

**DECISION MEMO**  
**Fender Hazardous Fuels Reduction – Underburning Project**

USDA Forest Service  
Warner Mountain Ranger District, Modoc National Forest  
Modoc County, California

**DECISION**

It is my decision to implement the Fender Hazardous Fuels Reduction-Underburning Project within approximately 450 acres near Fender Flat, Modoc County, California T45N, R14E, Sections 3, 4, 33 and 34 MDB&M (see attached Vicinity and Treatment Area maps). This project implements direction contained in the 1991 Modoc National Forest Land and Resource Management Plan (LRMP) as amended by the 2004 Sierra Nevada Amendment.

The primary purpose and need for this project is to decrease surface and ladder fuels within previously thinned stands in the wildland-urban intermix (the project area lies entirely within the Wildland-Urban Intermix Threat Zone). A secondary purpose and need is to increase forage for wildlife and cattle. Underburning will occur when weather, soil, and vegetation moisture conditions are conducive to a prescribed burn.

The project is located near the community of Davis Creek, in Modoc County, California, within the aboriginal territory of the Hewise Band of the Pit River Tribe. The stands are comprised of pine and juniper. No trees will be cut in this project.

Since 2002, the Forest Service has had numerous discussions with various Davis Creek community members on priorities for hazardous fuels reductions in this area. Several landowners are working on grants under the Community Protection Program for further hazardous fuels treatments in the area where their private land abuts National Forest lands. On January 13, 2004, the Proposed Action was presented at a community meeting. The community expressed strong support for these projects and indicated they fit in well with other on-going and proposed public and private hazardous fuels projects. The Forest Service also collaborated with tribal representatives to ensure that the project protected archeological sites, treaty rights and tribal uses.

The Fender Hazardous Fuels Reduction – Underburning Project was planned concurrently with the Briles Bald Eagle Habitat Improvement Project and Fender Juniper Thinning projects. The three projects were analyzed separately and together to ensure that the projects together did not have potential significant adverse cumulative effects. Together, the projects do have beneficial cumulative effects. While these projects are related in that they all will contribute to meeting similar resource objectives, each one could occur independent of the others (see project file).

- Prescribed burning will be applied to reduce the duff and litter layer, consume fine fuels and prune up lower branches of trees. These prescriptions will consume enough surface fuels to reach the loading of five tons per acre while leaving coarse, woody debris on-site consistent with the amended Modoc National Forest Plan.
- Hand lines will be constructed around the perimeters of the archaeological properties as needed to prevent the fire from burning over.

- Should the discovery of previously unknown heritage resources occur during the course of project implementation work must be halted in that area. The Forest Archaeologist must be contacted immediately to assess the nature of the discovery and make appropriate protection and management recommendations in consultation with the State Historic Preservation Office.
- Riparian Conservation Areas designated on the project area map and will not be entered.

### **CATEGORICAL EXCLUSION**

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment based on criteria within Forest Service Handbook 1909.15 Section 31.2. This project falls under Category 10, Hazardous Fuels Reduction activities using prescribed burning, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres.

This project will use prescribed burning methods and will occur on well under 4,500 acres. Riparian Conservation Areas and some archaeological sites will not be treated within the 450-project area.

Category 10 has several other criteria for use:

1. Projects under Category 10, “Shall be limited to areas in (1) Wildland-urban Intermix and if outside the wildland urban Intermix, limited to (2) Condition Classes 2 or 3 in Fire Regime groups I, II, and III;” The project area lies entirely within the Wildland-urban Intermix area surrounding Davis Creek community. The area is in Condition Class 3 in Fire Regime Group I and III.
2. Projects under Category 10, “Shall be identified through a collaborative framework as described in ‘A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-year Comprehensive Strategy Implementation Plan’; The project was identified through collaboration with the Modoc County Resource Advisory Committee, the Davis Creek community, designated Representatives of the Hewise Band of the Pit River Tribe, and environmental groups (California Coalition for Alternatives to Pesticides, Klamath Forest Alliance), along with other interested people. Interagency collaboration occurred with the United States Fish and Wildlife Service and the State Historic Preservation Office.
3. Projects under Category 10, “Shall be conducted consistent with agency and Departmental policies and applicable land and resource management plans”; the project record demonstrates consistency with all applicable standards and guidelines from the LRMP.
4. Projects under Category 10, “Shall not be conducted in wilderness or impair the suitability of wilderness study areas”; No wildernesses or wilderness study areas will be affected.
5. Projects under Category 10, “Shall not include the use of pesticides or herbicides or construction of roads or permanent infrastructure”; this project does not include any pesticides or herbicides or road construction of any kind.
6. Projects under Category 10, “Permits the sale of vegetative material if the primary purpose is fuels reduction.” No sale of vegetative material is associated with the Fender Underburning project.

The Forest Service has found that projects like this one do not have significant adverse effects on the environment providing there are no extraordinary circumstances as defined in the Forest Service Handbook 1909.15.

This project does not have any adverse effects on threatened or endangered species. A Biological Assessment prepared for threatened and endangered species resulted in a “no impact” determination for threatened and endangered species. Biological Evaluations prepared for sensitive species resulted in a “no impact” for all sensitive species. All potential effects are minimized through adherence to standards and guidelines, operating season limitations, and specific prescription elements.

No wilderness, roadless areas, or impaired waters will be affected by the project. Wetlands will be protected via compliance with the LRMP.

Archaeological, cultural, and historic sites will be protected from adverse effects. The State Historic Preservation Office (SHPO) concurred that this would be a “no effect” undertaking on historic properties or other sites. Government to government consultation with American Indian tribes has also occurred.

### **PUBLIC INVOLVEMENT**

The project was developed via a collaborative effort including the Modoc County Resource Advisory Committee, the Davis Creek community, designated Representatives of the Hewise Band of the Pit River Tribe, and environmental groups (California Coalition for Alternatives to Pesticides, Klamath Forest Alliance), along with other interested people. Interagency collaboration occurred with the United States Fish and Wildlife Service and the State Historic Preservation Office.

National Environmental Policy Act (NEPA) analysis was initiated on this project in April 2003, along with two additional adjacent projects (Briles Bald Eagle Improvement and Fender Juniper Thinning). The “Briles-Fender” projects were placed on the Schedule of Proposed Actions and the public was invited to provide scoping input via a letter about the projects. The projects were developed partly in response to the desires of the Davis Creek community for fuels reduction in the area and partly because of the need for improved bald eagle habitat (these objectives are compatible).

Scoping revealed that the public concurs with the objectives of the Fender Hazardous Fuels Reduction Underburning project. The project file provides specificity about the project and its effects.

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

This decision is consistent with the LRMP, the National Forest Management Act, and other applicable laws.

### **IMPLEMENTATION DATE**

This project can be implemented immediately, subject to the Limited Operating Period.

## **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

Under 36 CFR 215, this decision is not subject to appeal.

### **CONTACT PERSON**

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

Edith Asrow, District Ranger, Warner Mountain Ranger District, P.O. 220, Cedarville, CA 96104, (530) 279-6116, [eamrow@fs.fed.us](mailto:eamrow@fs.fed.us)

