

**CEQA STATUTORY EXEMPTION FOR RESTORATION PROJECTS (SERP) CONCURRENCE REQUEST**

Completion and submission of this form is voluntary. This form may be submitted to request concurrence from the Director of Fish and Wildlife pursuant to Public Resources Code section 21080.56.

The Lead Agency may submit this signed form (pdf) and all attachments via the Department's [Environmental Permit Information Management System \(EPIMS\) Document Repository](#) or via email at restorationpermitting@wildlife.ca.gov.

1. LEAD AGENCY

Lead Agency Name:	California Department of Forestry and Fire Protection (CAL FIRE)
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2. PROJECT PROPONENT

☐ **Check Box and Skip to Number 3 if Same as Lead Agency**

Business/Agency/Organization:	Cultural Fire Management Council (CFMC)
Contact Person's Name:	Margo Robbins
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3. PROJECT INFORMATION

A. Project Name:	Skey-wok Kee' We Mech (It Needs Fire) Phase 1
B. County or Counties:	Humboldt
C. Lat./Long. Coordinates:	41.267395,-123.787144
D. Estimated Project Start/End Dates:	December 1, 2024/March 30, 2030

E. Provide a brief description of the future discretionary Project approval the Lead Agency is considering (see CEQA Guidelines sections 15352 and 15378) and an approximate date range for when the Lead Agency may make that approval if the Lead Agency obtains a SERP concurrence from CDFW.

The California Department of Forestry and Fire (CAL FIRE) awarded funding to the Cultural Fire Management Council and will assume CEQA lead agency to provide discretionary approval of the Skey-wok Kee' We Mech (It Needs Fire) Phase 1 Project (Project) upon receipt of SERP concurrence from CDFW. The Project will be implemented by the Cultural Fire Management Council (CFMC).



F. Provide a brief description of the Project location, size, and funding sources. Please cite and attach any supporting documents.

Executive Orders in 1853 and 1855 defined the boundaries of the Klamath River Reservation as encompassing a narrow ribbon of land one mile wide on each side of the Klamath River from its mouth at the Pacific Ocean to a point forty-four miles upriver at the town of Weitchpec. Since 1988 the Yurok Tribe has been the ruling body of this Reservation. The Skey-wok Kee' We Mech (It Needs Fire) Phase 1 Project (Project) encompasses 1,173 acres on the Yurok Reservation in Humboldt County along the Klamath River downriver from Weitchpec, California (Attachment 1). The Project is within the U.S. Geological Survey 7.5 Quad Maps of Johnson, French Camp Ridge, and Weitchpec. California State Route 169 (SR 169) provides access to the Project area.

Through a Forest Health Grant that was awarded October 24, 2024, CAL FIRE will provide funding to the CFMC to implement the Project. The CAL FIRE Forest Health Grant program supports active restoration and reforestation projects to improve the health and resilience of California's forests and is funded by the California Climate Investments (CCI) program.

G. Provide a brief Project description, including any post-restoration work, operation and maintenance, or other related activities. Summarize the Project's expected environmental benefits (e.g., acres or stream-miles restored/enhanced, species benefitted, etc.). Please cite and attach any supporting documents.

The Skey-wok Kee' We-Mech phase 1 Project is a landscape level forest health project located on the upper Yurok Reservation along the Klamath River designed to conserve, restore, protect, and assist in the recovery of California-native fish and wildlife, and the habitat upon which they depend. Treatments include cultural/prescribed fire as well as pre-and-post burn treatments to optimize the results of landscape-level broadcast burning. Cultural/prescribed fire increases the health and availability of traditional food sources, basket materials and plant medicine, improves animal habitat, removes hazardous fuels, and improves water quality due to the resulting biochar. Low to moderate intensity fire will reduce understory vegetation, thus reducing wildfire risk while yielding fire-depending basket materials and minimizing the pests that infect acorn crops. Furthermore, many plant species identified as potentially occupying the area are known to benefit from low intensity fire. Other species potentially in the area that are known to have evolved with fire grow from underground rhizomes, which protect these species from low to moderate intensity fires. Manual removal of invasive plant species, especially near creeks, may increase the water flow, which is critical during drought.

Pre-burn activities include manual installation of fire lines, cutting walking trails through burn units, and manual fuel reduction activities. These include vegetation removal around the base of vulnerable plant species and animal homes, reduction of ladder fuels, lop and scatter of invasive plants, especially Himalayan blackberry, the most pervasive of these to improve consumption by fire, and removal of vegetation around residences in the burn areas. While no live conifer overstory trees will be felled and no timber operations are planned, conifers of 8-inch diameter breast height (DBH) or less as well as dead and fallen trees will be removed to be used as firewood for elders and single parent households. Pre- and post-fire treatments seek to mitigate conifer encroachment to prairies and oak woodland ecosystems; in redwood and Douglas fir ecosystems, retention of legacy trees will be imperative to achieve diverse ages, sizes, spacing, and species. Reducing understory brush will decrease competition for water and soil nutrients, leading to larger and healthier trees that sequester more carbon.

