

Notice of Exemption

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

From: (Public Agency): Tuolumne County RCD
81 N. Washington Suite B
Sonora, CA 95370

County Clerk
County of: Tuolumne

(Address)

Project Title: Silver Spur Fuel Reduction Project

Project Applicant: Lindsay Rae Mattos, District Manager

Project Location - Specific:

T 1 North, R16 East, Portions of Sections 7 & 18; Mount Diablo Base Meridian, State of

Project Location - City: Tuolumne

Project Location - County: Tuolumne

Description of Nature, Purpose and Beneficiaries of Project:

The project area is approximately 219 acres in size. The project area is best described as oak woodland. Overstory tree species include ponderosa pine, California gray pine, California black oak, valley oak, blue oak, interior live oak and buckeyes. Understory species consist of manzanita, chamise, live oak, poison oak, toyon, and mountain mahogany. The objective of the project is to reduce surface and ladder fuels to decrease the intensity of a wildfire. Fuel reduction will be completed by mechanical mastication or by hand crews cutting, piling and burning or chipping. The project will create a shaded fuel break condition with residual trees spaced approximately 25-feet apart. The project will benefit residents along Silver Spur Drive, and also the community of Tuolumne because the project connects to areas of light flashy fuels and other strategic fuel break projects such as the Rim Contingency fuel break. The completed project will resemble a shaded fuel break, with surface and ladder fuels removed.

Name of Public Agency Approving Project: Tuolumne County RCD

Name of Person or Agency Carrying Out Project: Adam Frese, RPF #2659

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));
[X] Categorical Exemption. State type and section number: Minor Alterations to land (SEC 15304)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project will remove surface and ladder fuels leaving a residual stand that is well stocked with the largest and most healthy trees spaced approximately 25-feet apart. Only trees less than 12-inches diameter at breast height will be removed, except dead trees of any size may be removed. Tracked masticators will be used, leaving a ground cover of masticated material for erosion control. Equipment will be limited to slopes less than 45%. Watercourses will be protected by 25 to 50-foot equipment limitation zones for seasonal watercourses (Class III) or 50 to 100-foot equipment exclusion zones for watercourses providing aquatic habitat (Class II). A survey for archaeological resources was conducted and sites within the project area will be protected through avoidance. A query of the California Natural Diversity Database did not reveal the presence of any endangered, rare, or threatened plant or animal species, and none were detected during field work. The project area contains potential habitat for the big-scale balsam root. These plants were not observed in the project area. Surveys will be conducted in the spring, and these plants will be protected through avoidance if they are detected in the project area. Tumbuck Creek provides potential habitat for the foothill yellow-legged frog and has been excluded from the project area by an equipment exclusion zone. This project will protect resources within the project area by reducing fuel loading and making stands resistant to stand replacing type fires. The project will also protect residents in Tuolumne County by reducing fuels in a strategic area of the county.

Lead Agency

Contact Person: Lindsay Rae Mattos, District Manager

Area Code/Telephone/Extension: 209-984-0500

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: Lindsay Rae Mattos Date: 11/17/22 Title: District Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Date Received for filing at OPR:

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

## NOTICE OF CEQA EXEMPTION

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To: Tuolumne County Clerk  
2 South Green St  
Sonora, CA 95370

From: Tuolumne County RCD  
81 N. Washington Suite B  
P.O. Box 4394  
Sonora, CA 95370

Date: September 22, 2022

Project Title: Silver Spur Fuel Reduction Project

**Project Location:** Tuolumne County:

Township 1 North, Range 16 East, Portions of Sections 7 and 18  
Mount Diablo Meridian, State of California

**Project Description:** The Tuolumne County Resource Conservation District (TCRCD) acting as the Lead Agency, will implement fuel reduction activities to improve the protection of communities and public and private lands from fire while protecting environmental, natural, and cultural resources. The project will reduce fuel loads in an oak woodland forest in the Silver Spur Drive area with the goal of providing landscape level fuel reduction treatments. The project site would best be described as oak woodland. The objective of the project is the reduction of brush, suppressed and intermediate trees, and surface fuels such as fallen trees.

