



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 NORTHERN REGION HEADQUARTERS - SANTA ROSA
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July 09, 2020

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Timber Harvest Plan
 No: 1-20-00084-SON
 SILVER ESTATES

FIRST REVIEW REPORT

In accordance with 14CCR §1037, the following report provides documentation of the 1st Environmental Review conducted in compliance with the Z'berg Nejedly Forest Practice Act. This report concludes with specific questions which the plan submitter is required to address in order for CAL FIRE to consider the plan to be in conformance with applicable laws and regulations of the State of California.

Review Team Recommendation: File - PHI

Note to RPF: All responses to the first review questions and preharvest inspection report are due at the Coast - Santa Rosa no later than the Friday before second review [PRC § 4582.7]. You may e-mail any plan-related correspondence to SantaRosaReviewTeam@fire.ca.gov

Date of first review: 7/9/2020

Date of Filing: 7/9/2020

PHI must be conducted by: 7/20/2020

RPF: JAMIE PUSICH

CDFW Region: 3 Water Quality Region: 1

Inspection Unit: Sonoma-Lake-Napa Unit

Inspector:

Note to Inspector: If you cannot schedule the PHI by the deadline indicated above, it is your responsibility to request an extension of the PHI date from the RPF. In the event that an extension is granted, please send a copy of the RPFs response to review team ASAP.

Agencies Requesting Attendance on the Preharvest Inspection

Agency	Name	PHI Attendance	Phone
CGS	David Longstreth	Mutually Agreeable	707-576-2987
CGS	Kevin Doherty	Mutually Agreeable	707-576-2904
CGS	Patrick Brand	Mutually Agreeable	707-576-2143
Santa Rosa Region Office	Ben Harris	Mutually Agreeable	707-576-2966

Agency	Name	PHI Attendance	Phone
CDFW	Barry Miller	Mutually Agreeable	707-576-2793
CDFW	Julie Coombes	Mutually Agreeable	707-576-2825
RWQB	Maggie Robinson	No Notification Required	707-576-2292
RWQB	James Burke	Mutually Agreeable	707-576-2289
CDFW	Carolyn Buesch	Mutually Agreeable	707-576-2825

REVIEW TEAM QUESTIONS

RPF - Please provide the following information prior to the PHI (if a PHI is required) and have the information available in writing for the Review Team members prior to the PHI. Please also send a copy of your response to these questions to the Review Team in the Coast - Santa Rosa. Failure to send a copy of these responses to the Coast - Santa Rosa may result in delays of approval.

Review Agency	Question
CAL FIRE	1) Page 133.1 discusses the findings of the Caspar Creek Watershed study. Please provide citations for this study and link the citations from the area in which it is discussed.
CAL FIRE	2) Page 5 item 7(b) states that the majority of the THP area has been given Special Treatment Area status. Please revise Item #14(a) to disclose that a Special Treatment Area Prescription is proposed, include the acreage, and clarify under Item #14 if there are any discrepancies in acreage between Item #14 and Item #7 if appropriate.
CAL FIRE	3) Page 5 Item 7(a) states that 40% of the plan cannot be seen from Highway 116, however Page 191, Visual Assessment Area states that a majority of the plan lies within a County and State Designated Scenic Corridor for Highway 116 and the plan area is readily seen from the highway. Please revise to consistently represent any potential visual impacts of this THP throughout the plan.
CAL FIRE	4) Page 192: Traffic Assessment Area. Technical Rule Addendum 2: Cumulative Impacts Assessment Guidelines ask to consider existing traffic or maintenance problems on public roads to be used in this plan. Please revise to address any existing traffic or maintenance problems on the roads which will be accessed for this THP.
CAL FIRE	5) Page 192: Traffic Assessment Area states that the public roads that timber will be hauled on have been used historically for log transport, however according to CAL FIRE records there have been no recent plans in that area. Please revise to explain whether the impacts to these roads might be different from that of the last time they were used for log hauling when considering road maintenance and traffic.
CAL FIRE	6) Page 199-200, Fire Prevention and Protection discusses the use of herbicide and the effects of herbicide on smoke toxicity and fuel buildup, however page 13 Item 14 (f) states there is no proposed management of Group B species and 14(f)(1) indicates there will be no follow up herbicide treatments for Group A Species. Please revise for clarity whether herbicide use will occur within this THP.
CAL FIRE	7) Page 199-200, Fire Prevention and Protection. Please indicate the fire hazard severity zoning, existing and probable future fuel conditions, location of known fuel breaks, and road access for fire suppression resources as required by Technical Rule Addendum 2: Cumulative Impacts Assessment Guidelines; H. Wildfire Risk and Hazard (1-4).
CAL FIRE	8) Page 93.1 Appurtenant road map does not designate which roads are appurtenant within the plan boundary. Please revise [ref. 14 CCR 895.1 def. for Appurtenant Roads].

