

CALIFORNIA FOREST CONSERVATION PLAN



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SACRAMENTO, CA

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IMPACT OF HIGH SEVERITY WILDFIRE

Before and after the Mosquito Fire in 2022
Foresthill, CA
Credit: USFWS



2020 Creek Fire
Sierra National Forest
Photo by USFWS

CALIFORNIA FOREST CONSERVATION PLAN

- Statewide conservation plan
- Streamlined Endangered Species Act compliance
- Voluntary
- Fuels reduction and forest resilience projects
- Covers all lands
- Goals:
 - Accelerate and support implementation of projects
 - Integrate conservation
 - Provide consistency across all lands (federal and non-federal)



WHAT ACTIVITIES ARE COVERED?

- Projects with the intent of reducing fuel loads and increasing ecosystem resiliency
- Broad categories
 1. Hazardous Fuel Reduction
 2. Prescribed Fire
 3. Fuel Breaks
 4. Post-Disturbance Vegetation Removal
 5. Restoration
- **Protect** our communities
- Necessary for **conservation** and **recovery** of forest-dwelling species



HOW DO THE ACTIVITIES SUPPORT CONSERVATION?

- Reduce risk of catastrophic wildfire
- Activities increase:
 1. Ecosystem resilience
 2. Ecosystem stability
 3. Biodiversity
- Necessary to reduce threats causing species declines
- Examples
 - California spotted owl
 - Foothill yellow-legged frog



WHAT SPECIES ARE COVERED?

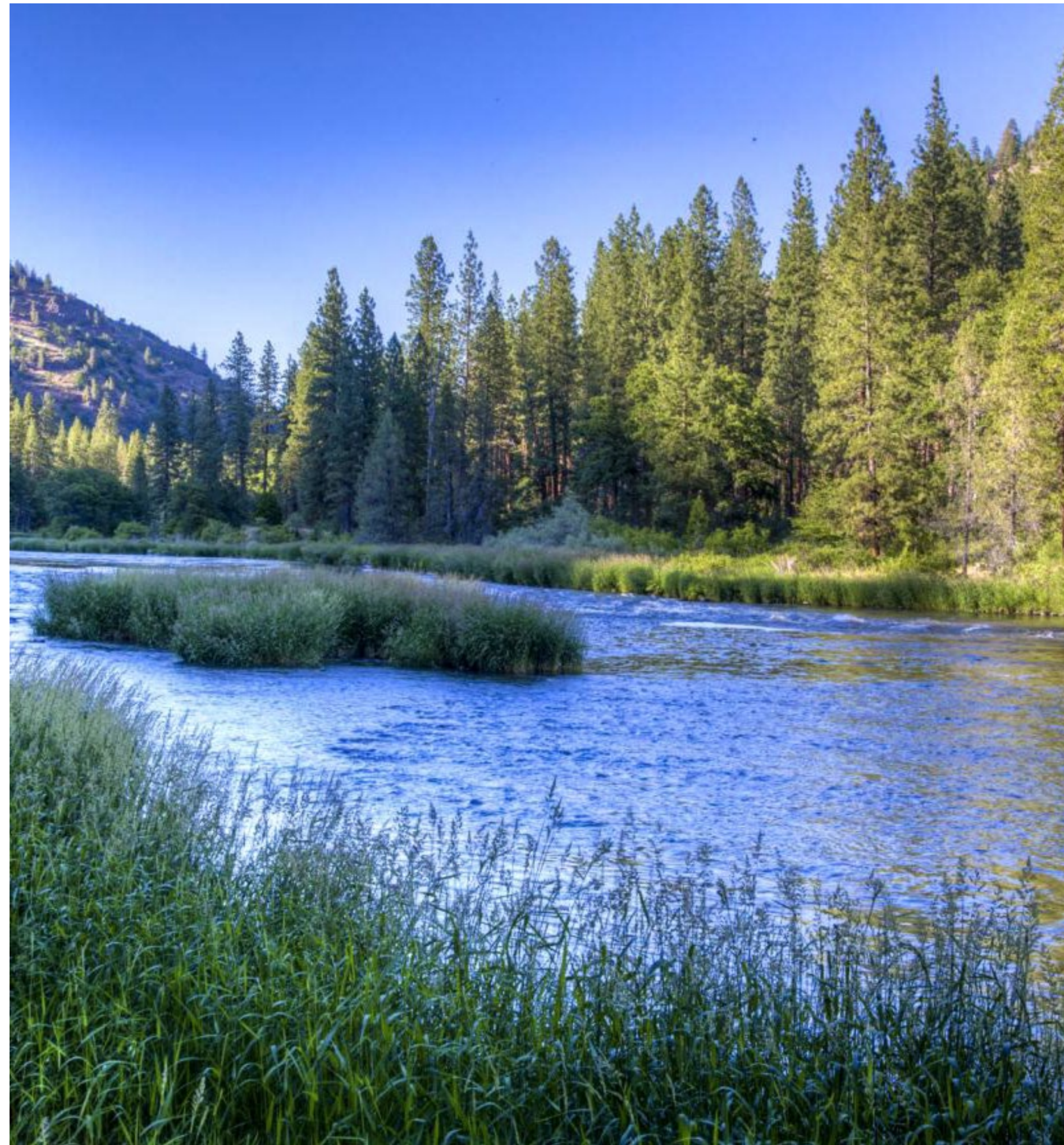
- Listed and non-listed species
- Apply criteria for coverage based on
 - Range
 - Status
 - Impact
 - Data
- Limit to what could require compliance with the Endangered Species Act



