

DECISION MEMO
Briles Bald Eagle Habitat Improvement Project

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

DECISION

It is my decision to implement the Briles Bald Eagle Habitat Improvement Project to treat approximately 288 acres near Briles Reservoir, Modoc County, California T45N, R14E, Section 3 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 purpose and need for the Briles Bald Eagle Habitat Improvement Project is to accelerate the growth of potential nest trees for bald eagle. Bald eagles are known to nest in pine stands near Briles Reservoir. The Briles Bald Eagle territory was officially recognized in 1997, when a bald eagle nest site was found. A second nest was located in 2002 in another stand.

The forest surrounding both nest sites lacks habitat characteristics desirable for bald eagle. The foraging habitat is adequate; but too few trees are adequate for bald eagle nesting. The diameter range of pine is from 1 to 34 inches diameter at breast height (DBH), with a QMD (quadratic mean diameter) of 15.1 inches. The majority of trees are 6 to 24 inches DBH. The average basal area is 120 to 130 square feet per acre. A few large old growth predominant trees and snags are present. About 5 percent of the area is comprised of fir; the rest is pine and juniper. Average canopy closure is 40 percent.

Historic vegetation conditions were more conducive to bald eagle nesting in the area. The historic forest had a higher proportion of large diameter pine and a more open canopy. The understory was far less dense. Fire suppression over the last several decades have allowed for the development of this overdense understory. The high density of pines less than 21 inches in diameter at breast height DBH, and juniper less than 26 inches DBH has slowed or prevented the development of habitat conditions beneficial to bald eagle. The thinning prescription is intended to develop and maintain six to eight nest trees per acre and two pilot trees (large snags) per acre for bald eagles, which meets the Bald Eagle Recovery Plan (U.S. Fish and Wildlife Service 1986).

Another forest health concern in the area is pine beetle. Pine beetle infestation reduces the growth, vigor, and longevity of potential nesting sites. A secondary purpose and need for the project is to improve overall forest ecosystem health by reducing conifer competition, and improving the resiliency of the stands to insects and drought.

Finally, this project lies within the Wildland Urban Interface Threat Zone near the Davis Creek community. A third purpose and need for the project is to reduce fuel hazard within this threat zone and the likelihood of damaging wildfire to communities at risk. Implementation of the project will contribute to reducing the Condition Class within the Threat Zone.

The Briles Bald Eagle Habitat Improvement Project was planned concurrently with the Fender Juniper Thinning and Fender Underburning 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).

Thinning

Conifer thinning will occur on approximately 250 acres within a larger 430-acre area. It is anticipated that this conifer thinning may be accomplished through a product sale. This treatment includes the following activities:

- Remove live and dead trees that are 21 inches or smaller to meet a basal area of 60 to 80 square feet per acre.
- Retain trees that are the healthiest.
- Retain three of the largest snags per acre for eagle roosting LRMP snag guidelines. Surplus snags (pine and fir) that have been killed or are infested with beetles, are merchantable and less than 21 inches DBH, will be removed.
- Retain trees that have the potential of developing into nest trees.
- All dead, unmerchantable trees will be retained as snags for wildlife.
- Heavily infested trees with mistletoe that are less than 21 inches DBH will be removed.
- All junipers within the stand will be removed.
- Trees may be bucked on site or whole tree yarded to a landing for processing. Slash will be piled and burned or lopped, scattered and underburned. A burn plan will be prepared based on conditions after thinning. Hand lines will be constructed to contain underburns and protect archaeological properties as needed.
- Merchantable trees may be sold in a timber sale or other contract.
- Up to ½ mile of temporary road will be constructed to access the stand. The road will be rehabilitated after the project is completed.
- A low-water crossing near Briles Reservoir will be reconstructed and rocked to decrease sediments delivered into the reservoir.
- White fir that is heavily infested with fir engraver will be removed to reach the desired basal area.

