



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mother Lode Field Office

5152 Hillsdale Circle

El Dorado Hills, CA 95762

www.blm.gov/ca/motherlode

Hazardous Fuel Reduction Variance Permits, Glencoe Applicants (CA-180-10-22) Finding of No Significant Impact July 2010

It is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of impacts addressed in the Sierra Resource Management Plan/Final Environmental Impact Statement. The proposed action does not constitute a major federal action having a significant effect on the human environment; therefore, an environmental impact statement is not necessary and will not be prepared. This conclusion is based on my consideration of CEQ's following criteria for significance (40 CFR §1508.27), regarding the context and intensity of the impacts described in the EA, and based on my understanding of the project:

1) *Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.* Potential impacts include removal of commonplace vegetation, negligible soil disturbance, and temporary noise and dust due to cutting and masticating fuels. However, none of these impacts would be significant at the local scale or cumulatively because of the small scale of the project. Visual resources may be impacted some but are not considered significant. BLM's visual resource management standards for the area would be met.

2) *The degree of the impact on public health or safety.* No aspects of the proposed action have been identified as having the potential to significantly and adversely impact public health or safety. In fact, the project is designed to help firefighters fight wildfire; therefore protecting public health and safety, especially for residents of Glencoe.

3) *Unique characteristics of the geographic area.* The project area does not have any unique characteristics. Soil, vegetation, wildlife, and cultural resources are all typical of the elevation and terrain in the Sierra Nevada foothills.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* No anticipated effects have been identified that are scientifically controversial. As a factor for determining within the meaning of 40 C.F.R. § 1508.27(b)(4) whether or not to prepare a detailed environmental impact statement, "controversy" is not equated with "the existence of opposition to a use." *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). "The term 'highly controversial' refers to instances in which 'a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.'" *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).

5) *The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* The analysis does not show that this action would involve any unique or unknown risks.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* Fuel break construction and maintenance using a masticator and hand crews is not precedent setting. BLM undertakes these types of projects on a regular basis.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No significant cumulative impacts have been identified. The proposed action is consistent with the actions and impacts anticipated in the Sierra Resource Management Plan.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* The project would not affect cultural resources listed on or eligible for the National Register of Historic Places.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* No ESA listed species (or their habitat) will be affected by the environment.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that this decision will result in actions that will threaten such a violation.

William S. Haigh
Field Manager, Mother Lode Field Office

Date



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EA Number: CA-180-10-22

Proposed Action: Hazardous Fuel Reduction Variance Permits, Glencoe applicants

Location: MDM, T 6 N, R 13 E, Sections 20,17,19, and 30, Calaveras County, CA (see the project area maps attached)

1.0 Purpose of and Need for Action

1.1 Need for Action

The Bureau of Land Management's Mother Lode Field Office (BLM) manages scattered public lands in the foothills of the central Sierra Nevada. Some areas have not experienced wildfires in decades. Chaparral and other fuels have grown, increasing the possibility of a catastrophic wildfire. At the same time, local communities have grown. There are now numerous private residences in the area, including residences adjacent to BLM-administered parcels containing dense fuels. Local residents are concerned about wildfire and are anxious to see public land managers like BLM take action to reduce fuels on public lands adjacent to their homes. BLM proposes to issue variance permits to landowners in the Glencoe area allowing them (or a contractor of their choosing) to reduce fuels on BLM-administered land, at the boundary, adjacent to their property. In some cases, BLM crews or contractors would implement the fuels reduction work within the project area (referred to herein as the variance area).

1.2 Conformance with Applicable Land Use Plans

The proposed action—issuing variance permits—is consistent with the Sierra Resource Management Plan, approved in February 2008, and the Mother Lode Field Office Fire Management Plan, approved in March 2008. The Sierra Resource Management Plan's Record of Decision (page 15-16) gives BLM the goal of establishing a cost-efficient fire management program commensurate with threats to life, property, public safety, and environmental resources. BLM also has the goal of suppressing wildfire to protect life, property, and environmental resources. BLM's objectives for meeting these goals are use various kinds of treatments to reduce the risk of wildfire in WUI communities and reduce the risk of catastrophic wildfire through fuels management. The Fire Management Plan gives BLM various fire / fuels treatment objectives and strategies for specific lands under BLM's administration. Specific objectives and strategies for the fire management unit, in which the project area is located, are laid out in the plan.