HOW DOES THIS BENEFIT LAND MANAGERS?

- Programmatic in nature
- Reduces time
- Provides a suite of covered activities
- Analyzes amount of impacts for covered species
- Standardized conservation measures and best management practices
 - Balance species conservation
 - Support project implementation

Product is an innovative plan that meets
Endangered Species Act regulations



STREAMLINED PROCESS

- Streamlines project documentation process
- Retains coordination with local field office
- Significantly reduces timeline without cutting corners
- Projects are evaluated similarly regardless of ownership

	Traditional (for projects with no existing means for ESA compliance [BO, PBO, HCP, etc.])	CA Forest Conservation Plan
01 Project Design	<p>Project Developer Drafts:</p> <ul style="list-style-type: none"> • Biological Assessment (Section 7) <p>-or -</p> <ul style="list-style-type: none"> • Habitat Conservation Plan (Section 10) 	<p>Project Developer Fills Out:</p> <ul style="list-style-type: none"> • Project Documentation Form • Eligibility Determination Form
02 Project Review	<p>Submit to USFWS for Review</p> <ul style="list-style-type: none"> • Review plan and mitigation measures • Collaborate on conservation • Finalize plan content 	<p>Submit to USFWS for Review</p> <ul style="list-style-type: none"> • Review questionnaire and project description • Collaborate on conservation • Finalize plan content
03 Documentation	<p>Final Product ESA Compliance Via:</p> <ul style="list-style-type: none"> • Section 7: Biological Opinion (Take Statement) • Section 10: Incidental Take Permit 	<p>Final Product ESA Compliance Via:</p> <ul style="list-style-type: none"> • Section 7: Biological Opinion (Take Statement) • Section 10: Incidental Take Permit
	1-3 Years	2-4 Months

CFCP: KEY TAKEAWAYS

What this plan is

Facilitates compliance with federal Endangered Species Act

Process for federal consultation (section 7)

Facilitates issuance of permits (section 10)

Supports species recovery

Framework

Voluntary

Providing efficiencies for existing processes

What this plan is not

Not blanket approval (CESA, local laws, etc.)

