



BUTTE COUNTY FOREST ADVISORY COMMITTEE

August 28, 2017—5:00 P.M. Meeting

ITEM NO.

- 1.00 Call to order – Butte County Public Works Facility, 44 Bellarmine Ct, Chico, CA
- 2.00 Pledge of allegiance to the Flag of the United States of America
- 2.01 **Roll Call** – **Members:** Nick Repanich, Thad Walker, Teri Faulkner, Trish Puterbaugh, Peggy Moak
Alternates: Vance Severin, Jim Shary, Bob Gage, Angel Korte, Pete Moak (voting Alt)
Invited Guests: Steven Kerns (Wildlife Resource Managers), Steve Schweigerdt (Stewardship Council), Jon Hunt and Paul Kirk (Northern California Regional Land Trust), Janie Ackley (Lassen National Forest, Almanor Ranger District), Clay Davis and Katherine Carpenter (Plumas National Forest, Feather River Ranger District), Laura Page (Congressman LaMalfa), Dave Derby (Cal Fire), Sarah Reynolds (BCRCD) Calli-Jane DeAnda, (Butte County Fire Safe Council)
-

3.00 **Consent Agenda**

- 3.01 Review and approve minutes of 7-24-17 – 5 Min.

4.00 **Agenda**

- 4.01 Spotted Owl Biologist: Steven Kerns – 30 Min. plus Q&A
- 4.02 Stewardship Council: Steve Schweigerdt – 30 Min. plus Q&A
- Northern California Regional Land Trust – Jon Hunt/Paul Kirk
- 4.03 Lassen NF Almanor Ranger District, Erick Stemmerman: Report on other pending projects (include non-SOPA projects) for the District. – 15 Min.
- 4.04 High Lakes Motorized Trail Re-routes Objection Notice – 5 Min.
- 4.05 Plumas NF Staff Report: Update on plans for Feather River Ranger District Projects – 15 Min.
- 4.06 Table Mountain Trail Project: Letter of Support – 5 Min.
- 4.07 SOPA Review – Current Quarter: Discussion & required FAC action for projects affecting Butte County listed in 2017 SOPA Reports for Lassen and Plumas NF's. (Chair) 10 Min.
- 4.08 New Business – considerations for upcoming meeting agendas: Next meeting is September 25, Chico, 5:00 PM
- PG&E – DeSabra project w/d, maintenance plans for Rock Creek/Tobin roads (North Fork of the Feather River)
 - Sierra Club Trails Guide – invite them to make a presentation
 - Grazing studies – presentations on the science and practical application
- 4.09 Public Comment (THE COMMITTEE IS PROHIBITED BY STATE LAW FROM TAKING ACTION ON ANY ITEM PRESENTED IF IT IS NOT LISTED ON THE AGENDA.)



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Spotted owl

From Wikipedia, the free encyclopedia

The **spotted owl** (*Strix occidentalis*) is a species of **true owl**. It is a resident species of old-growth forests in western **North America**, where it nests in tree holes, old **bird of prey** nests, or rock crevices. **Nests** can be between 12 and 60 metres (39 and 197 ft) high and usually contain two eggs (though some contain as many as four). It is a nocturnal **owl**, which feeds on small mammals and birds. Three subspecies are recognized, ranging in distribution from British Columbia to Mexico. The spotted owl is under pressure from habitat destruction throughout its range, and is currently classified as a **near-threatened species**.^{[2][3]}

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Description

The spotted owl has an average length of 43 cm (17 in), wingspan of 114 cm (45 in), and weight of 600 g (1.3 lb). Its eggs are a little over 50 mm (2.0 in) long, and are white and smooth with a slightly grainy texture. The spotted owl is similar in appearance to the **barred owl**, but has cross-shaped markings on the underparts,

Spotted owl



Northern subspecies

Conservation status



Near Threatened (IUCN 3.1)^[1]

Scientific classification

Kingdom: [Animalia](#)
Phylum: [Chordata](#)
Class: [Aves](#)
Order: [Strigiformes](#)
Family: [Strigidae](#)
Genus: [Strix](#)
Species: ***S. occidentalis***

Binomial name

Strix occidentalis

Deutsch
 Español
 Euskara
 فارسی
 Français
 Italiano
 עברית
 Lietuvių
 Magyar
 Nederlands
 日本語
 پنجابی
 Polski
 Português
 Русский
 Српски / srpski
 Suomi
 Svenska
 Tiếng Việt
 Winaray
 中文

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whereas the barred owl is alternately barred on the breast and streaked on the belly. Barred owls are larger and grayer than spotted owls. In recent years, the California and northern subspecies of spotted owl have been displaced by barred owls, which are more aggressive, have a broader diet, and occur in more varied habitats. Though the two species may **hybridize** in areas where displacement is occurring, they are genetically quite distinct.^{[2][3]}

Subspecies [edit]

- S. o. caurina* – **northern spotted owl**
- S. o. lucida* – **Mexican spotted owl**
- S. o. occidentalis* – **California spotted owl**

The **Gila Wilderness** is home to the largest population of the Mexican subspecies.^[4]



Mexican spotted owl, **Fort Huachuca**, Arizona

Distribution [edit]

