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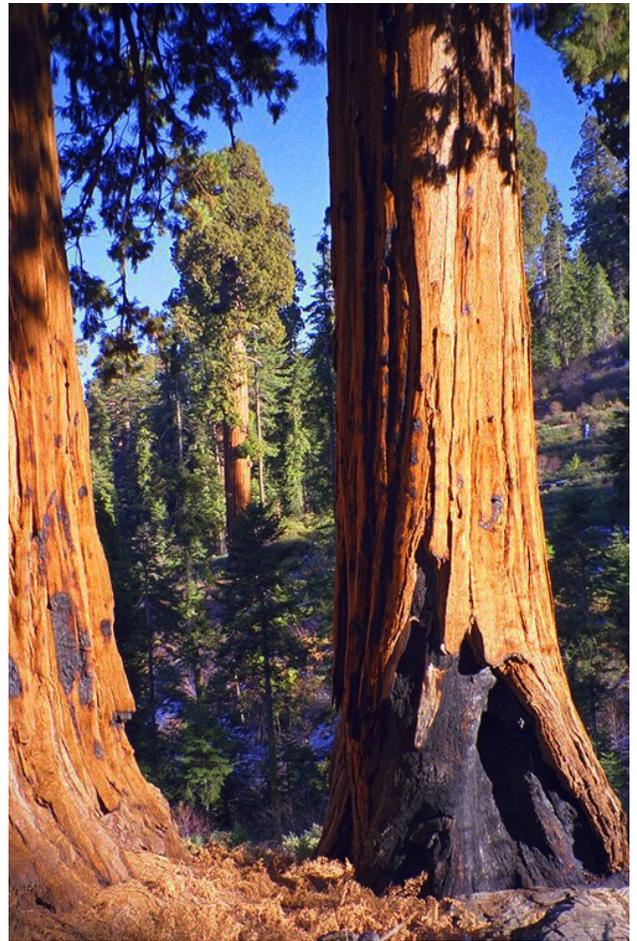
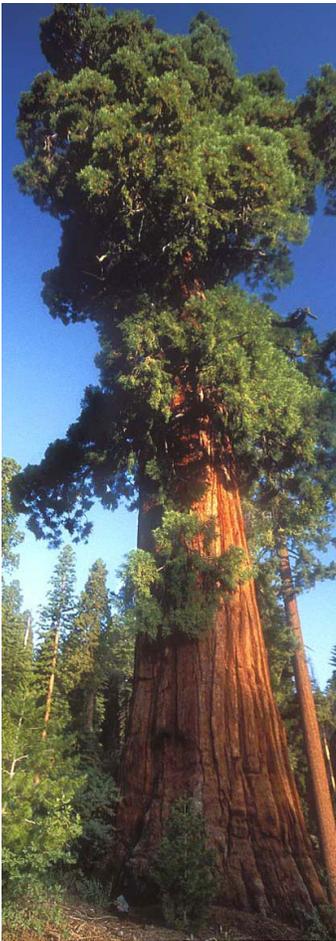
Sequoia
National Forest

August 2012



Giant Sequoia National Monument

Record of Decision





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Giant Sequoia National Monument Management Plan 2012

Final Environmental Impact Statement Record of Decision Sequoia National Forest

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This document presents the decision regarding the selection of a management plan for the Giant Sequoia National Monument (Monument) that will amend the 1988 Sequoia National Forest Land and Resource Management Plan (Forest Plan) for the portion of the national forest that is in the Monument. It summarizes the reasons for choosing the Selected Alternative as

the basis for the Giant Sequoia National Monument Management Plan (Monument Plan), which will be followed for the next 10 to 15 years. The long-term environmental consequences contained in the Final Environmental Impact Statement are considered in this decision.

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Record of Decision

Introduction

On April 15, 2000, President Clinton established the Giant Sequoia National Monument (Monument) by proclamation in recognition of the rich and varied landscape and the diverse array of scientific and historic resources. Giant sequoias are the largest trees to have lived and are among the world's longest-lived trees, making them a truly unique and important species. The presidential proclamation (Proclamation) further recognizes the importance of the giant sequoias, the surrounding ecosystems that support them, and the role they play in understanding ongoing environmental changes that are expected to continue over time. The Proclamation is very clear that the Monument is not to be used for commercial timber harvest and that trees can only be removed after an evaluation determines a clear need to do so. I want to assure you that none of the alternatives considered in the environmental analysis include any form of commercial timber harvest.

I am pleased to present a Monument Plan that is directed specifically toward the intent of the proclamation establishing the Monument, including:

- The establishment of a Monument-wide standard specifying the process and criteria to be used for an evaluation of clear need;
- Descriptions of desired resource conditions that are consistent with the intent of the Proclamation and the expectations of the public;
- The identification of strategies and time-specific, measurable objectives that are expected to move conditions toward the realization of the desired conditions;
- Standards and guidelines that are consistent and clear in their intent and application; and
- A monitoring plan that is expected to gauge the performance of the Monument Plan and its effectiveness in moving toward the desired conditions.

The Monument is set apart and reserved for the purpose of protecting the objects of interest identified in the Proclamation, for their proper care and

management (Clinton 2000). The Monument fills a unique niche as it is the only national monument in California that was designated by presidential proclamation. Giant sequoias (*Sequoiadendron giganteum*) grow only on the western slopes of the Sierra Nevada mountain range in California. These trees can tower 270 feet high and reach 30 feet in diameter. Thirty-three groves and the areas around them are protected within the Monument.

I have given careful consideration to the interests, concerns, and comments we have received from the public. I believe that my decision best meets the purpose of the Monument, as set forth in the presidential proclamation (dated April 15, 2000), by protecting and caring for the objects of interest and managing Monument resources to restore ecosystems and provide opportunities for public use. This decision addresses the need for restoration of healthy forest ecosystems and restoration of the natural fire regime. It also maintains a broad range of recreation opportunities for future generations and the opportunity for increased understanding of the value and importance of the scientific and historic objects in the Monument. I am confident that these benefits can be realized through the use and application of proven conservation measures that protect, maintain, improve, and restore the health of the forest; reduce risks from uncharacteristically severe wildfire, invasive species, insects, disease, and other threats; maintain and restore wildlife habitat and begin the process of recovery for threatened or endangered plants and animals.

My decision includes monitoring requirements to keep information up to date and to ensure that the Monument Plan is working as expected. It includes ongoing opportunities for scientific study to improve our management and adapt management strategies and objectives over time as conditions warrant. These principles are the foundation for effectively managing the Monument to meet the intent of the Proclamation and to meet the expectations of millions of people that will use and enjoy this national monument in the future.

The Decision

I have reviewed the range of alternatives, read the public comments, and considered the evaluation of the alternatives in the final environmental impact statement (FEIS). Based on my review,

I am selecting Alternative B and one element of Alternative E (Moses Wilderness recommendation) as the basis for the management plan for the Monument. Alternative B was the preferred alternative published in the draft environmental impact statement (DEIS) in 2010. The added element has been analyzed in the FEIS. I am approving the Giant Sequoia National Monument Management Plan (Monument Plan) which describes in detail the strategic vision, strategies, objectives, standards and guidelines, suitable uses, and land allocations for the Monument (Parts 1, 2, and 3 of the Monument Plan).

