United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In Reply Refer To:
08ESMF00-2012-I-0487-1

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Ms. Donna M. Meyer
Deputy Regional Environmental Officer
U.S. Department of Homeland Security FEMA
1111 Broadway, Suite 1200
Oakland, California 94607-4052

Subject: Informal Endangered Species Consultation on the North Tahoe Fuel Treatment Project, Placer and El Dorado Counties, California

Dear Ms. Meyer:

This is in response to your May 23, 2012, request for informal consultation with the U.S. Fish and Wildlife Service (Service) on the North Tahoe Fuel Treatment Project. The project is located in numerous areas on the north and west shores of Lake Tahoe, Placer and El Dorado Counties, California. At issue are the potential effects to the threatened Lahontan cutthroat trout (*Oncorhynchus clarki henshawi*) and the candidate species Tahoe yellow cress (*Rorippa subumbellata*). This letter is issued pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The applicant proposes the reduction of hazardous fuel loads on vacant parcels in communities along the north and west shores of Lake Tahoe. The project would remove smaller trees and brush that act as ladder fuels as well as thin trees to reduce canopy continuity. The project would be accomplished using a "thin from below" method where smaller trees and brush are generally targeted for removal as larger trees are generally retained. The project would be completed in 3 phases, totaling approximately 238 acres on 1,013 parcels, averaging 0.24 acre each.

Our response is based on: (1) the May 23, 2012, letter to initiate informal consultation from FEMA; (2) the January 23, 2012 *Preliminary Biological Resources Review for the North Tahoe Fuel Treatment Project*; and (3) other information available to the Service.

The Lahontan cutthroat trout has the potential to occur within the project area. However, no in-water work would be performed and the applicant would adhere to strict Best Management Practices (BMP's) for water quality and erosion control. Therefore the Service concurs with the

determination that the North Tahoe Fuel Treatment Project may affect, but is not likely to adversely affect the threatened Lahontan cutthroat trout.

The Federal candidate species Tahoe yellow cress and its suitable habitat are known to occur within the project area. This species is limited in habitat type and typically occurs on sandy substrates, in silty soils among boulders, along lake margins, near stream mouths, in organically enriched dune slacks, and in back-beach depressions in naturally dynamic environments. Physical processes such as wave action, lake level fluctuations, and the erosive forces of the wind heavily influence substrate characteristics. Soil moisture is an important determinant of plant species distribution and is strongly influenced by lake level. Because this project is a fuels treatment project, it is unlikely that habitat types conducive to Tahoe yellow cress will be encroached upon. Project work will be limited to non-sandy soils within parcel boundaries and BMP's for water quality and erosion control would be adhered to. Therefore the Service concurs with the determination that the North Tahoe Fuel Treatment Project may affect, but is not likely to adversely affect the candidate species Tahoe yellow cress.

Unless new information reveals effects of the proposed action that may affect federally listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the Act, is necessary.

Please address any questions or concerns regarding this response on the proposed North Tahoe Fuel Treatment Project to Casey Collins, Endangered Species Biologist or Ryan Olah, Coast Bay/Forest Foothills Division Chief, at (916) 414-6600, or via email at Casey_Collins@fws.gov or Ryan_Olah@fws.gov.

Sincerely,

for Eric Tattersall
Deputy Assistant Field Supervisor