

CEQA FINDINGS

FOR THE
FINAL PROGRAM TIMBERLAND ENVIRONMENTAL IMPACT REPORT
FOR THE
WEAVERVILLE COMMUNITY FUEL REDUCTION PROJECT

INTRODUCTION

This report presents findings that must be made by the California Department of Forestry and Fire Protection (CDF) as the lead agency before it can approve the Weaverville Community Fuel Reduction Project Timberland Environmental Impact Report (PTEIR), as required by Section 21081 of the California Environmental Quality Act (CEQA) and Sections 15091 and 15093 of the State CEQA Guidelines. Specifically, CEQA requires any public agency to prepare findings before approving or carrying out a project for which an EIR has been certified if one or more significant environmental effect has been identified. For each significant impact, the lead agency must reach one of three conclusions:

- that changes have been required of, or incorporated into, the proposed project to avoid or substantially reduce the significant environmental impact;
- that such changes are within the responsibility and jurisdiction of another agency and have been, or will be, adopted by that agency; or
- that specific economic, social, legal, technical, or other considerations make mitigation measures recommended or alternatives analyzed in the EIR infeasible.

Such findings must be accompanied by a brief rationale and supported by substantial evidence in the administrative record for the proposed project.

Detailed information about the impacts of implementing the proposed project, mitigation measures to reduce such impacts, and alternatives to the proposed project are disclosed in the draft and final PTEIR for the Weaverville Community Fuel Reduction Project, incorporated into this document by reference. Copies of this PTEIR and the complete record are available for review at CDF's state headquarters at 1416 Ninth Street, P.O. Box 944246, Sacramento, CA 94244-2460.

PROPOSED PROJECT

The Proposed Project will treat vegetative fuels on private forestland in the Weaverville Basin in Trinity County, California. Specifically, the project is proposed to reduce horizontal and vertical fuel continuity on up to 320 parcels of private, non-industrial forestland comprising about 4,275 acres by:

1. Removing and/or treating existing ground fuels,
2. Pre-commercial thinning to reduce ladder fuels,
3. Commercial harvesting to reduce ladder fuels and overstory crown density,
4. Initiating a system of fuel breaks, and
5. Where necessary, conducting no treatment where the benefits are outweighed by adverse effects.

Activities resulting from the project could include commercial timber harvesting-related activities, including: skid trail and landing construction; road construction; road reconstruction; road maintenance; construction and/or use of stream crossings; prescribed burning, slash piling, and treatment of sub-merchantable material through harvesting; chipping and/or other treatments. The project will be designed and implemented to be consistent with the Z'berg-Nejedly Forest Practice Act of 1973 (Forest Practice Act) requirements, utilizing the Program Timber Harvest Plan (PTHP) process detailed in the California Forest Practice Rules.

**FINDINGS ON SIGNIFICANT IMPACTS OF
APPROVING THE PTEIR
for the
WEAVERVILLE COMMUNITY FUEL REDUCTION PROJECT**

CDF's findings in regard to the significant impacts identified in the PTEIR:

Biological Resources

IMPACT: The PTEIR identifies one or more potentially significant impacts to biological resources that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. PTHPs shall comply with established protocols for threatened and endangered species surveying requirements. Where the PTHP may have adverse effects on listed species, a Technical Letter or appropriate consultation shall be completed prior to initiation of operations.
2. PTHPs shall not reduce northern spotted owl 50-11-40 habitat for known territories to levels below those established by the USFWS.
3. Avoid mechanical clearing in areas with CNPS 1B and 2 listed species.
4. Retain all vegetation within the WLPZ of all Class I streams except at designated road crossings or as necessary to ensure safe equipment operations.
5. The lack or potential loss of denning habitat within fuel break areas will be evaluated at the time that a PTHP is prepared. The RPF and/or CDF may propose to offset such impacts by creating denning sites, ground burrows, wildlife piles, and large wood placement within the PHP area. For denning, mitigation shall be evaluated when there are less than 3 potential denning sites per acre.
6. Basal denning structures should only be constructed within snags, cull trees, and/or dying, deformed or diseased trees. Denning trees should be at least 18" dbh and den construction should not remove more than 40% of area of the stem. Den opening heights should not

exceed three times the opening width. Denning sites should not be constructed where such activity creates an unacceptable safety risk to the operator.