2.0 Proposed Action and Alternatives

2.1 Proposed Action

The proposed action is to issue a variance permit to three landowners in the Glencoe area, allowing them to reduce fuels on BLM-administered land. Due to topography and parcel shapes, BLM has increased the size of the proposed variance areas, beyond the usual size permitted under BLM's variance program (100 ft). These enlarged areas are analyzed in this EA and are shown on the project maps. Variance permits would be issued to the applicants for only the original variance program

specifications for a fuel break measuring 100 ft wide by the length of the applicant's property line. BLM or its contractors would likely do the fuels reduction work. In this case, the enlarged variance areas shown on the project maps would be treated. The work would be done in the following way:

Either fuel breaks or fuel reduction zones would be built by hand using chainsaws and other hand-held tools. Clearing would not reduce vegetative canopy closure (brush or tree height) to less than 50 percent of the treated area.

If the applicants implement the project, they must abide by all the standard permit stipulations. The applicants may not use the following methods on BLM-administered land to clear or dispose of cut vegetation: mechanical masticators, equipment (i.e., dozers, ATVs, etc.), or burning.

If BLM conducted the work, BLM and its contractors may use a rubber tracked brush chipper or masticator. Crews would cut and feed vegetation into the brush chipper. Chips would be distributed evenly over the landscape not exceeding 6 inches in depth.

BLM may also use prescribed fire within the variance areas. BLM crews would cut and stack vegetation into 6 x 6 ft piles. The piles would be burned at a later date and in accordance with an approved Prescribed Fire Burn plan and California BLM Fire and Aviation Standards.

During project implementation, fire suppression tools would be kept at hand during clearing. Tools with internal combustion engines would have state or federally approved spark arresters.

Any dead vegetation less than six inches in diameter would be cut and removed. Live trees with trunks less than 6 inches in diameter as measured six inches above the ground would be cut and removed. Tree trunks would be cut flush with the ground. Ladder fuels (branches) would be removed from the lower third of trees not cut down. Generally grasses and forbs may be cut with a string trimmer (see exception below under Project Design Features). All cut vegetation, garbage, trash, litter, discarded equipment or parts, waste material, or other refuse resulting from operations would be removed by hand to adjacent private property and disposed of on the landowner's property, at the local county landfill, or subject to prior written authorization by BLM.

2.2 Project Design Features

To minimize the potential for introduction or spread of invasive weeds, all equipment used for the proposed action would be cleaned prior to entering the variance area and, where possible, would avoid operating within weed-infested areas, such as stands of scotch broom.

Fuels reduction projects can cause the spread of invasive plant species. Of particular concern is the spread of weedy brush species like Scotch broom, French broom, and Spanish broom. If these species are cut to reduce brush fuels, and the branches are moved, seed of the broom species may be spread. If branches of these species are to be moved, the branches would be cut small enough to be loaded in plastic bags. Any transport of the branches will be done inside intact and closed plastic bags. For the same reason, raking of areas with any broom species is not permitted.

In most cases grasses and forbs may be cut with a string trimmer. However if weeds are present, (e.g., yellow star thistle, Italian thistle, bull thistle), and if the weeds have mature seed, the weeds will be pulled and bagged before any string trimming occurs. Any transport of cut or pulled weeds with seed will be done inside intact closed plastic bags.

If the operator discovers, encounters, or becomes aware of cultural or paleontological resources within or near the variance area (i.e., historic or prehistoric sites, objects, features; human graves or grave

markers; fossils; artifacts; etc.) all operations in the vicinity would cease and a BLM-approved archaeologist would be notified. The archaeologist would assess the discovery and provide recommendations on how to proceed within the context of BLM policy. Operations would resume at the discovery site upon BLM authorization.

The use of herbicides is prohibited.

No new roads or trails shall be created or constructed.

Roads or trails commonly in public use would not be enclosed or obstructed. Existing telephone, telegraph, transmission lines, fences, ditches, roads, trails, and other improvements would be protected.

All survey monuments, witness corners, reference monuments, and bearing trees would be protected against destruction, obliteration, or damage during operations.

All federal, state, and local laws and regulations applicable to the premises would be followed.

To avoid misunderstandings, private landowners would be given written instructions/permit stipulations pertaining to their rights and responsibilities under their fuels variance. The instructions/permit stipulations for the project would be read to the landowner. The instructions/permit stipulations would specify penalties for non-compliance.

2.3 No Action

Under the no action alternative, BLM would issue the three variance permits, nor would BLM treat the proposed variance areas.

2.4 Alternatives Considered but Eliminated from Detailed Analysis

BLM did not consider any other alternatives in detailed analysis.

