NV Energy Resilience Corridors Project

Decision Memo

U.S. Forest Service
Lake Tahoe Basin Management Unit
and
Humboldt-Toiyabe National Forest, Carson Ranger District
Carson City and Douglas and Washoe Counties, Nevada

DECISION

I have decided to implement the proposed action, which includes treatment and maintenance of vegetation adjacent to NV Energy electrical infrastructure and power line corridors (see project overview map). These treatments will create safe clearance between vegetation and infrastructure, improve wildlife habitat, reduce fuel loads, promote tree growth, and improve forest health. Treatment activities include:

- Implementing vegetation management activities in Zone 1 consistent with the International Wildland Urban Interface Code
- Pole grubbing on each power pole (removing all combustible vegetation within a 20-foot radius around the pole)
- Removing hazard trees that could directly strike power lines if they fall consistent with Forest Plan direction
- Mechanical thinning on slopes less than 50 percent and hand thinning where needed to protect natural resources (often on slopes ranging from 30-50 percent)
- Removing and managing biomass by piling, mastication, broadcast chipping, or mechanical means
- Using helicopter support operations
- Prescribing understory burning as a primary or follow-up treatment option in all areas to reduce natural fuel build-up and improve plant vigor, depending on fuel and post-treatment conditions
- Pile burning

Vegetation treatments, roads, and prescribed fire activities are described below.

Forest thinning

Forest thinning treatment activities will occur primarily from May to October, but can be conducted throughout the year except when a limited operating period (LOP) is implemented to protect sensitive resources.

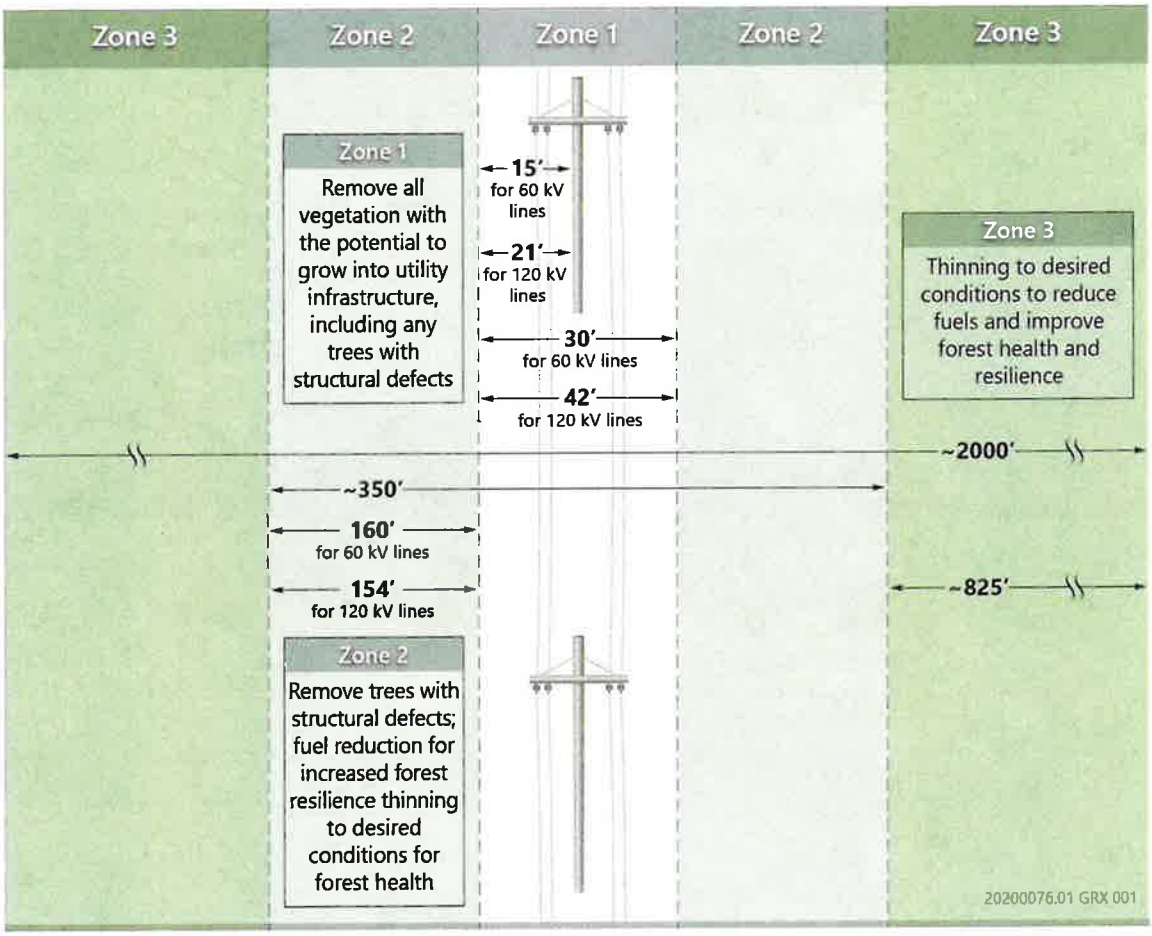
All treatment activities will use best management practices (BMPs) and resource protection measures (RPMs) to avoid, eliminate, or reduce unintended and undesirable effects of the activities. The BMPs and RPMs are included as Attachment 1.

