

Memorandum

To: Mr. Ron Pape, Division Chief, Forest Practice
California Northern Region Headquarters
Department of Forestry and Fire Protection
135 Ridgway Avenue
Santa Rosa, California 95401

Date: February 27, 2006

Attention Review Team Chairperson
Humboldt/Del Norte Unit, Fortuna

[Original signed copy on file]

From: **WILLIAM CONDON**, Senior Environmental Scientist
Northern California-North Coast Region
Department of Fish and Game
619 Second Street
Eureka, California 95501

Subject: The Pacific Lumber Company Sensitive Plant Program Standard Protection Measures, Scoping List, and Property-Wide Consultations

Pursuant to the California Forest Practice Rules, Title 14, California Code of Regulations (CCR 14) §919.4 and The Pacific Lumber Company (PALCO) Habitat Conservation Plan Section 6.12, the Department of Fish and Game (DFG) has worked with PALCO staff to modify plant protection measures used to implement PALCO's sensitive plant program. DFG recommends PALCO include in Section II, Item 32 of all future timber harvesting plans (THPs), as appropriate, the revised sensitive plant protection measures in Attachment 1 of this memorandum. These measures may also be amended into previously-approved THPs.

New and Revised Species-specific Property-wide Consultations

In addition to the PALCO property-wide consultations for *Lycopodium clavatum* (running pine), *Montia howellii* (Howell's montia), and *Sidalcea malachroides* (maple-leaved checkerbloom) already in effect, DFG and PALCO have completed three more property-wide consultations and revised the *Montia howellii* consultation. Attachment 2 includes new property-wide plant protection measures for *Erythronium revolutum* (coast fawn lily), *Mitella caulescens* (leafy stemmed mitrewort), and *Packera bolanderi* ssp. *bolanderi* (Bolander's groundsel) (formerly *Senecio bolanderi* ssp. *bolanderi*) and revised measures for *Montia howellii*. PALCO has agreed to include these measures in Section II, Item 32, of THPs with documented occurrences of these species, beginning with THPs accepted for filing in 2006. These property-wide consultations shall cover all PALCO lands and shall remain in effect until such time as DFG and PALCO agree in writing to modify or discontinue them. These measures may also be amended into previously-approved THPs.

Mr. Ron Pape
PALCO Sensitive Plant Program
February 27, 2006
Page Two

Sensitive Plant Scoping List

DFG has evaluated the PALCO sensitive plant scoping list and has determined that the 25 sensitive plant species listed in Attachment 3 are those that are documented as occurring, or have a high probability of occurring on PALCO lands. DFG therefore recommends that PALCO use this list to evaluate the potential presence of sensitive plants during planning activities.

DFG finds the attached standard protection measures and property-wide consultations, if properly implemented, meet the requirements of the California Environmental Quality Act. DFG also finds that THPs implementing these measures are unlikely to result in significant adverse impacts to the species listed in Attachment 3.

If you have any questions regarding this, please call Mr. Gordon Leppig of my staff at (707) 441-2062.

Attachments

ec: See page three

Mr. Ron Pape
PALCO Sensitive Plant Program
February 27, 2006
Page Three

ec: Ms. Maralyn Renner and Messrs. Sal Chinnici and John Sneed, The Pacific Lumber Company
mrenner@scopac.com
schinnici@scopac.com
jsneed@scopac.com

Ms. Amedee Brickey and Debbie Tull and Mr. David Imper, U.S. Fish and Wildlife Service
amedee_brickey@fws.gov
debbie_tull@fws.gov
david_Imper@fws.gov

Review Team Chair, Department of Forestry and Fire Protection
HUUsecondreview@fire.ca.gov

Messrs. Mark Stopher, Richard Macedo, Kenneth Moore, Daniel Applebee, Gordon Leppig and Tony LaBanca
Ms. Tina Bartlett, Jane Arnold, JoAnn Dunn, Robin Fallscheer, Clare Golec, Laurie Harnsberger, Mara Noelle and Susan Sniado
Drs. Marty Berbach and Dawn McGuire
Department of Fish and Game
mstopher@dfg.ca.gov
rmacedo@dfg.ca.gov
kmoore@dfg.ca.gov
dapplebee@dfg.ca.gov
gleppig@dfg.ca.gov
tlabanca@dfg.ca.gov
tbartlett@dfg.ca.gov
jarnold@dfg.ca.gov
jrdunn@dfg.ca.gov
rfallscheer@dfg.ca.gov
cgolec@dfg.ca.gov
lharnsberger@dfg.ca.gov
mnoelle@dfg.ca.gov
ssniado@dfg.ca.gov
mberbach@dfg.ca.gov
dmcguire@dfg.ca.gov

santarosareviewteam@fire.ca.gov

Mr. Ron Pape
February 27, 2006
Attachment 1

Attachment 1. PALCO Sensitive Plant Program standard implementation measures.