Review Agency	Question
CDFW	9) Section II, Item 14(g), page 14. The THP was revised to include LTO instructions to fell trees away from class II and class III watercourses and wet areas, per CDFW recommendation #4 from the First Review dated 5/28/20. However, no specific LTO instructions were provided should a tree inadvertently be felled into a watercourse or wet area. Please consider including LTO instructions that specify the appropriate measures should a tree be inadvertently felled into a watercourse or wet area.
CDFW	10) Section II, Item 15(a), page 17. The THP is located within the Coastal Pitch Canker Zone of Infestation. However, no description of Pitch Canker or language including the proposed measures to mitigate adverse infestation or infection impacts was included. Have symptoms of Pitch Canker been observed in the plan area? Please include a description of Pitch Canker and language describing the measures to mitigate adverse infestation or infection impacts.
CDFW	11) Section II, Item 32(a), page 79. Northern Goshawk. The THP does not include language defining the dates of the critical period during which no timber operations are permitted, with few exceptions. Please include language defining the dates of the critical period for Northern Goshawk. The THP also shows an apparent discrepancy with the buffer distance around active nest sites. In two places under the 'Protection Measures' section of Item 32(a), the timber operations buffer distance is described as '...a minimum of five acres in size' and '...within 333 feet of the suspected nesting site...'. Please address this discrepancy.
CDFW	12) Section II, Item 32(a), Northern Spotted Owl, page 77. The THP states, "Pursuant to 14CCR 939.9(e), this THP is using Scenario 4." In the FPR, 14CCR 939.9(e) says, "If the submitter proposes to proceed pursuant to the outcome of a discussion with the U.S. Fish and Wildlife Service, the submitter shall submit a letter prepared by the RPF that the described or proposed management prescription is acceptable to the USFWS." The NSO take avoidance scenarios are located in the February 1, 2008 USFWS Technical Assistance Analysis document. Please address this discrepancy.
CDFW	13) Section II, Item 32(a), Northern Spotted Owl, pages 77-78. The THP states, "Also habitat retention, standard protection measures, operational limitations, and surveys shall be conducted in compliance with February 27, 2008 Attachment A for the Coast Forest District." The following habitat definitions and retention levels appear to be from Attachment B. Please address this discrepancy.
CDFW	14) Section II, Item 32 (a), page 81. The THP states that it will incorporate recommended USFWS guidelines to avoid take of California red-legged frogs. There is no mention of what will happen if a California red-legged frog is found in the THP. Please consider adding additional language to include creating a buffer and contacting CDFW should a California red-legged frog be found.
CDFW	15) Section II, Item 32 (c), page 82. In the Non-Listed Species Table for Townsend's Big-eared Bat and Pallid Bat the THP states that, "There are mitigations in Item 38 to protect special habitat elements that would be beneficial.." for Townsend's big-eared bat and Pallid Bat. Did you perhaps mean the mitigations in Item 14 (g) instead of Item 38?
CDFW	16) Section II, Item 32 (c), page 82. In the Non-Listed Species Table there is no mention of adding a buffer and contacting CDFW if any of these species are found in the THP. Please consider adding language to include creating a buffer and contacting CDFW should any of these species be found.