Treatment activities will consist of mastication of surface fuels, brush and trees less than 12-inches diameter at breast height (dbh) to achieve a target spacing of approximately 25-feet between trees. The project will also include hand treatments of brush and small trees. Hand treatments will include hand cutting, piling and burning, or chipping of brush, small trees and surface fuels. Hand treatments will occur around buildings, infrastructure, rocky areas, or isolated steep slopes.

**Exempt Status (Guidelines Section and Class) Categorical Exemption:** Section 15304, which exempts minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

**Reasons Why Project is Exempt:** The RCD has reviewed the environmental/specialists' reports prepared by Registered Professional Foresters and other specialists and has determined that the project's implementation will result in multiple benefits, including restoration of the forest, watershed, and wildlife habitat. There will be no significant adverse impacts on endangered, rare, or threatened species or their habitats. There are no hazardous materials at or around the project site. The project will avoid all archeological resource sites. The project will not result in cumulatively significant impacts. The project will have no significant adverse effect on the environment.

**Public Agencies that will be involved with the project:**

Tuolumne County Resource Conservation District

**Lead Agency Contact Person:**

Lindsay Rae Mattos, District Manager  
Tuolumne County Resource Conservation District

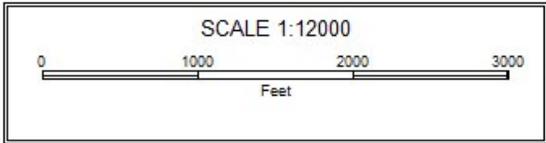
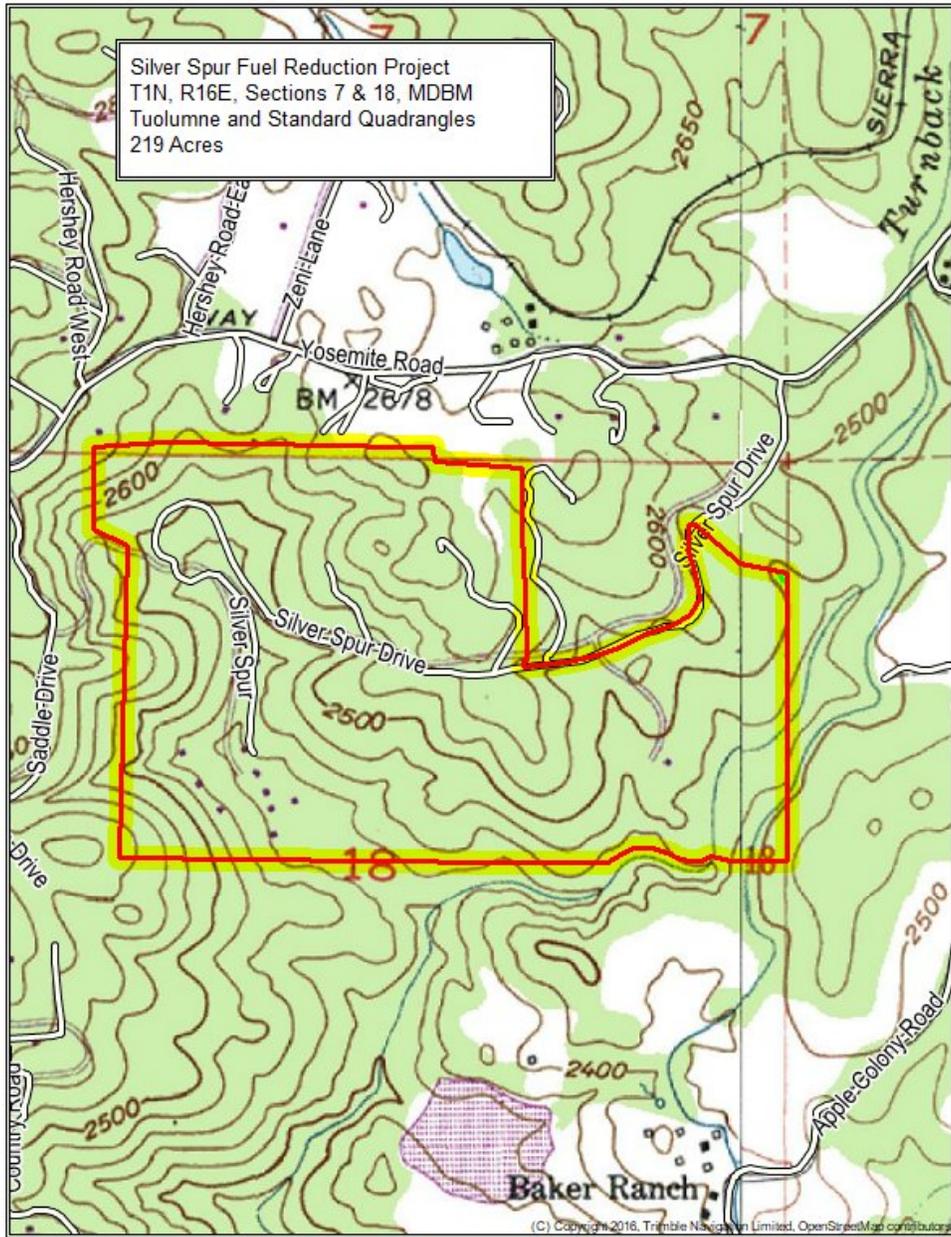
Signature: Lindsay Rae Mattos Date: 11/17/22  
Lindsay Rae Mattos, District Manager  
Tuolumne County Resource Conservation District