The northern spotted owl has a nearly contiguous range from southwestern **British Columbia** south through western **Washington** and **Oregon** to **Marin County, California**. The California spotted owl's range overlaps this range in the southern **Cascade Range**, and extends south through the western **Sierra Nevada** to Tulare County, with discrete populations in mountainous areas of coastal and southern California from Monterey County to northern **Baja California**. The Mexican spotted owl occurs in disjunct populations in mountain ranges and canyons of Utah, Colorado, Arizona, New Mexico, and extreme western Texas in the USA, and in Sonora, Chihuahua, Nuevo León, and eastern Coahuila through the Sierra Madre Occidental and Sierra Madre Oriental in Mexico.^{[5][6][7]}

Habitat [edit]

Spotted owls occur in a variety of hardwood and coniferous forest habitats, preferably in closed-canopy, uneven-aged, late-successional, and **old-growth forests**. The Mexican subspecies may also make use of **chaparral** and **pinyon** woodlands, including areas in deep, steep-walled canyons with little canopy cover.^{[3][6][8]} The California subspecies uses unlogged, complex early seral forests created by **wildfire** for foraging.^{[9][10]}

Large trees seem to constitute preferred nesting and roosting habitat for all three subspecies,^[3] and canopy cover greater than 40% (often greater than 70%) is generally sought out.^{[2][11]}

^[12]

Xantus de Vesey, 1860

Subspecies

3, see **text**



Substantial tall shrub cover is a common characteristic of spotted owl habitat. Spotted owls can be found at elevations of 70–6,600 feet (21–2,012 m) for the northern subspecies, at 1,000–8,500 feet (300–2,590 m) for the California subspecies, and rather higher (6,000–8,500 feet (1,800–2,600 m)) for the Mexican spotted owl. All subspecies appear to value the proximity of water sources.^[3]

Ecology [edit]

Home range and density [edit]

Spotted owl home ranges are generally large but of variable size, with extents of 661–14,169 acres (2.67–57.34 km²), depending on subspecies, habitat, and prey availability. Home ranges are smaller in the breeding season than in the nonbreeding season, and females have larger home ranges than males.^[3]

Density of spotted owl pairs within suitable habitat also depends on specific habitat quality and location, varying between 0.022 owls/km² in pinyon-juniper woodlands of the Sacramento Mountains^[7] and 1.049 owls/km².^[13]

Nesting [edit]

Spotted owls do not build their own nests, instead making use of cavities found in trees, deadwood, and snags, and the sites of abandoned raptor or squirrel nests. Some nest sites are used repeatedly.^[3] High-quality (consistently occupied and reproductive) breeding sites remain occupied after wildfire and post-fire salvage logging, while lower quality sites that are inconsistently occupied and reproductive are more likely to be abandoned after fire and salvage logging.^[14] Spotted owls most often choose the same type of cover selected for nesting sites for daytime roosting.^[15]

Breeding [edit]

The spotted owl's breeding season occurs from early spring to late summer or fall, with prelaying behaviors such as preening and roosting together starting in February or March.^[3]

Spotted owl pairs are **monogamous** and rarely reneest after failed breeding attempts.^[5] The species does not normally breed every year, with average breeding probability being 62%. Young owls may start breeding at an age of one year, but two years or older is more common.^[15] Normal clutch size is two eggs, but may reach four on rare occasions. The female sits on the eggs and cares for the young, while the male provides food for them. Egg incubation times of about a month have been reported from western Oregon;^[15] time from **fledging** to independence of chicks is between three and four months.^[3] Once independent, juveniles disperse in late summer to fall, in the northern range often settling into a wintering range before seeking out breeding territories in the spring. Dispersal range is often less than 19 mi (31 km).^[16]

Lifespan and mortality [edit]

Spotted owls are long-lived, and maximum ages of 16 or 17 years have been documented in the

northern subspecies. Average annual survival rate is usually in excess of 80% for adults, although considerably lower for juveniles, with an average annual survival rate of 21-29%.^[3] In New Mexico, the survival rate for fledgling Mexican spotted owls can be as low as 11%.^[3] The most common causes of mortality are predation, starvation, and possibly disease.^[3]

Various birds and mammals, such as the **fisher** (*Martes pennanti*), are among the predators of eggs and young spotted owls. **Northern goshawks** (*Accipiter gentilis*) and crows may prey on juvenile spotted owls, while **great horned owls** (*Bubo virginianus*), **red-tailed hawks** (*Buteo jamaicensis*), and **golden eagles** (*Aquila chrysaetos*) are likely predators of both juveniles and adults. Great horned owls and barred owls may compete with spotted owls for food and space in some areas. Barred owls may have a negative effect on northern spotted owl survival and fecundity in some areas.^[3]

Diet [edit]

Spotted owls are **nocturnal**, **sit-and-wait predators**. They often hunt from a perch and swoop or pounce on prey, or may take arboreal prey from tree boles and limbs. They do occasionally hunt during the day. Although diet varies with location, the majority consists of a few mammalian species. Species taken most often are northern **flying squirrels** (which may comprise more than 30% of total prey) and **woodrats** (the most common prey overall), including dusky-footed, bushy-tailed, (*N. cinerea*), and Mexican woodrats (*N. mexicana*). In some portions of its range, much of the spotted owl's diet is composed of several other mammals such as **deer mice** (*Peromyscus maniculatus*), **pocket gophers** (*Thomomys* spp.), **voles** (*Microtus*, *Clethrionomys*, and *Phenacomys* spp.), **snowshoe hares** (*Lepus americanus*), and several species of squirrels.

