

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
DIRECTOR'S OFFICE  
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR  
RESTORATION PROJECTS  
CONCURRENCE NO. 21080.56-2023-046-R2**

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**Project:** Tahoe Gateway Forest Health Implementation Project  
**Location:** Placer County  
**Lead Agency:** Wildlife Conservation Board  
**Lead Agency Contact:** Jennifer Stanfield; Jennifer.Stanfield@wildlife.ca.gov

**Background**

Project Location: The Tahoe Gateway Forest Health Implementation Project (Project) is located in the Emigrant Gap community of Placer County, at an elevation of approximately 5,400 feet, centering on Latitude 39.287312, Longitude -120.686445. The Project site is accessed via Blue Canyon and Nyack roads off Interstate 80.

Project Description: 40 Acre Conservation League, in partnership with the Wildlife Conservation Board, proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, and restore or provide habitat for California native fish and wildlife. The Project is designed to benefit mid-elevation mixed conifer forest, understory, oak woodland, and montane chaparral habitats. The 592-acre Project site has a logging legacy that maximized timber production and over-simplified forest species and structural diversity in the process. As a result, the Project site now has a dense monotypic conifer stand with a sparse understory that has encroached on oak woodland habitat in some areas. In other areas, logging enabled habitat conversion to chaparral. Because of this vegetative conversion and fire suppression, the Project site and thousands of acres of forest and aquatic habitat in the North American River watershed are at a high risk of catastrophic wildfire. This Project will reduce the risk of a regionally devastating wildfire and restore a mosaic of habitats to the Project site.

The Project will primarily address suboptimal conifer and chaparral density with a multi-pronged treatment plan including mechanical, hand-thinning, pruning, chemical, and mastication activities. Additionally, the Project will plant conifers in chaparral encroachment areas, implement mechanical and chemical invasive plant species control, and enhance understory plants for the benefit of pollinator insects. To maintain these restoration activities, selected existing logging roads will be maintained or improved. Thinned biomass will be removed or spread across the landscape by pile burning and chipping to reduce the risk of wildfire.



wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

## Discussion

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project will improve a mosaic of montane mixed forest and oak woodland habitats that have been encroached by chaparral scrub and overly-dense conifers. Selective conifer and shrub thinning in some areas will help reduce catastrophic landscape-scale wildfire risks. Reforestation in other areas will assist in the persistence of mixed forest at this elevation amidst climate change, and restoration of understory habitat will benefit pollinator insects.

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Project may have incidental public safety benefits to neighboring residential communities and utility, transportation, and water supply infrastructure. By reducing the risk of catastrophic wildfire to mixed forest and montane oak woodland habitats, the Project also reduces wildfire risk to the Emigrant Gap and Blue Canyon communities, Pacific Gas and Electric transmission and distribution lines, telecommunications infrastructure, Kinder Morgan Gas Pipeline, Interstate 80, Union Pacific's rail line, Emigrant Gap Airport, CalTrans Infrastructure and Maintenance Facilities along I-80, Emigrant Gap Mutual Water Company's drinking water assets, and the dams at Lake Putt.

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency: The Project will accomplish long-term climate resilience by restoring habitat heterogeneity in a landscape impacted by historical timber management. The Project will establish structural complexity and heterogeneity characterized by trees of various species, sizes, ages, and conditions (including standing dead and fallen trees), as well as irregular gaps in the canopy. The risk of catastrophic wildfire will be greatly reduced by re-establishing a healthy tree density and mosaic of habitats and spreading or removing thinned biomass. Thinning overstocked and encroaching conifers will decrease competition among trees, improving the survivorship and health of the Project site overall. Appropriate tree densities will also slow the spread of pests such as bark beetles. Mulching with the

thinned tree biomass will reduce soil evaporation, improving moisture retention. In areas that will be reforested, tree species will be selected that are more resilient to climate change stressors, including incense-cedar (*Calocedrus decurrens*), ponderosa pine (*Pinus ponderosa*), and black oak (*Quercus kelloggii*).