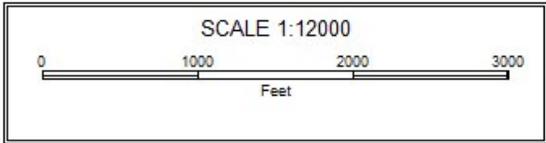
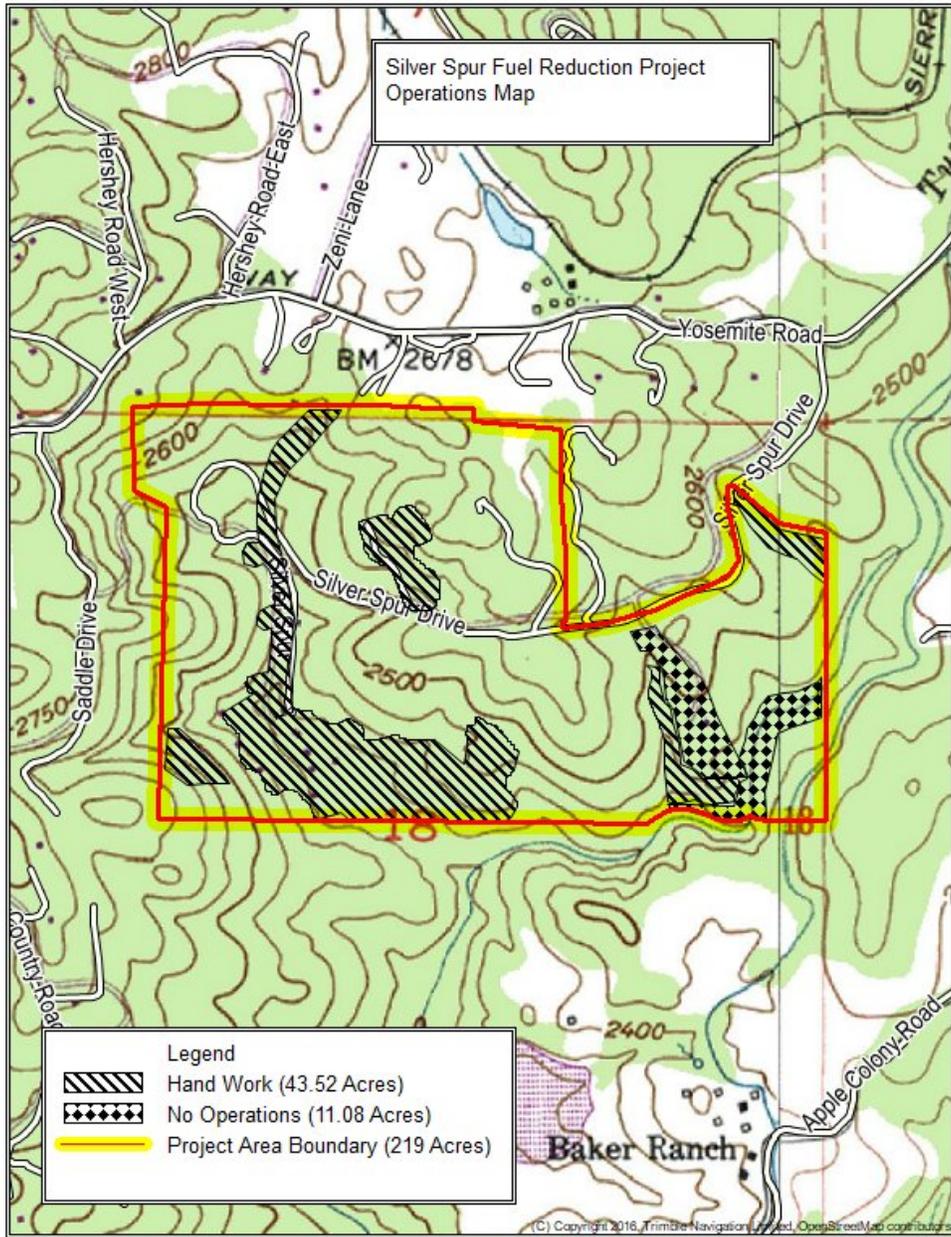
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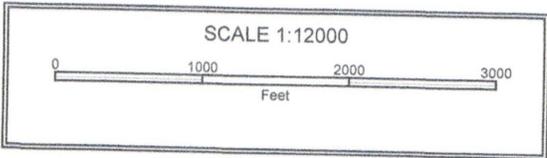
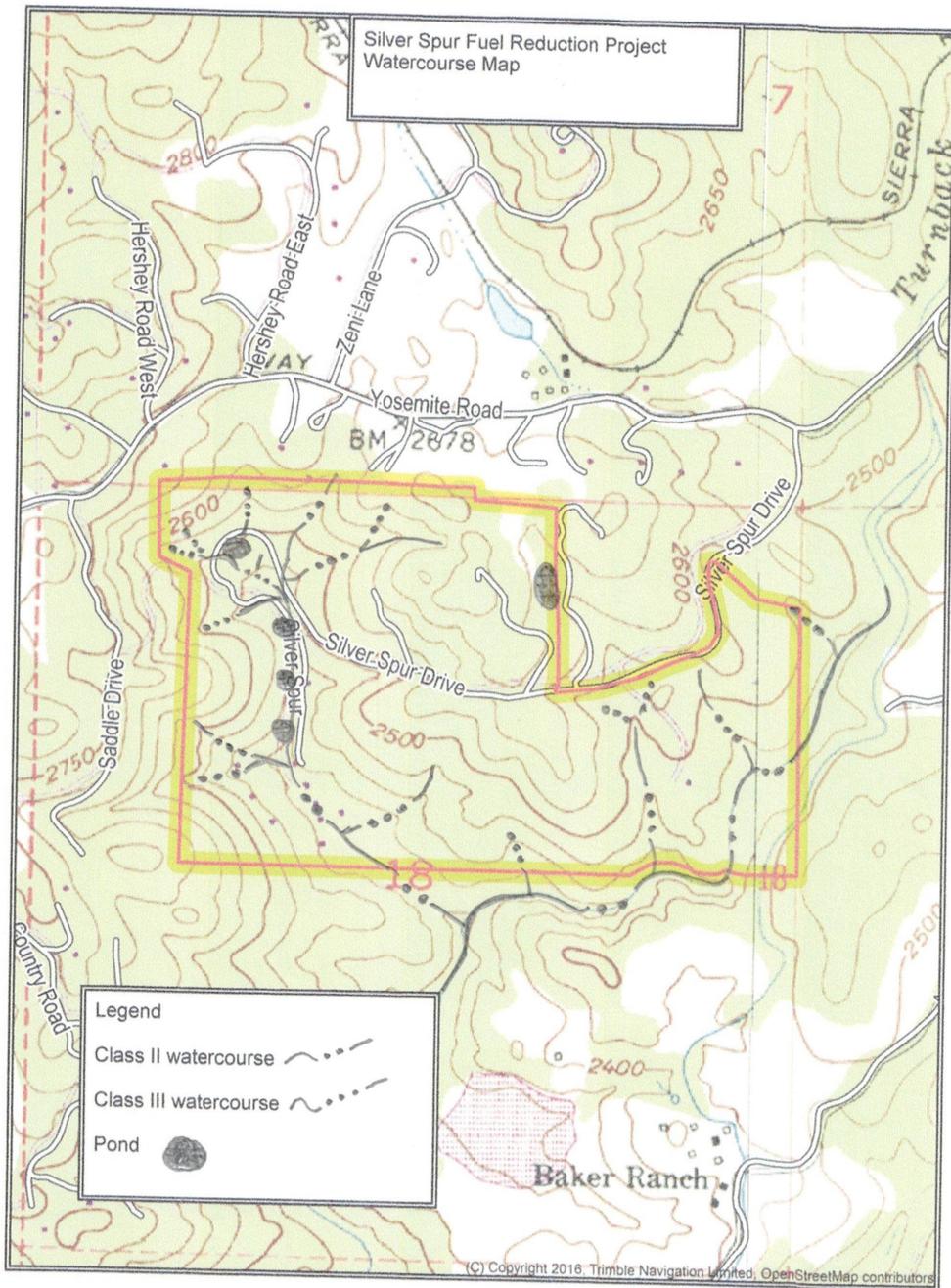
I, Lindsay Rae Mattos, District Manager, Tuolumne County Resource Conservation District, do hereby certify that the Tuolumne County Resource Conservation District approved this Notice of Exemption on the 16th day of November 2022 by the following vote:

Ayes: 5  
Noes: 0  
Abstentions: 0  
Absent: 0

Lindsay Rae Mattos  
Lindsay Rae Mattos, District Manager  
Tuolumne County Resource Conservation District







## CNDDDB Results and Species Scoping and Discussion

### Species Status/Scoping Summary Tables

Scoping results based on 9 quadrangle CNDDDB query and field assessments

#### Amphibians

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Rana boylei</i>	foothill yellowlegged frog		SE	SSC		Yes	No	Yes
<i>Rana draytonii</i>	California redlegged Frog	FT		SSC		No	No	No

#### Birds

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Accipiter cooperii</i>	Cooper's hawk			WL		Yes	No	Yes
<i>Accipiter gentilis</i>	northern goshawk			SSC	S	No	No	No
<i>Agelaius tricolor</i>	tricolored blackbird		ST	SSC		No	No	No
<i>Athene cunicularia</i>	burrowing owl			SSC		No	No	No
<i>Contopus cooperi</i>	olive-sided flycatcher			SSC		No	No	No
<i>Falco mexicanus</i>	prairie falcon			WL		No	No	No
<i>Haliaeetus leucocephalus</i>	bald eagle	FD	SE	FP	S	No	No	No
<i>Pandion haliaetus</i>	osprey			WL	S	No	No	No
<i>Strix nebulosa</i>	great gray owl		SE		S	No	No	No
<i>Strix occidentalis occidentalis</i>	California spotted owl			SSC		No	No	No

#### Crustaceans

<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT				No	No	No
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#### Fish

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Hesperoleucus symmetricus serpentinus</i>	Red Hills roach			SSC		No	No	No
<i>Hesperoleucus symmetricus symmetricus</i>	Central California roach			SSC		No	No	No

<i>Lavinia exilicauda exilicauda</i>	Sacramento hitch			SSC		No	No	No
<i>Mylopharodon conocephalus</i>	hardhead			SSC		No	No	No

### Insects

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Desmocerus californicus dimorphus</i>	Valley elderberry longhorn beetle	FT				No	No	No