Bats and nonmammalian prey species are taken to a lesser extent, including birds (smaller owls, jays, woodpeckers, and various songbirds), amphibians, reptiles, and insects.^[3]

Conservation [edit]

IUCN Red List status for the spotted owl is **near threatened** with a decreasing population trend.^[1] Many studies assessing the species' population trend have found populations to be in decline. Habitat loss due to timber harvesting is generally recognized as the main threat.^[3] One study reports that competition with the barred owl may also be a major contributor to the decline of spotted owls.^[17]

The northern spotted owl and Mexican spotted owl subspecies are listed as threatened in the United States under the **Endangered Species Act** (ESA). The California spotted owl is not considered to be threatened nor endangered by the **U.S. Fish and Wildlife Service** (USFWS). However, it is a species of special concern by the state of California and the **United States Forest Service**.^[18] The northern spotted owl was one of a few cases where the "God committee", a provision of the Endangered Species Act, has been invoked to decide whether or not to open up more federal forest for commercial logging.^[19] In a battle between two federal agencies, the **Bureau of Land Management** and the Fish and Wildlife Service, the committee ruled for the exemption of 1700 acres to the ESA, potentially allowing the extinction of the species. Legal battle went on at different levels, creating a complex case study in environmental law.^[20]

All subspecies of the spotted owl are often the subject of disagreement between [conservationists](#) and [loggers](#), [cattle grazers](#), [developers](#), and other organizations whose activities can affect forest conservation. In February 2008, a federal judge reinforced a USFWS decision to designate 8,600,000 acres (35,000 km²) in Arizona, Utah, Colorado, and New Mexico as critical habitat for the owl. The decision had been challenged by the [Arizona Cattle Growers' Association](#), but was upheld.^[21]

By 2006, the northern spotted owl was reported to be in rapid decline in the northernmost part of its range, with a 7.2% annual decline across northern Washington and southwestern British Columbia. Fewer than 30 breeding pairs were thought to exist in Canada in 2006, and some experts have predicted the imminent extirpation of the species from Canada.^[22]

A current experiment sanctioned by the USFWS is investigating the suitability of protecting the spotted owl by controlling its competitor, the barred owl. Work began in 2009 by removing populations of barred owls in designated areas. The studies found that in the absence of barred owls, the population of spotted owls did not decline and were able to bounce back.^[23]

References [\[edit\]](#)

This article incorporates [public domain material](#) from the [United States Department of Agriculture](#) document "[Strix occidentalis](#)".

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- [^] [a](#) [b](#) [c](#) Gutiérrez, R. J.; A. B. Franklin & W. S. Lahaye (1995). "Spotted Owl". *bnabirds.cornell.edu*. Birds of North America Online. Retrieved 2016-09-12.
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- [Spotted Owl videos](#) on the Internet Bird Collection
- [Spotted Owl photo gallery](#) VIREO

Taxon identifiers

Wd: [Q748921](#) · ADW: [Strix_occidentalis](#) · EoL: [913287](#) · GBIF: [2497487](#) · iNaturalist: [19959](#) · ITIS: [177925](#) · IUCN: [22689089](#) · NCBI: [201991](#) · Species+: [9912](#)

Categories: [IUCN Red List near threatened species](#) | [Strix](#)
| [Native birds of Western Canada](#) | [Native birds of the Western United States](#)
| [Birds of the U.S. Sierra Nevada](#) | [Birds of Mexico](#)
| [Fauna of the California chaparral and woodlands](#) | [Fauna of the Sonoran Desert](#)
| [Vulnerable fauna of California](#) | [Vulnerable fauna of the United States](#)
| [Birds described in 1860](#)

This page was last edited on 3 July 2017, at 21:11.

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Executive Summary

Subject

LCCP Oroville Planning Unit

Land Conservation Plan Identification Numbers (Parcels) 670-689¹ and 691-698² as shown on the map attached as Exhibit 1.

Type of Property Interest Disposition

- PG&E to retain fee simple title to 1,333 acres within Parcels 670-689 and 691-698.
- Northern California Regional Land Trust (NCRLT) to hold the conservation easement on the entire 1,333 acres in Parcels 670-689 and 691-698.

Summary

The 1,333-acre Oroville planning unit includes 28 legal parcels. All 1,333 acres of the planning unit (Parcels 670-689 and 691-698) will be retained by PG&E and are the subject of this LCCP. Pending California Public Utilities Commission (CPUC) approval, PG&E and NCRLT will enter into a conservation easement that will encumber Parcels 670-689 and 691-698.

Property Location

The property subject to this LCCP consists of 1,333 acres in Butte County near Lake Oroville.

Economic Uses and Agreements

There are recorded encumbrances on the property to be retained by PG&E at the Oroville planning unit for a public highway, public roads, a state highway, private roads, telephone lines, underground cables, transmission lines, a trail, irrigation ditches, a sewer line, and pipelines. There is one existing agreement for economic uses, a grazing lease, on the property to be retained by PG&E within the Oroville planning unit.