Alternative B (selected) includes a combination of management strategies and objectives that will be used for the conservation and management of the objects of interest. For the purposes of managing the Monument (and based on Forest Service and public interpretation of the Proclamation), the objects of interest include:

- The naturally-occurring giant sequoia groves and their associated ecosystems, individual giant trees, rare and endemic plant species such as the Springville clarkia, and other species listed as threatened or endangered by the Endangered Species Act (ESA), or sensitive by the Forest Service.
- The ecosystems and outstanding landscapes that surround the giant sequoia groves.
- The diverse array of rare animal species, including the Pacific fisher, the great gray owl, the American marten, the northern goshawk, the peregrine falcon, the California spotted owl, the California condor, several rare amphibians, the western pond turtle, and other species listed as threatened or endangered by the ESA, or sensitive by the Forest Service.
- The paleontological resources in meadow sediments and other sources that have recorded ecological changes in such markers as fire regimes, volcanism, vegetation, and climate.

- The limestone caverns and other geological features, including granite domes, spires, geothermally-produced hot springs and soda springs, and glacial and river-carved gorges.
- Cultural resources, both historic and prehistoric, which provide a record of human adaptation to the landscape and land use patterns that have shaped ecosystems.

The existing uses in the Monument are expected to continue. Recreation residences, for example, are a valid use that will continue, subject to compliance with the terms and conditions of the cabin owner's permit. Although most of the development, such as roads, developed recreation sites, and administrative structures, that might be expected to occur in the Monument has already taken place, in Alternative B additional development is possible in the future, to address future recreation demand and the opportunities identified by the public as important to them. We do not anticipate much expansion of the Monument's permanent road system beyond what is currently in place, although Alternative B does not preclude the construction of a new road if conditions indicate the need, such as developing a new campground.

My decision strikes a balance between protecting, caring for, and maintaining the objects of interest; restoring and maintaining ecosystems; and providing for visitor enjoyment of the Monument.

Although the responsibility for this decision is mine, I have made the decision with the help of many others. Tens of thousands of comments have been received since we began development of this Monument Plan in 2001. These included many comments about the agency's ability to effectively manage the Monument in light of recent trends in budget and a smaller workforce. I recognize that the optimal implementation rate for the Monument Plan could require higher funding levels in some areas than those currently allocated; however, I believe that the strategic direction described in the Monument Plan gives managers the flexibility to implement the plan under current budgets or budgets that may be even lower. The challenges of effectively

and efficiently managing resources and providing a variety of services remain regardless of which alternative is selected. We are counting on the help of people working collaboratively with us to move the Monument toward its desired conditions.

My decision applies only to the Giant Sequoia National Monument in the Sequoia National Forest and does not apply to any other federal, state, or private lands, although the effects to these lands and the effects of my decision on lands surrounding the Monument have been considered.

I. Components of the Decision

The FEIS and Monument Plan were developed according to the National Forest Management Act (NFMA), its implementing regulations at 36 Code of Federal Regulations (CFR) 219 (77 FR 21260, April 9, 2012), the National Environmental Policy Act of 1969 (NEPA), and the Council of Environmental Quality (CEQ) regulations at 40 CFR 1500-1509. NFMA's current implementing regulations at 36 CFR 219.17 (b)(3) (77 FR at 21270) allow the use of the provisions of the prior planning regulation, including its transition provisions (2000 Planning Rule at 36 CFR 219.35(a) and (b) [2010], December 18, 2009). The transition provisions of the 2000 planning rule allow the use of the prior planning regulation promulgated in 1982. The Monument Plan was developed using the process outlined in the 1982 planning regulations, while considering the best available science as required by the 2000 rule transition provisions (36 CFR 219.35(a) [2010]). Unless otherwise noted, all subsequent citations to "36 CFR 219" in this document refer to the 1982 planning process: see 36 CFR Part 219 (2000).

The Monument Plan incorporates the direction provided by the Proclamation and it amends and replaces, in its entirety, all previous management direction for the Monument, including the direction in the 1988 Sequoia National Forest Land and Resources Management Plan (Forest Plan) for this part of the Sequoia National Forest. The Monument Plan also complies with the 1990 Mediated Settlement Agreement, which outlined proposed amendments to the 1988 Forest Plan.

The Monument Plan is the single comprehensive management plan for the Giant Sequoia National Monument. While the Monument Plan is a stand-alone document, it is also a subset of the entire Forest Plan. The Forest Plan for the Sequoia National Forest now consists of two documents, one which governs management of the portion of the forest located inside

the boundaries of the Monument, and another which governs management of the rest of the forest outside of the Monument.

The Monument Plan is presented in the 3-part national vision format. This format was developed in response to recommendations made by the Committee of Scientists in their 1998 report, and is based on the concept of adaptive management (Committee of Scientists 1999). Part 1 is the Vision for the Monument and includes the purpose of the Monument Plan, a description of the Monument and its unique features, and the desired conditions for the resources of the Monument. Part 2 is the Strategy for the Monument; it identifies the suitable land uses and activities and lays out the management strategies and objectives for the Monument. Part 3 is the Design Criteria for the Monument and includes the laws and regulations, the standards and guidelines, and the monitoring and evaluation procedures that will be used during site-specific project planning and implementation.

The Monument Plan describes the strategic direction that assures compliance with the Proclamation that created the Monument (Clinton 2000). The FEIS discloses the environmental consequences of the alternative management strategies and how they respond to the issues. I have studied and considered the consequences of the different alternatives as discussed in the FEIS in order to make the following decisions:

- Approval of the vision and desired conditions described in Part 1 of the Monument Plan for the next 10 to 15 years. The unique and special features of the Monument—the giant sequoia groves, the ecosystems that support them, and the other objects of interest—are what make the Monument what it is: a special area that merits careful management, protection, and preservation.

- Approval of the suitable uses for each land allocation as described in Part 2 of the Monument Plan. The suitability of different lands for different uses is described for the Monument and displayed in the accompanying Suitable Land Uses and Activities by Static Land Allocation or Management Area (36 CFR 219.13 to 219.27). The Monument Plan describes the land allocations and displays them on the Land Allocations map included with the plan (36 CFR 219.11(c), 219.13 to 219.27).
- Approval of the management strategies and objectives in Part 2 of the Monument Plan. This direction provides for and encourages continued public and recreational access and use consistent with the purposes of the Monument (Clinton 2000, p. 24097). It contributes to social, economic, and ecological sustainability by guiding the restoration or maintenance of the health of the land in the Monument (36 CFR 219.11(b)).
- Approval of the standards and guidelines in Part 3 of the Monument Plan. This management direction will be used in conjunction with the monitoring and evaluation procedures described in Part 3 to set the parameters for achieving the desired conditions and provide meaningful direction for managers when implementing projects [36 CFR 219.14 and 36 CFR 219.16].
- Approval of the monitoring and evaluation procedures described in Part 3 to ensure that the Monument Plan is implemented using the strategies, objectives, and standards and guidelines; to evaluate the effectiveness of the Plan relative to the objects of interest; to determine how well outcomes and effects were predicted; and to help identify necessary future adjustments to management direction in the Monument Plan. Monitoring is clearly emphasized for all activities and must be accomplished. Monitoring is a key element in all programs to assure the achievement of desired conditions over time [36 CFR 219.11(d)].
- Approval of the recommended designations of Special Areas, including Special Interest Areas, described in Part 2 of the Monument Plan (36 CFR 219.17(a), 36 CFR 297). The plan recommends approximately 15,110 acres of the Moses Inventoried Roadless Area for inclusion in the

Wilderness System, 4,190 acres surrounding and containing the Freeman Creek Grove for official designation as a botanical area, and about 3,500 acres in the Windy Gulch area for designation as a geological area. These proposals, and my decision, include every addition of or amendment to special areas that was considered in the FEIS in any of the alternatives. In addition, the strategies and objectives for existing special areas are approved in this decision.