### Mammals

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Antrozous pallidus</i>	pallid bat			SSC		No	No	Yes
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat			SSC		No	No	No
<i>Euderma maculatum</i>	spotted bat			SSC		No	Yes	Yes
<i>Eumops perotis californicus</i>	western mastiff bat			SSC		No	No	No
<i>Gulo gulo</i>	California wolverine		ST	FP		No	No	No
<i>Lasiurus blossevillii</i>	western red bat			SSC		No	No	No

### Reptiles

Scientific Name	Common Name	ESA	CESA	CDFW Status	BOF Status	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Emys marmorata</i>	western pond turtle			SSC		No	No	No
<i>Phrynosoma blainvillii</i>	Coast horned-lizard			SSC		No	No	No

### Plants

Scientific Name	Common Name	ESA	CDFW Status	California Rare Plant Rank	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Allium tuolumnense</i>	Rawhide Hill Onion			1B.2	No	No	No
<i>Allium jepsonii</i>	Jepson's onion			1B.2	No	No	No
<i>Allium tribracteatum</i>	Three-bracted onion			1B.2	No	No	No
<i>Arctostaphylos nissenana</i>	Nissenan manzanita			1B.2	No	No	No
<i>Balsamorhiza macrolepis</i>	big-scale balsamroot			1B.2	Yes	No	Yes

Scientific Name	Common Name	ESA	CDFW Status	California Rare Plant Rank	Potential Habitat Project Area	Occurrence Project Area	Discussion
<i>Brodiaea pallida</i>	Chinese Camp brodaea			1B.1	No	No	No
<i>Chlorogalum grandiflorum</i>	Red Hills soaproot			1B.2	No	No	No
<i>Clarkia australis</i>	Small's southern clarkia			1B.2	No	No	No
<i>Clarkia biloba ssp. australis</i>	Mariposa Clarkia			1B.2	No	No	Yes
<i>Claytonia crawfordii</i>	Crawford's spring beauty			1B.2	No	No	No
<i>Cryptantha spithamea</i>	Red Hills Cryptantha			1B.3	No	No	No
<i>Cryptantha mariposae</i>	Mariposa cryptantha			1B.3	No	No	No
<i>Diplacus pulchellus</i>	yellow-lip pansy monkeyflower			1B.2	No	No	No
<i>Eryngium pinnatisectum</i>	Tuolumne button-celery			1B.2	No	No	No
<i>Erythranthe filicaulis</i>	Slender stemmed monkeyflower			1B.2	No	No	No
<i>Erythranthe marmorata</i>	Stanislaus monkeyflower			1B.1	No	No	No
<i>Erythronium tuolumnense</i>	Tuolumne fawn Lily			1B.2	No	No	No
<i>Githopsis tenella</i>	Delicate bluecup			1B.3	No	No	No
<i>Horkelia parryi</i>	Parry's horkelia			1B.2	No	No	No
<i>Hosackia oblongifolia</i> var. <i>cuprea</i>	Copper-flowered bird's foot trefoil			1B.3	No	No	No
<i>Lomatium congdonii</i>	Congdon's lomatium			1B.2	No	No	No
<i>Lomatium stebbinsii</i>	Stebbins' Lomatium			1B.1	No	No	No
<i>Lupinus spectabilis</i>	Shaggyhair Lupine			1B.2	No	No	No
<i>Navarretia miwukensis</i>	Mi-Wuk Navarretia			1B.2	No	No	No
<i>Navarretia paradoxiclara</i>	Patterson's navarretia			1B.3	No	No	No
<i>Packera layneae</i>	Layne's ragwort	FT	SR	1B.2	No	No	No
<i>Senecio clevelandii</i> var. <i>heterophyllus</i>	Red Hills Ragwort			1B.2	No	No	No
<i>Verbena californica</i>	Red Hills vervain	FT	ST	1B.1	No	No	No

### **Species Status Identifiers**

Federal Endangered Species Act (ESA) (16 USC §§1531-1544; 50 CFR §§17.1-17.108)

**FT** – Federal Threatened **FD** – Federal Delisted

**FPT** – Federal Proposed Threatened

California Endangered Species Act (CESA) (Title 14, CCR, Chapter 6, §§783.0-787.0)