Preserving and/or Enhancing the Beneficial Public Values

The conservation easement for Parcels 670-689 and 691-698 within the Oroville planning unit lists the following Beneficial Public Values (BPVs) that are to be protected:

- Habitat for fish, wildlife, and plants that are native to the area, including species protected under the California Endangered Species Act and/or the federal Endangered Species Act. The term “habitat” includes vegetation along banks and shorelines that contribute to maintaining watershed health. The term “native”

¹ Parcel 679 is being considered for a finding of No Significant Public Interest Value by the Stewardship Council board and may be excluded from the LCCP.

² Parcel 690 was inadvertently included as part of the planning unit, but was actually quitclaimed in 1991 to the Western Canal Water District and therefore has been removed from the planning unit.

refers to plants and animals that occur naturally on the Property, and are defined as “native” by the California Department of Fish & Wildlife and its successors.

- Forest resources on the Property. Forest resources consist of mixed oak woodlands, foothill pine/mixed oak woodlands, and oak/pine woodlands with a mosaic of chaparral.
- The scenic viewshed of the Property in keeping with the surrounding environment, providing a contiguous forested or open grassland landscape visible to passersby on the nearby roads and highways.
- Outdoor recreation in the form of passive recreational pursuits such as hiking, cycling, equestrian use, fishing and sightseeing.
- Identified historical and cultural values, to the extent they are protected by state and federal law.
- Agricultural values, such as grazing.

Tax Neutrality

PG&E will continue to own and pay property taxes on the property.

Hazardous Waste Disclosure

PG&E confirmed it has provided the Oroville Planning Unit Environmental Site Assessment Report, prepared by AMEC Geomatrix, Inc., dated April 29, 2011, and a Supplemental Due Diligence Information package including information on remediation at Parish Camp to NCRLT, fulfilling the disclosure requirements of the Land Conservation Commitment.

Consideration of Parcel Split

The entire 1,333 acres within Parcels 670-689 and 691-698 are being retained by PG&E and therefore no parcel split is being proposed.

Applicable CEQA Exemption(s) or Reason Why Transaction is not a “Project Under CEQA”

The establishment of a conservation easement is categorically exempt under Section 15325 of the CEQA Guidelines (CFR Title 14, Chapter 3).

The Oroville transaction will not result in a direct physical change or a reasonably foreseeable indirect physical change in the environment; therefore, the Stewardship Council does not believe that the transaction is a project under CEQA.

DRAFT Decision Notice
and
Finding of No Significant Impact

for
High Lakes Motorized Trail Re-routes and Staging Area Improvements Project
Environmental Assessment
USDA Forest Service, Lassen National Forest
Almanor Ranger District
Plumas County

Background

The High Lakes area is used for recreation by diverse user-groups, and has become a popular area for Off Highway Vehicle (OHV) enthusiasts. Use has increased during the last four decades since the first OHV management plan for the area was signed, and the vehicles have changed, now having much greater capability for traversing rugged terrain.

The High Lakes area receives on average more than 70 inches of precipitation annually. The high precipitation produces extensive surface and subsurface water. There are abundant wetlands and riparian vegetation in the area. Some trails travel through wet areas, adversely affecting riparian vegetation, hydrologic connectivity, and contributing to sedimentation of the lakes and their tributaries. Camping in the area is dispersed, and campsites are typically located within riparian areas. Off-trail OHV use has caused damage to riparian, meadow and upland vegetation and caused sedimentation of lakes and streams.

An undeveloped area near the intersection of Forest roads 25N05 and 25N04 is used as a staging and camping area for OHV recreation in High Lakes and as an access point to the Pacific Crest Trail. Concentrated use without a toilet facility has resulted in sanitation concerns. Accelerated erosion and compaction at this site has also occurred. There is a need to reroute or improve trails that go through wet areas, to implement best management practices in camping areas, to rehabilitate off-trail OHV play areas and to provide a sustainable parking area and toilet at the staging area. The Environmental Assessment (EA) documents the analysis of a single action alternative to meet these needs.

The High Lakes Motorized Trail Re-routes and Staging Area Improvements Project area is located in the Mt. Hope management area (MA 47), of the Lassen National Forest (LNF) Plumas County, California, Township 25 North, Range 5 East, Section 15 and Township 25 North, Range 6 East, Sections 19, 28, 29, and 30.

Decision

I have read the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project Environmental Assessment (EA), reviewed the analysis in the project file, including documents incorporated by reference, and fully understand the environmental effects disclosed therein. I have also considered the comments submitted during the public scoping and the 36 CFR 218 Legal Notice and Comment period for this project. Comments on this EA and Forest response to these comments are available in the project file.

Based upon my review of the alternatives, it is my decision to select Alternative 1, the Modified Proposed Action, which is fully described in the EA on pages 7 through 10. My decision is also based on a thorough review of the record with consideration for scientific integrity and responsible opposing views.

