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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-111-R6

Project:	Numu Tuna'e (The People's Burn) Beneficial Fire Project
Location:	Mono County
Lead Agency:	California Department of Forestry and Fire Protection
Lead Agency Contact:	David Haas; David.Haas@fire.ca.gov

Background

Project Location: The Numu Tuna'e (The People's Burn) Beneficial Fire Project (Project) is located on approximately six acres along Parker Creek, north of the June Lake area, at approximately 37.875480, -119.120094.

Project Description: The California Department of Forestry and Fire Protection (CAL FIRE), in partnership with the Mono Lake Kootzaduka'a Tribe (Kootzaduka'a) and the Los Angeles Department of Water and Power (LADWP), proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, and restore or provide habitat for California native fish and wildlife. The Project is designed to benefit fire-adapted willow riparian habitat. The Project will restore natural fire disturbance regimes through manual and beneficial fire treatments on approximately six acres of LADWP property at a small, ponded portion of Parker Creek. The primary vegetation type that will be treated within the Project area consists of willow (*Salix spp.*) dominated riparian habitat, though adjacent uplands dominated by big sagebrush (*Artemisia tridentata*) and antelope bitterbrush (*Purshia tridentata*) will also be treated. Several large Jeffrey pine (*Pinus jeffreyi*) trees scattered throughout the Project area and small *Juncus* meadows will not be targeted for treatment. The Project area is accessed by large, well-maintained dirt roads and is bounded by both larger roads and smaller, secondary dirt roads.

The Project will restore the natural fire disturbance regime to the fire-adapted willow habitat within the Project area. The reintroduction of beneficial fire to the landscape also represents a return to traditional cultural stewardship methodologies, which have both ecological and cultural-practice benefits. Restoration treatments will include the following:

Fire control line installation: The area that will be burned is enclosed by existing dirt roads that will also function as fire control lines. Prior to all beneficial fire broadcast burn entries, vegetation adjacent to the roads will be removed manually using handheld power tools (e.g.,

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chainsaws, weed whackers) to widen the existing control lines; up to 50% of the vegetation in up to a 50-foot buffer adjacent to the control lines will be removed. During initial treatment, where the existing untreated fuel loading is too high for controlled fire behavior, vegetation will be removed from the site or pile burned within the Project footprint to reduce the fuel load prior to beneficial fire broadcast ignitions. Cut vegetation may be processed or removed with chippers, haul trucks, and/or dumpsters. All vehicles and equipment will remain on existing roads and/or disturbed areas, such as the large bare dirt area immediately south of the ponded portion of Parker Creek. Following initial treatments, and the associated reduction in fuel loading, material cut for control line preparation may be placed within the broadcast burn area to ensure there is sufficient vegetation in the burn footprint to provide for complete combustion.

Initial reduction in willow height and density: Some willows, interior of the control line buffer, will be cut prior to broadcast ignitions to reduce their overall height and associated flame length. This cut material will either be removed, pile-burned, or scattered within the broadcast burn footprint in the same manner described above.

Beneficial fire treatments: The Project area will be divided into sections based on the location of control lines (i.e., existing roads) and Parker Creek. Treatments will be implemented individually, though multiple sections may be treated within a single day or burn period under favorable conditions. Both initial and re-entry ignitions will occur via both modern (e.g., drip torch) and culturally traditional means (e.g., pitch stick), and will utilize the least amount of accelerant feasible. Active ignitions will not occur within 25 feet of Parker Creek.

Project activities will take place September 15-February 15 during the ideal burn window for the location, habitat, and stated objectives. Multiple entries will occur over the 10-year life of the Project. Following the initial treatment, the need for re-treatment (re-entry) will be determined in coordination with Project partners and will primarily be based on an evaluation of vegetation regrowth, overall structure, and health.

Tribal Engagement: The Project was developed in close coordination with the Kootzaduka'a tribe. Coordination with other interested California Native American tribes has been accomplished through implementation of CAL FIRE's Cultural Review Procedures. Compliance with these procedures included a California Historic Resource Information System records search, a full archaeological field survey of the Project area, a Native American Heritage Commission Sacred Lands File search, and outreach letters to tribes.