- Establish the Transportation Plan for the Monument in Part 4 of the Monument Plan (Clinton 2000, p. 24098).

The FEIS and Monument Plan meet the requirements of the 1990 Sequoia National Forest Mediated Settlement Agreement (MSA) as they apply to the lands within the Giant Sequoia National Monument. As identified in the letter to our Mediated Settlement partners dated March 8, 2002, from Sequoia National Forest Supervisor Art Gaffrey, there were two categories of items from the MSA that need to go through the plan amendment process:

- Land allocations created on an interim basis
- Management prescriptions, and standards and guidelines for some resource areas

The particular MSA topics that are addressed in the Monument Plan include:

- Giant sequoia guidelines
- Botanical area designation for Freeman Creek Grove and watershed
- Uneven-aged management in vicinity of Freeman Creek Grove and its watershed
- Critical habitat for aquatic species in riparian areas
- Special Areas
- Designation for OHV use
- Recommend Moses Inventoried Roadless Area for wilderness classification

An itemized list of the interim direction from the MSA, as well as where each item is addressed in the Monument final environmental impact statement (FEIS), is provided in Appendix F of the FEIS (FEIS Volume 2). The FEIS considered alternatives which would implement all remaining MSA provisions

within the Monument that have not been superseded by the Proclamation or other management direction (see the standards and guidelines for the action alternatives in Appendix A of the FEIS), and the selected alternative carries forward many of these MSA provisions.

Collaboration

In order to fully involve people in the process of developing a management plan for the Monument, the Sequoia National Forest offered opportunities for interested people to engage in a collaborative process intended to help facilitate its development and to analyze an appropriate range of alternatives. A third-party facilitator was hired through the U.S. Institute for Environmental Conflict Resolution to lead a collaborative effort among Forest Service employees and interested people, including environmental groups, community leaders, recreation groups, forest products industry representatives, homeowner associations, and others. The collaborative effort included:

- Facilitated meetings held from December 2007 through June 2009, focusing on recreation management. A working group of members of the public was formed in these meetings that eventually became the Giant Sequoia National Monument Association.
- Other public meetings held between May and November of 2008, and a field trip in September 2008, focused on ecological restoration and fuels and vegetation management strategies.
- Websites developed to collect public comments on the Proclamation and the Science Advisories from the Scientific Advisory Board, as well as include the public in evaluating the Multiple Criteria Decision Support (MCDS) tool.
- A Southern Sierra Science Symposium held in September 2008, focused on agents of change in the southern Sierra region.
- A Monument Public Comment Portal developed so that people could read the scoping letter, draft environmental impact statement (DEIS), and related documents on-line, and submit comments using the website during the scoping period which began March 18, 2009.
- Four public workshops to discuss giant sequoia grove management held in April 2009.
- To obtain input from the Tule River Indian Reservation (TRIR) tribe and landowners adjacent to the Monument, Forest Service employees met with different members of the tribe and resources staff in 10 meetings in 2009.
- Two meetings held in April and May of 2009 with the appellants who signed the 1990 Mediated Settlement Agreement (MSA).
- Six public meetings held to discuss the DEIS and draft management plan (released for public comment on August 6, 2010) in September and October of 2010.
- Science Review Panels convened in October 2009 and December 2011 to perform science consistency reviews of the DEIS and FEIS, respectively. Public meetings were held in November 2009 to introduce the first Science Review Panel, and in October 2010 to discuss the first science consistency review.

As part of the implementation of the Monument Plan, the Forest Supervisor and District Rangers will emphasize collaborative efforts within the communities inside of and surrounding the Monument. Much of this effort will emphasize diverse public access, partnerships, and place-based recreation opportunities. The following strategies are included in the selected alternative:

- Emphasize diverse public access, partnerships, and place-based recreation opportunities, focusing on connection to place and the recreation settings (Monument's recreation niche).
- Establish use fees that are compatible with cost, and reduce public competition with the private sector.
- Continue to support and participate in employment and training programs for youths, older Americans, and the disadvantaged, in response to national employment and training needs and opportunities existing in forest surroundings.
- Develop partnerships to provide a spectrum of recreation experiences through a variety of providers, including the Forest Service, associations, non-government organizations,

permit holders, volunteers, and other community groups.

- Support the efforts of non-profit, public benefit organizations promoting conservation, education, and recreational enjoyment of the Monument and the surrounding southern Sierra Nevada region.
- Develop partnerships to increase interpretive materials and programs that reach larger segments of the general public and to foster stewardship.
- Enhance opportunities to connect people to the land, especially those in urban areas and of diverse cultures (connect people to place).
- Work with gateway communities and communities within the Monument to help foster economic opportunities.
- Develop bi-lingual communication tools, including publications, information boards, and radio spots.
- Encourage communities of color, focusing on youth, to increase involvement in environmental education programs to educate and develop the citizen steward.
- Designate and develop a Children's Forest in the Monument to provide a place where youth and families can participate in and explore forest-related projects. The criteria for the location of a Children's Forest include:
 - In or in close proximity to a giant sequoia grove
 - Within 1/2 mile of a road
 - Close to an existing parking lot or a suitable area for one
 - Close to developed recreation facilities
 - Away from high use, congested areas
 - Close to water source
 - Year-round access
 - Does not conflict with existing uses (such as grazing)

With less of the 'how to' prescribed in the Monument Plan and more emphasis on working together to choose the 'right tool' to achieve desired conditions, there is more opportunity for interaction among the public and community organizations. I believe that

collaboration among interested people can lead to mutually acceptable resolution of resource issues and I am confident that such interaction and participation will lead to better management of the Monument, improve trust and acceptance by visitors and community members, and promote better relations among competing interests.

Tribal Relations

To gain input from the Tule River Indian Reservation (TRIR) tribe and landowners adjacent to the Monument, Forest Service employees met with different members of the tribe and resources staff. Two formal tribal consultation meetings were held with the TRIR Tribal Council, on April 14 and July 20, 2009. In addition, three informal meetings were held with TRIR tribal forestry and environmental staff members on February 23, August 14, and August 31, 2009, to discuss the Monument planning process and the MSA. Forest Service employees met with the Elders Council on October 14, 2009, and attended four quarterly Forest Tribal Forum meetings on January 14, April 30, August 19, and December 17, 2009.