My decision will reroute five trail segments out of impacted riparian areas, construct causeways on Trail 613 through wet areas adjacent to Campbell and Long Lakes, restore or improve dispersed camping areas not meeting best management practices, develop a trailhead staging area at the intersection of Forest roads 25N05 and 25N04 including a vault toilet, restore unauthorized OHV play areas, and add two non-system spur routes to the National Forest Transportation System as motorized trails in order to provide continued access to favored dispersed camping locations.

My decision includes Integrated Design Features (IDFs) necessary to protect resources within the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project area. The IDFs are described in detail on pages 10 – 15 of the EA.

Reasons for the Decision

I have decided to implement Alternative 1, the Modified Proposed Action, because it address the purpose and need which is described in the EA on pages 2 – 6. My decision is based on comments generated through collaboration and public scoping. Public input was considered during various phases of the project, and is addressed within the project record. My decision is also based on careful consideration of the analysis presented in the EA and project specialist reports, including a thorough review of the record with consideration for scientific integrity.

Alternative 1 addresses the objectives of the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project by providing a range of solutions to correct chronic water quality and erosion problems, while continuing to provide OHV recreation opportunities to the public.

Response to the Purpose and Need

I selected Alternative 1, the modified proposed action, because:

1. It will reduce sediment delivery to streams and lakes, restore wetland and meadow hydrologic function, reduce soil erosion, and reduce improper disposal of human waste. (EA, p. 22)
2. It improves soil productivity and reduces the degree and extent of detrimental soil disturbance (EA, pp. 36-37)

3. It assures long-term continued access to preferred camping locations by designating routes as FSTS motorized trails. (EA, p. 17)
4. It provides sustainable, accessible parking at the trailhead. (EA, pp. 9-10)
5. It improves camping areas that are causing resource damage (EA, p. 21)

In addition to meeting the Project purpose and need, it is expected that there will be a long-term improvement in riparian and aquatic habitat which will benefit a number of wildlife species. (EA, p. 26 & 30).

Alternatives Considered

Two alternatives were considered in detail for the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project, the Modified Proposed Action (Alternative 1) and the No Action (Alternative 2). Public comments were important in evaluating this project and making my decision. All suggested changes to elements of the proposed action received from the public were considered. There were no significant issues identified during the scoping process that led to development of additional alternatives, however the proposed action was modified.

Alternative 1: Modified Proposed Action

Alternative 1 was developed by an interdisciplinary team (IDT) of resource specialists to address all components of the Purpose and Need as outlined in the scoping document. The primary goal of Alternative 1 is to improve deteriorating trail, off-trail and staging area conditions that are causing erosion, compaction, sedimentation and sanitation problems while continuing to provide OHV recreation opportunities in the High Lakes area. Alternative 1 was modified as a result of public input and further analysis by the IDT. The modification was the elimination of camping site development in the staging area, and the addition of two non-system spur routes to the National Forest Transportation System as motorized trails in order to provide continued access to preferred dispersed campsites near Campbell and Long Lakes.

Alternative 1, the Modified Proposed Action, is the selected alternative and is discussed throughout this Decision Notice.

Alternative 2: No Action

Under the *No Action* alternative, current management plans would continue to guide management of the project area and the actions proposed in Alternative 1 would not occur.

Public involvement

The Lassen National Forest held a public open house in Chico, CA on September 16th, 2015 and presented the project concept. The forest received numerous comments from the open house, and these comments were used in the development of a Proposed Action.

Approximately 99 scoping letters and emails were mailed to adjacent property owners, federal, state and local agencies, Native American tribes and interested individuals in February 2016, describing the Purpose and Need and Proposed Action. The project was first listed in the Schedule of Proposed Actions (SOPA) for the Lassen National Forest in April, 2016, and will continue to be displayed in the SOPA with current information throughout the environmental analysis and decision making process. Consultation with the USDI Fish and Wildlife Service and the California Central Valley Regional Water Board was conducted. See Appendix C for a complete list of Agencies and persons consulted.

Approximately eleven letters with scoping comments were received. Though no significant issues were identified or additional alternatives generated as a result of public scoping, the Proposed Action was modified in response to scoping comments. The comments received are included in the project record maintained at the Almanor Ranger District office. The modifications to the Proposed Action are described above under “Alternative 1: Modified Proposed Action”.

A draft EA was made available for a legal notice and comment period which began on 6/14/2017 and ended on 7/14/2017. One comment letter was received and analyzed. The results of that analysis are in the document titled, “High Lakes Motorized Trail Re-routes and Staging Area Improvements Project Legal Notice and Content Analysis” (located in the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project Record, ALRD office).

Finding of No Significant Impact

The significance of environmental impacts must be considered in terms of context and intensity, as defined by Forest Service Handbook 1909.15_05. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact (40 CFR 1508.27).

As the responsible official, I have evaluated the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the selected alternative will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

(a) Context:

For the modified proposed action and alternatives, the context of the environmental effects is based on the environmental analysis in the EA.

The local context of Alternative 1, the modified proposed action is limited to the southwestern portion of the Lassen National Forest, in locations described previously in this decision notice and in the EA (p. 1). Proposed treatments focus on forest system trails, adjacent non-system trails and play areas, and the OHV staging area. Only with active management could the chronic, ongoing resource damage occurring in the

project area be corrected. Proposed treatments and any follow up is expected to take place within two years of the Final Decision. Even in the context of seasonality and duration of activities, analysis prepared in support of the EA (Biological Evaluations, Management Indicator Species Assessment, Noxious Weed Risk Assessment, and Cumulative Effects Analysis, hereby incorporated by reference, and available upon request), indicate that Alternative 1, the Modified Proposed Action would not pose significant short-term or long-term effects.