Treatments will generally take place within approximately 1,000 feet of existing power lines, in three linear zones defined below and shown in the following figure.

- **Zone 1** (up to 15 feet on each side of power lines up to 60 kV and up to 21 feet for 120 kV lines): Remove all vegetation (see exceptions below), including all trees, within the specified distance (15 or 21 feet) from

power poles and create a noncontiguous fuel pattern consistent with the International Wildland Urban Interface Code and NV Energy's Natural Disaster Prevention and Protection Plan.

- **Zone 2** (between 15 and 175 feet on each side of the power lines for 60 kV lines, and between 21 and 175 feet for 120 kV lines): Remove trees with structural defects that have the potential to strike utility infrastructure, reduce fuels, and thin to desired conditions.
- **Zone 3** (between 175 and approximately 1,000 feet on each side of the power line): Reduce fuel loads and thin the forest to desired conditions.



Source: NV Energy 2021

Riparian fuels, including mature aspen trees, will be removed only if they have the potential to grow into the utility infrastructure. Trees showing signs of insect infestation, diseases, or symptoms of poor health will be selected for removal first. Intermediate (crowns are generally narrow or one-sided and below the general level of the canopy) and co-dominant (crown extends into canopy and receives direct sunlight from above but limited sunlight from the sides) trees will also be removed first. Buffers will be used near perennial and intermittent streams, lakes, riparian corridors, stream environment zones (SEZs), and federally designated wetlands or waters of the United States to protect riparian vegetation.

The general prescription for thinning treatments would be to remove trees up to 30 inches diameter-at-breast-height (DBH) to meet desired conditions for stand density. Trees larger than 30 inches DBH may be removed if reviewed by a Forest Service wildlife biologist and if the tree presents a safety hazard, prevents equipment operability, or is infested by insects or disease with the potential to spread to adjacent trees. In hand treatments, where material would be piled or scattered and not removed, thinning would generally be limited

to trees under 20 inches DBH. Sugar pine, Jeffrey pine, incense cedar would be favored for retention at mid-elevations and whitebark pine, Jeffrey pine, western white pine, incense cedar and red fir will be favored for retention at higher elevations.

Protected activity centers (PACs) for northern goshawk, spotted owl, and flammulated owl and home range core areas (HRCAs) for spotted owl that overlap the power line corridors will be treated to reduce fuels and remove hazard trees in these sensitive areas. Within PACs, Zone 1 will be treated in the same manner as Zone 1 treatments outside of PACs to protect power line infrastructure. Zone 2 treatments will include removing hazard trees that could strike power infrastructure. Thinning treatments within Zone 2 and 3 will be designed to retain habitat requirements for northern goshawks, spotted owls, and flammulated owls in accordance with the LTBMU and HTNF Forest Plans and RPMs intended to protect these sensitive species.

Vegetation treatments may create openings to restore forest structure, ranging in size from less than 1 acre to 3 acres. Openings may retain trees and clumps to produce spatial and structural variability, increasing forest resiliency. The location of openings will be influenced by: (1) areas of heavy tree mortality, insect infestation, or disease; (2) proximity to PACs and HRCAs and detections of late- and mid-seral associated species; (3) existing connectivity of habitat for species within or adjacent to project area; (4) proximity to developed recreation sites, scenic resources, and heritage resources; (5) proximity to open water and SEZs; (6) proximity to communities; (7) surrounding seral stages; and (8) spread of invasive species.