Review Agency	Question
CDFW	17) Section V, Northern Spotted Owl Information, page 343. Under the Northern Spotted Owls Within 0.7 Miles heading, the THP states, "A daytime stand search was conducted within the property and off the property in the vicinity of the SON0076 AC looking for evidence of NSOs on 25APR18, 22APR19 and 09MAR20, and no NSO's were found." Were these stand searches conducted to protocol standards, specifically a thorough survey of the entire THP area searching for NSO whitewash, pellets, and feathers while broadcasting vocalizations, listening for responses, and watching for owls silently flying in? Please provide a map of the search routes along with data forms that include start and end times and description of the habitat.
CDFW	18) Section V, Northern Spotted Owl Information, page 346. The NSO Surveys According to 2011 Protocol section describes a deviation, "Surveys between sunset and sunrise: This area has a higher than usual amount of transient activity in the area and it is not safe to conduct surveys after sunset. This area has historically been surveyed during the day before sunset." This deviation is significant and would warrant a pre-consultation with CDFW prior to initiating surveys. Please include information regarding the recent CDFW NSO consultation for the substantial deviations to survey protocols.
CDFW	19) Section V, Northern Spotted Owl Information, page 346. Under the Surveys Between Sunset and Sunrise heading, the THP states, "This area has historically been surveyed during the day before sunset." There appears to be two previous THPs that cover roughly the same area as Silver Estates, 1-01-012 SON and 1-02-179 SON. Due to the length of time since these THPs, CDFW does not have the NSO minor amendments for these plans on file. These previous surveys could potentially have NSO detections that were never entered into CNDDDB and may be informative regarding past survey effort and adherence to best survey practices. If possible, please provide these past NSO minor amendments to aid in the review and evaluation of NSO survey effort. Additionally, if NSO survey data is available from neighboring landowners please provide this data to aid in review and evaluation.
CDFW	20) Section V, Northern Spotted Owl Information, pages 337-385. What type of owl calls were used during surveys? Was a speaker used for calling? Please provide information on the type of survey effort. The survey data sheets for 15 survey visits, pages 358-373, show survey times occurring between 07:30 at the earliest and 14:05 at the latest, with the average start times occurring 2.5 to 3 hours after sunrise. Why were survey visits conducted during a time of day with the lowest likelihood of NSO detection? Why weren't surveys conducted during crepuscular hours or during a time frame as close to the nighttime as possible, and if necessary, extended each survey pass over the course of multiple days in order to get the surveys as close to sunset and sunrise as possible? On page 359, the survey data sheet for the one follow-up survey on 4/12/18 shows the survey time starting at 0500. Why weren't the surveys, if not able to be conducted close to sunset, then conducted at this early morning sunrise time period? Please provide a discussion of these alternative survey methods and information about future survey effort that will adhere to crepuscular hours.
CDFW	21) Section V, Northern Spotted Owl Information, page 357. The NSO Survey Stations map shows stations located along ridgelines that are far from the illegal trespass areas located along Neely Road and Mays Canyon and at least one station appears to be within or near the Russian River Water Treatment Center, a locked facility with gates and fencing. Why were these call stations that occur outside of the zones of trespass and in areas that provide secure access not surveyed between sunset and sunrise? Were other safety measures and alternatives, such as surveying with multiple people, surveying along roads and/or while next to a vehicle, utilizing the landowners existing personnel that patrol the property for added security, and/or the deployment of ARUs in conjunction with in-person surveys considered? Please provide a discussion of the consideration into these alternative survey methods. Please consider providing a map depicting the locations and scope of trespass areas to assist in evaluating each survey station location.

Review Agency	Question
CDFW	22) Section V, Northern Spotted Owl Information, NSO Survey Stations Map, page 357. Survey station #8 appears to be directly adjacent to the Russian River which sees high flows during the winter and spring months. Some of the survey dates occur in March and April when high flows could create noise interference. Was Station 8 evaluated for noise and listening ability during those months to determine if the stations were spaced too far apart to adequately provide survey coverage for that portion of the THP area?
CDFW	23) Section V, Northern Spotted Owl Information, pages 358-359. The first survey conducted on 4/11/18, page 358, states one hoot response was heard 500 feet across the river in a clump of redwoods at Station 8 between 1046 and 1056 am. What type of hoot was observed? Was the response an unknown Strix or other owl species? The follow-up survey conducted on 4/12/2018, page 359, states the surveyor hooted at Station 8 from 0500 to 0530 with no response. This follow-up effort appears to be only 30 minutes in duration and entirely conducted from one location, distant from the nocturnal survey location. The protocol prescribes an on-foot search of the best habitat within a 0.5-mile radius of the nocturnal detection location, broadcasting, listening, and actively searching for whitewash, pellets, feathers, and owls silently flying in. Was it possible for the surveyor to get closer to the detection location during the follow-up visit? Could the surveyor have searched at least part of the 0.5-mile radius area on-foot as well as calling from a distance? Could the surveyor have called for longer than 30 minutes and moved around even if only on their own property?
CDFW	24) Section V, Northern Spotted Owl Information, Survey Data Sheet, page 358. The survey conducted on 4/11/18 states at Station 3 from 12:17 to 12:27 two ravens and two Steller's jays were heard. Mobbing jays and other corvid activity may indicate the presence of an NSO or other Strix species. Was the raven and Steller jay activity investigated?
CDFW	25) Section V, Northern Spotted Owl Information, pages 337-385. The "Additional Surveys" section on page 347 states, "This NSO consultation is effective until 01FEB2021. Re-consultation will be completed...", this language is in a survey report not a formal agency consultation, please address this discrepancy. This section states, "Timber harvests require NSO surveys according to USFWS and CAL-FIRE protocols." what is the CALFIRE NSO protocol? Additionally, this section states, "If a northern spotted owl is detected during operations, all harvest activities shall be halted, and CAL-FIRE will be consulted to determine adequate protection measures." Please revise this statement to include consultation with CDFW should NSO be detected.
CGS	26) Please have the project geologist address/clarify the following: <ul style="list-style-type: none"> • Are there any restrictions on ground-based operations on the historically active unstable area G3? The geologic report does not clearly address this. • The recommendations for STZ-G5 discuss an STZ that extends 50-foot from the cutbank of Neely Road (similar to STZ-G4). The debris slide slopes and the mapped STZ (both in the THP and the geology report) appear to extend much farther upslope from Neely Road. Please clarify. If the definition of STZ-G5 changes, page 12 of the THP should be updated.
CGS	27) There are numerous STZ's proposed in the THP. Are these STZ's flagged or identified in the field? If not, please flag them prior to the PHI to facilitate review.
CGS	28) The extent of the STZ at G14 is difficult to discern on the THP Operations maps. Please consider using a different symbology or border to differentiate the STZ boundaries.