(b) Intensity:

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The Forest has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b) and displayed below.

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

Effects determinations are summarized in the High Lakes Motorized Trail Re-routes and Staging Area Improvements Project EA (pages 16 - 38) and supporting analysis. Both beneficial and adverse effects have been taken into consideration when making the determination of significance. Beneficial effects have not, however, been used to offset or compensate for potential significant adverse effects.

Both beneficial and adverse effects have been disclosed in the EA (Chapter 3), along with mitigation features (Chapter 2). None of these effects, either alone or in combination, would have a significant impact. This action reduces the environmental impacts of motorized use by implementing changes that would reduce impacts of the designated system. No significant effects on local, regional, or national resources were identified in the EA. None of the direct, indirect, or cumulative effects were identified as being significant. I considered both adverse and beneficial effects in reaching my conclusion; the beneficial effects were not used to offset or compensate the adverse effects in making the determination.

2. *The degree to which the proposed action affects public health or safety.*

After considering the analysis in the EA, I conclude that this decision would not significantly affect public health or safety because of the limited scope of the actions. There will be a temporary safety hazard to the public during construction activities due to equipment operating on established OHV trails. This hazard is mitigated by following the Forest Service's Health and Safety Code Handbook (FSH 6709.11). The project will be implemented by Forest Service employees who have been trained on these safety requirements. Otherwise, there are no adverse effects expected to public health or safety under any of the alternatives (EA, Chapter 3).

3. *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

I conclude that this decision will not have a significant effect on any unique characteristics and ecologically critical areas on the Almanor Ranger District. There are a number of small wetlands within the project area, some of which will be sites of ground-disturbing activities. No work will be implemented in wetlands without the appropriate permits from the Army Corps of Engineers and their required mitigations in place. No other unique characteristics or ecologically critical areas as described in 40 CFR 1508.27(3) – park lands, prime farmlands, wild and scenic rivers – exist in the area (EA, Chapter 3). This decision will not adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places, and there is no loss of significant scientific, cultural, or historical resources (EA, Chapter 3).

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

It is my judgement that the effects on the quality of the human environment are not likely to be highly controversial. Based on comments received during the public involvement process, there is no substantive scientific controversy related to the effects of Alternative 1, the modified proposed action. (See Scoping Comment Analysis and Response to Comments on the EA in the High Lakes Project Record).

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The Forest Service has considerable experience with the types of activities to be implemented in this project. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 16 - 38).

6. *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The action is not likely to establish a precedent for future actions since many projects have been analyzed and implemented by the Forest Service in the past having similar actions in similar environments. Any future proposals that alter the designated system will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

This decision does not represent potential significant cumulative adverse impacts when considered in combination with other past, ongoing, or reasonably foreseeable future actions. A cumulative effects analysis was completed for each resource area. This determination is based in the discussion of cumulative effects in Chapter 3 of the EA. The geographic scope of the cumulative effects analysis

varied among resource areas (EA pages 16 – 38). None of the specialists found the potential for significant adverse cumulative effects. The Past, Ongoing, and Reasonably Foreseeable Future Actions Summary (PORFFA) can be found in the project record.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

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, because a cultural resources analysis was conducted for the Project which found no eligible items. Two objects, historic ditches, have not been evaluated but have already been compromised where project activities will occur (see EA pages 37- 38).

The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because standard resource protection measures as defined in the Regional Programmatic Agreement and Interim Protocol will be employed as integrated design features and applied to all heritage resources within the area of potential effect (see EA page 15).

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The Alternative 1, the Modified Proposed Action Biological Assessment determined that the High Lakes Project is not likely to adversely affect the Sierra Nevada yellow-legged frog (SNYLF), a federally listed endangered species, nor its Designated Critical Habitat (DCH). The reasoning for these determinations is 1) the potential for direct effects on the Sierra Nevada yellow-legged frog is discountable as the likelihood that the frogs are present is extremely low based on all previous surveys and 2) the potential short term effects to DCH would be insignificant because there would be no reduction in DCH and only 0.08% of DCH within the project area has potential to be affected.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

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 page 2). Required permits will be obtained prior to implementing activities.

Findings required by other laws and regulations

The decision for implementing the High Lakes Motorized Trail Re-Routes and Staging Area Improvements on the Almanor Ranger District is consistent with the National Forest Management Act, including the management direction found in the Lassen National Forest Land and Resource Management Plan. The project was designed in conformance with Forest Plan forest-wide standards and guidelines and incorporates appropriate Forest Plan guidelines for Mt. Hope Management Area (LNF LRMP, 1992).

The decision is consistent with other applicable laws and regulations including the National Historic Preservation Act and the Endangered Species Act. The measures included in the proposal to protect soil, water, and air resources ensure compliance with the Clean Water Act and Clean Air Act.