The Prescribed Fire Training Exchanges (TREX) model will be utilized to plan, staff, and conduct the cultural/prescribed burns. This model requires two fire engines to meet the resource requirements and a water tender to ensure there is sufficient water on-site as required in programmatic burn plans. The CFMC has drafted a programmatic burn plan (Attachment 4). Previously burned units with a 3-5-year return interval will be alternated with new burn units. The burn units' range in size from less than 1 acre to more than 500 acres in 11 separate



locations along California State Route 169 (SR 169) from Weitchpec downriver to Pecwan Creek. The CFMC will implement low to moderate intensity cultural/prescribed broadcast burns across 1,173 acres during burn windows in spring and fall for the 6 years of the Forest Health Grant. Factors that determine the choice of a specific burn area include the season, the presence of prairie or oak woodland vegetation, the size of the Douglas fir trees, growth cycle, and fuel density. Burn treatments will reduce invasive plant species and improve conditions for native plants. In 10 of the burn area locations, the burn is on the upriver side of SR 169. The burn unit that begins north of Ha Amar Creek and continues north to Surgone and Pecwan will burn from the road to the Klamath River. Post-burn treatments include chipping or pile burning standing dead vegetation, removal of invasive plants especially near creeks, and reseeding prairies with native grasses.

Fire effects monitoring will be ongoing to track treatment effects with the goal of maximizing plant diversity. A botanist will monitor vegetation fire effects on native plants, non-native invasives, and overall forest health. A drone will be used for aerial views to measure forest change over time. The Cal Poly Humboldt Fire Science Program assists CFMC with a longitudinal study of native and non-native plant response to prescribed fire. The Yurok Cultural Fire Stewardship Plan emphasizes continued management over time to restore and maintain healthy, resilient forest structures that support biodiversity and Yurok traditional lifeways.

H. CDFW recommends direct coordination with all interested California Native American tribes. Please provide a summary of the Lead Agency's engagement with tribes. Be careful not to include any sensitive or confidential information. Please cite and attach any supporting documents.

The CFMC is a non-profit founded and managed by Yurok Tribal members in coordination with the Yurok Tribe. All Project activities will occur on the Yurok reservation. The Yurok Tribal Heritage Preservation Office (THPO) has completed extensive records research related to Cultural Resources and has surveyed areas that are located within the current Project area. The THPO has determined (Attachment 2) that the Project will have No Adverse Effect and as lead agency, CAL FIRE has accepted this determination.

I. CDFW recommends public outreach and coordination with interested parties and public agencies. Please provide a summary of the Lead Agency's engagement with interested parties and public agencies. Please cite and attach any supporting documents.

CAL FIRE's Forest Health Grant Guidelines follow a grant selection criterion that includes encouraging applicants to demonstrate collaboration, community engagement, and local support.

The CFMC hosted multiple community meetings and conducted outreach efforts to engage residents and community groups in the planning of this Project. A needs assessment was conducted, and the CFMC has documented how input was considered in the Project design. The CFMC also maintains project materials for community review, including maps of the proposed project and feedback forms for questions and/or comments.

4. REQUIRED DETERMINATIONS

Using substantial evidence and best available science, provide a determination and explanation for each SERP criteria listed below:

A. The Project is exclusively one or both of the following: (1) a project to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, or (2) a project to restore or provide habitat for California native fish and wildlife.



CAL FIRE has determined the Project intends to exclusively restore or provide habitat for California native fish and wildlife.

Please provide an explanation supporting the above determination. Please cite and attach any supporting documents.

The Project intends to exclusively restore historical fire regimes in areas of overgrown conifer forests that have encroached on oak woodlands and prairies, as well as remove invasive species through manual thinning and cultural burning. Restoring historical fire regimes will reestablish and improve forage and habitat for wildlife through revitalizing multi-age and multi-species trees to support nesting and denning. Furthermore, overgrown vegetation and shrubs can absorb water and their removal along the Klamath River may increase the amount of water available to support active fisheries.

B. An eligible project may have incidental public benefits, such as public access and recreation.

CAL FIRE has determined that the Project may have incidental public benefits.

Please provide an explanation supporting the above determination. Please cite and attach any supporting documents.