Within the 430-acre area, approximately 13 acres of small diameter conifer thinning will occur within a plantation near Briles Reservoir. The purpose and need for this treatment is to increase growth, health, growing room, and available soil moisture to accelerate recruitment of bald eagle nesting habitat. Trees to be cut are less than 12 inches in diameter that may be implemented in a commercial product sale or other contract.

Juniper Removal:

On approximately 25 acres within the 430-acre area, juniper trees up to 26 inches diameter may be cut and removed for firewood, piled and burned, or chipped. No live limbs will be left on stumps. Stumps will be cut to a maximum height of 12 inches. No ponderosa pine will be cut in this stand. Junipers may be whole tree yarded and chipped or burned at landing sites, or bucked on site with slash piled and burned. Cut junipers may be sold for fuel wood or other forest products (biomass).

Briles Bald Eagle Habitat Improvement Project Design Features

The Briles Bald Eagle Habitat Improvement Project treatments (conifer thinning and juniper removal) will be completed outside of bald eagle Limited Operating Periods. Operations within ½ mile line of site of active bald eagle will be scheduled from 15 August to 1 November to minimize disturbance to nesting birds. If young are not fully fledged by 15 August, consultation will be reinitiated with the US Fish and Wildlife Service.

Riparian Conservation Areas are designated on the project area map (in the project file) and will not be entered. Best management practices will be applied to protect water quality (see project file for details).

Borax (Sporax) will be used on all pine and fir stumps greater than 8 inches in diameter to decrease the spread of *Heterobasidion annosum*, a root disease that can spread and kill whole stands and, if left untreated, would reduce recruitment trees for bald eagle nest trees. One pound of sporax will be applied per 50 square feet of stump area. Use of sporax is routine and does not threaten non-target species. Stumps will be cut to a maximum height of 12 inches on the uphill side.

Cultural (Archeological sites) will not be disturbed, except in areas that have the Forest Archeologist approval to hand fell and pile trees less than 6" DBH. All piles, unless left as "wildlife piles," will be piled out of the site limits for future treatment. Firelines will be constructed around all archeological areas, if necessary, to prevent follow-up underburning from entering those areas.

Equipment will be washed prior to entering National Forest to ensure noxious weeds are not brought in from other areas. New cultural sites or special status wildlife or plant species found during implementation will be protected.

CATEGORICAL EXCLUSION

This project 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 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)."

This project is specifically aimed at improving bald eagle habitat. It does not include the use of herbicides (sporax is not an herbicide) and does not exceed one mile of temporary (low standard) road construction. 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, endangered or sensitive species. A Biological Assessment was prepared for this project that finds the project will have a beneficial effect on bald eagles. This project implements the 1986 Recovery Plan for the Pacific Bald Eagle, U.S. Fish and Wildlife Service, Portland, Oregon.

Short-term potential for disturbance is minimized by a limited operating season and other project design features. The United States Fish and Wildlife Service concurred with this assessment. A Biological Evaluation (BE) was prepared for sensitive and management indicator fish, wildlife

and plant species with a determination of “no impact,” since potential effects are mitigated 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. All Riparian Conservation Objectives are met with the project (see RCO analysis in the project record). Best management practices will be applied to protect water quality.

Archaeological, cultural, and historic sites were inventoried and will be protected from adverse effects. The State Historic Preservation Office (SHPO) concurred that this will be a “no effect” undertaking on historic properties or other sites. Government to government consultation with Hewise Band of the Pit River Tribe has also occurred. Tribal representatives are strongly in favor of the project as designed.

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 (Fender Hazardous Fuels Reduction Juniper Thinning and Underburning projects). 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 purpose and need for the Briles project. Some members of the public requested more detailed information regarding how the project would be accomplished; specifically regarding construction and use of roads, the size of trees to be cut, the use of sporax, and follow up fuels treatments. These respondents were personally contacted regarding their information requests, and the project file now provides this information.