7. Ground cavities should be evaluated where there are less than three denning opportunities per acre. Denning opportunities include existing root sprung trees, wind-thrown root masses, large downed logs, cull decks, and similar habitats. Ground denning structures can be created by placement of large logs, root springing stumps or small trees or other techniques.
8. Wildlife piles: Every log over 18" dbh left may be counted as 2 habitat components (e.g., basal den and ground cavity) and should be constructed where ground cover is limited. Place up to three piles per acre. Hand created piles should be a minimum of approximately 3' radius (or 3'x 3') and 2' height, constructed with larger logs (± 6 " diameter) in the bottom to create small openings on two sides. Tractor piles should be reasonably free of dirt.
9. Large wood placement may be used to create basal dens and ground denning opportunities in lieu of wildlife piles. Every log over 18" dbh left may be counted as 2 habitat components (e.g., basal den and ground cavity).
10. The RPF preparing THPs will conduct appropriate inventory and/or implement protection measures for sensitive, rare or threatened plant species as specified by CDF in consultation with CDFG. The RPF and CDF will inform landowners of the presence of an need for protection of these species during treatment maintenance activities.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

AIR QUALITY

IMPACT: The PTEIR identifies one or more potentially significant impacts to air quality that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Evaluate alternative disposal methods to burning and use burning only where there is no other feasible alternative or if prohibiting burning would cause substantial financial hardship.
2. Burn only on designated burn-days stipulated by the North Coast Unified Air Quality Management District and with all necessary burn permits.
3. Reduce pre-burn fuel loading by using other treatments.
4. Require material to dry before piling or allow sufficient time after piling for material to dry before burning. Piles that contain little soil and are constructed to allow air movement will result in a burn that consumes significantly more debris and produces less smoke. More efficient burning and greater heat output will lift smoke higher, reducing smoke concentration near the ground.
5. Use mass-ignition techniques that produce a short duration fire thereby increasing combustion efficiency and flow of smoke into the convection column.
6. Prevent stumps from burning and smoldering.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

WATER QUALITY

IMPACT: The PTEIR identifies one or more potentially significant impacts to water quality that may

occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Prohibit falling, skidding, and fuel treatment operations within the designated WLPZ of all class I anadromous streams.
2. Prohibit operations in any non-anadromous Class I or II WLPZ except removal of dead/dying trees for public safety purposes or construction of roads at designated crossings. The width of the WLPZ is dependent on the adjacent hillside slope and watercourse class as shown in Table 30 below:
- 3.

TABLE 30 WATERCOURSE AND LAKE PROTECTION ZONE WIDTHS AND ALLOWABLE PRACTICES			
HILLSIDE SLOPE	WLPZ WIDTHS EACH SIDE, (HORIZONTAL DISTANCE) <u>1/</u>		
	Fish Bearing	Non-Fish Bearing	Intermittent
	Class I	Class II	Class III
0-30%	75' no harvest	50' no harvest	25' <u>2/</u>
30-50%	100' no harvest	75' no harvest	50' <u>2/</u>
>50%	150' no harvest	100' no harvest	50' <u>2/</u>

1/ For cable operations on slopes over 50%, widths may be reduced by 50' for Class I watercourses and by 25' for class II watercourses.

2/ Within Class III watercourses allowable practices include any described in section 2.3 (Proposed Project) as long as they do not exceed the requirements in 936.4, 936.5 and 936.6.