Through restoring fire regimes in areas of overgrown conifer forests by cultural burning and hazardous fuel removal the Project aims to mimic historic low to moderate intensity. Restoring the historic fire regime may have incidental public safety benefits to neighboring residences and utility, transportation, and water supply infrastructure by reducing the risk of catastrophic wildfire.

The Project may also have incidental public cultural benefits. Reduction of the overgrown understory may benefit residents in providing enhanced access to cultural sites, traditional foods such as acorns, huckleberries, mushrooms, and basket weaving materials.

C. The Project does both of the following: (1) Results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and (2) Includes procedures and ongoing management for the protection of the environment.

CAL FIRE has determined that the Project does both of the following: (1) Results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and (2) Includes procedures and ongoing management for the protection of the environment.

For each criterion below, please provide an explanation supporting the above determination. Please cite and attach any supporting documents.

Long-Term Net Benefits to Climate Resiliency:

The Project will result in long-term climate resiliency by restoring habitat heterogeneity, promoting the development of larger conifer and oak trees that will be resilient to disturbance, reducing the risk of high severity wildfire, re-establishing pre-colonial fire regimes, decreasing large-scale vegetation type conversion, and providing long-term carbon sequestration. The ecosystem processes provided by a complex vegetation structure are critical in maintaining and sustaining wildlife habitats and health.

The Yurok Reservation experiences climate change through rising water temperatures, lower summer flows, and increasing drought intensities (Yurok Tribe: Climate Change Adaptation Plan for Water and Aquatic Resources). Higher water temperatures can jeopardize endangered salmon species within these waters. David et al. (2018) found that wildfire smoke can cool streams in the lower Klamath River Basin. The smoke from cultural and prescribed burns could decrease water temperatures by reducing solar radiation.

Removing overgrown brush and shrubs that absorb water may allow more precipitation to percolate through to the groundwater, thus improving stream and river flow. Thinning encroaching conifers leads to larger, healthier



trees, enables persistence of the existing oak woodlands, and allows establishment and expansion of historical native prairies, all of which increases resilience to climate-driven disturbances.

Long-Term Net Benefits to Biodiversity:

The Project will result in net benefits to biodiversity by increasing heterogeneity among three vegetation communities: mixed conifer forests, oak woodlands, and prairies. Removal of dead and fallen conifers will increase average canopy gap size, which supports a healthy understory community. Small diameter conifer removal will also enhance the health of the existing oak woodland and prairie. Retention of legacy redwood and Douglas fir trees will achieve diverse ages, sizes, and spacing, leading to larger healthier trees that sequester more carbon and provide habitat for multiple species.

Reduction of invasive species, especially the Himalayan blackberry (*Rubus armeniacus*), will improve the health and availability of traditional food sources, basket materials, and plant medicines. Reduction of the understory vegetation will yield fire-dependent basket materials important to the Yurok, such as Hazel (*Corylus cornuta*) and Beargrass (*Xerophyllum tenax*), as well as minimize the pests that infect acorn crops.

The California Natural Diversity Database (CNDDB) identifies a diversity of threatened and endangered species that have the potential to benefit from the Project's efforts. These include Northern spotted owl (*Strix occidentalis caurina*), Pacific marten (*Martus caurina*), Coho salmon (*Oncorhynchus kisutch*) and Chinook salmon (*Oncorhynchus tshawytscha*). There are a number of California Species of Special Concern identified in the Project that may benefit from this Project as well. These include Foothill yellow-legged frog (*Rana boylei*), Townsend's big-eared bat (*Corynorhinus townsendii*), and Fisher (*Pekania pennanti*).

Long-Term Net Benefits to Sensitive Species Recovery:

The Project ensures long-term benefits to sensitive species recovery through enhancing a variety of habitats. Removal of overgrown understory and invasive species may allow for additional precipitation percolation through to groundwater and available to the Klamath River and tributaries that support fish and amphibians. The understory removal also supports establishment and growth of historical prairie areas with reseeding of native grasses, thus improving forage for wildlife. Providing a variety of tree types and canopy heights, including large conifer overstory trees, enhances habitat for avian and mammal species that utilize them for food, nesting, and denning.

Additionally, wildfires can increase sedimentation, impacting aquatic habitat function and species survival. While buffers of undisturbed vegetation, leaf litter, and soil will be maintained adjacent to creeks and pools to protect stream banks from erosion, reducing fuel loads up bank could lower wildfire risk to riparian habitat along the Klamath River and its tributaries while increasing potential precipitation infiltration and groundwater availability. The Klamath River sustains two Endangered Species Act (ESA) threatened species: the Coho salmon (*Oncorhynchus kisutch*) and Chinook salmon (*Oncorhynchus tshawytscha*). The Klamath River also provides habitat for the Green sturgeon (*Acipenser medirostris*), a California Species of Special Concern. The proposed fuel reduction and restoration treatments would benefit the threatened fish and multiple amphibians, including the Del Norte Salamander, Foothill Yellow-legged Frog, Northern red-legged frog, Pacific giant salamander, and Southern torrent salamander, that are California Species of Special Concern by reducing the threat of intense wildfires.