The relationship of the Forest Service with American Indians is important to the management and restoration of ecosystems in the Monument. To meet our trust responsibilities and to encourage the participation of American Indians in the management of the Monument, I am restating the following commitments made in the 2001 Sierra Nevada Forest Plan Amendment Record of Decision (2001 SNFPA ROD):

- We will work with tribal governments and tribal communities to develop mutually acceptable protocols for government-to-government and tribal community consultations. These protocols will emphasize line officers' and tribal officials' roles and responsibilities.
- We will consult with appropriate tribal governments and tribal communities regarding fire protection and fuels management activities that potentially affect Rancherias, reservations, and other occupied areas. We will develop fire protection plans for such areas in consultation with appropriate tribal or intertribal organizations. We will coordinate with tribes and appropriate tribal

organizations regarding training, outreach, and other items of mutual interest in order to support tribal and national forest fire programs.

- Traditional American Indian land use practices, tribal watershed, and other ecosystem restoration practices and priorities will be considered early in national forest planning, analyses, decision making, and adaptive management processes. During landscape analysis and similar activities, we will assess vegetation community conditions where a specific area has an identified importance to an affected tribe or tribal community. We will consult with affected tribes and/or tribal communities to consider traditional and contemporary uses and needs.
- We will consider traditional American Indian vegetation management strategies and methods, and integrate them, where appropriate, into ecosystem restoration activities. We will cooperate with tribes, tribal communities, and intertribal organizations to develop ecosystem stewardship projects.
- We will consider the relationship between fire management and plants culturally important to American Indians. Where fuel treatments may affect tribes or tribal communities, or plants culturally important to them, we will consult on the development of burn plans, and consider approaches that accommodate traditional scheduling and techniques of fire and vegetation management.
- When implementing noxious weed management programs, we intend to maintain or, if appropriate, increase the availability of plants traditionally used by American Indians. We will consult with appropriate tribes, tribal communities, or tribal organizations to identify areas of new or worsening weed infestations and develop plans for appropriate weed control.
- We will include, where appropriate, culturally significant species in monitoring protocols related to management activities.
- We will maintain appropriate access to sacred and ceremonial sites and to tribal traditional use areas. We will consult with affected tribes and tribal communities to address access to culturally important resources and culturally important areas when proposing management that may alter existing access. After appropriate assessment and consultation, we will consider proposing protection of inventoried sacred sites.
- We will protect all sensitive and proprietary information to the greatest extent permitted by law. We will secure permission to release information from the tribe, tribal community, or individual who provided it prior to release to others.

II. Rationale for the Decision

The purpose of and need for this amendment is to create a management plan that will protect and preserve the unique features of the Monument consistent with the requirements of the Proclamation. The need is for a single comprehensive management plan to protect the giant sequoia groves and the other objects of interest, while providing key resources and opportunities for public use within the Monument.

Alternative B was designed under the assumption that current management direction needs to be changed to comply with the Proclamation and achieve the desired conditions for vegetation and other resources in the Monument. I have decided that Alternative B provides the best combination of moving towards desired conditions, meeting the purpose and need, and

responding to the issues. In this decision, I have added one component from Alternative E to Alternative B for implementation: a portion of the Moses Inventoried Roadless Area will be recommended for inclusion in the National Wilderness Preservation System, as the Moses Wilderness. The 1990 Mediated Settlement Agreement stipulated that: “Pending final disposition by the executive and/or legislative branches, the mapped portions of the Moses Roadless Area shall be...managed to preserve its wilderness character” (USDA Forest Service 2007a, p. 70). By including this special area for implementation, my decision also includes those management strategies and objectives pertaining to this proposal, including:

Strategies:

1. Special Area Strategy: Manage the Moses Inventoried Roadless Area within the Monument as a proposed wilderness, to preserve the wilderness characteristics until Congress acts.
2. Cultural Resources Strategy: Develop a cultural resource management plan for the Monument that prioritizes cultural resource survey, site evaluation for the National Register of Historic Places, and Historic American Buildings survey/Historic Engineering Record survey and documentation within the proposed Moses Wilderness.

Objectives:

1. Special Area Objective: In accordance with Forest Service Manual direction on wilderness proposals, complete the necessary process.

This recommendation is a preliminary administrative recommendation that will receive further review and possible modification by the Chief of the Forest Service, the Secretary of Agriculture, the President of the United States, and ultimately Congress. Congress has reserved the authority to make final decisions on wilderness designations (FSM 1923.11, 2.). The proposal for Moses Wilderness is being shown with the original boundaries roughly mapped in the 1990 MSA. In the wilderness recommendation proposal, using the manageability criteria for the evaluation process, the boundaries may be adjusted to ensure the Forest Service is able to protect and manage the natural character of the wilderness adjacent to other landownerships (FSH 1909.12, Chapter 70, Section 72.1).

Alternative B has been modified with input from the public and these additions have been made to help resolve the challenges stemming from the various issues. An in-depth discussion of what ecological restoration means in the Monument, and criteria for determining the appropriateness of tree felling and the clear need for tree removal, are included in the Monument Plan. Desired conditions were updated in response to public comment to better describe the goals for Monument management; strategies and objectives were modified to clarify how they differ

between the alternatives; and standards and guidelines were updated for giant sequoia groves and plantations, and added for soils, snags and down wood.

In compliance with the Proclamation, an evaluation of clear need is required and will be completed before any site-specific projects that propose tree removal take place in the Monument. Tree removal and tree felling criteria are given to use when evaluating if tree removal is clearly needed for ecological restoration and maintenance or public safety, and when proposing the felling of standing trees. A decision tree is provided for use in site-specific projects. It reflects the desire to ultimately return the Monument to natural cycles and processes, considering first the use of managed wildfire if it is available. The availability of managed wildfire is difficult to anticipate and, if it is not available, the use of prescribed fire and then mechanical treatments will be considered.

In addition, the types and amounts of treatment throughout the Monument, even in the Wildland Urban Intermix (WUI) defense and threat zones, and the Tribal Fuels Emphasis Treatment Area (TFETA), are limited:

- In wilderness (existing and proposed)
- In wild and scenic river corridors
- In inventoried roadless areas
- In research natural areas
- In riparian conservation areas
- On slopes exceeding 35 percent
- In areas greater than 9,000 feet in elevation
- In areas more than ¼ mile from a road

Based on these constraints, only about 23 percent of the 328,315 acres of National Forest System land in the Monument could be considered for mechanical treatments (alone or in conjunction with fire treatments), compared to approximately 77 percent that could be considered for fire treatments.

These limitations on implementing site-specific projects will help guide and control the kind, amount, and range of management activities that take place in the Monument.

Though both the WUI and the TFETA are areas identified for concentrated fuels reduction, they were designed with different purposes. The WUI is an area where human habitation is mixed with areas of flammable wildland vegetation. It is comprised of two zones: the defense zone and the threat zone.

The WUI defense zone is the buffer in closest proximity to communities and areas with higher densities of residences, commercial buildings, and/ or administrative sites with facilities. The actual defense zone boundaries are determined at the site- specific project level following national, regional, and forest direction. Strategic landscape features such as roads, barriers, changes in fuel types, and topography are used in delineating the physical boundary of the defense zone. Defense zones should be of sufficient extent that fuel treatments within them will reduce wildland fire spread and intensity and suppression forces can succeed in protecting human life and property.

The WUI threat zone typically buffers the defense zone. Threat zone boundaries are determined at the site- specific project level following national, regional, and forest direction. They are also delineated with strategic landscape features.