NOTE: State listed plants pursuant to Native Plant Protection Act (NPPA) of 1977 (FGC §1900 et seq.) **and** CESA

**ST** – State Threatened **SE** – State Endangered

**SCT** – State Candidate Threatened **SCE** – State Candidate Endangered

California Department of Fish and Wildlife (CDFW) Status

**SSC** – Species of Special Concern **WL** – Watch List

**FP** – Fully Protected

Board of Forestry Status (Title 14, CCR, Chapter 4, Subchapter 1, §895.1)

**S** – Sensitive

California Rare Plant Rank (CRPR)

**1A.** – Presumed extirpated in California and either rare or extinct elsewhere

**1B.** – Rare or Endangered in California and elsewhere

**2A.** – Presumed extirpated in California, but more common elsewhere

**2B.** – Rare or Endangered in California, but more common elsewhere

#### **Threat Code Extensions**

**.1** – Seriously threatened in California

**.2** – Moderately threatened in California

**.3** – Not very threatened in California

### **Silver Spur Fuel Reduction Project – Species Scoping and Discussion**

Based on results of a 9 Quadrangle California Natural Diversity Database (CNDDDB) query, together with research and knowledge of sensitive species in and adjacent to the project area, the above tables were created to determine potential presence of federally and state listed, as well as federally proposed for listing or state candidate species; species designated as sensitive by CDFW; California Board of Forestry designated “Sensitive” species; and CRPR plants ranging from 1A.1-2B.3. This query resulted in identification of 54 species that meet the criteria listed above, 48 of which were eliminated from the species discussion due to lack of potential habitat, negative occurrences within the project area, and a final determination that potential adverse impacts to the species may be ruled out. Six (6) species are included in species discussions, below, based on: potential habitat, potential or known occurrence, sightings, or history of the species occurring locally. Additionally, the project is within the range of the western bumble bee and the Crotch bumble bee that were given Candidate status under the California Endangered Species Act on September 30, 2022.

Discussions have been included to address these two species. The project has been thoughtfully designed to avoid and/or minimize adverse impacts to all species included in the Species Discussion.

A biological scoping letter was emailed on August 31, 2022 to CDFW and the Central Valley Water Quality Control Board. Positive contact was made with both agencies. No response, comments, or concerns were received from the Central Valley Water Quality Control Board in response to the scoping letter. CDFW wanted to clarify that surveys would be conducted as appropriate for special status species within the project area, and that CDFW would be notified if the bed, bank or channel of a watercourse would be

substantially altered. Additionally, CDFW requested to be consulted regarding protection measures for any special status species. CDFW was consulted regarding project design and protection measures for the foothill yellow-legged frog and big-scale balsam root.

## **Amphibians**

### **Foothill yellow-legged frog (*Rana boyii*)**

Found in foothill woodlands and chaparral near streams and ponds, riparian woodlands, wet meadows, also inhabits mixed conifer forest streams, slow streams and rivers with sunny, sandy, rocky or gravelly banks. There was one occurrence within a one-mile radius of the town of Tuolumne. The occurrence was outside of the project area and was from 1951. Turnback Creek provides potential habitat for this species as it is a rocky stream. Turnback Creek does not flow year-round. Unlike other ranid frogs, this species is rarely encountered (even on rainy nights) far from permanent water. They spend most of their time in or near streams at all seasons. A 75 to 100-foot equipment exclusion zone has been flagged along Turnback Creek where no operations will occur. No adverse impacts to this species are anticipated as a result of the project as it will be avoided.

## **Birds**

### **Cooper's hawk (*Accipiter cooperii*)**

This species is a breeding resident throughout most of the wooded portion of the state. It ranges from sea level to 9,000 feet in elevation. It prefers dense stands of live oak, riparian deciduous or other forest habitats near water. This species breeds March through August. Field work on the is project was conducted in July and August and no active nests were observed. Great horned owls compete with and prey on this species. Great horned owls were observed on multiple occasions within the project area. No adverse impacts to the species are anticipated to this species as a result of the project.