### **Signature and Date**

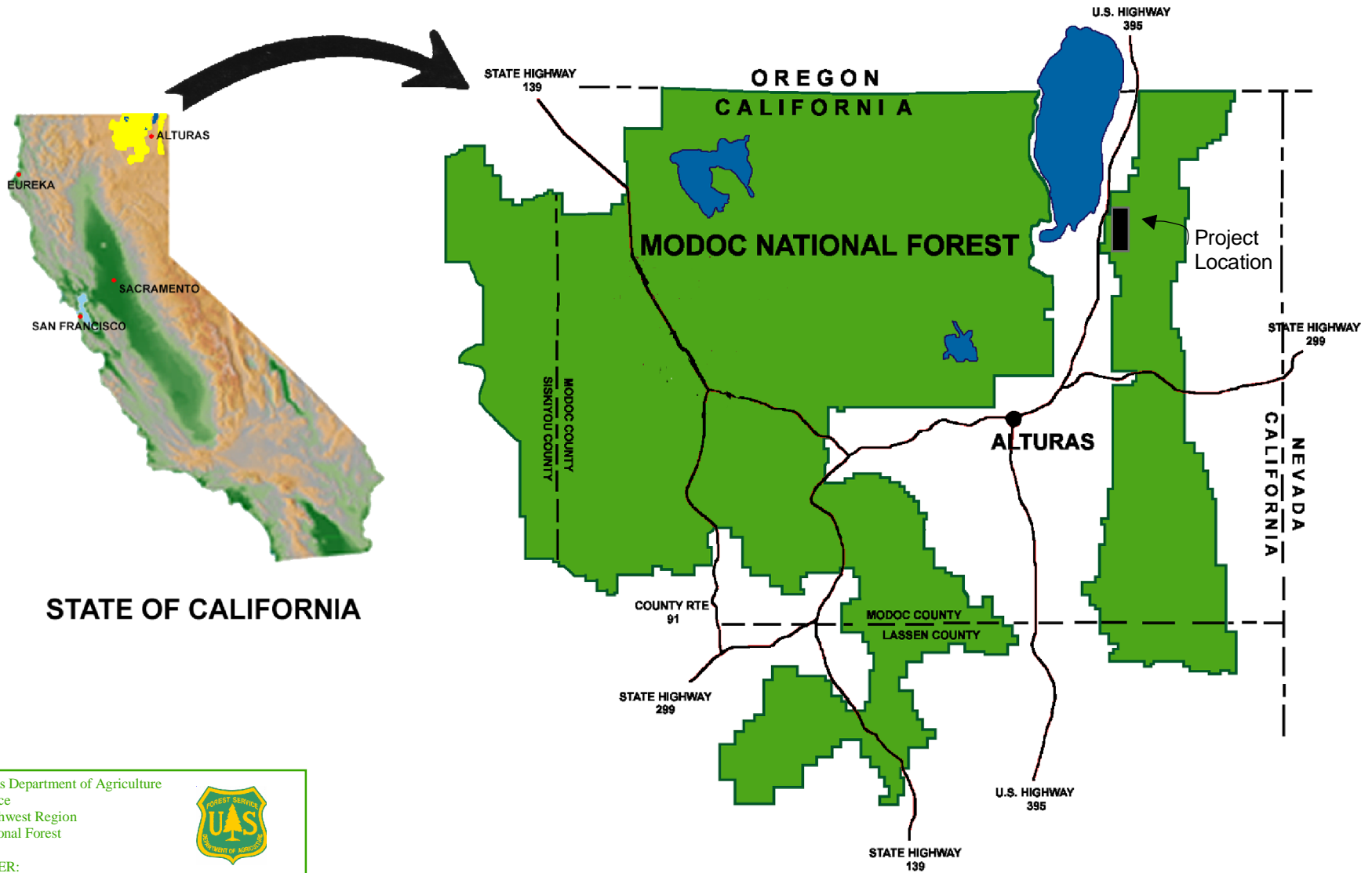


EDITH S. ASROW  
District Ranger

April 12, 2004  
Date

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# Project Vicinity Map



STATE OF CALIFORNIA

United States Department of Agriculture  
Forest Service  
Pacific Southwest Region  
Modoc National Forest