The TFETA was developed in response to discussions with the Tule River Indian Tribe and their concern over fires spreading to the Tule River Indian Reservation. The Tule River Indian Tribe of California is a federally recognized tribe, and as such it is the policy of the USDA to consult and coordinate with them on a government-to-government basis in compliance with Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) prior to making a decision. This land allocation was designed along the boundary with the Tule River Indian Reservation to not only protect the reservation and its watersheds, but also the objects of interest and watersheds in the Monument, from fires spreading from one to the other.

I find that this management direction will be effective in protecting the objects of interest, promoting resilient vegetation communities, and improving heterogeneity through ecological restoration and maintenance. This management direction will be effective in creating ecological conditions to regenerate sequoias and reduce the

threat of catastrophic fire throughout the giant sequoia ecosystem, while creating and implementing opportunities for scientific research, interpretation, and recreation. In addition to protecting the objects of interest and Monument ecosystems from uncharacteristically severe fire, fuels reduction activities in the WUI defense zone will help to protect human communities from wildland fires, as well as minimize the spread of fires that might originate in urban areas.

This alternative is expected to result in a full range of recreation opportunities, including dispersed camping, developed camping, education and interpretation, access for hikers and equestrians, trail related activities, and the use of off-highway vehicles on designated roads.

Alternative B retains all of the land allocations and standards and guidelines from the 2001 SNFPA, except where noted in order to ensure the protection of the objects of interest. In addition to existing management direction from the 2001 Sierra Nevada Forest Plan Amendment (2001 SNFPA) and the 1990 Mediated Settlement Agreement (1990 MSA), Alternative B includes new strategies, objectives, and standards and guidelines from the 2004 Sierra Nevada Forest Plan Amendment (2004 SNFPA) Supplemental EIS and ROD (Monument Plan, Part 2-Strategy, Strategies and Objectives). This alternative changes Forest Plan standards and guidelines by adding improved standards, modifying existing standards, and eliminating standards that are no longer needed (see the Monument Plan, Part 3, Standards and Guidelines).

Objects of Interest

- *The naturally-occurring giant sequoia groves and their associated ecosystems, individual giant trees, rare and endemic plant species such as the Springville clarkia, and other species listed as threatened or endangered by the Endangered Species Act (ESA), or sensitive by the Forest Service.*

Alternative B would replace the grove influence zones (GIZs) prescribed in the 1990 MSA with grove zones of influence (ZOIs). The ZOIs define a zone, based on the best available science, within which key ecological processes, structures, and

functions should be evaluated to ensure that the giant sequoia groves are preserved, protected, and restored. They include area outside the tree-line boundary of the groves as determined by terrestrial considerations, surface water drainage (watersheds), and the nearest stable stream channel.

In Alternative B, vegetation management focuses on reducing fuels by removing smaller trees in the Wildland Urban Intermix (WUI) zones. Ecological restoration of forested ecosystems would be accomplished by reducing fuels, improving stand resilience and health, promoting heterogeneity, and encouraging natural regeneration of giant sequoias and other species. In areas where natural regeneration is not likely, trees would be planted.

Application of the management tools to be used for ecological restoration (fuels reduction and vegetation management) in Alternative B is prioritized in the FEIS as:

1. Prescribed fire
2. Mechanical treatments
3. Managed wildfire (unplanned natural ignitions)

This ordering of management tools for Alternative B will not direct the order in which these tools will be considered or used in site-specific projects. These three tools can be used individually or in combination based on site-specific analysis and existing conditions. As made clear in Part 3 of the Monument Plan, whenever naturally-ignited wildfires occur and are available to manage for resource benefits, those managed wildfires will be used first for ecological restoration (see the Decision Tree in Part 3 of the Monument Plan).

Based on the strategies adopted in Alternative B, including the likelihood of moving from one tool to the next when the prior tool is unavailable or infeasible, I expect that, under full implementation of Alternative B, more acres will be treated using prescribed fire than with mechanical treatments. Fuels reduction in the WUI defense zone will focus on the smaller diameter ladder fuels.

- ***The ecosystems and outstanding landscapes that surround the giant sequoia groves.***

The proposed fuel reduction activities in the selected alternative are expected to reduce surface and ladder fuels, modifying fire behavior and resulting in fuel conditions that move toward the desired condition:

Fire occurs in its characteristic pattern and resumes its ecological role...Fire susceptibility and severity, and fire hazards to adjacent human communities and surrounding forest types, are low. The need to maintain fuel conditions that support fires characteristic of complex ecosystems is emphasized and allows for a natural range of fire effects in the Monument (Monument Plan, Part 1—Vision, Desired Conditions, Fire and Fuels).

The selected alternative will decrease fuel buildups and reduce the risk of uncharacteristically severe wildfires, which may threaten the objects of interest. It will be effective over the long term in restoring the desired fire characteristics of generally low susceptibility to stand-replacing fires and a more frequent and low-intensity fire return interval in fire-dependent ecosystems. This will lead to greater species diversity, a mosaic of tree sizes and ages, and therefore to landscapes that are more resilient and adaptable to environmental change.

The goal of protecting giant sequoia groves in the Monument from unusually severe wildfires includes the re-introduction of fire by utilizing prescribed fire and managed wildfire as tools to restore and conserve grove ecosystems. Giant sequoia groves can be protected from wildfire by altering fuel conditions inside of groves, altering fuel conditions outside of groves, or both (Stephenson 1996).

- ***The diverse array of rare animal species, including the Pacific fisher, the great gray owl, the American marten, the northern goshawk, the peregrine falcon, the California spotted owl, the California condor, several rare amphibians, the western pond turtle, and other species listed as threatened or endangered by the ESA, or sensitive by the Forest Service.***

Alternative B replaces the 2001 SNFPA standards and guidelines for the great gray owl and the

willow flycatcher with standards based on the 2004 SNFPA. The 2004 SNFPA includes management direction for these species that is adaptable to local site conditions, while carrying forward the protection measures set in place by the 2001 SNFPA. These standards and guidelines will protect key wildlife habitat.

In the selected alternative, fuel reduction activities will help protect wildlife habitat by reducing the likelihood of uncharacteristically severe wildfire, and snags will only be removed from burned forest for safety reasons or ecological restoration. This alternative uses a sound conservation strategy that balances the need for short-term protection and long-term sustainability of old forest habitat which supports important species such as the Pacific fisher and California spotted owl.

- ***The paleontological resources in meadow sediments and other sources that have recorded ecological changes in such markers as fire regimes, volcanism, vegetation, and climate.***

Effects on paleontological resources within meadow sediments are unlikely in the selected alternative. The standards and guidelines for hydrological and geological resources, including those for riparian conservation objectives, will protect paleontological resources within meadow sediments. The selected alternative includes the development of a cave management plan and site-specific standards and guidelines for cave management, including access to and closure of caves. These will include standards and guidelines for paleontological resources within caves which will help protect these resources.

- ***The limestone caverns and other geological features, including granite domes, spires, geothermally-produced hot springs and soda springs, and glacial and river-carved gorges.***

The selected alternative includes the protection and preservation of geological objects of interest, while enhancing interpretation and education, and allowing appropriate recreational use of these sites. This alternative includes the designation of the Windy Gulch Geological Area. A cave management plan will be developed for significant caves in this geological area.

