

**DECISION MEMO**  
**WHITAKER PEAK**  
**CONDOR HABITAT IMPROVEMENT PROJECT**

**SANTA CLARA/MOJAVE RIVERS RANGER DISTRICT**  
**ANGELES NATIONAL FOREST**  
**LOS ANGELES COUNTY, CALIFORNIA**

**BACKGROUND**

The Santa Clara/Mojave Rivers Ranger District of the Angeles Forest is proposing to improve habitat conditions for the federally endangered California condor (*Gymnogyps californianus*) in the Whitaker Peak area to comply with the Endangered Species Act and the Forest Land Management Plan of 2005.

During the breeding season, adults are known to ingest garbage and return to the nest where they then regurgitate it to feed the chicks in the nest. Because the chicks are unable to regurgitate this garbage the way their adult parents do, it accumulates in their stomachs and causes death. Micro-trash is the leading cause of chick mortality in southern California.

In 2006 and again in 2007, the Whitaker Peak area was burned in the Day Fire and Ranch Fire. The fires removed vegetation and made the micro-trash more visible. This has put the condors at a higher risk. Since this is now the breeding season for condors, there is an immediate need to remove garbage hazards from areas the adults are known to utilize.

The proposed treatment is to eliminate condor accessibility to the micro-trash on 0.25 acre of land near the intersection of Forest Service roads 6N53 and 6N53A on the Santa Clara/Mojave Rivers Ranger District: T6N, R17W, Sec 29, ¼ Sec SW, 1/16 Sec SW (Whitaker Peak quadrangle). A one- to three-foot layer of substrate (soil) would be placed on top of the site to make the micro-trash unavailable to the condors.

**DECISION**

It is my decision to approve habitat improvement for the federally endangered California condor (*Gymnogyps californianus*) in the Whitaker Peak area, as described above, to comply with the Endangered Species Act and the Forest Land Management Plan of 2005.

*Avoidance and Minimization Measures*

The avoidance and minimization measures included in Appendix A are incorporated into my decision, and are mandatory conditions of the authorization for this project.

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

The action is in a category of actions that may be excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA). The category of exclusion is pursuant to Forest Service Handbook (FSH) 1909.15:

- Section 31.2 (6) “Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56).”

The environmental analysis determined that there were no extraordinary circumstances or conditions that might cause the action to have significant effects. Extraordinary circumstances included but are not limited to the presence of the following:

### **1. Threatened and Endangered Species or Their Critical Habitat**

A Biological Evaluation/Biological Assessment was completed (A. Berkley and K. VinZant, May 2008) for the project area and other than the condors, found no threatened, endangered, proposed, or candidate plant or animal within or adjacent to the project area. The project is located in a known condor use area. However, the use is detrimental to the condor and the project is intended to discourage or eliminate condor use of the area. Designated Critical Habitat for the California condor is located approximately 1.5 miles east of the project site.

### **2. Flood Plains, Wetlands, or Municipal Watersheds**

There are no flood plains, wetlands, or municipal watersheds in the project area.

### **3. Congressionally Designated Areas, Such as Wilderness, Wilderness Study Areas, or National Recreation Areas**

There are no congressionally designated areas within the project area.

### **4. Inventoried Roadless Areas**

There are no inventoried roadless areas within the project area.

### **5. Research Natural Areas**

There are no research natural areas within the project area.

### **6. American Indians and Alaska Native Religious or Cultural sites**

Research to date has not determined if there are American Indian or Alaska Native religious or cultural sites.

### **7. Archaeological Sites or Historic Properties or Areas**

The Forest Archaeologist has determined that there are no known archaeological sites, or potential historic properties within the area of potential effect. Compliance with Section 106 of

the National Historic Preservation Act of 1966, as amended, has been completed for this project (08SCM14PI). The project site has also been covered under a previous survey.

Therefore, I find that there are no extraordinary circumstances or conditions that might cause the action to have significant effects.