PALCO shall include in Section II, Item 32, of timber harvesting plans (THPs) the measures from one of the following plant protection options, as appropriate. These options vary depending on the status of the sensitive plant surveys and the presence or absence of sensitive species documented in the THP.

OPTION 1

To be used when a THP is submitted without the completion of seasonally appropriate sensitive plant surveys, or when a ground-based habitat assessment has been completed and areas of no suitable habitat are delineated.

A sensitive plant habitat assessment has been completed for this THP and shall be verified in the field by a qualified botanist. Seasonally-appropriate sensitive plant surveys have not been completed. To comply with HCP Section 6.12, no timber harvesting operations including, but not limited to, road construction or reconstruction, timber harvesting, yarding, site preparation, and herbicide application shall take place until one of the following occurs:

- 1) PALCO has conducted sensitive plant surveys, has detected sensitive plant occurrences, has completed consultation with DFG or the USFWS, or consultation is not required because the occurrences are greater than 15.2 meters (50 feet) from proposed timber operations.
- 2) Or, through field-based habitat assessments, PALCO has determined that the THP, or mapped and delineated areas of the THP, do not contain sensitive plant habitat and therefore no sensitive plant surveys of those areas are required.

In either case, the results of habitat assessments and sensitive plant surveys shall be submitted to DFG or the USFWS, and along with completed consultations shall be included in the THP Section V. DFG shall have five business days to comment on survey and habitat assessment results with no sensitive plant or habitat detections before timber harvesting operations can begin.

OPTION 2

When sensitive plant surveys are complete and no sensitive plant occurrences have been found.

In compliance with HCP Section 6.12, a sensitive plant habitat assessment has been completed for this THP and has been verified in the field by a qualified botanist. Seasonally appropriate sensitive plant surveys have been completed and a sensitive plant

Mr. Ron Pape
PALCO Sensitive Plant Program
February 27, 2006
Page Two

report has been submitted to DFG and is included in THP Section V. No sensitive plants were found in association with this THP. DFG has had more than five working days from its receipt of a sensitive plant report to comment and no comments have been received by PALCO. Since DFG did not respond within five working days, PALCO can assume that DFG has no comments on the survey.

OPTION 3

To be used when sensitive plant surveys are complete and only sensitive plants with approved property-wide consultations are detected, or when occurrences have been detected that do not require consultation or mitigations because they occur at least 50 feet from proposed timber operations.

In compliance with HCP Section 6.12, a sensitive plant habitat assessment has been completed for this THP and has been verified by a qualified botanist. Seasonally appropriate sensitive plant surveys have been completed and a sensitive plant report has been submitted to DFG and is included in THP Section V. Sensitive plant occurrences or potential habitat have been documented in this THP and the sensitive species are covered by a property-wide consultation, or the species and habitat occur at least 50 feet from proposed timber operations. Therefore, no significant impacts are expected and no consultation with DFG is required. The property-wide mitigation measures for the sensitive species found in this THP are as follows:

OPTION 4

To be used when sensitive plant occurrences are detected and PALCO shall complete consultation with DFG or USFWS.

In compliance with HCP Section 6.12, a sensitive plant habitat assessment has been completed for this THP and has been verified by a qualified botanist. Seasonally-appropriate sensitive plant surveys have been completed and a sensitive plant report has been submitted to Department of Fish and Game (DFG) or the U.S. Fish and Wildlife Service (USFWS) and is included in THP Section V. This THP has documented sensitive plant occurrences that require consultation with DFG or USFWS. When DFG or USFWS complete consultation with the California Department of Forestry and Fire Protection, a concurrence letter will be included in THP Section V. Pending this concurrence, the following site-specific measures shall be implemented to protect sensitive plant occurrences and mitigate impacts in association with this THP.

Page One

Attachment 2. New and Revised PALCO Sensitive Plant Property-wide Consultations.

***Erythronium revolutum* (coast fawn lily)**

1. While planning and implementing THPs, PALCO shall establish a 15.2-meter (50-foot) no-cut equipment limitation zone (ELZ) around *Erythronium revolutum* occurrences. PALCO may utilize existing roads, skid trails, and landings for hauling, skidding and loading, other vehicular traffic, road maintenance, and upgrading within this ELZ but no road, skid trail, or landing construction or reconstruction shall occur within the ELZ. Minor adjustments to skid trail locations may be made to improve alignment or road condition or to avoid *Erythronium revolutum*.
2. Trees harvested outside of the no-cut ELZ shall be directionally felled away from the occurrence. There shall be no direct site preparation within the no-cut ELZ.
3. PALCO shall not apply herbicide within 7.6 meters (25 feet) of any occurrence.
4. A site-specific consultation with DFG shall be required for PALCO to conduct operations in a manner that differs from that described in Items 1-3 above.