- ***Cultural resources, both historic and prehistoric, which provide a record of human adaptation to the landscape and land use patterns that have shaped ecosystems.***

With the selected alternative, a Monument Cultural Resource Management Plan will be developed that emphasizes site identification and evaluation, recognition through national register nominations and landmark recommendations, education and outreach programs, continued traditional use by Native American people, and partnerships to develop cultural education programs. This plan will also emphasize:

- Scientific research of past human cultures and environments
- Using cultural resource data to understand the evolution of ecosystems
- Preserving and adaptively using historic structures in place wherever possible
- Preserving the integrity and character-defining features of historic districts

The Transportation Plan, as required by the Proclamation, is included in Part 4 of the Monument Plan. The current road system will generally remain intact, providing access for protection of communities and resources from wildfires, and also providing access to a broad spectrum of existing recreational opportunities. The road system will provide access for the Tule River Indian Reservation for the protection of their resources and culturally important sites and resources. The overall ecological condition of riparian areas will gradually improve as portions of roads or recreational sites that are inconsistent with the Aquatic Management Strategy are identified for restoration.

I understand that there is scientific uncertainty regarding the long-term effects of this management plan. Adapting our management strategies based on current and reliable monitoring data and scientific research is vitally important to sound resource management. Alternative B includes strategies and objectives for Scientific Study and Adaptive Management (Monument Plan, Part 2-Strategy, Strategies and Objectives), as well as a monitoring plan (Monument Plan, Part 3-Design Criteria, Monitoring and Evaluation). Monitoring

and evaluation are integral parts of the adaptive management cycle that will provide a framework to guide future management decisions and actions.

Wilderness Recommendations

My decision includes the recommendation from Alternative E to include approximately 15,110 acres of the Moses Inventoried Roadless Area in the Wilderness System. The 1990 MSA stipulated that a portion of the Moses Inventoried Roadless Area should be recommended:

Pending final disposition by the executive and/or legislative branches, the mapped portions of the Moses Roadless Area shall be...managed to preserve its wilderness character (USDA Forest Service 2007a, p. 70).

I am recommending this area after reviewing public comments and the evaluation that identifies its capability, suitability, and need. This area will be managed to protect its wilderness characteristics until Congress makes a decision on whether or not to designate it.

III. Issues

Twelve issues were identified during the scoping process. Six alternatives have been developed, described, and analyzed that respond to the issues. The issues are:

Issue 1—Recreation and Public Use

Recreation use and enjoyment of the Monument is increasing, resulting in competition between different types of public use and a greater need to protect the objects of interest.

Issue 2—Road and Trail Access

Maintain a road and trail system that provides safe access for a diversity of uses, while reducing impacts to sensitive resources and the objects of interest, and reducing conflict between different types of use (motorized/non-motorized).

Special Areas, including Special Interest Areas

In addition to the existing special areas in the Monument, which include designated wildernesses, wild and scenic rivers, backcountry (inventoried roadless areas), research natural areas, botanical areas, and scenic byways, my decision includes the designation of two Special Interest Areas. These areas are:

- Freeman Creek Botanical Area (4,190 acres)
- Windy Gulch Geological Area (3,500 acres)

These proposals, and my decision, include every addition of or amendment to special areas that was considered in the FEIS in any of the alternatives. In addition, the strategies and objectives for existing special areas are approved in this decision.

These areas will receive management emphasis for protection of the unique features for which they are designated. I am approving these areas based on the evaluations of forest staff, the stipulations in the MSA, and comments from the public.

Issue 3—Diverse Array of Wildlife and Their Habitats

Proposed fuel reduction and ecological restoration treatments may adversely affect the amount and distribution of wildlife species and their habitat, especially the Pacific fisher.

Issue 4—Fuels Management/Community Protection

Fuels reduction as proposed, to protect communities and the objects of interest in the Monument, may not be effective in terms of how much is treated and the kinds of treatments used.

Issue 5—Tree Removal

There is considerable and meaningful debate about the conditions under which trees need to be cut, and about when and in what form a tree should be removed from the Monument, for ecological restoration.

Issue 6—Methods for Sequoia Regeneration

There is ongoing debate about the methods that would successfully promote the regeneration, establishment, and growth of giant sequoias.

Issue 7—Fires Spreading to Tribal Lands

A large wildfire spreading to the Tule River Indian Reservation from the Monument could result in irreversible damage to the tribe's watershed resources and community.

Issue 8—Obligation to Analyze MSA under NEPA

Bring forward and implement the agreements set forth by the MSA, analyzing the effects in the NEPA process.

Issue 9—Manage the Monument Like Sequoia and Kings Canyon National Parks

Since this federal land is now a national monument, it should be managed like a national park, in particular like Sequoia and Kings Canyon National Parks.

Issue 10—Convene a New Scientific Advisory Board

A new Scientific Advisory Board should be convened for the current planning process as stipulated by the President Clinton proclamation.

Issue 11—Tribal Access to and Protection of Cultural Sites

Resource management activities and increased public use could negatively affect tribal member access to traditional sites and the cultural resources in the Monument.

Issue 12—Livestock Grazing

Grazing by livestock can be harmful to monument ecosystems and, in particular, to meadow and riparian ecosystems.

IV. Alternatives

Six alternatives were developed and analyzed in order to determine the best combination of desired conditions, strategies, objectives, and standards and guidelines to resolve the issues. All of the alternatives are aimed at achieving the desired vegetative conditions and explore different strategies for achieving the desired conditions. Since the alternatives are focused on ecological restoration rather than targeted resource outputs, they do not vary in the traditional sense. They do explore various strategies (including no change) to protect and care for the objects of interest and achieve desired conditions over time.

Alternative A: This is the No-Action Alternative that is required by NEPA. No action means no change in management direction. The effects of on-going activities reflecting the day to day operation of the Monument will be analyzed in this alternative and used as a baseline for the analysis of the effects of the rest of the alternatives.

Alternative B: This is the proposed action, developed to specifically comply with the presidential proclamation. Strategies are modeled and analyzed that are responsive to issues focused on recreation and public use, fire and fuel management/community protection.

Alternative C: This alternative is designed to manage the Monument using strategies for ecological restoration that are employed to manage Sequoia and Kings Canyon National Parks (SEKI).

Alternative D: This alternative includes strategies that focus on the use of natural disturbance processes such as wildfire to manage the Monument.

Alternative E: This alternative is designed to manage the Monument as guided by the Mediated Settlement Agreement (MSA).

Alternative F: This alternative focuses on a more flexible range of management tools to promote ecological restoration and maintenance, and forest health, and achieve the desired conditions in less time.

V. Public Involvement

The need for this action was declared in the presidential proclamation which established the Giant Sequoia National Monument in April 2000 (Clinton 2000). The original proposal to amend the 1988 Forest Plan was listed in the Notice of Intent that was published in the *Federal Register* on June 8, 2001. The proposed action was provided to the public and other agencies for comment during the scoping period conducted from June 8 to July 24, 2001. The Forest Service held public meetings on the proposed action in July 2001, meetings with two groups on the roads analysis process in February 2002, and public meetings on the development of alternatives to the proposed action in March 2002.

The initial draft environmental impact statement (DEIS) was released for public comment in December 2002, with the comment period running from December 2, 2002 to March 17, 2003. The Forest Service held public meetings to review, discuss, and comment on the DEIS in February 2003.