Interested Party Coordination: The Project has been in development since 2021 and has been frequently discussed during local meetings and site visits related to wildfire resiliency in the Eastern Sierra, including Eastside Riparian Resilience Working Group meetings, Eastern Sierra Wildfire Alliance Meetings, and West Mono Basin all-lands planning effort meetings. Interested parties attending these meetings include Mono Basin residents, local government representatives, non-governmental organization partners, tribal members, wildlife biologists, hydrologists, and federal (Bureau of Land Management and Inyo National Forest) partners. CAL FIRE has coordinated directly with multiple public agencies, including the California Department of Fish and Wildlife (CDFW) Region 6, the Lahontan Regional Water Quality

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Control Board (RWQCB), the California Geologic Survey, and the United States Fish and Wildlife Service.

Anticipated Project Implementation Timeframes: Start date: October 2026
Completion date: October 2036

Lead Agency Request for CDFW Concurrence: On October 2, 2026, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Lead Agency pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on October 1, 2026 that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: https://wildlife.ca.gov/Notices/CEQA.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and

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wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project restores fire-adapted willow habitat by returning fire-related disturbance to the landscape through beneficial fire, which has an important role in maintaining the ecological health of vegetation communities and wildlife habitat. Reintroduction of low-intensity, beneficial fire to the landscape provides protection to adjacent, less frequent fire-adapted sagebrush communities and the native wildlife they support, including but not limited to greater sage-grouse (*Centrocercus urophasianus*). In the Eastern Sierra, riparian drainages often serve as a primary carrier for wildfire due to their topographic alignment with downslope winds and dense fuel beds. Improving wildfire resiliency of the riparian habitat provides protection to adjacent sagebrush uplands by limiting the potential for the drainage to carry and spread fire. High-intensity wildfire can have deleterious effects on instream habitats, including, but not limited to, increasing risk of post-fire debris flow, increased runoff and sedimentation, and decreased stream shading. Reducing the potential for high-intensity wildfire in the Parker Creek drainage provides watershed protection not only for Parker Creek itself but also to the greater Mono Basin.

B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Project may have incidental public safety benefits to downstream residences and utility, transportation, and water supply infrastructure by reducing the hazards associated with catastrophic wildfire. By restoring the natural disturbance regime to the riparian habitat through manual and beneficial fire treatments, the Project has the potential to reduce ignition probabilities, fire severity, rate of spread, and post-fire effects in the Parker Creek drainage. This reduction in potential wildfire-related impacts will also protect public access and recreation in the Parker Creek drainage and the Mono Basin.

C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency: The Project will result in long-term net benefits to climate resiliency by reducing the potential for catastrophic wildfire through the strategic alteration of fuel loads in fire-adapted riparian habitat which will be accomplished through the reintroduction of low-intensity, beneficial fire. These treatments will reduce the risk of more frequent, high severity fire, as predicted to occur with climate change, and the associated large-scale release of greenhouse gases and post-fire vegetation type conversion in adjacent upland communities. Restoration of the natural fire-disturbance regime will improve the health of the habitat in the face of increasing climate stressors and the associated intensifying scale and range of plant pathogens, including insect and fungal pests. Actively managing riparian

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systems to ensure their health and functionality is critical to ensure the climate resiliency of the broader landscape, as these wetter, cooler areas both provide increasingly important refugia during drought and are increasingly vulnerable to the impacts of higher flows and flooding, both of which can be expected to occur as the climatic stochasticity increases.

Long-term Net Benefits to Biodiversity: The Project will result in long-term net benefits to biodiversity by improving the heterogeneity of the landscape. The willow habitat within the Project area consists of late-seral stage, decadent willows. The same habitat condition is found within willow stands throughout the landscape in areas that have not been recently disturbed by wildfire or flooding. The homogenous nature of this habitat limits the diversity of species the landscape can support. Project implementation will introduce an area of early seral stage willow habitat; this increased habitat heterogeneity will in turn increase biodiversity by providing habitat for both native plants and wildlife that prefer a more open habitat structure, or that depend on fire and/or post-fire conditions. The reintroduction of beneficial fire to the landscape also represents a return to traditional cultural stewardship methodologies, which have both ecological and cultural-practice benefits.