Does not circumvent processes

Project approval

A process or prioritization of treatment types or treatment areas

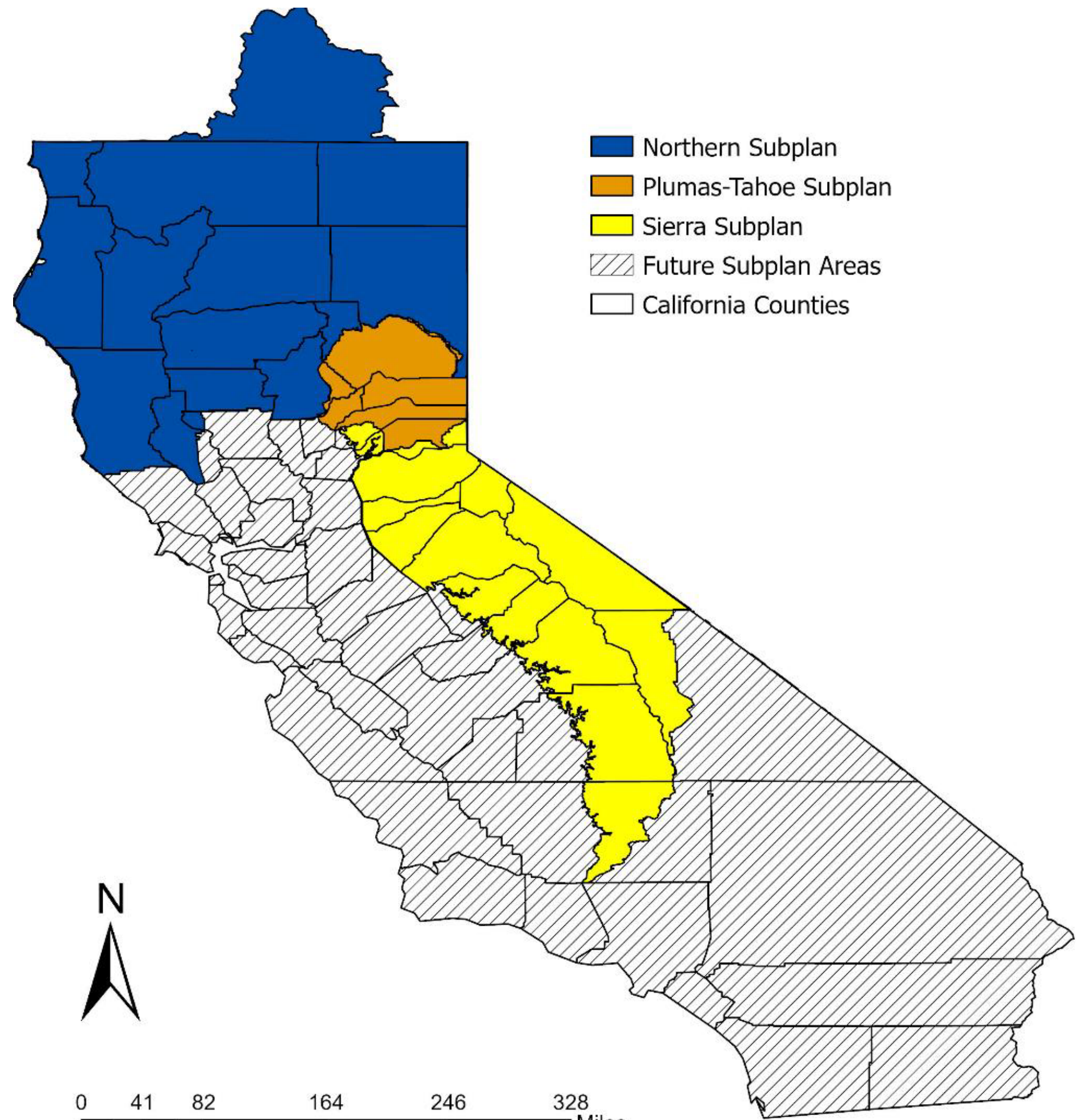
Land management plan

Required

Creating new requirements or regulations

STATEWIDE APPROACH

- Development of series of subplans
- Draft Plumas-Tahoe Subplan complete
- Focusing on development of
 - Northern California subplan
 - Sierra subplan
- Initiating development of a statewide NEPA document