Long-term Net Benefits to Biodiversity: The Project will result in net benefits to biodiversity by increasing heterogeneity among three unique vegetation communities: mixed conifer forest, oak woodland, and montane chaparral. Selective conifer thinning will produce tree densities that increase average canopy gap size, which simultaneously supports an understory community and provides shade and snags. Conifer removal will also enable persistence of the existing oak woodland. By enhancing landscape heterogeneity, the Project aims to increase the diversity of habitats, which in turn is expected to support a wider variety of wildlife species.

Reducing fuel loads will lower wildfire risk to neighboring riparian habitat along Blue Canyon and Fulda creeks. Fires substantially increase sedimentation that impairs aquatic habitat function and directly impacts species survival. The proposed treatments will reduce wildfire and sedimentation risks, benefiting several fish species and foothill yellow-legged frog (*Rana boylei*). Additionally, the Blue Canyon deer herd depends on intact habitat in this region that serves as an important migratory corridor.

Long-term Net Benefits to Sensitive Species Recovery: The Project's forest management and vegetation planting activities will benefit sensitive insect species on site and sensitive aquatic species within the broader watershed. Western bumblebee (*Bombus occidentalis*), a species protected as a candidate for listing under the California Endangered Species Act, has been observed within two miles of the project site. It is likely that western bumblebee will benefit from diverse understory habitat restored during the Project including vegetation species that bloom throughout the year. Reducing fuels on the Project site will reduce the risks of catastrophic wildfire on foothill yellow-legged frog habitats directly or indirectly because intense fires remove overstory canopy, which provides insulation from extreme heat and cold, and woody debris that increases habitat heterogeneity. Pollinator plantings after fuel reduction activities will reduce soil erosion and stabilize soils in the Fulda Creek watershed where foothill yellow-legged frog has been identified.

Procedures for the Protection of the Environment: The Project will follow all applicable procedures within the California Board of Forestry's Forest Practices Rules that are required for protection of the environment. The Forest Practice Rules cover several topic areas such as: staging; access routes and impacts to stream crossings; construction windows to minimize impacts to landscape and species; erosion prevention and control; waterway pollutant avoidance; revegetation; and biological pre-construction surveys. Buffers of undisturbed vegetation, leaf litter, and soil will be maintained adjacent to creeks and pools to act as a sediment filter strip and to protect stream banks from erosion, as determined by the Registered Professional Forester. Additionally, heavy equipment will not be used within fifty feet of any waterway.

Ongoing Management for the Protection of the Environment: The ongoing management of the Project site will prioritize biodiversity instead of the historic focus

on timber production. Management practices will include promotion of habitat heterogeneity and spatial configuration, varied canopy density, retention of snags, management of chaparral species, and diverse age classes to reduce vulnerabilities to stressors and increase structural diversity across a landscape. Native forbs, herbs, and grasses will be managed for the benefit of pollinators.

Specifically, 40 Acre Conservation League will establish photo monitoring points and evaluate if treatments are meeting Project goals. An inventory of the timber overstory, understory, and baseline report will be produced after the conclusion of treatment operations and ongoing post-treatment management will be guided by the site's forest management plan. Ultimately, the Project will establish vegetation species and natural processes that do not need regular human maintenance.

- D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

The Project's use of heavy equipment is exclusively for habitat restoration activities, including route modifications and improvements during the restoration activities, forest management treatments, and pollinator habitat enhancements.

### Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

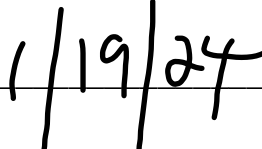
### Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

### CDFW Director's Certification

By:  \_\_\_\_\_

Charlton H. Bonham, Director  
California Department of Fish and Wildlife

Date:  \_\_\_\_\_