Review Agency	Question
CGS	29) California Forestry Report No. 1 (Cafferata et al., 2017; page 34) states that "a minimum diameter of 24 inches is recommended for watercourse crossings to reduce plugging potential in channels that receive flood flows (i.e., not crossings receiving discharge solely from small seeps or springs)." It appears that this would apply to Map Points 3, 8, and 10. Should a 24-inch diameter culvert be utilized at these locations? Available at: http://timbertraining.resources.ca.gov/pluginfile.php/957/mod_resource/content/1/100%20yr%20revised%208-08-17%20%28final-a%29.pdf
CGS	30) The THP uses the rock sizing methodology from California Forestry Report No. 1, as shown on page 96 of the THP. Based on our review of the proposed 100-year flood flows and rock sizes, it appears that an outfall gradient of 2:1 is proposed at these locations. Please clarify the proposed outfall gradient at locations where rock armoring is proposed in order to provide clear and enforceable design details.
GIS	31) Item 14 states there are 0.025 acres of No Harvest. THP Silviculture Maps on page 91 and 91.1 do not show the No Harvest area. Please revise the THP silviculture maps to show the 0.025 acres of No Harvest so that Item 14 and the THP Silviculture maps match one another.
ARCH	32) The confidential Archaeology First Review report is available as an attachment to limited personnel in CALTREES.

The following questions were generated by the interagency review team to be answered on the PHI by agency staff.

CAL FIRE Inspector - evaluate the following questions:

No.	Review Agency	Question
1	CGS	Please evaluate proposed operations at mapped unstable areas. Are additional mitigations necessary to minimize adverse impacts to slope stability, erosion, and public safety? (past plans include THP 1-02-179 MEN, THP 1-01-012 MEN, THP 1-98-253 MEN)
2	Barry Miller	<p>CDFW would like to examine:</p> <ul style="list-style-type: none"> • Clarr wildlife tree • WLPZ Skid Trails in Inner Zone B • WLPZ Landings, L1-L4 • Reconstructed permanent road segment located at Map Point E • Wet areas and seeps • Trespass issues & proposed remediation • Harvest units with proposed hardwood management (Tanoak & Madrone removal) • 1600 map points: 1, 24 • Potential 1600 map points: 3, 8, 10, 12, 13, 15, 17 • Map points: 2, 6, 7, 9, 11, 16, 22, 23 • Unstable Features: D, E • Class I crossing on Mays Canyon Road • Wildlife Tree marking

No.	Review Agency	Question
3	Carolyn Buesch	<p>CDFW would like to examine: Clarr wildlife tree</p> <ul style="list-style-type: none"> • WLPZ Skid Trails in Inner Zone B • WLPZ Landings, L1-L4 • Reconstructed permanent road segment located at Map Point E • Wet areas and seeps • Trespass issues & proposed remediation • Harvest units with proposed hardwood management (Tanoak & Madrone removal) • 1600 map points: 1, 3,8,10,13,24 • Potential 1600 map points: 12, 15, 17 • Map points: 2, 6, 7, 9, 11, 16, 22, 23 • Unstable Features: D, E • Class I crossing on Mays Canyon Road • Wildlife Tree marking • Waterlines in spray fields • Ditch relief culverts • Invasive plant removal • Osprey nest from public comments
4	CGS	<p>Please evaluate proposed operations at mapped unstable areas. Are additional mitigations necessary to minimize adverse impacts to slope stability, erosion, and public safety? (past plans include THP 1-02-179 MEN, THP 1-01-012 MEN, THP 1-98-253 MEN)</p>

cc: Unit, TLO/TO, PS, File

To view harvesting documents, please visit: <https://caltreesplans.resources.ca.gov/caltrees/>