The type of thinning operation selected will be based on soil type and slope of treatment stands. Mechanical thinning may occur on slopes less than 50 percent and hand thinning may occur where needed to protect natural resources (often on slopes ranging from 30-50 percent). Cable yarding or helicopter systems for biomass removal could take place in areas where soils are too sensitive for ground-based mechanized equipment or otherwise needed to protect natural resources. Cable yarding generally has a limitation of occurring within about 1,500 feet of roads.

In mechanical units, treatment may be completed by whole tree skidding or low impact methods such as cut-to-length forwarding. Follow up treatments to reduce or redistribute residual fuel could include lop and scatter, mastication, chipping or grapple piling, and pile burning.

Existing downed logs and fuels may be reduced by removal through ground-based mechanical methods. Material not removed could be chipped or masticated, piled, and burned within the units or at landings, or consumed during planned understory burning.

Conifers will be thinned from SEZs, including riparian areas, meadows, and aspen stands. All conifers that are competing with riparian vegetation, overtopping aspen, or encroaching upon meadows will be considered for removal.

Landings will primarily be in areas previously used as landings and in other existing openings, though some may need to be constructed. They will be strategically placed to create openings to restore forest heterogeneity. Landings will be large enough to safely facilitate the handling and removal of biomass material and will range from less than 1 acre to 3 acres to meet forest structure objectives.

Temporary stream crossings may occur in ephemeral, intermittent, and perennial drainages. The Forest sale administrator, hydrologist, and aquatic biologist will agree on temporary locations and designs prior to construction. The number of crossings will be kept to the minimum required for access and will be as perpendicular to stream course as possible.

Within 300 feet of developed areas (homes and other infrastructure), brush, snags, and down logs may be removed to meet defensible space objectives.

Seeds or plugs will be planted in areas where increased size, age, and species diversity are desired. Reforestation may be used as a post-thinning treatment to increase the diversity of seral stage, species, and size class in forest stands, and prescriptions will incorporate species mix, stocking density, and the use of white

pine blister rust resistant seedlings. Examples of where reforestation may be used include, but are not limited to, areas that are cleared for landings and openings from thinning dead or dying trees. Areas will be chosen based on the need for diversity in species and size composition in that area.

Prescribed fire

Prescribed fire may be used to remove slash piles, when off-hauling of cut material is not feasible, and to reduce surface and ladder fuels. Prescribed fire may also be used to promote pockets of tree mortality where it is not feasible for thinning treatments to meet these objectives (e.g., too many trees that are too large for hand piling, or current stand densities will result in too many piles) and to increase available snags and down woody debris for wildlife habitat.

Prescribed fire could occur within Zones 2 and 3 but will not be conducted in Zone 1. The creation of snags and coarse woody debris using prescribed fire will only occur more than 300 feet from private property and outside of Zone 1. Fuel treatments using prescribed fire may occur as the primary treatment, or within 2 to 5 years following hand or mechanical treatment. Existing roads and trails will be utilized as fire lines to minimize new ground disturbance, though additional fire lines may be constructed with hand tools.

Roads

Temporary road construction will be required to facilitate thinning treatments. Where possible, temporary roads will be constructed on top of a non-historic, relic road prism (i.e., previously decommissioned). The need for temporary roads will be determined as the silvicultural prescriptions for individual treatment units are developed. Construction needs may include installation of drainage structures to prevent surface water runoff, road widening for vehicle access (including removal of trees and brush), and road surface stabilization. The proximity and crossing of recreation corridors (such as trails) will be considered during the planning of the temporary road system and avoided whenever possible.

Forest system roads will be maintained commensurate with use. Native surface roads will be watered to abate dust during project implementation. Upgrades to roads will not be undertaken to accomplish substantial improvements in road standard to raise the maintenance level. Damage to any bituminous, chip seal, or asphaltic surfaced type will be repaired.

Construction of temporary roads will be limited to no more than 1 mile on land managed by HTNF in accordance with the category of exclusion for this activity.