In January 2004, the final environmental impact statement (FEIS) and Record of Decision were published and signed into effect. Two lawsuits were filed challenging the decision. In October 2006, Federal District Court Judge Charles Breyer permanently enjoined implementation of the 2004 decision and remanded the plan to the Forest Service.

After the plan was remanded to the Forest Service, the Sequoia National Forest's forest supervisor restarted the planning process. A third-party facilitator led meetings of people interested in recreation management from December 2007 to June 2009. These meetings resulted in the formation of a working group that later became the Giant Sequoia National Monument Association. Other public meetings focusing on ecological restoration and

fuels and vegetation management strategies were held from May to November 2008. During 2008 and 2009, several decision support tools were evaluated, including the Strategic Decision Support (SDS) model and the Multi-Criteria Decision Support (MCDS) model. Two websites were developed for public input, one for the MCDS and one for comments on the Proclamation and the Scientific Advisory Board advisories.

On March 18, 2009, a new Notice of Intent and scoping letter were issued with a proposed action for public comment. During the 45-day scoping period, a website was provided as another method to provide comments on the proposed action. The Values and Interest-Based Explorer (VIBE) website, a version of the MCDS model, was also available to the public during the scoping period. Four public workshops were held in April 2009 to discuss giant sequoia grove management.

From November 2008 through May 2009, the Sequoia National Forest conducted a comprehensive review to determine which of the provisions of the MSA have already been addressed or incorporated in the Forest Plan as amended. This review concluded that a number of provisions were never fully incorporated into the Forest Plan. On April 13 and May 19, 2009, meetings were held with the appellants who were parties to the MSA to discuss which provisions may be applicable to the Monument.

The draft environmental impact statement (DEIS) and draft Monument Plan were released for public comment on August 6, 2010. This comment period ran to December 3, 2010. Another round of public meetings was held in September and October 2010 to discuss the layout and organization of the documents, to understand the documents and identify the

information most important to the public, and to give the public ample opportunity to speak with planners and the interdisciplinary team.

In order to fully involve people in the process of developing a management plan for the Monument, the Sequoia National Forest offered opportunities for interested people to engage in a collaborative process intended to help facilitate its development and to analyze an appropriate range of alternatives.

VI. Identification of the Environmentally Preferred Alternative

NEPA regulations require agencies to specify the alternative or alternatives which were considered to be environmentally preferable (40 CFR1505.2 (b)). Forest Service policy (FSH 1909.15, Section 05) defines environmentally preferable as:

An alternative that best meets the goals of Section 101 of NEPA... Ordinarily this is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources.

Although the Act itself does not define the environmentally preferred alternative, it does suggest national environmental policy (42 USC, Section 4331, Sec. 101 (b)). That policy calls for the continuing responsibility of the federal government to use all practicable means to improve and coordinate plans, functions, programs, and resources so that the nation may:

1. Fulfill the responsibilities of each generation as trustees of the environment for succeeding generations.
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our natural heritage and maintain,

Traditional and non-traditional approaches have been used that encourage iterative discussion, ensure that the planning process is transparent, and make certain that ideas presented for consideration are legal, fair, and practical. The collaborative process places an emphasis on understanding the complexity of the issues and the strategies that may be employed to resolve them, rather than on total agreement on the resolution of individual issues.

wherever possible, an environment, which supports diversity and variety of individual choice.

5. Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Given these criteria, I am identifying Alternative B as the environmentally preferred alternative. This finding is based upon the comprehensive balance that this alternative provides for 1) reducing the risk of catastrophic wildfire to communities and valuable resources such as giant sequoia groves, wildlife habitat, and other objects of interest, and 2) restoring important ecological processes and forest structures such as a more natural fire regime, a mosaic of tree species, ages, and sizes for wildlife habitat, and giant sequoia regeneration.

It is my assessment that Alternative B best meets the goals and the substantive requirements of Section 101 of NEPA. Alternative B will ensure the future health of the land by providing appropriate strategies, objectives, standards and guidelines, and management tools to:

- Protect and preserve the unique features of the Monument consistent with the requirements of the Proclamation
- Restore and maintain natural ecological processes
- Provide key resources and opportunities for public use within the Monument

- Reduce fuel loads and improve wildlife habitat
- Replace the multiple and confusing levels of current management direction with a single comprehensive management plan

Alternative B includes those uses appropriate to the Monument such as dispersed and developed recreation and livestock grazing. The design criteria in Part 3 of the Monument Plan, including the standards and guidelines, will be used to guard against undesirable and/or unintended outcomes.

This Record of Decision has discussed the decision process and the rationale for the decision. The current

management direction for the Sequoia National Forest and the Monument is a complicated web of confusing direction that is difficult to follow and even more difficult to understand. The selected alternative addresses the protection of the objects of interest, including plant and animal species and their habitat, the demand for human uses, and the critical need for fuels reduction, so it makes sense for the Monument. The evaluation process that I have described in the previous Rationale for the Decision section includes the evaluation of net public benefit, the key factors, and the attributes and advantages that cause Alternative B to stand out, in my mind, as environmentally preferable.

VII. Findings Required by Other Laws & Regulations

This decision to implement Alternative B, with additional elements analyzed in other alternatives, is consistent with the requirements of the National

Forest Management Act and the National Environmental Policy Act as amended, and other procedural requirements.

VIII. Diversity and Viability

The National Forest Management Act (NFMA) requires the Secretary of Agriculture to specify:

Guidelines for land management plans developed to achieve the goals of the [RPA] Program which provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives [16 U.S.C. 1604(g)(3)(B)].

The 1982 planning process utilized in this Monument Plan implements this provision of the NFMA by maintaining sufficient fish and wildlife habitat in the planning area to support viable populations of existing native and desired non-native vertebrate species. This Plan incorporates applicable analysis and management direction from the Sequoia National Forest Plan and its FEIS, as amended by the 2001 Sierra Nevada Forest Plan Amendment (SNFPA) and its FEIS, including the viability analyses and conclusions contained therein. Moreover, the specific analyses provided in the environmental documents for this Plan support my conclusion that this Plan is in compliance with the NFMA and the relevant 1982 planning process.

Among the desired conditions established in this Plan for the Monument is that “Lands in the Monument continue to provide a diverse range of habitats that support viable populations of associated vertebrate species, with special emphasis on riparian areas, montane meadows, and late successional forest... Old forest habitat is in suitable quality, quantity, and distribution to support viable populations of late successional dependent species, including Pacific fishers, American martens, California spotted owls, northern goshawks, and great gray owls” (Monument Plan, Part 1—Vision, Desired Conditions, Wildlife and Plant Habitat).

The planning process for the Monument relied, in part, on assessments completed pursuant to the 2001 SNFPA that made risk projections regarding the ecological conditions that are necessary to maintain viable populations of vertebrate species well distributed throughout their range under full implementation of the SNFPA. The Monument Plan Strategy (including strategies and objective and land allocations/management areas) in Part 2 of the Plan, Design Criteria (including the standards and guidelines, and monitoring and evaluation procedures)

in Part 3 of the Plan, the Partnership Strategy in Appendix E, and the Transportation Plan in Part 4, were all designed to contribute sufficient habitat to support viable populations of these species. The strategies, objectives, and standards and guidelines, in particular, are designed to achieve the desired conditions for the Monument. The standards and guidelines include requirements to be met in and design criteria for site-specific projects that will help meet the strategies and objectives and achieve the desired conditions. I am confident that compliance with the standards and guidelines outlined in Part 3 of the Monument Plan will not lead to a loss of viability of vertebrate species at the Sequoia National Forest level.

