

NOTICE OF EXEMPTION

TO: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
Madera, CA 93637

FROM: Big Sandy Rancheria
37387 Auberry Mission Road
Auberry, CA 93602

County Clerk
County of Fresno
2220 Tulare Street, 1st Floor
Fresno, CA 93721
clerk-services@fresnocountyca.gov

Project Title: Big Sandy Rancheria Hazard Fuels Reduction Project
Project Applicant: Big Sandy Rancheria
Project Location: Specific: 37387 Auberry Mission Road, Auberry, CA 93602
Community: Auberry
County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

The Big Sandy Rancheria would conduct fuel reduction activities on lands within and adjacent to the Big Sandy Rancheria reservation. The proposed project would complete fuel reduction and thinning treatments on approximately 120 acres of forest. The purpose of the proposed project is to reduce hazardous fuels, reduce the risk of wildfire to the tribal community living in the reservation, and to reduce the spread of wildfires within developed areas and natural resources.

Name of Public Agency Approving Project: Big Sandy Rancheria

Name of Person or Agency Carrying Out Project: Big Sandy Rancheria

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 4 (Section 15304)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15304, Class 4, which consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes. The minor land alterations proposed by the project consist of forestry treatments to reduce hazardous fuels and improve forest health. The project has been reviewed and would not result in significant adverse effects.

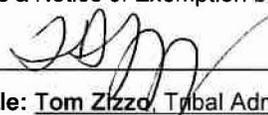
Lead Agency:

Contact Person: Susan Carter, Superintendent

Area Code/Telephone/Extension: (559) 374-0066 x204

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: 

Name & Title: Tom Zizzo, Tribal Administrator

Date: 10.21.22

Signed by the Lead Agency

Signed by Applicant

Date Received for filing at OPR: _____



MEMORANDUM

DATE: September 29, 2022

To: Susan Carter, Superintendent - Education, Environmental & Community Services
Big Sandy Rancheria

FROM: Amy Fischer, Principal
Kyle Simpson, Associate

SUBJECT: Big Sandy Rancheria Hazard Fuels Reduction Project Categorical Exemption

This memorandum supports the finding that the proposed Big Sandy Rancheria Hazard Fuels Reduction Project (“HFRP”, referred to as the “proposed project”) would be exempt from further review pursuant to California Environmental Quality Act (CEQA) Section 15304 (Minor Alterations To Land).

The Big Sandy Rancheria of Mono Indians of California (referred to as the “Tribe”) is a federally recognized tribe of Western Mono Indians (Monache) and is the lead agency of the proposed project under CEQA. The Tribe lives within the Big Sandy Rancheria (BSR), a reservation approximately is approximately 280 acres in size, and is located approximately one mile east of Auberry, a census-defined place in eastern Fresno County. The BSR is located approximately 20 miles northeast of the Fresno-Clovis metropolitan area. Regional access to the BSR is made through State Route (SR) 168 and Auberry Road.

PROJECT DESCRIPTION

The Tribe proposes the HFRP to treat a total of approximately 120 acres of developed and undeveloped lands of the BSR and associated allotments to reduce fuel loading that could exacerbate risks from wildfire. Forest health would be improved by reducing fuel loading by removing buildup of dry vegetation. The proposed treatment of approximately 120 acres would be implemented to reduce exposure of the tribal community living in the BSR to wildfires, and to reduce the spread of wildfires within developed areas and natural resources.

The proposed project would improve forest health and increase future fire resiliency through the removal of approximately 1,044 trees within the treatment area. As a result, fuel breaks would be created and/or retreated (as a result of previous preventative actions) and residences and other structures would be protected by removing ground and ladder fuels. Removal of vegetation would be completed by hand methods, and would include, but not limited to chainsaws, loppers, and string trimmers.

The following H RTP treatment objectives allow for significant improvement to BSR's goal of becoming a fire adapted community.

The Treatment Plan is divided into two phases with date ranges and treatment descriptions described below.

- Phase #1: December 2022 – March 2023 (Approximately 76 days)
- Phase #2: December 2023 – March 2024 (Approximately 48 days)

Objective 1: New Fuel Breaks

Creation of new fuel breaks and maintenance and upgrading of existing fuel breaks (Comstock Fuel Break on BSR).

Activities for Objective 1 under Phase #1:

- Treatment of the east and west perimeter of the BSR boundary.
- 30 feet of shaded fuel break will be completed by hand crew with no mechanical treatment.
- Tree removal, brushing, string trimming, and removal and/or chipping, if needed.
- Activities would occur on approximately 13 acres:
 - 7.5 acres on the east side of the BSR; and
 - 5.5 acres on the west side of the BSR.
- Removal of approximately 1,044 trees with diameters of 6 inches or less.
- Activities would be completed in 44 days by a 5-person crew.