## **Mammals**

### **Pallid bat (*Antrozous pallidus*)**

This bat is associated with a wide variety of habitats including grasslands, shrublands, woodlands and forests from sea level to the mixed conifer forests. It roosts in caves, crevices, mines and occasionally hollow trees and buildings. There are no caves or mines in the project area to provide suitable roosting habitat. No adverse impacts to this species area anticipated.

### **Townsend's big-eared bat (*Corynorhinus townsendii*)**

This species is found throughout California in all but alpine and subalpine habitats. It is most abundant in mesic habitats. This species requires caves, mines, tunnels, buildings, or other man-made structures for roosting. Maternity roosts are the most important limiting resource and are usually in relatively warm sites. There are no caves

or mines in the project area to provide suitable roosting habitat. No adverse impacts to this species area anticipated.

### **Spotted bat (*Euderma maculatum*)**

The spotted bat, considered one of North America's rarest mammals, has been found at a small number of localities, mostly in the foothills and mountains and desert regions of southern California. Habitats range from arid deserts and grasslands through mixed conifer forests. This species is apparently solitary, and prefers to roost in crevices in cliffs and canyons. The CNDDDB shows a non-specific occurrence of this species near the project area, within 1 mile of accuracy. The occurrence was reported in 1995 near the intersection of Yosemite Road and Woodham's-Carne Road, approximately half a mile from the project area. The project area does not contain suitable roosting habitat for this species, as there are no cliffs or tall rock outcrops. No adverse impacts to this species are anticipated.

## **Plants**

### **Mariposa clarkia (*Clarkia biloba ssp. australis*)**

This species is found from 980 feet to 3,100 feet in elevation in chaparral, foothill woodlands, and dry slopes. Habitat for this species may be present within the project area; however, the Calflora website showed the project area was outside the normal tolerances for this species. This species blooms from May to July. Field work for this project started at the end of July, and this species was not observed. No adverse impacts to the species are anticipated as a result of the project.

### **Big-scale balsam root (*Balsamorhiza macrolepis*)**

This species is found on open grassy or rocky slopes, sometimes on serpentine soil, below 5,102 feet in elevation. It is found in chaparral, cismontane woodland, valley and foothill grasslands. This species blooms from March to July. Field work for this project started at the end of July, and this species was not observed. Portions of the project area containing open grassy or rocky slopes will likely not receive any fuel reduction treatment. This species will be looked for within the project area during the appropriate blooming season. If the species is observed within the project area during the blooming period, a 50-foot equipment exclusion zone (EEZ) will be provided, and only hand work shall be conducted within the EEZ. No burning shall be conducted within the EEZ. The 50-foot EEZ is only required during the blooming period. No adverse impacts to the species are anticipated as a result of the project, as it will be avoided.

## **Insects**

### **Western bumble bee (*Bombus occidentalis occidentalis*)**

On September 30, 2022, the western bumble bee was given Candidate status under the California Endangered Species Act (CESA). Candidate species are given protection under CESA until a determination is made on their listing status. The western bumble

bee was historically found in much of California and is now thought to be limited to high elevation mountain meadows and coastal areas. Meadows and grasslands with abundant flowering resources are considered preferred habitats. The project area does not contain habitat for this species. There are no known occurrences within the Tuolumne or Standard quadrangles. The proposed project is expected to improve habitat for bee species. No adverse impacts are anticipated as a result of the project.

### **Crotch bumble bee (*Bombus crotchii*)**

On September 30, 2022, the Crotch bumble bee was given Candidate status under the California Endangered Species Act (CESA). Candidate species are given protection under CESA until a determination is made on their listing status. The Crotch bumble bee primarily persists in southern coastal areas and a few areas around Sacramento. The historic distribution included the southern two-thirds of the state. The largest population declines have been documented in the center of its range, the Central Valley. In California the Crotch bumble bee inhabits open grassland and scrub habitats. This bee requires a diverse supply of flowers that bloom throughout the free flying portion of their life cycle from spring to autumn. The project area does not contain habitat for this species. There are no known occurrences within the Tuolumne or Standard quadrangles. The proposed project is expected to improve habitat for bee species. No adverse impacts are anticipated as a result of the project.