The Yurok Tribe Wildlife Department (YTWD) conducts Northern spotted owl surveys on Yurok lands and monitors Pacific marten, particularly in areas where forest fuel reduction and habitat enhancements are planned. The ongoing survey programs will facilitate avoidance of the two species and any potential for negatively affecting the or their species recovery.

Procedures for the Protection of the Environment:

Avoidance and conservation measures will be implemented to minimize impacts to sensitive resources. These include, but are not limited to:

- Utilizing established best management practices for erosion control to provide stream and riverbank protection, prevent sediment pollution, and maintain riparian habitat.
- Limiting fire ignition to 50 feet outside of riparian habitat.
- Conducting nesting bird and bat roost surveys prior to project implementation and applying modified treatments and/or buffers as appropriate to avoid any adverse effects.
- Maintaining low- to moderate-intensity fire treatments to avoid effects on occupancy or denning of any CESA- or ESA-listed species.
- Utilizing data from the YTWD surveys for Pacific marten and Northern spotted owl to plan burn activities that avoid known locations of the species.
- Providing biological training to contractors and staff working within the Project area, including practices necessary to implement biological avoidance measures.
- Construction of fire lines and access trails will be completed manually, with no heavy equipment utilized.
- All staging areas and fueling or maintenance of vehicles and equipment will occur outside of sensitive habitat areas.
- Firing techniques and burn operations will avoid entrapment of wildlife by relying primarily on backing fires that move slowly and provide wildlife the opportunity to escape areas of active fire. If sensitive species are discovered during burn operations, the burn boss will shift work to minimize impacts.
- Noise impacts will be minimized as no heavy equipment will be utilized.

Ongoing Management for the Protection of the Environment:

The Project is an integral component of achieving the long-term goals of the *Yurok Cultural Fire Stewardship Plan* (Attachment 3) developed by the CFMC and the Yurok Tribe in 2023. The goal of this 10-year landscape level geo-spatial fire stewardship plan is to maintain the mosaic of vegetation types, prioritize burn units according to community values, and re-establish traditional fire regimes to Yurok ancestral territory. The timeframes for maintenance burns are specific to fuel type and are tracked and flagged for periodic cultural/prescribed burn through our Geographic Information System (GIS) program. In general, the fire return interval for Yurok prairies is 1–3 years, oak woodlands is 3–5 years, and tanoak groves is 5–7 years.

Fire effects monitoring will be ongoing to observe treatment effects with the goal of maximizing plant diversity. A botanist will monitor vegetation fire effects on native plants, non-native invasives, and overall forest health. A drone will be used for aerial views to measure forest change over time. The Cal Poly Humboldt Fire Science Program assists the CFMC with a longitudinal study of native and non-native plant response to prescribed fire.

The *Yurok Cultural Fire Stewardship Plan* emphasizes continued management over time to restore and maintain healthy, resilient forest structures that support biodiversity, traditional cultural/prescribed burn practices, and Yurok traditional lifeways.



D. The Project does not include any construction activities, except for construction activities solely related to habitat restoration.

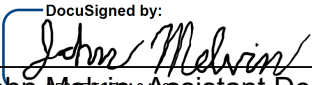
CAL FIRE has determined that the Project does not include any construction activities.

Please provide an explanation supporting the above determination. Please cite and attach any supporting documents.

All Project activities are solely related to the overall goal of the Project to restore forest habitat heterogeneity and improve wildlife resilience. No heavy equipment will be used to construct fire lines and access paths. No other construction is planned for in the Project.

5. CERTIFICATION

I certify that I have the authority to determine whether a project is exempt pursuant to CEQA Guidelines section 15025(a)(1), and this Project meets all the requirements described in Public Resources Code section 21080.56, and that I have submitted all the determinations required therein necessary to obtain the concurrence of the Director of Fish and Wildlife.

DocuSigned by:


John Melvin, Assistant Deputy Director
Resource Management
California Department of Forestry and Fire

Date: 11/21/2024

REFERENCES

David, A. T., Asarian, J. E., & Lake, F. K. (2018). Wildfire smoke cools summer river and stream water temperatures. *Water Resources Research*, 54, 7273–7290. <https://doi.org/10.1029/2018WR022964>