Objective 2: Defensible Space

Treatment of defensible space around homes, businesses, and infrastructure including water systems using grant appropriate hazard reduction activities in order to reduce the intensity of wildfire and the rate of spread.

Activities under Objective 2 During Phase #1 and Phase #2:

- Create 100 feet of clearance around structures and infrastructure using hand crew with no mechanical treatment.
- Brushing, string trimming, and removal of materials and/or chipping, if needed.
- Treatment area consists of approximately 16 acres surrounding over 70 structures including housing, businesses, and infrastructure.

- Activities would be completed in 27 days by a 5-person crew:
 - Phase #1 - Approximately 14 days; and
 - Phase #2 - Approximately 13 days.

Objective 3: Roadway Fuel Reduction

Reduction of vegetation along roadways to prevent ignition points and provide safer ingress and egress for first responders and evacuation of residents, staff, and customers.

Objective 3, Phase #1 Activities:

- 15 feet of clearance on both sides of selected roadways completed by hand crew with no mechanical treatment.
- Brushing, string trimming, and removal of materials and/or chipping, if needed.
- Approximately 11 acres.
- Activities would be completed in 18 days by a 5-person crew.

Objective 4: Additional Fuel Reduction (Interior Rancheria Areas)

Removal of ladder fuels and removal of dead and dying trees.

Objective 4, Phase #2 Activities:

- Removal of ladder fuels and dead and/or dying trees completed by hand crew with no mechanical treatment.
- Brushing and removal of materials and/or chipping, if needed.
- Treatment area consists of approximately 80 acres within Tribal Trust sections of the BSR.
- Activities would be completed in 35 days by a 5-person crew.

CATEGORICAL EXEMPTION

Article 19 of the CEQA Guidelines identifies a list of classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from the provisions of CEQA. This memorandum has been prepared to serve as the basis for compliance with CEQA as it pertains to the proposed project, and to demonstrate that the proposed project qualifies for a CEQA Exemption, consistent with the provisions of CEQA Guidelines Section 15304, Class 4.

CEQA Guidelines Section 15304, Class 4, which consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes. The minor land alterations proposed by the proposed project consist of forestry treatments to reduce hazardous fuels and improve forest health. The

proposed project has been reviewed and would not result in significant adverse effects, as described below.

ENVIRONMENTAL ASSESSMENT

The following assessment provides a brief analysis of the potential relevancy of environmental resource topic areas.

Aesthetics. There is no potential for this project to result in significant impacts to aesthetics. The visual character within the proposed fuel reduction treatment areas is characterized by primarily wildland. Vegetation consists of forest mixed oak with brush species. Views in the vicinity would be from residences and commercial uses associated with the BSR. The proposed project would result in the removal of approximately 1,044 trees, as well as ground and ladder fuel, throughout 120 acres of the BSR. The removal of trees and fire fuel would be interspersed throughout the BSR and would not result in a significant alteration of views from the project site. Additionally, the proposed project would not result in the removal of aesthetically significant resources, such as mature trees. Therefore, the natural vegetation and characteristics of the BSR would remain. Significant adverse effects to aesthetics would not occur.

Agriculture and Forestry Resources. There is no potential for significant negative impacts to agriculture and forestry resources associated with the proposed project. The proposed project would not result in the loss of active agricultural land. Furthermore, the proposed project would have an expected positive impact to forestry resources through the implementation of strategic hazard fuels reduction activities that would reduce the potential of wildland fire events. The proposed fuel reduction activities would not convert lands from their current uses to other uses. The activities would consist of reducing brush, understory vegetation (ladder fuels) and surface fuels on forestland. Vegetation left in place would benefit from the reduction of soil, water, and light competition from removed vegetation.

Air Quality. There is no potential for significant negative impacts to air quality resulting from the proposed project. Vehicles and equipment for fuel reduction activities would emit diesel particulate matter and criteria air pollutants. In a typical day, it is assumed that work trucks, chainsaw, chipper, and mechanical hand tools would operate for a few hours per crew. No tilling or grading activities that could generate fugitive dust emission would occur as a result of the proposed project. The entire project is designed to reduce the negative effects of high severity wildfire including reducing the emissions associated with wildfire. Trees are more likely to survive wildfires where fuel reduction efforts have occurred, which permits the continued sequestration of carbon dioxide. As such, the proposed project would have positive effects on air quality of the BSR and the region. Significant air quality impacts would not occur.