Best Available Science

I am confident that the analysis of this project was conducted using the best available science. My conclusion is based on a review of the record that demonstrates a thorough review of relevant scientific information, consideration for opposing views, and acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. Please refer to the specialist reports in the project file for specific discussions of the science and methods used for analysis and for literature reviewed and referenced.

Objection Opportunities

This decision will be made in accordance with the procedures described in 36 CFR 218, Subparts A and B, which provides for a pre-decisional review process.

Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunity for public comment in accordance with §218.5(a). Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

Implementation

As per 36 CFR 218.12, if no objections are filed within the 45-day legal objection period, this decision may be signed and implemented on, but not before, the fifth business day following the close of the objection-filing period. If an objection is filed, a 45-day objection resolution period would follow, and the decision cannot be signed or implemented until the reviewing officer has responded in writing to all pending objections.

Contact

For further information concerning the High Lakes Motorized Trail Re-Routes and Staging Area Improvements decision on the Almanor Ranger District, please contact Doug Peters by phone at 530-252-6456 during normal business hours or by email at dwpeters@fs.fed.us.

-Draft Decision – No Signature

Erick Stemmerman
District Ranger, Almanor Ranger District
Lassen National Forest

Date:

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DRAFT



BUTTE COUNTY FEDERAL/STATE LAND-USE COORDINATING COMMITTEE

7 County Center Drive
Oroville, CA 95965

August 17, 2017

Wildlife Conservation Board
Attention: Public Access Grant Proposal
1416 9th Street, Suite 1266
Sacramento, CA 95814

Dear Wildlife Conservation Board:

The Butte County Federal/State Land-Use Coordinating Committee (Committee) supports the North Table Mountain Ecological Reserve Trail Project (“Trail Project”), proposed by the California Department of Fish and Wildlife (CDFW). The Committee understands that this project will provide improved public access to the North Table Mountain Ecological Reserve (NTMER), while also reducing ecological damage and human safety concerns. This project falls within guidelines established in Butte County’s General Plan 2030. Butte County’s General Plan 2030 addresses Butte County’s commitment to protection, enhancement, utilization and management of natural resources; the importance of agricultural enterprises, and the need for parks and recreation opportunities.

The Committee based its support for the project on the recommendation from the Butte County Forest Advisory Committee (FAC). The Butte County Board of Supervisors established the FAC to facilitate public involvement and assist the County in its quest to meet these guiding principles of the Butte General Plan 2030 as it pertains to use of public lands. The FAC serves to gather information and opinions from interested parties, to present pertinent recommendations to the Butte County Board of Supervisors through the Committee, and to serve as a resource in Coordination efforts.

We understand that 1.2 miles of trail will be developed, with various designs being used to best preserve the existing natural resources. This is important as the NTMER is known for the wide array of native flowering forbs and grasses, including many rare and endangered and threatened species. The NTMER is also home to various wildlife species, including songbirds, raptors, lizards, and newts, as well as mammals such as foxes, bobcats, and deer. The Committee and FAC believes the first phase of the Trail Project will be beneficial and we are optimistic that the planned property acquisition is also approved. We look forward to another opportunity to participate in the public comment process as this project progresses.

Butte County is in need of more trails on public lands, especially in the foothills areas of the county. The NTMERTP is consistent with Butte County's General Plan 2030, and will promote further nature recreation, which is important to Butte County. Surveys have shown that as many as 28,000 to 30,000 people visit this site annually, so having an established and accessible trail is important. The Committee is willing to support and collaborate with the CDFW on the Trail Project.

In summary, the Butte County Federal-State Land Use Coordinating Committee supports the North Table Mountain Ecological Reserve Trail Project, and asks for your favorable consideration of the CDFW grant application. Approval of this project will greatly improve access, reduce the impact on the ecological environment, and increase safety for visitors.

Thank you for the opportunity to comment.

Sincerely,

Dennis Schmidt
Butte County Federal/State Land Use Committee

cc: Butte County Forest Advisory Committee
Butte County Board of Supervisors
Bruce Forman, CA Fish & Wildlife



BUTTE COUNTY FEDERAL/STATE LAND USE COORDINATING COMMITTEE

**7 COUNTY CENTER DRIVE
OROVILLE, CA 95965**

August 25, 2017

Pete Calarco, Assistant Director
Butte County Development Services, Planning Division
7 County Center Drive
Oroville, CA 95965

Subject: Letter of Support in Response to CEQA-17-0004: Magalia Forest Health Project

The Butte County Federal State Land Use Coordinating Committee (“Committee”) is writing in support of the Magalia Forest Health Project, for which the above referenced CEQA document has been prepared. The Committee fully supports fuels reduction projects in and around Butte County communities vulnerable to wildfire, and this project is deemed essential to the welfare of the Magalia and Paradise Pines communities. The project falls within the guidelines established in the Butte Unit Strategic Fire Plan, generally known as the CWPP (Community Wildfire Protection Plan, developed by the Board of Supervisors of the County of Butte, Cal-Fire, Butte County Fire and the Butte County Fire Safe Council (BCFSC).

The Magalia Forest Health Plan (“Plan”) and the CEQA document have been presented to the Forest Advisory and Coordinating Committees and demonstrates to our full satisfaction that this project is imperative to the safety and welfare of the community, an excellent example of collaborative planning and stakeholder readiness, and a conscientious approach to necessary mitigation measures to ensure protection of resources and the environment.