In reaching this conclusion, I considered existing and reasonably foreseeable conservation measures and factors under Forest Service authority or control. As we have learned in decades of planning, even as we have considered the best available scientific information, we cannot guarantee outcomes. Fire, drought, windstorms, and other phenomena can occur at times and in ways we cannot predict. Nonetheless, I believe that this Plan provides direction so that, to the extent the Forest Service can maintain necessary habitat, it will do so.

In addition to the strategies and objectives, land allocations/management areas, standards and guidelines, and other guidance that are part of my decision, I looked at other measures that will affect species' conservation, including implementation of internal policy directives (like the Forest Service's Sensitive Species program) and additional protections that can be taken during project planning. Moreover, interagency efforts may identify additional conservation measures through inventory and monitoring, or other sources of new information relative to species conservation.

Based on my review of the environmental consequences identified in the record, including the FEIS, Biological Assessment (BA), Biological Evaluation (BE), and Management Indicator Species (MIS) Report, I believe that the management strategies described in this Record of Decision for Alternative B will conserve habitat within the Monument, while also meeting the requirements of the Proclamation, managing the demands associated with the projected levels of human population growth, and managing the risks of wildland fire. I expect this decision to fully comply with the diversity of plant and animal community provisions of NFMA and the 1982 planning process.

IX. Environmental Justice

Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Population" requires that federal agencies make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of their

programs, policies, and activities on minority populations and low-income populations. As concluded in the FEIS, no disparate or adverse effects are identified to groups of people identified in Civil Rights Statutes or Executive Order 12898 (Environmental Justice) from the Proposed Action.

X. Civil Rights

Civil rights are defined as "the legal rights of United States citizens to guaranteed equal protection under the law" (USDA Forest Service Manual 1730). A civil rights impact analysis for environmental or natural resource actions is a necessary part of the social impact analysis package in an environmental impact statement and is not a separate report (USDA Forest Service Handbook 1709.11).

The Forest Service is committed to equal treatment of all individuals and social groups in its management programs in providing services, opportunities, and jobs. Because no actual or projected violation of legal rights to equal protection under the law is foreseen for any individual or category of people, no civil rights impacts are reported in the FEIS.

XI. Implementation

I am providing the following transition direction to ensure the orderly implementation of the forest plan amendment that is made in this Record of Decision. My intention is to provide for ecological restoration of processes and to enhance long-term ecological integrity, assure the most efficient and appropriate use of government resources, minimize costs to holders of existing government contracts and permits, avoid disruptions to local communities, and reduce the likelihood of confusion. I have considered and balanced each of these concerns in making my decision to issue this direction.

The Monument Plan, which amends the land management plan for the Sequoia National Forest, becomes effective 30 days after publication of the notice of availability of the FEIS in the *Federal Register*. The new direction will apply to all project decisions in the Monument made on or after the effective date of this decision. The new direction

does not apply to any projects that have had decisions made prior to the effective date of this decision. Projects currently under contract, permit, or other authorizing instrument are not affected by the decision; however, projects may be modified to adopt all or part of this direction where Forest Service managers deem appropriate. Re-issuance of existing authorizations will be treated as new decisions, which must be consistent with the new direction described in the forest plan amendment.

The forest plan amendment provides the strategic framework within which project-level decisions are designed and implemented. As noted above, all projects in the Monument for which a decision has not been made prior to the effective date of this decision must be consistent with the new direction of this plan amendment. This amendment does not provide final authorization for any activity, nor does it compel that any contracts or permits be advertised or awarded.

XII. Appeal Rights

This decision is subject to administrative appeal in accordance with the provisions of 36 CFR 219.17(b) (3) of the current NFMA regulations (77 FR 21260, 21270, April 9, 2012), which allow for use of the optional administrative appeal procedures in the prior planning regulations. Under the transition provisions of the reinstated 2000 Planning Rule (36 CFR 219.35(b) and 219.35 (Appendix A) [2010]), the responsible official may elect to use the administrative appeal procedures for land management plans and amendments approved during the planning rule transition period. A written Notice of Appeal must be filed within 90 days of the date the legal notice of this decision is published in the *Porterville Recorder* and *Sacramento Bee*.

The administrative appeal procedures for this plan amendment can be found at <http://www.fs.fed.us/emc/applit/includes/PlanAppealProceduresDuringTransition.pdf>, or by requesting them from the Pacific Southwest Regional Office of the Forest Service. Section 8 of these procedures explains that it is the responsibility of the appellant to file the notice of appeal on or before the last day of the filing period.

The appeal must be filed with the Chief of the Forest Service and contain sufficient narrative evidence and argument to show why this decision should be changed or reversed. At a minimum, the written notice of appeal must:

1. State that the document is a Notice of Appeal filed pursuant to 36 CFR 219.35, Appendix A;
2. List the name, address, and telephone number of the appellant;
3. Identify the decision about which the requester objects;
4. Identify the document in which the decision is contained by title and subject, date of the decision, and name and title of the deciding officer;
5. Identify specifically that portion of the decision or decision document to which the requester objects;
6. State the reasons for objecting, including issues of fact, law, regulation, or policy, and, if applicable, specifically how the decision violates law, regulation, or policy; and

7. Identify the specific change(s) in the decision that the appellant seeks (54 FR 3357, Jan. 23, 1989, as amended at 55 FR 7895, Mar. 6, 1990; 56 FR 4918, Feb. 6, 1991).

Appeals must be filed with the Chief of the Forest Service at any of the following addresses:

For delivery by the U.S. Postal Service

USDA Forest Service
Attn: EMC Appeals
Mail Stop 1104
1400 Independence Avenue, SW
Washington, D.C. 20250-1104

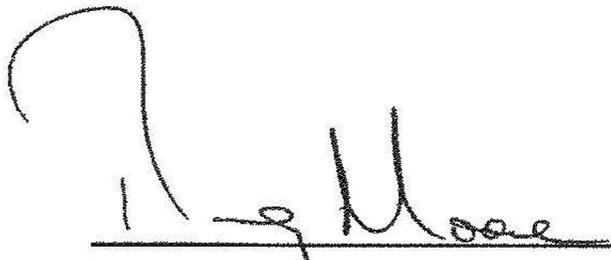
For delivery by private carrier or hand delivery*

USDA Forest Service
Ecosystem Management Coordination
Attn: Appeals
Yates Bldg., 3CEN
201 14th St., SW
Washington, D.C. 20250

Main phone**: (202) 205-0895
Fax: (202) 205-1012
E-mail: appeals-chief@fs.fed.us

*Appeals may be hand delivered to this address between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding federal holidays.

**The main phone line can be used for carrier deliveries. This number is staffed during regular business hours.



RANDY MOORE
Regional Forester, Responsible Official
Pacific Southwest Region
USDA Forest Service

August 8, 2012
Date



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