## **SCOPING**

No significant issues were raised during the internal scoping which was conducted among the following Forest Resource Specialists:

John Capell – District Ranger  
Jonathan Schwartz – District Resource Officer  
Diane McCombs – Recreation Officer  
Paul Kelley – Lands/Special Uses  
George Geer – Special Uses Assistant  
Shawn Lawler – Special Uses Assistant  
Martin Hamil – Battalion chief  
Michael Stout – Oak Flats Fire Captain  
Kathy Peterson – Forest Planner/Writer-editor  
Sonja Bergdahl – Forest Engineer  
Alan Edler – Engineer  
Marty Dumpis – Forest Recreation Officer  
Darrell Vance – Forest Archaeologist  
Jose Henriquez-Santos – Landscape Architect  
Stanton Florea – Fire Information Office  
Mike McCorison – Air Quality Specialist  
Lisa Northrop – Forest Resource Officer  
Leslie Welch – District Biologist  
Janet Nickerman – District Botanist  
Ann Berkley – Wildlife Biologist  
Nancy Sandburg – Forest Biologist

Letters requesting comments on the proposed action were mailed to interested or affected persons or organizations on March 12, 2008. No comments expressing concern were received. This project was published in the Forest Schedule of Proposed Actions (SOPA) on April 1, 2008.

## **FINDINGS REQUIRED BY OTHER LAWS**

This action is consistent with:

- Angeles National Forest Land Management Plan (Revised 2005), as required by the National Forest Management Act (FSM 1922.41, and FSH 1909.12).
- Section 106 of the National Historic Preservation Act
- The 1990 amendment of the Clean Air Act (CAA).
- The Clean Water Act (CWA).
- Section 7 of the Endangered Species Act

**IMPLEMENTATION DATE**

This action may be implemented immediately.

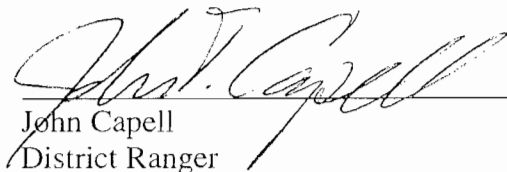
**ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

This action is not subject to review or appeal under the requirements of 36 CFR 215.4.

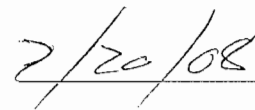
**CONTACT PERSON**

Ann Berkley  
Supervisors Office  
701 N. Santa Anita Ave.  
Arcadia, CA 91006  
(626) 574-5287

APPROVED

  
\_\_\_\_\_  
John Capell  
District Ranger  
Santa Clara/Mojave Rivers Ranger District

DATE

  
\_\_\_\_\_  
2/20/08

## Appendix A

### Avoidance and Minimization Measures

The following avoidance and minimization measures shall be implemented to avoid the potential for significant adverse effects to sensitive environmental resources. These measures are mandatory conditions of project authorization:

1. To prevent the spread of noxious weeds:
  - 1a) Follow-up noxious weed surveys will be conducted throughout the project site. For the first year following treatment, weed surveys will be conducted monthly. District personnel will be trained by the Forest Botanist to conduct this monitoring activity.
  - 1b) For years 2 and 3 following the treatments, weed surveys will be conducted bi-monthly.
  - 1c) If any new or expanding infestation of invasive species are discovered, the Forest Botanist will be notified and the plants will be removed using the most efficient and effective method.
2. FSM 2081.03, directs the Forest Service to require all equipment be cleaned when working in a site contaminated with noxious weeds. The following will be required at all project sites:
  - 2a) All equipment except machinery, trucks, vans, pickups, and cars used for daily transport of personnel, will be cleaned prior to entering Forest Service land. This includes wheels, undercarriages and bumpers. All washing must take place where rinse water is collected and disposed of in either a sanitary sewer, a landfill, or other facility authorized to accept such rinse water.
  - 2b) Holder shall notify Forest Service at least 2 working days prior to moving each piece of equipment on to National Forest Land, unless otherwise agreed. Notification will include vehicle washing information. Upon request of Forest Service, arrangements will be made for Forest Service to inspect each piece of equipment prior to it being placed in service.
  - 2c) If equipment has operated in areas that the Forest Service has identified as containing invasive plant species, all equipment, and tools used at that site must also be washed AFTER work has been completed.
  - 2d) Holder shall certify in writing compliance with the terms of this provision prior to each start-up of operations.
  - 2e) If any new infestations of invasive species, identified by either Permit Holder or Forest Service Staff, on National Forest land in the work area or on the access route shall be promptly reported to the other party.
  - 2f) A current list of invasive species of concern is attached to your permit.

Equipment includes all machinery except trucks, vans, pickups, and cars used for daily transport of personnel.