The Coordinating Committee has reviewed the CEQA document and finds that the mitigation measures outlined to protect air quality, water quality, fish and wildlife, plants and other biological resources, cultural resources, and persons or resources exposed to potential hazards are satisfactory.

In summary, the Federal/State Land Use Coordinating Committee supports the Mitigated Negative Declaration proposed by Development Services Planning Division. Accordingly, we urge timely approval to facilitate effective implementation of the Magalia Forest Health Plan.

Thank you for this opportunity to comment.

Respectfully,

Dennis Schmidt,
Butte County Federal/State Land Use Committee

Cc: Butte County Fire Safe Council
Butte County Forest Advisory Committee



BUTTE COUNTY FEDERAL/STATE LAND USE COORDINATING COMMITTEE

**7 COUNTY CENTER DRIVE
OROVILLE, CA 95965**

August 25, 2017

Calli-Jane De Anda, Executive Director
Butte County Fire Safe Council
5619 Black Olive Drive
Paradise, CA 95969

Subject: Letter of Support in Response to Magalia Forest Health Plan

Dear Ms. DeAnda:

On behalf of the Butte County Board of Supervisors ("Board"), the Butte County Federal State Land Use Coordinating Committee ("Coordinating Committee") is writing in support of the Magalia Forest Health Plan. The Board fully supports fuels reduction projects in and around Butte County communities vulnerable to wildfire, and this project is deemed essential to the welfare of the Magalia and Paradise Pines communities. The project falls within the guidelines established in the Butte Unit Strategic Fire Plan, generally known as the CWPP (Community Wildfire Protection Plan, developed by the Board of Supervisors of the County of Butte, CalFire, Butte County Fire and the Butte County Fire Safe Council (BCFSC).

The Magalia Forest Health Plan ("Plan") has been presented to the Forest Advisory Committee and demonstrates to our full satisfaction that this project is imperative to the safety and welfare of the community, and an excellent example of collaborative planning and stakeholder readiness. We commend the Butte County Fire Safe Council for their outreach efforts to local organizations, government agencies and community members in order to undertake the landscape level fuels reduction planning. We understand that the project is planned for implementation over the next decade, and will involve collaboration with the CCC, CalFire, the US Forest Service, the Bureau of Land Management, and private property owners in the designated areas identified as being overstocked with trees and brush, experiencing tree mortality and being hazardous to the public due to dead and dying trees or due to the potential for crowning behavior in the event of a wildfire.

The Coordinating Committee has reviewed and supports the Silvicultural Recommendations, which include provisions for leaving a number of young trees to regenerate the overstory once mature trees start dying. The plan includes thinner fuels with sharply reduced ladder fuels, which would provide a defensible fire protection zone along the roads, greater visibility through the forest, and enhanced safety near infrastructure, with an emphasis on treating the most critical areas early in the implementation of the plan. This project will complement fuels reduction projects that have already been completed by the BCFSC, private lumber companies and community members, and demonstrates the commitment of the BCFSC to help protect the communities of Magalia and Paradise Pines from the effects of devastating wildfires. We agree that effective partnership amongst stakeholders is necessary and critical to help protect communities from wildfires.

It is requested that implementation of the final Proposed Action include provisions that are viable alternatives to biomass removal, due to short supply of biomass plants and the cost of delivery, such as: piling timber/brush in small piles that may be burned safely and allowing local woodcutters to have access to firewood piles under specified times and conditions. We would also like to see additional outreach for use of wood chips elsewhere in the area, i.e. erosion control, community members' personal use, local garden supply firms, etc.

The Board understands the pros and cons of vegetation prescribed burning and underburning and the potential for damaging root systems of trees, resulting in weakened trees and potential tree die off and blow downs in future years. This is especially pertinent since the project area has not burned in decades, and the duff on the ground is very thick and tends to burn more hotly. Another concern is the likelihood of losing control of a prescribed burn, so we believe small acreage fires after rains and in calm conditions are most prudent if prescribed burns are implemented. The Board supports ongoing maintenance of fuels reduction projects, and believes that the assessment surrounding the 70% canopy recommendation to reduce the frequency of maintenance is likely a cost effective approach to reducing the re-growth of brush.

The Coordinating Committee strongly supports implementation of this Project, and other similar projects throughout the wildland urban interface zones, and agrees that action needs to be taken sooner rather than later; that "the next one to three decades are a critical period in mixed-use conifer forest management and conservation in the Sierra Nevada" (USDA Forest Service, 2012). We request periodic progress updates made available to the public, so that stakeholders and other interested parties continue to be informed and involved in this important fuels reduction project.

In summary, the Butte County Board of Supervisors, and its Federal/State Land Use Coordinating and Forest Advisory Committees, stand united with the citizens of the Magalia/Paradise Pines, the Butte County Fire Safe Council, Cal-Fire and other stakeholders in support of thinning projects to create WUI safety zones that are critical for the welfare of the community and in the best interest of the forest. Accordingly, we urge timely approval and effective implementation of the Magalia Forest Health Plan.

Thank you for this opportunity to comment.

Respectfully,

Dennis Schmidt,
Butte County Federal/State Land Use Committee