Biological Resources. There is no potential for significant negative impact to biological resources resulting from the proposed project. Fuel reduction activities would preserve habitat conditions in a native mixed oak and chaparral habitat within the BSR to the extent allowed by the implementation of the HFRP. Implementation of the proposed project would increase the resiliency of existing habitats in the BSR to wildland fires, which would ensure greater habitat stability for natural communities and species in the project site than what existed prior to the fuel reduction activities.

Given the proximity of structures and the disturbed conditions of the BSR, fuel reduction activities would not significantly disturb special status plant or wildlife species. Additionally, project activities would not significantly disrupt nesting birds and bats during the reproduction period. As such, significant impacts on biological resources would not occur.

Cultural Resources. There is no potential for significant negative impacts to cultural resources resulting from the proposed project. Equipment and vehicles associated with the proposed fuel reduction activities would operate from existing road and driveways within the BSR. Workers would participate in cultural and historic resources training provided by the Tribe to identify cultural resources that may be encountered during project activities. If cultural resources are found during implementation of project objectives, workers would halt work in the immediate vicinity of the discovery until a survey is conducted by a qualified archaeologist or cultural resources professional. Recommendations from the archaeologist or cultural resources professional would be implemented, as applicable, to ensure the protection of significant cultural resources. In the event that human remains are found during project activities, requirements of Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code would be implemented, as appropriate. As such, significant impacts on cultural resources and human remains would not occur.

Energy. The vehicles and equipment used for fuel reduction activities would consume energy, including gas, diesel, and motor oil. Vehicle engines and fuel used during implementation of the proposed project would comply with State and local energy reduction and efficiency requirements. The use of fuel to implement the proposed project would be minimal and the proposed fuel consumption would, additionally, be considered beneficial and not wasteful given the positive outcome of the proposed project. Implementation of fuel reduction activities would not cause a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

Geology and Soils. Fuel reduction activities would be implemented without the construction of new roads or grading. Fuel reduction activities would mainly consist of hand thinning, which would involve the use of work trucks that would remain on existing roads, chainsaws, chippers, and other mechanical hand tools which would not result in significant ground disturbance within the BSR. Additionally, vegetation thinning would be conducted using hand tools and other unintrusive machinery and methods in unstable and/or sensitive areas within the BSR to prevent ground disturbance and erosion. Landslides and/or debris flows would not occur as the result of fuels reduction activities. As such, the proposed project would not cause significant impacts associated with geology and soils.

Greenhouse Gas Emissions. Fuels reduction activities associated with the proposed project would involve manual and mechanical vegetation removal within the fuel reduction treatment areas. Use of vehicles and equipment during these activities and vehicle travel to work areas would generate minimal amounts greenhouse gas (GHG) emissions. Treatment may generate GHG emissions in varying degrees; however, implementation of these fuel reduction activities would increase the level of resilience of mixed oak forest and chaparral habitat within the BSR against wildland fires. Project activities are designed to lower the risk of greater forest loss and reduce the risk of GHG emissions resulting from high severity wildfire in untreated conditions. Forest thinning would increase

resiliency of habitats in the BSR and would result in greater long-term carbon sequestration. As such, significant GHG emission impacts would not occur.

Hazards and Hazardous Materials. Trucks, vehicles, and mechanical and hand equipment would be used for fuel reduction activities associated with the proposed project. Vehicle and equipment use at work areas and vehicle travel to and from work areas could result in a minimal risk of accidental spills of fuels or lubricants from these vehicles. Workers handling hazardous materials would adhere to OSHA and Cal/OSHA health and safety requirements as applicable, as well as other applicable federal, State and local regulations related to the handling and use of hazardous materials. As part of the proposed project, applicable prevention and response measures would be implemented to ensure the proper storage of hazardous substances and the implementation of adequate mitigation in case of the accidental releases of hazardous materials. As such, significant impacts related to hazards and hazardous materials would not occur.

Hydrology and Water Quality. Fuel reduction activities associated with the proposed project may occur along seasonal creek beds and existing drainage areas in the BRS. Fuel reduction activities in these areas would be limited to hand thinning of small saplings (up to 6 inches in diameter at breast height [DBH]) and the removal of biomass material using hand labor outside of creek beds and drainage areas or from existing road networks. No biomass material would be deposited with the bed, channel, or bank of a watercourse. No intense ground disturbance from the use of equipment would occur within any riparian areas. The proposed fuel reduction activities would not result in significant ground cover removal that would otherwise result in sediment release on watercourses within the BSR. As such, significant hydrology and water quality impacts would not occur.