***Mitella caulescens* (leafy-stemmed mitrewort)**

1. While planning and implementing THPs, PALCO shall establish a 7.6-meter (25-foot) equipment limitation zone (ELZ) around *Mitella caulescens* occurrences. PALCO may utilize existing roads, skid trails, and landings for hauling, skidding and loading, other vehicular traffic, and road maintenance and upgrading within this ELZ but no road, skid trail, or landing construction or reconstruction shall occur within the ELZ. Minor adjustments to skid trail locations may be made to improve alignment or road condition or to avoid *Mitella caulescens*.
2. Single tree selection shall be the only silvicultural method used within the area where *Mitella caulescens* is present. The ELZ shall have overstory and mid-canopy tree retention of greater than 50%. Harvested trees shall be directionally felled away from the occurrence.
3. There shall be no direct site preparation within the ELZ.

Page Two

4. PALCO shall not apply herbicide within 7.6 meters (25 feet) of any occurrence.
5. A site-specific consultation with DFG shall be required for PALCO to conduct operations in a manner that differs from that described in Items 1-4 above.

***Packera bolanderi* var. *bolanderi* (seacoast ragwort)**

1. While planning and implementing THPs, PALCO shall establish a 15.2-meter (50-foot) no-cut equipment limitation zone (ELZ) around *Packera bolanderi* var. *bolanderi* occurrences. PALCO may utilize existing roads, skid trails, and landings for hauling, skidding and loading, other vehicular traffic, road maintenance including brushing, and road upgrading within this ELZ but no road, skid trail, or landing construction or reconstruction shall occur within the ELZ. Harvested trees shall be directionally felled away from the occurrence. There shall be no direct site preparation within the no-cut ELZ.
2. PALCO shall not apply herbicide within 7.6 meters (25 feet) of any occurrence.
3. A site-specific consultation with DFG shall be required for PALCO to conduct operations in a manner that differs from that described in Items 1-3 above.

***Montia howellii* (Howell's montia)**

1. All new occurrences of *Montia howellii* discovered on PALCO land shall be reported to the CNDDDB and the Eureka DFG Coastal Timberland Planning office.
2. PALCO and DFG have agreed on a multi-year monitoring program which includes *Montia howellii* populations in several sub-basins of the lower Eel River and Van Duzen river drainages. The results will be submitted to DFG and the FWS by December 1 of each year.
3. PALCO Roads L46.26 Riverside, A51.19 Jordan Creek, U11 Wrigley Road, C07.2327 Upper Newman Creek and L33.44 Cummings Creek may have year around vehicle traffic of any kind, including hauling. All other PALCO seasonal roads occupied by *Montia howellii* shall have vehicle traffic restricted to sport-utility vehicles, such as pickup trucks, and to all-terrain vehicles (quads) during the growing season (1 January to 1 June).

Mr. Ron Pape
PALCO Sensitive Plant Program
February 27, 2006

Page Three

4. After the growing season, PALCO may grade occupied road sections to a depth of no more than 10 centimeters (4 inches). The soil graded from the roadbed shall be transported no further than 61 meters (200 feet) from the occurrence, and the spoils shall be deposited on a roadside berm or across the road surface. PALCO shall not apply herbicide within 7.6 meters (25 feet) of the occurrence.
5. A site-specific consultation with DFG shall be required for PALCO to conduct operations in a manner that differs from that described in Items 3 and 4 above.

Mr. Ron Pape
February 27, 2006
Attachment 3

Attachment 3. Sensitive plants recommended by the Department of Fish and Game to be included on the PALCO sensitive plant scoping list.

Astragalus agnicidus - Humboldt milk-vetch
Astragalus umbraticus - Bald Mountain milk-vetch
Bensoniella oregona - Bensoniella
Boschniakia hookeri - small ground-cone
Calamagrostis foliosa - leafy reed grass
Carex arcta – northern clustered sedge
Carex leptalea - flaccid sedge
Carex praticola - meadow sedge
Epilobium oreganum - Oregon fireweed
Erythronium revolutum – coast fawn lily
Gilia capitata ssp. pacifica – Pacific gilia
Glyceria grandis - American manna grass
Juncus supiniformis – hair-leaved rush
Lilium occidentale - western lily
Lycopodium clavatum - running-pine
Mitella caulescens - leafy stemmed mitrewort
Monardella villosa ssp. globosa - robust monardella
Montia howellii - Howell's montia
Packera bolanderi var. bolanderi - Bolander's groundsel
Sanguisorba officinalis ssp. microcephala - great burnet
Sidalcea malachroides - maple-leaved checkerbloom
Sidalcea malviflora ssp. patula - Siskiyou checkerbloom
Sidalcea oregana ssp. eximia - coast checkerbloom
Sisyrinchium hitchcockii - Hitchcock's blue-eyed grass
Thlaspi californicum - Kneeland Prairie pennycress