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

SIGNATURE AND DATE

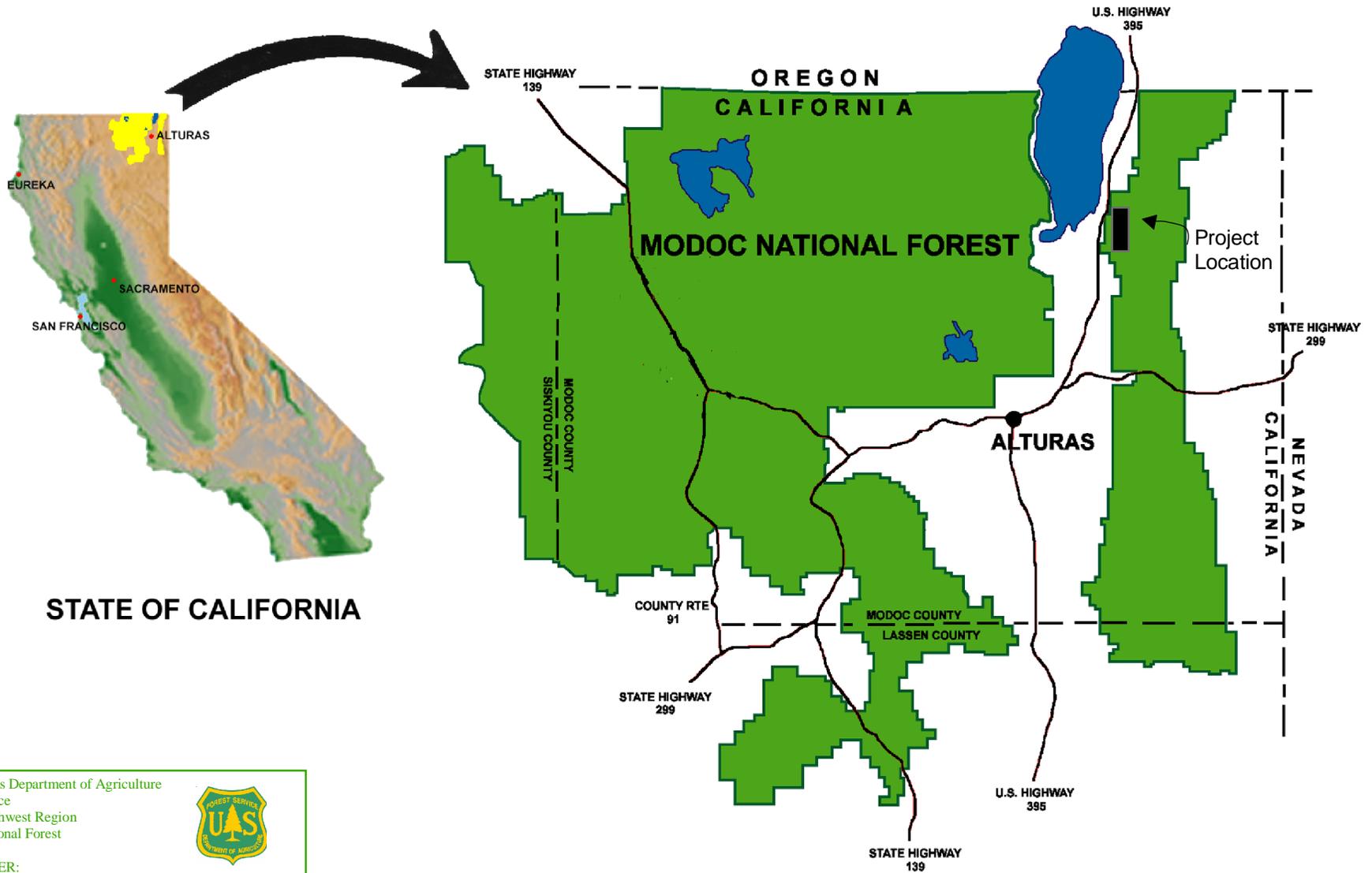


EDITH S. ASROW
District Ranger

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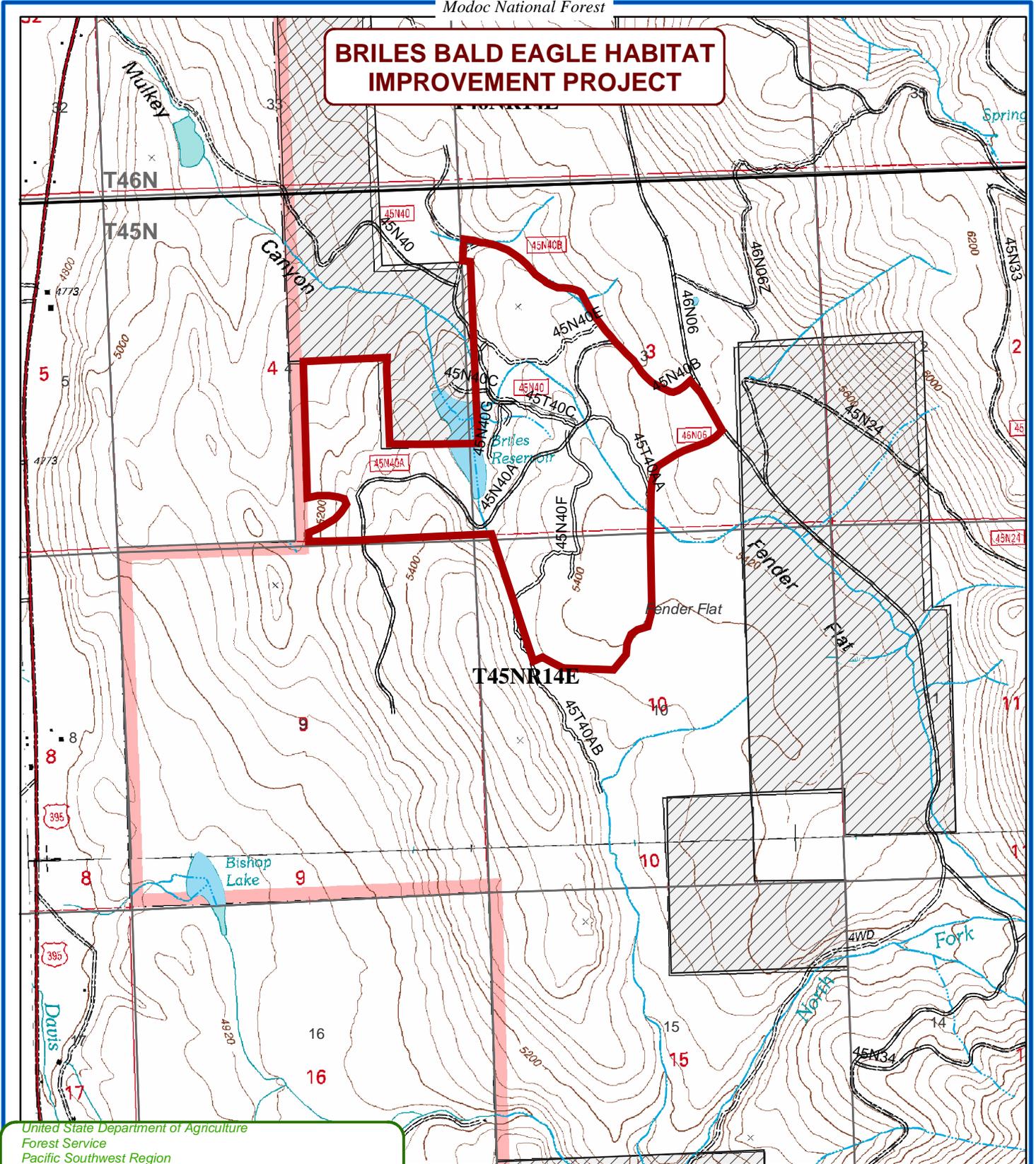
This map was prepared using Modoc National Forest databases as of January 2004.



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Task-WM-01

BRILES BALD EAGLE HABITAT IMPROVEMENT PROJECT

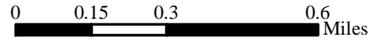


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 Proposed Treatment Area



1:24000