CATEGORICAL EXCLUSIONS

The action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable categories of actions are as follows:

For the LTBMU, the proposed action meets the criteria outlined in the Water Infrastructure Improvement for the Nation Act of 2016 (Public Law 114-322):

> *A forest management activity conducted in the Lake Tahoe Basin Management Unit for the purpose of reducing forest fuels is categorically excluded from the requirements of the National Environmental Policy Act, if the forest management activity:*
>
> *(A) does not exceed 10,000 acres, including not more than 3,000 acres of mechanical thinning;*
>
> *(B) is developed in coordination with impacted parties, specifically including representatives of local governments, such as county supervisors or county commissioners and in consultation with other interested parties; and,*
>
> *(C) is consistent with the Lake Tahoe Basin Management Unit land and resource management plan.*

For the HTNF, the proposed action meets the criteria outlined in the additional category (36 CFR 220.6(e)(6)):

Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than one mile of low standard road construction.

Because recent destructive fires demonstrate the urgent need to reduce forest fuel loads, I am using the category specifically created by Congress for this purpose on the LTBMU portion of the project. Because one of the examples given under the (e)(6) category specifically states thinning or brush control may be used to improve growth or reduce fire hazard, I am using that category for the HTNF portion of the project. These categories are the best fit for the project actions.

I considered the following resource conditions based on information and analysis in the specialist reports available in the project record and find there are no extraordinary circumstances warranting further analysis and documentation in an EA or EIS.

Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or forest service sensitive species

Federally Listed Botanical and Animal Species

No botanical species listed as threatened or endangered under the federal Endangered Species Act (ESA) are present in the project area. Whitebark pine (*Pinus albicaulis*) is proposed for federal listing as threatened and is present in the project area. As described in the project Biological Assessment (BA) and the Biological Evaluation (BE), with incorporation of applicable RPMs, the proposed action may affect but is not likely to adversely affect whitebark pine.

No federally listed animal species are expected to occur in the project area; however, potential habitat for the threatened Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*) and endangered Sierra Nevada yellow-legged frog (*Rana sierrae*) may be present. Because the proposed action includes RPMs designed to reduce and avoid potential project-related effects on these species, the species are not expected to occur in the project area, and any potential residual effects would be minor, the proposed action may affect but is not likely to adversely affect Lahontan cutthroat trout or Sierra Nevada yellow-legged frog. Critical habitat for Lahontan cutthroat trout has not been designated by the U.S. Fish and Wildlife Service within the project area. The nearest designated critical habitat for Sierra Nevada yellow-legged frog is approximately 10 miles west of the project area and would not be affected by the proposed action.

Forest Service Sensitive Botanical and Animal Species

Determinations for Forest Service Sensitive botanical and animal species are as follows, based on the detailed analyses and determinations provided in the Biological Evaluation available in the project record. The proposed action may affect but is not likely to result in a trend toward federal listing or loss of viability for any Forest Service Sensitive botanical and animal species.

Floodplains, wetlands, or municipal watersheds

The project area includes floodplains and wetlands. Floodplains will receive both mechanical and hand thinning treatments. Due to soil moisture restrictions, mechanical treatments would not occur within wetlands. Hand thinning treatments will improve wetland conditions by removing encroaching conifers with material piled for later burning or removal by cable yarding or helicopter systems. The project will have no effect on municipal watersheds.

Congressionally designated areas

There are no congressionally designated areas within the project area.

Inventoried Roadless Areas or potential wilderness areas

IRAs are located within the project area (Rose, Lincoln, and Jobs Peak roadless areas), but no roads would be constructed within them. Some trees may be harvested for commercial purposes if access is available. The Roadless Rule allows the cutting, sale, or removal of timber if needed "to maintain or restore the

characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects, within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period" (36 CFR 294.13(b)).

The Pacific Southwest Regional Forester has reviewed the proposed activities and determined this project is consistent with the 2001 Roadless Area Conservation Rule. The Intermountain Regional Forester delegated review and compliance determination for portions of the 2001 Roadless Area Conservation Rule to forest supervisors. The HTNF Forest Supervisor concurred on the activities described above consistent with the 2001 Roadless Area Conservation Rule. Roadless area characteristics will be protected.

Research natural areas

There are no research natural areas within the project area.

American Indians religious or cultural sites

The proposed action would not adversely affect known American Indian religious or traditional heritage resource sites within the project area. Consultation with the Washoe Tribe of Nevada and California was initiated on November 20, 2020, and no concerns were expressed.