Land Use and Planning. Implementation of fuel reduction activities associated with the proposed project would not involve any conversion of existing land uses to new uses. All activities conducted would not conflict with any land use regulations. As such, significant impacts related to land use changes and planning conflicts would not occur.

Mineral Resources. Fuel reduction activities associated with the proposed project would not result in the loss of availability of a known mineral resource. Fuel reduction activities would also not alter land uses, access, or subsurface areas that could impact existing mineral resources. As such, significant impacts to mineral resources would not occur.

Noise. Proposed fuel reduction activities would occur during normal work hours and would move throughout the treatment areas thereby limiting noise in any one location to a few hours. As such, exceedances of local noise standards would not occur. A significant impact related to noise would not occur.

Population and Housing. The workforce recruited for the implementation of the proposed project is anticipated to be sourced locally. As such, the proposed project would not induce unplanned population growth in the BSR or vicinity. Additionally, the proposed project would not result in the displacement of people or the removal of existing housing that would necessitate the construction of additional housing elsewhere. As such, no significant impacts related to population and housing

would occur. By reducing the risk of severe wildfires in the BSR, the proposed project would have the positive impact of protecting houses that might otherwise be destroyed in a wildfire event.

Public Services. The proposed project would not directly or indirectly induce population growth through the construction of housing or the provision of employment that would require the construction or expansion of public services infrastructure. No new or altered governmental facilities would be needed to provide public services as a result of the proposed project, and the proposed project would not result in increased demand for public services. As such, no impact related to public services would occur.

Recreation. Fuel reduction activities associated with the proposed project would be performed along the boundary of occupied structures and open space areas within the BSR. Open space areas that are accessible to the public and residents of the BSR may be closed for short durations during proposed fuel reduction activities for safety purposes. Most work areas for the proposed project would be located in areas that residents or visitors are not regularly present. Ample recreational opportunities are available within and surrounding the BSR that recreationalists could use instead of open space areas that are temporarily unavailable due to proposed project. Additionally, the project would not directly or indirectly induce population growth that could increase the use of recreational facilities. As such, significant recreational impacts would not occur.

Transportation. The proposed project would require minimal use of vehicles and trucks for implementation of fuel reduction activities. As such, proposed project would introduce minimal traffic to the project vicinity and significant impacts to the transportation infrastructure would not occur. No significant traffic impacts would occur.

Tribal Cultural Resources. As previously discussed, if cultural resources, including tribal cultural resources, are found during implementation of fuel reduction activities, workers would halt work in the immediate vicinity of the discovery until a survey is conducted by a qualified archaeologist or cultural resources professional. Recommendations and mitigation measures from the archaeologist or cultural resources professional would be implemented, as applicable, and consultation with applicable agencies would be conducted. Therefore, the proposed project would not result in any significant impacts to tribal cultural resources.

Utilities and Service Systems. The proposed project would not result in an increase population within the BSR, utilities and service systems would not be affected by the proposed project. Furthermore, biomass generated from the proposed fuel reduction activities would be either chipped and scattered or transported to a permitted disposal facility. No significant impacts related to utilities and services systems would occur.

Wildfire. The purpose of the proposed project is to reduce fuel loads, which would reduce the spread and severity of a wildfire, should one occur and to provide defensible space for fire suppression crews to safely defend the BSR. Vegetation management crews would maintain fire suppression equipment (e.g., Pulaski axe, shovel, fire extinguisher) in work vehicles during proposed fuel reduction activities that can generate sparks or heat. The proposed project would not impair an adopted emergency response plan or local evacuation plan. The proposed project does not involve

installation or maintenance of any infrastructure that could exacerbate fire risk. The proposed project does not involve intense ground disturbing activities or off-road vehicle use that could result in downslope or downstream flooding or landslides should a wildfire occur. As such, no significant impacts related to wildfire would occur.

OTHER EXEMPTIONS

In addition to CEQA Guidelines Section 15304, given that the proposed project would proactively address the risk of wildfire and reduce the potential of a catastrophic fire event in BSR, in alignment with the California's Strategic Fire Plan and the Fresno-Kings CAL FIRE Unit Fire Plan (CFUFP), the proposed project would also be exempt from further review under CEQA pursuant to Section 15269(c) (Emergency Projects) of the CEQA Guidelines. As such, the proposed project would meet the requirements of CEQA Guidelines Sections 15304 and 15269, and no further review pursuant to CEQA would be required.

CONCLUSION

As described above, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15304 and 15269. Therefore, an exemption is the appropriate terminal CEQA document for the proposed project.