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From: Coombes, Julie@Wildlife <Julie.Coombes@wildlife.ca.gov>
Sent: Wednesday, December 2, 2020 7:54 AM
To: Sampson, Richard@CALFIRE; Sone, Kim@CALFIRE; Jamie Pusich; Santa Rosa Review Team@CALFIRE; Jesse Weaver; Doherty, Kevin@DOC; Russo, Izaac@Waterboards
Cc: Buesch, Carolyn@Wildlife; Adair, Randi@Wildlife
Subject: CDFW Comments for PHI responses: THP# 1-20-00084 SON "Silver Estates"-Review Team Pre-Harvest Inspection Recommendations and RPF Responses
Attachments: THP# 1-20-00084 SON Silver Estates- Pre-Harvest Inspection Recommendations and RPF Responses.pdf; Silver Estates THP #1-20-00084-SON, Inadequate Northern Spotted Owl Surveys; 20PC-000000470.pdf

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DEC 02 2020

**COAST AREA OFFICE
RESOURCE MANAGEMENT**

Hi Jamie & Review Team Agencies,

CDFW has reviewed the responses to the PHI recommendations for the Silver Estates THP (attached) and has several outstanding items and follow up questions/comments:

1. CDFW Recc #1, Sect. II NSO Protection Measures.
 - a. The new AC has been named "SON-0000" as a placeholder by the RPF. CDFW will contact our Spotted Owl Database manager to assign an AC number for this data point.
 - b. Page 77, Note to LTO, #1: states "*Pursuant to 14CCR 939.9(e), this THP is using Scenario 4.*" The take avoidance scenario document should be cited here. In the second paragraph under #1: "*...shall be conducted in compliance with Attachment A...*" The version of Attachment A should be cited here. In second paragraph under #1: "*There are no NSO AC's within 1,000 feet of THP.*" Through additional surveys completed in 2020, an AC was placed along the THP boundary, so this statement is incorrect and should be revised.
 - c. Page 78, #4(a) states "*...and no logs are yarded through the core area.*" This statement does not address the creation of new cable roads or corridors or skid roads or trails in the core use area. Please consider revising to encompass all of the possibilities spelled out in Attachment A.
 - d. Page 79, #5(a) states "*For AC's where fledging status has been determined...*" This statement is missing a 'not' between has and been.
 - e. Page 79, #6 states "*For NSO AC's where fledging status has been determined (either nest failure or fledglings have left the core area).*" How will you determine that fledglings have left the core area? This section does not appear to be from the newly revised Attachment A (2019). Should the 1st sentence instead state "*For any NSO activity center, regardless of current nesting status:*"? Please review for consistency.
 - f. Page 79.1, #6 appears to be from the outdated version of Attachment A. Please review for consistency.
 - g. Page 79.2, Road Use, #1 states "*Following an activity center search (2012 NSO Protocol) on or after May 15, the NSO is determined to be absent, non-nesting, or nest failed, or;*" Attachment A, page 7 says that protocol level surveys are used to determine that either NSO are non-nesting or that nesting has failed, it does not specify 'absence'. Considering the language of Attachment A, and that no NSO detections during surveys does not equate to NSO being absent in the area (an absence of evidence is not evidence of absence), please revise this statement.