4. Prohibit heavy equipment from entering WLPZs except at designated crossings.
5. Restrict new road construction within Class III watercourses to designated crossings.
6. Remove Humboldt crossings and/or rusting or failing culverts concurrent with operations or as otherwise agreed to by CDF.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

AESTHETICS

IMPACT: The PTEIR identifies one or more potentially significant impacts to aesthetics that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Utilize silvicultural practices that maintain moderately-dense to more open “park-like” overstory and understory tree canopies that: 1) provide aesthetic enjoyment; 2) consider impacts to visual aesthetics of neighboring home sites and non-appurtenant roads within 200' of project areas; 3) retain a variety of size classes of vegetation including an overstory stand; 4) protect adjacent stand vigor; and 5) meet the fire behavior objectives for the area for the design fire, slope position, fuels, and forest vegetation type.
2. Retain a variety of size classes of vegetation in defensible space areas around home sites, including clumps of vegetation that provide visual screening, while meeting the design

objectives of Technical Rule Addendum No. 4: “Minimum Distances required by Law for Fire Safe THP Vegetation Treatment of the CA Forest Practice Act”.

3. Retain a variety of size classes of vegetation in shaded fuel break areas, while providing an adequate disruption of fuel continuity for fuel break function.
4. Treat slash and organic debris in defensible space areas by chipping, removing, burning, or lopping for fire hazard reduction, as approved on a site-specific basis by CDF.

Findings: With implementation of the required mitigation measure this impact will be mitigated to level a of less than significant.

TRAFFIC

IMPACT: The PTEIR identifies one or more potentially significant impacts to traffic that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. As needed, provide “log truck traffic” signs on Weaver Bally Road, Oregon Street, Democrat Gulch Road, Mill Street, East Weaver Road, China Road, Bear Creek Road, Little Browns Creek Road, and Browns Mountain Road during periods of log hauling. Also sign intersections where haul roads intersect with County or State roads.
2. Obtain encroachment permits, as needed, for work in the CALTRANS or County rights-of-way.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

CULTURAL RESOURCES

IMPACT: The PTEIR identifies one or more potentially significant impacts to cultural resources that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measure was identified in the PTEIR that reduces project impacts to a level of less than significant.

1. Site-specific mitigation measures shall be developed and applied on a project specific basis for PTHPs tied to this PTEIR.

Findings: With implementation of the required mitigation measure the impact will be mitigated to a level of less than significant.

SOILS:

IMPACT: The PTEIR identifies one or more potentially significant impacts to soils that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Prohibit timber operations on areas of high or extreme EHR or on slopes over 50%, except where operations can be conducted on existing stable skid roads.
2. Require re-stocking in conformance with recommendations of the Registered Professional Forester (RPF) as contained in the PTHP.
3. Avoid heavy equipment use on saturated soils.
4. Conduct mechanical slash treatments along contours on areas of moderate to high erosion hazard ratings. No mechanical slash treatments shall be conducted on slopes over 50% that are rated high or extreme.
5. Do not conduct timber operations on unstable areas as defined by the CA Forest Practice Rule 895.1.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

RECREATION

IMPACT: The PTEIR identifies one or more potentially significant impacts to recreation that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Re-establish any portion of the Weaver Basin trail system damaged or obliterated during logging operations, including repairing trail tread and drainage structures, concurrent with the cessation of harvesting or non-commercial fuel treatment operations.
2. Remove all slash, brush, logs, or other project-generated debris from trails that are part of the Weaver Basin trail system.
3. Mitigation measure #1 for 5.4.5 (*Aesthetics*), requiring a variety of size classes of vegetation to be retained in shaded fuel breaks, will also mitigate effects to recreation from implementation of the Proposed Project.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

HAZARDOUS MATERIALS

IMPACT: The PTEIR identifies one or more potentially significant impacts due to hazardous materials that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measures were identified in the PTEIR that reduce project impacts to a level of less than significant.

1. Inspect and maintain hydraulic and fuel hoses on equipment so as to prevent leaks or breaks.
2. Maintain an on-site spill response kit capable of cleaning up 5 gallons, or more, of fuel, hydraulic oil, or other fluids where grease, oil, fuel or other similar materials could pass into lakes or watercourses.
3. Never leave the area while equipment is being fueled.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to a level of less than significant.

FIRE FIGHTER AND CITIZEN SAFETY

IMPACT: The PTEIR identifies one or more potentially significant impacts to firefighter and citizen safety that may occur with the implementation of the project.

Mitigation Measures: The following mitigation measure was identified in the PTEIR that reduces project impacts to a level of less than significant.