Long-term Net Benefits to Sensitive Species Recovery: Several sensitive species are known to occur in the vicinity of the Project area, including Swainson's hawk (*Buteo swainsoni*; threatened under the California Endangered Species Act [CESA]), willow flycatcher (*Empidonax traillii*; endangered under CESA), greater sage-grouse (candidate for listing under CESA), and yellow warbler (*Setophaga petechia*; Species of Special Concern). The Project will directly benefit riparian-dependent species recovery by restoring and maintaining the natural fire-disturbance regime through the reintroduction of low intensity, beneficial fire. Improving the wildfire resiliency of the riparian system will provide protection to adjacent, less fire-adapted sagebrush habitats, which support greater sage-grouse and provide foraging habitat for raptors including Swainson's hawk.

Procedures for the Protection of the Environment: Avoidance, minimization, and conservation measures will be implemented during the Project to avoid and minimize impacts to sensitive resources and to protect the environment to the greatest extent feasible. Established Best Management Practices and RWQCB Timber Waiver operational standards will be implemented as part of the Project and include, but are not limited, to the following measures:

- Equipment will be staged, fueled, and maintained on existing roads and disturbed surfaces, and will be regularly inspected for leaks.

- All workers will be educated on Project potential sensitive species and associated avoidance and minimization measures, as well as other environmental protection measures such as inspecting clothing and footwear for plant material and the appropriate sanitizing of equipment.

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- Burn operations will occur in a manner that will minimize wildlife entrapment and give wildlife the opportunity to leave the Project area and/or otherwise seek shelter (e.g., in trees or burrows). This may include conducting a pre-burn sweep of the Project area, the use of slow-moving backing fire, or leaving escape routes free from active ignitions.

- Active ignitions will not occur within approximately 25 feet of waterbodies; however, fire may be allowed to burn up to water's edge.

Any necessary CDFW permits will be obtained and these permits are expected to include further measures for the protection of the environment and sensitive species, as determined in coordination with CDFW. Project timing (September 15-February 15) is not expected to interfere with nesting bird season. Pre-implementation surveys for late-brooding or early-lekking greater sage-grouse, as well as other sensitive species, will occur prior to initiation of yearly activities or following a break in activities greater than one week to ensure avoidance. Burn piles will be surveyed for and burned in a manner as to limit potential impacts to sensitive bumble bee species. Jeffrey pine trees within and adjacent to the burn footprint are not targeted for treatment but will be limbed to the minimum extent necessary to minimize impacts. Vegetation surrounding the Jeffrey pine trees will be removed via hand tools and blacklining may occur to provide additional protection from scorching. The burn area will be monitored for signs of erosion and surface flow, such as rilling and areas of sediment buildup, to determine if there is a risk of runoff of burnt material or loose soils into Parker Creek. All potential erosional issues will be addressed promptly and appropriately in coordination with CDFW and RWQCB. Erosion monitoring will occur following the first post-treatment precipitation event not resulting in persistent snow cover, or following melt-off of persistent snow cover, whichever occurs first.

Ongoing Management for the Protection of the Environment: Re-entries will occur as necessary. The need for re-entry will be assessed on an annual basis. To ensure Project goals and objectives are being met as climate and other environmental conditions change in the future, an adaptive management approach will be taken, and a Project monitoring strategy will be developed to inform any necessary changes to treatment types and prescriptions. Monitoring will evaluate whether the Project is meeting objectives and may include, but not be limited to, vegetation plots and/or transects to determine vegetation species richness, cover, and height; avian species monitoring; and tribal qualitative determinations regarding the health of willow resprouts. This monitoring strategy will include an evaluation of treatment effectiveness, which will inform the expansion of treatments into other similar habitat areas within the Mono Basin.

D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

The sole purpose of the Project is to restore fire-adapted native willow riparian habitat. CAL FIRE has determined that the Project does not include any construction activities.

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Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

By: Signed by: 19042A1B72454D8... _____ Date: 11/2/2026

Meghan Hertel, Director
California Department of Fish and Wildlife