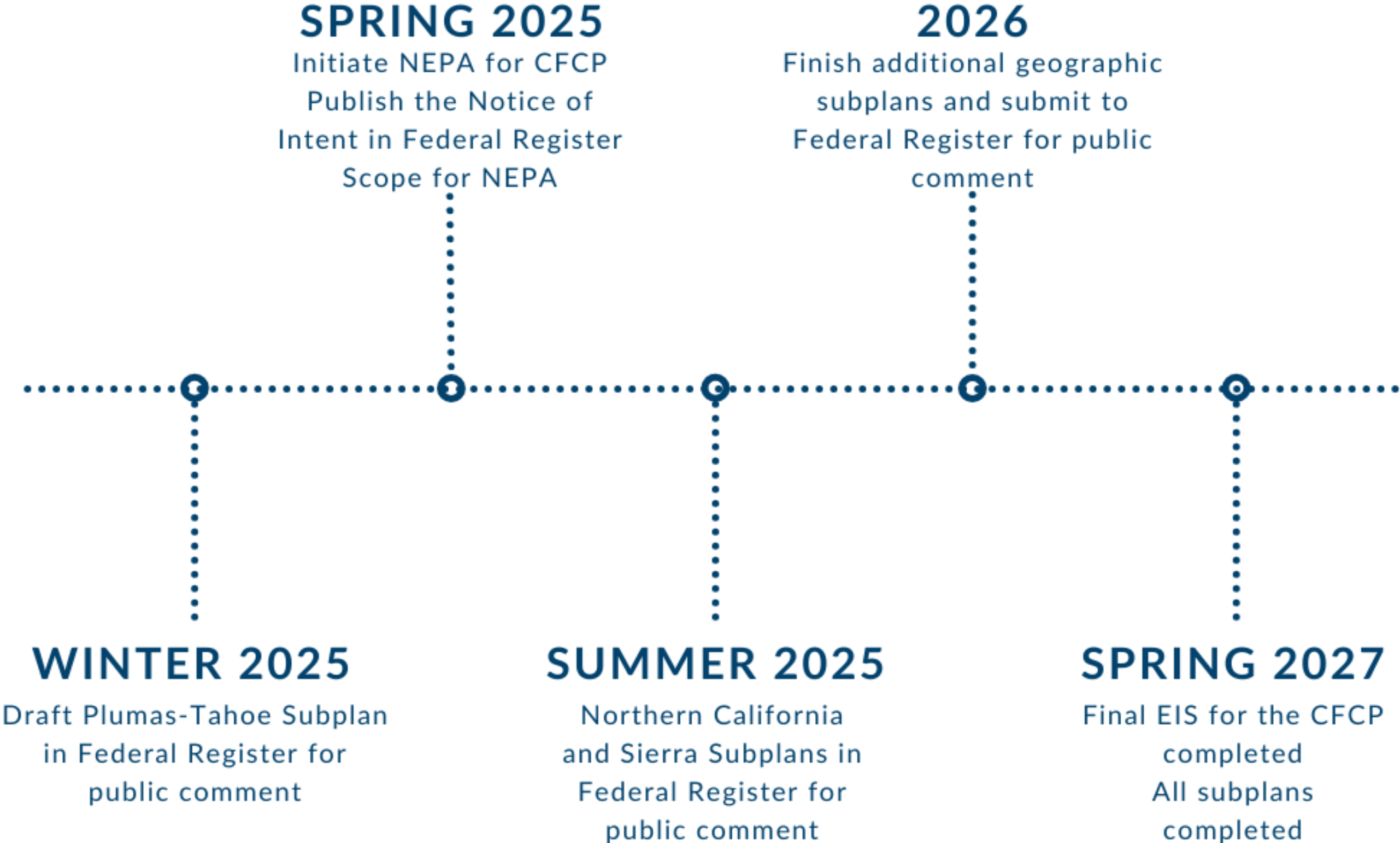


PLUMAS-TAHOE SUBPLAN

- 3,149,329 acres
 - Plumas, Butte, Sierra, Yuba and Nevada counties
 - Plumas and Tahoe national forests + other lands
 - 11 covered species
- | | |
|--------------------------|------------------------------------|
| • California spotted owl | • Sierra Nevada yellow-legged frog |
| • Fisher | • Northwestern pond turtle |
| • Gray wolf | • Foothill yellow-legged frog |
| • Layne's butterweed | • Lahontan cutthroat trout |
| • Whitebark pine | • California red-legged frog |
| • Monarch butterfly | |



TIMELINE



PARTICIPATION IN THE PLAN

Who can participate?

- Any landowner
 - Needing Endangered Species Act compliance
 - Wanting Endangered Species Act compliance
 - Wanting to conserve species
- Must meet eligibility criteria

How do I participate?