1. Remove all logging slash in designated safety zones. All clean up and disposal of debris shall be by chipping, removing, or burning. Chipping shall occur no later than 45 days after creation. Piling for burning shall occur no later than 60 days after creation of the debris, with burning no later than April 1 of the year following creation or one year from date of creation, whichever comes first. Removal of debris shall occur no later than 60 days after its creation.

Findings: With implementation of the required mitigation measures these impacts will be mitigated to level of less than significant.

ALTERNATIVES TO THE PROPOSED PROJECT

In accordance with Section 15126.6 of the CEQA Guidelines, the PTEIR must analyze a range of reasonable alternatives to the Proposed Project that could feasibly attain most of the objectives of the project but would avoid or substantially lessen any significant effects of the project.

Alternative 2: No Project - Continue Status Quo

Under the No Project alternative, the PTEIR/PTHP process would not be used to implement vegetation management projects. Individual landowners could continue to clear vegetation for defensible space and defensible landscape purposes, with some potential for assistance from local or state agencies. On designated burn days the air district would permit burning of removed vegetative material. Shaded fuel breaks would be implemented by local and state agencies and private property owners, on a voluntary basis, with funds as they become available. If commercial timber harvesting were proposed as part of the vegetation management process, then the existing THP process would be pursued on an individual basis.

Alternative 3: Intensive Fuel Treatment

(Removes large portion of existing vegetation)

Throughout the 4,275 acre project area the private forestland owners would commercially harvest a large portion of the timber on each parcel on all treatment areas (except within the WLPZs of streams) using the fuel break prescription described in the Proposed Project, per Section 933.4(c) of the Forest Practice Act. In this alternative there would be no timber harvesting in the WLPZs of Class I and II stream zones (e.g., coho bearing streams, domestic supply streams, and perennial and intermittent streams). Within the ELZs or EEZs of Class III streams (ephemeral streams) harvesting

could include removal of all of the overstory, while leaving 50% of the understory. Harvest in Class IV streams would be based on the function of the Class IV structure.

Alternative 4: Understory Fuel Treatment

(Removes majority of trees 11" or less in diameter)

Landowners in the 4,275-acre project area would remove and/or treat the majority of the traditionally non-commercial (or pre-commercial) timber to greatly lessen the density of ladder fuels. This treatment would be applied in all treatment areas except in the WLPZs for Class I and II streams (e.g., coho bearing streams, domestic supply streams, perennial streams, and intermittent streams). Within the WLPZ of class III streams (ephemeral streams) harvest could include removal of understory trees up to 11" in diameter. Besides the removal of the understory trees, landowners would also treat existing ground fuels and all logging-created slash through such practices as hand or tractor piling and burning, tractor crushing, lopping and scattering, and/or chipping.

Environmentally Preferred Alternative

The Proposed Project is considered to be the Environmentally Preferred Alternative. Its implementation will generate substantial income for landowners who have commercial timber, income that can then be used to supplement the prescribed fuels reduction treatments. Areas with a high chance of fire starts or potential for property damage, e.g., adjacent to well-traveled roads and dwellings, will have fuel breaks constructed to minimize the risk of fire start and spread. Areas from which fire can more easily be fought or its rate of spread slowed, including upper slopes and main ridgelines, will also have fuel breaks constructed along them. Lower and middle slopes, unlike under Alternative 3, will be treated with a less-intensive but still substantial fuels treatment. The chance of a crown fire starting or spreading into these areas will be much reduced, while they will remain well stocked with commercial timber (on suitable sites) and can provide substantial income over time if well managed.

The no project alternative would not provide the incentives for vegetation management that the PTEIR project would, nor would environmental protection measures be assured with continued private property owner pursuit of fuel load reduction outside of the PTEIR process.

ADMINISTRATIVE RECORD

The administrative record to support these findings and the action of CDF in approving the PTEIR are located at CDF Headquarters, 1416 Ninth Street, 15th Floor, under the custody of Allen S. Robertson, CDF, Deputy Chief for Environmental Protection [CEQA section 21081.6(a)(2)].

Approve:

Dale T. Geldert, Director

Date