3.0 Affected Environment

The three variance areas are located in the foothills of the central Sierra Nevada. Specifically, the variance areas are located near the community of Glencoe, on Highway 26, on the divide between the South Fork of the Mokelumne River and the North Fork of the Calaveras River. The variance areas are located at elevations ranging from approximately 2640 to 2400 ft above sea level. Streams like Mosquito Gulch drain north into the Mokelumne River canyon. Vegetation within the variance areas varies depending on exposure, soils, elevation, proximity to perennial/intermittent water sources, etc. Portions of variance areas are dominated by a dense manzanita chaparral. The vegetation provides habitat for a variety of wildlife. Some small herbivores use chaparral species in fall and winter when grasses are not in abundance. Rabbits and hares eat twigs, evergreen leaves and bark from chaparral. Chaparral provides seeds, fruits, insects, protection from predators and climate, as well as singing, roosting, and nesting sites for many birds. There are numerous private residences near the variance area. Recreational use of BLM-administered land in the area is considered to be very low. Recreationists visit this area infrequently. BLM manages this area in accordance with class III visual resource management (VRM) standards. BLM's objective for class III is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat basic elements found in the predominant natural features of the characteristic landscape.

4.0 Environmental Effects

The following critical elements have been considered in this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposal: areas of critical environmental concern, prime/unique farmlands, floodplains, wetlands and riparian zones, wild and scenic rivers, wilderness, and environmental justice.

4.1 Impacts of the Proposed Action and Alternatives

The proposed action would not impact atmospheric, water, or soil resources. The areas that would be treated is relatively small in size. The use of hand tools and possibly a rubber-tracked chipper within these areas is expected to cause little, if no, soil disturbance. Brush and other fuels would be dragged by hand from the variance area onto private property and then properly disposed of. Cutting of fuels, as proposed, could create some dust, but not enough to affect air quality.

The BLM botanist conducted a botanical study of the variance areas. The study was designed to help BLM meet its obligations under the Endangered Species Act. He did not find any special status plants affected by the proposed action. The botanist recommended that the proposed action would not affect threatened and endangered plants or other BLM special status plants. Vegetation that would be treated within the variance areas would grow back within a few years (refer to the study attached).

The BLM wildlife biologist analyzed the impacts of the project on wildlife, especially on special status wildlife. Her analysis was designed to help BLM meet its obligations under the Endangered Species Act. The biologist recommended that the project would have negligible short-term impacts on wildlife due to temporary noise and dust when fuels are cut and masticated. There would be no impacts on threatened and endangered wildlife or other BLM special status wildlife (refer to the study attached).

The BLM archaeologist is in the process of conducting a cultural resource study of the variance areas to determine whether significant cultural resources could be affected by the proposed action. The study was designed to help BLM meet its obligations under Section 106 of the Historic Preservation Act. The BLM archaeologist has identified cultural resources within the variance areas. The project would be designed to avoid these resources. In other words, no cultural resources—significant or not—would not be affected. No places of traditional religious and cultural significance to Native Americans would be affected (refer to the study attached).

The proposed action would not negatively impact recreational use. Recreational use is very uncommon in the areas affected by the proposed action. Recreation could be impacted, for a short period of time, during project implementation.

The proposed project would have a negligible temporary impact on visual resources. BLM manages the area in accordance with VRM class III standards, and the proposed action is in line with the management objective for this class, which is to partially retain the existing character of the landscape.

4.2 Impacts of the No Action Alternative

There would be no impacts to environmental resources, such as water, soils, and wildlife. However there could be impacts to private property. If the proposed action is not implemented, private property would have less protection against a wildfire.

4.3 Cumulative Impacts

Negative cumulative impacts are not anticipated. The proposed action would not impact significant biological and cultural resources. The proposed action would not impact atmospheric, water, and soil resources. The proposed action would have negligible short-term impacts on commonplace plants and wildlife. The vegetation would grow back and wildlife would return to the area once project work has ceased. Except for trees too large to be cut during the initial fuel break construction, as long as the fuel break is maintained, vegetation will be kept at an early seral stage. This will affect wildlife use patterns, favoring those species that make use of early seral habitat. Wildlife species that do not stray from cover will make less use of the fuel break area. Wildlife species that use the ecotone between dense brush and more open habitat should be favored by the fuel break with adjacent uncut brush. In all of these instances, other fuels reduction work in the vicinity can lead to cumulative impacts. The proposed action is expected to have beneficial cumulative impact on wildfire protection.

5.0 Agencies and Persons Consulted

No outside agencies were consulted.

5.1 Authors

James Barnes, BLM NEPA coordinator/Archaeologist

Brian Mulhollan, BLM Fuels specialist

5.2 BLM Interdisciplinary Team/Reviewers:

NEPA coordinator/Archaeologist	Date
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Fuels specialist	Date
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Recreation	Date
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Botany	Date
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Wildlife/fisheries	Date
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5.3 Availability of Document and Comment Procedures

This EA will be posted on Mother Lode Field Office's website (www.blm.gov/ca/motherlode) under NEPA and will be available for a 15-day public review period. The EA is also available by mail upon request during this 15-day public review period. Comments should be sent to James Barnes at Bureau of Land Management, Mother Lode Field Office, 5152 Hillsdale Circle, El Dorado, CA 95762, or emailed to jjbarnes@blm.gov.