

**Decision Notice
and
Finding of No Significant Impact**

Roundhill Fuel Reduction Project

USDA Forest Service
Lake Tahoe Basin Management Unit
Douglas County, Nevada

Background

In 2000, in response to a request by President Clinton, the Secretaries of Agriculture and of Interior developed an interagency approach to respond to severe wildland fires, reduce their impacts on rural communities, and ensure sufficient firefighting capacity in the future. A strategy was outlined to reduce wildland fire threats and restore ecosystem health in the interior West. The strategy built on the premise that within fire-adapted ecosystems, reducing fuel levels and using fire at appropriate intensities, frequencies, and time of year, is key to restoring healthy resilient forest conditions sustaining natural resources and providing for public safety. The strategy resulted in the development of the National Fire Plan. This plan addresses five key points that include the following: Firefighting; Rehabilitation and Restoration; Hazardous Fuels reduction; Community Assistance; and Accountability. Reduction of hazardous fuels in the WUI is the essential focus of the plan, particularly in dense forest stands resulting from decades of fire exclusion. The Roundhill Fuel Reduction Project is proposed in response to the fuel reduction element in the National Fire Plan and will reduce hazardous fuels in and around the communities of Round Hill, Zephyr Cove, Kingsbury, Chimney Rock, Skyland, Lakeridge, and Logan Shoals. This project will apply only to National Forest Lands within the LTBMU within the project area. While the project reduces fuel loading in areas of WUI, the fire hazard would only be reduced up to private land boundaries, and cannot eliminate the threat to structures on private lands. To reduce fire hazard on private lands, private landowners will need to assess fire hazards and treat their lands in tandem with the fuel reduction treatments in the Roundhill project.

In the fall of 2007, the Ninth Circuit Court enjoined the USDA Forest Service from using categorical exclusion category 10. Previously, this project had used that category to issue a decision memo. Rather than postponing this project, the Forest Supervisor decided to document the NEPA process in an Environmental Assessment (EA) and re-issue a decision under a Decision Notice/Finding of No Significant Impact (DN/FONSI). The timing of the court injunction, the fire risk involved, and the non-controversial nature of this project (no substantive comments were received during the 30-Day comment period provided for the preliminary Decision Memo from July 20, 2007 to August 19, 2007) were all considered in this decision. The proposed action and project design features have not changed from the one outlined in the previously issued Decision Memo (Signed September 6, 2007, Exhibit A1, project record).

Decision

Based on the Environmental Assessment (EA) and the Finding of No Significant Impact (FONSI), it is my decision to implement Alternative 1 as follows:

- Use ground-based equipment to mechanically harvest 296 acres, with follow-up biomass removal and chipping or mastication. Underburn approximately 120 acres of the mechanically harvested stands. Approximately 3 acres will be mechanically harvested from SEZ.
- Hand thin on about 645 acres. Of these hand thinned stands, approximately 174 acres may receive underburning as a follow-up fuels treatment.
- Hand pile and burn or chip/masticate to reduce or re-arrange surface fuels on approximately 11 acres. No thinning is prescribed for these stands, only fuels treatments.
- Thin heavier in two stands with higher levels of dwarf mistletoe, Stands (X) and (Y), and follow-up with understory planting of dwarf mistletoe resistant species in the spring following vegetation and fuels treatments.
- Construct 300 feet of new temporary roads.
- Utilize approximately 8700 feet of non-system roads as temporary roads for the project.
- Utilize approximately 11 landings for Cut-to Length (CTL) and Commercial Fuel Wood Sale (CFS) treatments and 4 landings for Whole Tree treatments.

My decision is based on and supported by the analysis presented in the EA and the supporting documents contained in the Project Record¹. The EA fulfills the requirements of the National Environmental Policy Act (NEPA) at the site specific level. This project is consistent with the Lake Tahoe Basin Management Unit (LTBMU) Land and Resource Management Plan (LRMP) (Project Record Document F1).

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative in detail (Alternative 2, No Action, EA pages 10; 16-29, in which no treatments would be implemented).

