimized, Best Management Practices are to be incorporated. These include but are not limited to flagging and avoiding wet areas, and operating equipment during drier soil conditions. There are no municipal watersheds located within the Lake Tahoe Basin or within the project area and therefore this decision will not affect municipal watersheds.
3. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – No congressionally designated wilderness, wilderness study areas, or national recreation areas are within the project area. This decision will not affect specially designated areas.
4. Inventoried roadless areas or potential wilderness areas – No inventoried roadless areas or potential wilderness areas will be affected. This project is not within or adjacent to an inventoried roadless area or potential wilderness areas.
5. Research Natural Areas – There are no research natural areas in, or near, the project area.
6. American Indians and Alaska Native religious or cultural sites – No American Indian religious or cultural sites will be affected. The proposed project Area of Potential Effect (APE) has been surveyed for archaeological or heritage resources and results of the surveys are discussed in LTBMU Heritage Report 2009051900046, a copy is located in the project file. Nevada SHPO concurred in a letter dated November 14, 2009.
7. Archaeological sites, or historic properties or areas – No archaeological sites, or historic properties or areas will be adversely affected. The Project Area of Potential Effect (APE) has been surveyed for archaeological or heritage resources and results of the surveys are discussed in LTBMU Heritage Report 2009051900046, a copy is located in the project file. Nevada SHPO concurred in a letter dated November 14, 2009. Since there are recorded archaeological resources located within the proposed APE Standard Resource Protection Measures will be implemented.

## **FINDINGS REQUIRED BY OTHER LAWS:**

Forest Service specialists have reviewed the environmental reports provided for the project.

- The Project complies with the requirements of the National Historic Preservation Act. See previous findings noted above related to Extraordinary Circumstances.
- The Project complies with the requirements of the Endangered Species Act. See previous finding noted above related to Extraordinary Circumstances.
- The Project has been inspected for presence of hazardous materials. There is no indication of any contamination.
- Clean Water Act consistency through the use of BMPs and meeting requirements of TRPA or Lahontan Water Board.

## **PUBLIC INVOLVEMENT:**

The public was consulted through open house meetings and comment during the development of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy.

The project area was also included in the scoping during the development of the Spooner Hazardous Fuels Reduction & Healthy Forest Restoration Project Decisional Memo.

## **IMPLEMENTATION DATE:**

The decision to approve the Washoe Tribe of NV & CA expenditure of up to \$102,000 in Federal Assistance Grant funds for the Regency Fuel Reduction Project is effective immediately upon issuance of the Decision Memo.

## **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES:**

Opportunity to Comment on this Project

A comment period is being provided pursuant to the March 19, 2012 order issued by the U. S. District Court for the Eastern District of California in Case No. CV F11-679LJO DLB. Only those who provide comments during this comment period will be eligible to appeal the decision pursuant to 36 CFR 215. Any individual or representative from an organization submitting comments must either sign the comments or verify identity upon request in order to maintain appeal eligibility.

How to Comment and Timeframe

Written, facsimile, hand-delivered, oral, and electronic comments concerning this action will be accepted for 30 calendar days following the publication of a legal notice in the Tahoe Daily Tribune. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this proposal. Those wishing to comment should not rely upon dates or

timeframe information provided by any other source. The regulations prohibit extending the length of the comment period.

Written comments must be submitted to: Nancy Gibson, Forest Supervisor, 35 College Drive, Re: Deh-iw-dee-ish-to-gahm-mum Hazardous Fuels Reduction Project, South Lake Tahoe, CA 96150. The office business hours for those submitting hand-delivered comments are: 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays.

Oral comments must be provided at the Responsible Official's office during normal business hours via telephone (530) 543-2600 or in person. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to [comments-pacificsouthwest-ltbmu@fs.fed.us](mailto:comments-pacificsouthwest-ltbmu@fs.fed.us) using Subject: Deh-iw-dee-ish-to-gahm-mum Hazardous Fuels Reduction Project In cases where no identifiable name is attached to a comment, a verification of identity will be required for appeal eligibility. If using an electronic message, a scanned signature is one way to provide verification. It is the responsibility of persons providing comments to submit them by the close of the comment period. Individuals and organizations wishing to be eligible to appeal must meet the information requirements of 36 CFR 215.6.

#### **CONTACT PERSONS:**

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Enclosure: Maps