- Submit request to the Fish and Wildlife Service
- Request consists of:
 1. Eligibility determination form
 2. Project documentation form
 3. Application for incidental take permit (non-federal applicants only)
 4. \$100 permit application fee (non-federal applicants only)
- Reporting and monitoring

Project Documentation Form

This consultation consists of the programmatic biological opinion, the Bureau of Land Management's (Bureau) request to use the programmatic biological opinion for action with project-specific information (Part A), the Fish and Wildlife Service response (Part B), and the Bureau's post-project reporting (Part C). This form and sent electronically. If your response to any question does not fit in the fill-in box, **add extra pages and note the additional pages in the box.**

For projects that affect 10 acres of habitat or less or that do not involve ongoing activities that are associated with transportation, the Service's Division Chief will respond via electronic mail if she or he has any concerns with use of the programmatic biological opinion. The Bureau may assume that the Service has no concerns if it does not respond within the 30-day period; as a courtesy, the Service's Division Chief will respond via electronic mail as soon as possible.

For projects that affect more than 10 acres or that will involve ongoing activities that are associated with transportation, the Service's Division Chief will respond via electronic mail. The Bureau will implement such projects until it receives notification from the Service.

Part A: Request to Implement an Activity by the Bureau

Date of request from Bureau:

Bureau point of contact:

Phone number/e-mail:

Project/activity title:

Proponent/applicant:

Number of desert tortoises potentially impacted (see Service survey):

> 160 mm:

< 160 mm:

Number of acres anticipated to be affected:

Non-critical habitat:

Critical habitat:

1

California Forest Conservation Plan – Plumas-Tahoe Subplan Section 10 Permit Application Eligibility Key

Non-federal project proponents are advised to seek an incidental take permit, pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act) if they are planning to conduct activities in an area where federally listed species are known to occur and where their activity or activities are reasonably certain to result in incidental take. The California Forest Conservation Plan is a conservation plan that provides a mechanism for non-federal entities to comply with the Act through voluntary participation in the Plan when implementing forest management activities that are reasonably certain to result in take of the covered species.

The Service strongly recommends that project proponents who may want to apply for an incidental take permit for their fuel management or forest resilience project meet with us as early in their planning process as possible. In some cases, such as when covered species are clearly present on a project site, project proponents can be reasonably certain that their activities would result in take. In other situations, such as when the results of surveys are not clear or covered species occur near but not on the project site, determining the appropriate course of action (i.e., whether to apply for an incidental take permit) can be more difficult.

The following decision key will help project proponents determine whether take coverage is needed for their fuels management project and if the California Forest Conservation Plan is the appropriate vehicle to seek take coverage for the proposed project(s). If, upon completion of the following question, an applicant determines their project fits within the scope of the California Forest Conservation Plan and use it to seek compliance pursuant to section 10(a)(1)(B) of the Act, the applicant can complete this document in its entirety and provide it to the Service for processing. Chapter 8 of the California Forest Conservation Plan provides an in-depth description of the process for seeking take coverage when implementing forest management activities that have the potential to take covered species. If a project proponent determines that the proposed project is not eligible for coverage under the California Forest Conservation Plan, we provide recommendations in the steps below to assist with compliance with the Act. The Service will update this document regularly to ensure the information herein remains current and appropriate.

1. Is the purpose of the proposed project to support reduce fuel loads and/or increase forest health to create a landscape that is more resilient to high-severity wildfires or other major disturbances (i.e., insects, disease outbreaks, climate change)?
 - a. If yes, proceed to Step 2.
 - b. If no, the proposed project does not fall within the scope of the California Forest Conservation Plan and the Service cannot issue an incidental take statement for the project under the auspices of this conservation plan. Coordinate with the Service to determine next steps to address compliance with the Act for any project that has the potential to take a federally listed animal species.
2. Does your proposed project fall within the Planning Area as described in the California Forest Conservation Plan Plumas-Tahoe SubPlan?
 - a. If yes, proceed to Step 3.
 - b. If no, the Service cannot issue an incidental take permit for the project under the auspices of the California Forest Conservation Plan because it falls outside of the planning area for its Plumas-Tahoe SubPlan. Coordinate with the Service to determine next steps to address any potential impacts to listed species or their habitats.

THANK YOU FOR JOINING!



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<https://www.fws.gov/office/sacramento-fish-and-wildlife/california-forest-conservation-plan>