Public Involvement

The LTBMU listed the proposed action on the Internet web page's Schedule of Proposed Actions (SOPA) beginning on July 1, 2006 and every quarter since. A Forest Service news release was distributed on March 19, 2007 to local media, individuals, and local agencies. In addition, copies of the Roundhill Fuel Reduction Project proposed action and maps have been posted on the LTBMU external public website since March 19, 2007. A scoping letter and project area map was sent out to 45 residents, groups, and agencies on March 20, 2007. Six emails, letters and phone calls were received in response to this mailing. A meeting with TRPA, local Fire Safe

¹ Project Record is on file at the Lake Tahoe Basin Management Unit Supervisor's Office.

Councils, the League to Save Lake Tahoe and others occurred on April 5, 2007 at the Tahoe Douglas Fire Station to discuss the proposed action. A total of twelve individuals from the public along with six members of the project interdisciplinary team attended. At the meeting and during the scoping period the project proposed action received a support from those that attended.

The Federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes reserved rights are protected. Consultation with tribes helps insure that these trust responsibilities are met. The government-to-government consultation was initiated (Scoping Letter, March, 2007, exhibit C2, project record) and no response was received. The intent of this consultation has been to remain informed about Tribal concerns. No traditional cultural properties concerns were identified for this project.

A scoping summary was prepared for this scoping process: this report is available in exhibit D of the project record. The scoping summary report summarizes the comments received during the public scoping process and presents LTBMU's responses to the comments. The scoping process identified public comments associated with the Proposed Action and was used by the LTBMU to determine areas where additional assessment, information, or clarification will be necessary to address public concerns.

A comment period was provided pursuant to the July 2, 2005, order issued by the U. S. District Court for the Eastern District of California in case *Earth Island Institute vs. Ruthenbeck*. The comment period started July 20, 2007 and ended August 19, 2007. No substantive comments were received during the comment period. Comments received are available in exhibit E of the project record.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action (see EA page 17).
2. There will be no significant effects on public health and safety, because the project will not exceed federal, state, and regional ambient air standards and public notification of prescribed burning activities will take place (see EA page 17).
3. There will be no significant effects on most unique characteristics of the area, because unique characteristics or ecologically critical areas such as park lands, prime farmlands, wetlands, wild and scenic rivers are not located in the project area (see EA page 17).
4. The effects on the quality of the human environment are not likely to be highly controversial, because similar projects have been implemented in the Lake Tahoe Basin in the past (see EA page 18).

5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA page 18).
6. The action is not likely to establish a precedent for future actions with significant effects because future actions will be analyzed with additional environmental documentation (see EA page 18).
7. There are no known significant cumulative effects between this project and other ongoing or planned projects in or adjacent to this project. The effects of other foreseeable future actions as well as past actions and ongoing actions were included in the analysis (see EA pages 19-24).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (see EA page 24).
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, because no suitable foraging, nesting, spawning, or germination habitat is present in the project area, or because the species does not currently occur there (see EA pages 24-25).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA pages 25-29). The action is consistent with the Lake Tahoe Basin Management Unit Land and Resource Management Plan (see EA page 25).

Findings Required by Other Laws and Regulations

See response to significance factor number 10, above.

Implementation Date

Since no comments were received during the 30-Day Comment Period, implementation of the decision may occur on, but not before, five business days from the date of this decision.

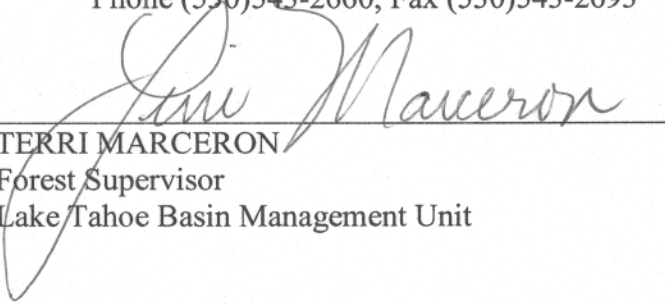
Administrative Review or Appeal Opportunities

This decision is not subject to appeal pursuant to 36 CFR 215.12 because no comments were received.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact:

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TERRI MARCERON
Forest Supervisor
Lake Tahoe Basin Management Unit

2/27/08
DATE