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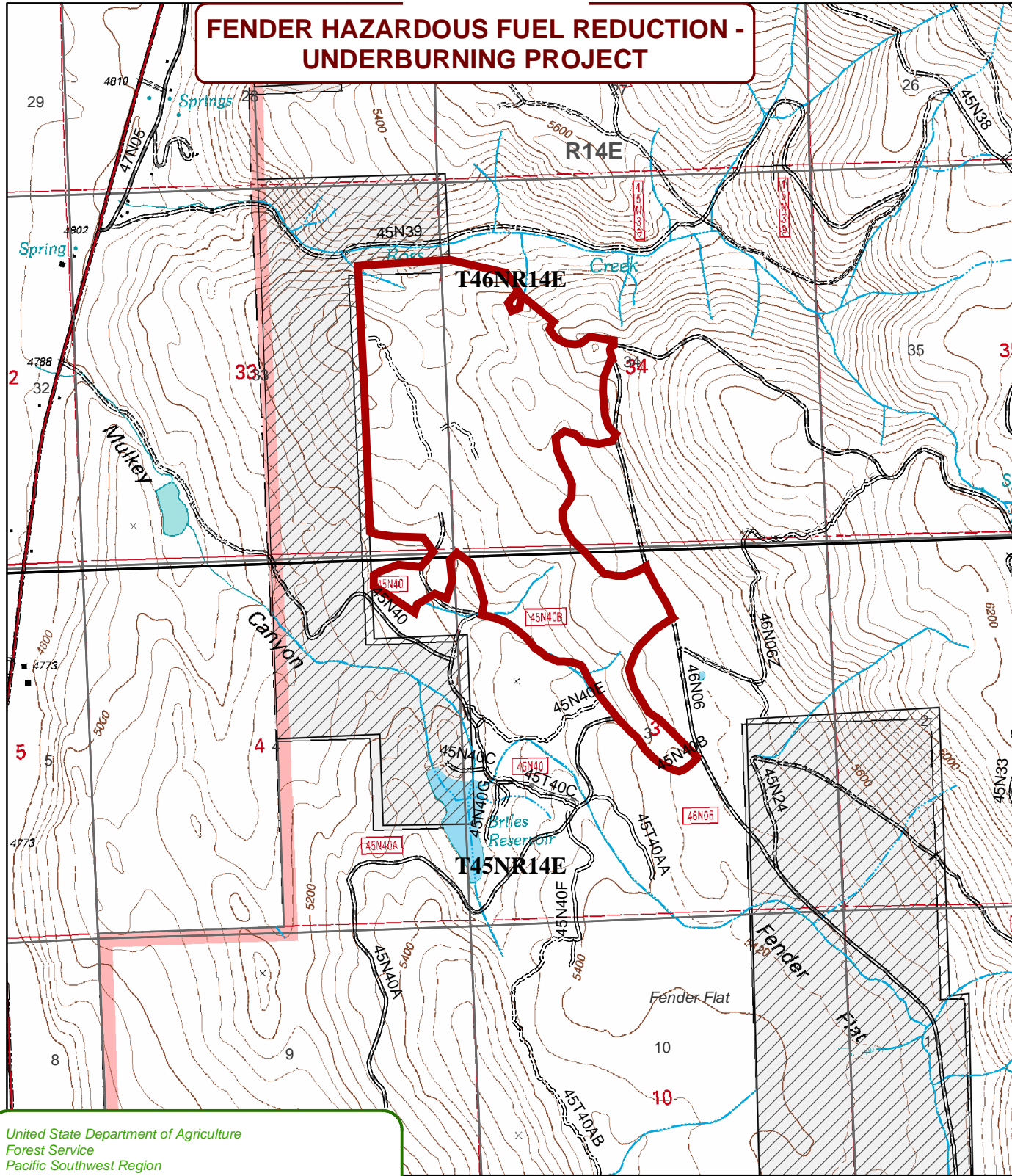
This map was prepared using Modoc National Forest databases as of January 2004.

R.L. 12/96



Task-WM-01


# FENDER HAZARDOUS FUEL REDUCTION - UNDERBURNING PROJECT

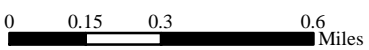


United State Department of Agriculture  
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 Proposed Treatment Area



1:24000