- h. Page 79.2, Road Use, Exceptions to Attachment A, states “*We propose additional exceptions to the above road use restrictions include (see Section V for rationale and justification.*” Section V does not appear to have the rationale and justification, please provide this section for review.
 - i. Page 79.2, Road Use, Exceptions to Attachment A. This section of the THP details use of haul roads near the AC during the breeding season. Has the USFWS 2006 NSO Noise Guidance document been consulted to conduct a noise analysis, taking into account ambient and project-generated noise conditions, to determine noise buffers for the AC? (“Noise Guidance”, USFWS 2006; <https://www.fws.gov/arcata/es/birds/NSO/documents/MAMUNSO%20Harassment%20Guidance%20NW%20CA%202006Jul31.pdf>) How will the noise guidance be implemented in this THP? A noise analysis should address baseline noise levels, proposed activities, and list of prohibited activities.
- 2. CDFW Recc #3, Anthropogenic Wet Areas & Pollution Prevention and Removal Plan.
 - a. The RPF response states revised page 91.1 is included to show the removal of the wet area upslope of map point 7. The map shown on 91.1 appears to be focused on the eastern half of the THP area and does not include the area around mp 7. Did you mean to include a revised page 91 instead?
 - b. Page 289.3, Site Description and Removal Plans. All of the site numbers include the following language under ‘Removal Plan’ except for site #3: “*All exposed soils must be stabilized as per Item #18.*” Was this omission intentional? The proposed work at site 3 is likely to create a large area of exposed soils and language to stabilized would be beneficial.
 - c. The Pollution Prevention and Removal Plan, pages 289.1-289.4, does not appear to contain any information of the timing of work, either seasonality and/or in relation to operations. Please consider including information on whether removal and remediation activities will occur during dry or wet weather, and whether they will occur prior to, during, or after operations. If work is proposed to occur prior to operations, consider a follow up visit at the end of ops to see if additional work is needed (due to returning transient activity).
- 3. CDFW Recc #5, Map Point 1.
 - a. If map point 1 is now going to be included in the THP instead of handled through the Sonoma County Public Works, then the existing Draft 1600 Agreement will need to be revised to include this work. If this is the case, please revise the 1611 Addendum in Section II to reflect the changes.
- 4. CDFW Recc #6, NSO Consultation, Survey Data, etc.
 - a. Page 10, the No Harvest Acreage is now shown as 16.025 acres. This doesn’t match the total acreage listed below as 224.0 acres.
 - b. The map on 385.12 shows the discovery of an osprey nest in the plan area during a stand search conducted on 8/17/2020. Section II, Item 32(a), page 79.4 of the THP does not appear to address this nest in the protection measures section for osprey. Additionally, this nest should be included on the operations map.
 - c. For the 7/10/2020 survey visit the corresponding survey map appears to be omitted.
- 5. General comment in regards to Public Comment Letter, 20PC-000000470 (attached along with original email due to a scanning mistake that cut off the last figure).
 - a. New information has been provided to CDFW via public comment letter 20PC-000000470 showing NSO pair activity on the adjacent property to the THP. This additional information

lowers confidence that the current survey efforts and AC location designation are adequately demonstrating no take will occur. CDFW would like to schedule a meeting with the RPF to review the additional data and determine additional survey effort needed to bolster confidence.

Additionally, due to the number of outstanding items, Carolyn Buesch and I would like the opportunity to be present during the 2nd review meeting. Please consider including both of us during the scheduling of the meeting to ensure we are available.

Thank you,
Julie

Please note that I am working remotely. If you would like to conduct business via phone, please send an email with a number you can be reached at and a preferred time.

Julie Coombes

(she/her/hers | [what's this?](#))

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From: Jamie Pusich <jpusich@ncrm.com>

Sent: Monday, November 2, 2020 12:17 PM

To: Santa Rosa Review Team@CALFIRE <SantaRosaReviewTeam@fire.ca.gov>

Cc: Sone, Kim@CALFIRE <Kim.Sone@fire.ca.gov>; Coombes, Julie@Wildlife <Julie.Coombes@wildlife.ca.gov>; Doherty, Kevin@DOC <Kevin.Doherty@conservation.ca.gov>; Longstreth, David@DOC <David.Longstreth@conservation.ca.gov>; David Fowler <dlfowler@sonic.net>; Russo, Izaac@Waterboards <Izaac.Russo@Waterboards.ca.gov>; Buesch, Carolyn@Wildlife <Carolyn.Buesch@Wildlife.ca.gov>; Jesse Weaver <jweaver@resawmill.com>

Subject: THP# 1-20-00084 SON "Silver Estates"-Review Team Pre-Harvest Inspection Recommendations and RPF Responses

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Good Morning Review Team,

Here are the RPF Responses to the Review Team Pre-Harvest Inspection Recommendations. Please feel free to contact me if you have any questions, comments, or concerns.

Sincerely,

Jamie B. Pusich

Jamie B. Pusich

Forester, RPF #3043

North Coast Resource Management, INC