Archaeological sites, or historic properties or areas

A comprehensive inventory consistent with the *Programmatic Agreement Among the USDA Forest Service Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forests of the Pacific Southwest Region (2018)* (R5 PA) has been completed for the project's Area of Potential Effects (APE) that includes HTNF and LTMBU managed lands (*Cultural Resources Inventory Report for the Nevada Energy Resilience Corridors Project, USDA USFS Lake Tahoe Basin Management Unit, South Lake Tahoe, CA and Humboldt-Toiyabe National Forest; Carson Ranger District, Carson City, NV,* prepared by Natural Investigations Company in 2022 [LTBMU Report No. R2022051900001; HTNF Report No. R2021041702965]). By agreement with the Nevada State Historic Preservation Officer, the R5 PA is being applied across the entire project area, including HTNF managed lands (SHPO UT 2022-7096; 29110, March 31, 2022). Historic properties identified within the APE will be protected through implementation of R5 PA Standard Protection Measures, ensuring that the project will have no adverse effect on historic properties.

The proposed action complies with the National Historic Preservation Act of 1966, as amended (54 USC 306108) and implementing regulations at 36 CFR 800 in accordance with the provisions and stipulations of the R5 PA.

PUBLIC INVOLVEMENT

The action was first listed as a proposal on the LTBMU Schedule of Proposed Actions (SOPA) on July 1, 2020, and the HTNF SOPA on October 1, 2020. On November 20, 2020, the project was posted for a 30-day scoping period on the LTBMU Forest Projects webpage and SOPA and in press releases to surrounding media outlets. On the same day, the proposed action and cover letter were emailed to multiple state, county, and local entities as well as to other potentially interested stakeholders from both forest units. Consistent with the Water Infrastructure for Improvements to the Nation Act, notices were also sent to the following local officials: Douglas County Commissioners Wes Rice, Barry Penzel, and John Engels; Washoe County Commissioners Bob Lucey and Marsha Berkbigler; Mayor Hilary Shieve and Council Member Naomi Duerr of Reno; and City Manager Nancy Pulson and Supervisor John Barrette of Carson City. The scoping period concluded on December 21, 2020.

During the scoping period, six comment letters were received. Comment letters are contained in the project record and have been addressed either within this document, by resource specialists' analyses, or by other information in the project record.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This project is consistent with the standards and guidelines contained in the LTBMU and HTNF forest plans. The project will implement BMPs and RPMs that are compliant with any permit or waiver issued by the Nevada Division of Water Resources. This portions of this project within the Lake Tahoe Basin fall under the *Memorandum of Understanding* between TRPA and Forest Service Region 5 regarding Fuels Reduction and Forest Health Projects. LTBMU staff will coordinate closely with TRPA during project planning to ensure that the project components within TRPA jurisdiction are consistent with TRPA's environmental thresholds. Coordination may include completing a TRPA environmental checklist and environmental threshold findings.

ADMINISTRATIVE REVIEW

This decision is not subject to appeal or objection, pursuant to Section 431 of the Consolidated Appropriations Act of 2014.

IMPLEMENTATION DATE

Implementation may begin immediately in areas where pre-implementation survey requirements and any associated documentation have been completed. NV Energy and the Forest Service will coordinate the required survey work to gain clearance for implementation prior to completing vegetation treatments.

Interdisciplinary coordination during project development, design, and implementation is mandated in the LTBMU and HTNF Forest Plans and is based on the Forest Service's multiple use land management mandate. The project Interdisciplinary Team (IDT) will continue to work as a group throughout the implementation of this project. The IDT consists of resource specialists from planning, timber, silviculture, terrestrial and aquatic wildlife, botany, hydrology, fuels, recreation, and engineering. Treatments for this project will be fitted to on-the-ground assessments and current resource information at the time of implementation. The IDT will continue to gather information throughout implementation to ensure appropriate RPMs are applied while the needs of this project are met.

CONTACT

For additional information concerning this decision or project, please contact Victor Lyon, Vegetation Management Staff Officer, at either 530-543-2625 or victor.lyon@usda.gov.

Erick J Walker 4/28/2022

ERICK J. WALKER Date

Forest Supervisor

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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Project Overview Map

Sources: Data received from Nevada Energy in 2020 and USFS in 2021