

# Chapter 78

## WILDLIFE RESOURCES

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78.0 Purpose: The intent of this chapter is to protect and enhance the existing diverse wildlife habitats, with special emphasis on protecting or increasing habitats of special significance, such as deciduous trees, wetlands, meadows, and riparian areas.

78.1 Applicability: This chapter applies to any activity or project which could affect basic habitat requirements, such as hiding and thermal cover, food, water, and space as necessary for survival of wildlife populations. Standards for the preservation and management of wildlife habitat are set forth in this chapter.

78.2 Protection Of Wildlife Habitat: Wildlife habitat shall be protected as follows:

78.2.A Stream Environment Zones: No project or activity shall be undertaken within the boundaries of a SEZ except as otherwise permitted for habitat improvement, dispersed recreation, vegetation management, or as provided in Chapter 20.

78.2.B Movement And Migration Corridors: Movement and migration corridors shall be protected as follows:

- (1) Stream environment zones adjoining creeks and major drainages link islands of habitat and shall be managed, in part, for use by wildlife as movement corridors. Structures, such as bridges, proposed within these movement corridors shall be designed so as not to impede the movement of wildlife.
- (2) Projects and activities in the vicinity of deer migration areas shall be required to mitigate or avoid significant adverse impacts. The location of deer migration areas shall be verified by the appropriate state wildlife or fish and game agencies.

78.2.C Critical Habitat: Any element of the overall habitat for any species of concern, which, if diminished, could reduce the existing population or impair the stability or viability of the population, shall be considered critical habitat. This shall apply also to habitat for special interest species indigenous to the Region whose breeding populations have been extirpated but could return or be reintroduced.

- (1) No project or activity shall cause, or threaten to cause, the loss of any habitat component considered critical to the survival of a particular wildlife species.
- (2) No project or activity shall threaten, damage, or destroy nesting habitat of raptors and waterfowl or fawning habitat of deer.
- (3) Wetlands shall be preserved and managed for their ecological significance, including their value as nursery habitat to fishes, nesting and resting sites for waterfowl, and as a source of stream recharge, except as permitted pursuant to Chapter 20.
- (4) Projects or activities within wetlands may include the creation of artificial nesting sites for waterfowl.

78.2.D Snags and Coarse Woody Debris: Snags and coarse woody debris shall be protected and retained in conservation and recreation plan area statements as follows: (Snag and coarse woody debris decay classes referred to in Section 78.2.D are based on Maser, C. and J. M. Trappe, 1984. *The seen and unseen world of the fallen tree*. USDA, Forest Service, Gen. Tech. Rep. PNW-164).<sup>§</sup>

- (1) Snags shall be retained according to (a), (b) and (c), or (d):
  - (a) At a minimum, retain 4 of the largest hard snags per acre in westside forest types, 6 of the largest hard snags per acre in subalpine forest types, and 3 of the largest hard snags per acre in eastside forest types that are 15" dbh and greater, in decay class 2 through 5, averaged over a 10 acre area.
  - (b) Retain all soft snags in decay class 6 through 9 that are 24" dbh and greater in all forest types.
  - (c) Snags shall be retained randomly across the landscape such that a naturally occurring distribution is mimicked, after treatment.
  - (d) Exceptions to retention standards may be approved by TRPA as long as an evidentiary rationale for the exception is provided:
    - (i) to reduce fire risk,
    - (ii) to accomplish wildlife and fisheries habitat conservation objectives,
    - (iii) to mimic forest ecosystem function, such as prescribed fire, or
    - (iv) if the stand is not capable of supporting such levels.

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<sup>§</sup> Amended 5/23/01

- (2) Provision for the protection of snags suitable for wildlife habitat shall be incorporated into all tree harvest plans and projects as conditions of approval.
- (3) Coarse woody debris shall be retained according to (a) and (b), or (c):
  - (a) Within westside and subalpine forest types, beginning with the largest downed logs identified within the range of suitable retention size classes in Table 78.2.D(3)-1, sequentially retain pieces of coarse woody debris in decay class 1 through 3, until an average of  $15 \pm 5$  tons per acre (approximately 5–10 logs) are retained over a treatment area.
  - (b) Within eastside forests types, retain at least 3 of the largest downed logs per acre within the treatment area.
  - (c) Exceptions to retention standards may be approved by TRPA as long as an evidentiary rationale for the exception is provided:
    - (i) to reduce fire risk,
    - (ii) to accomplish wildlife and fisheries habitat conservation objectives,
    - (iii) to mimic forest ecosystem function, such as prescribed fire, or
    - (iv) if the stand is not capable of supporting such levels.

Table 78.2.D(3)-1: Coarse woody debris log weights (tons) by size. Retention suitability increases with increasing log diameter and length. If available within a stand, sequentially retain coarse woody debris in decay class 1 through 3 until  $15 \pm 5$  tons remains after treatment. The shaded area in the table identifies desired size classes for retention.

Length of Log (feet)

Diameter of Log at Large End (inches)	Length of Log (feet)																Retention Suitability	
	8	10	12	14	16	18	20	22	24	26	28	30	32	34	36	38		40
4	0.01	0.01	0.01	0.02	0.02	0.02	0.02	0.02	0.03	0.03	0.03	0.03	0.03	0.04	0.04	0.04	0.04	<div style="display: flex; align-items: center; justify-content: center;"> <div style="font-size: 2em; font-weight: bold;">LOW</div> <div style="margin: 0 10px;">↓</div> <div style="font-size: 2em; font-weight: bold;">HIGH</div> </div>
6	0.02	0.02	0.03	0.03	0.04	0.04	0.05	0.05	0.06	0.06	0.07	0.07	0.08	0.08	0.08	0.09	0.10	
8	0.04	0.04	0.05	0.06	0.07	0.08	0.09	0.10	0.10	0.10	0.10	0.10	0.10	0.20	0.20	0.20	0.20	
10	0.06	0.07	0.08	0.10	0.10	0.10	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.30	0.30	0.30	
12	0.08	0.10	0.10	0.10	0.20	0.20	0.20	0.20	0.20	0.30	0.30	0.30	0.30	0.30	0.40	0.40	0.40	
14	0.10	0.10	0.20	0.20	0.20	0.20	0.30	0.30	0.30	0.40	0.40	0.40	0.40	0.50	0.50	0.50	0.50	
16	0.10	0.20	0.20	0.20	0.30	0.30	0.30	0.40	0.40	0.50	0.50	0.50	0.60	0.60	0.60	0.70	0.70	
18	0.20	0.20	0.30	0.30	0.40	0.40	0.40	0.50	0.50	0.60	0.60	0.60	0.70	0.80	0.80	0.80	0.90	
20	0.20	0.30	0.30	0.40	0.40	0.50	0.50	0.60	0.70	0.70	0.80	0.80	0.90	0.90	1.00	1.00	1.00	
22	0.30	0.30	0.40	0.50	0.50	0.60	0.70	0.70	0.80	0.90	0.90	1.00	1.00	1.00	1.20	1.30	1.30	
24	0.30	0.40	0.50	0.60	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.20	1.30	1.30	1.40	1.50	1.60	
26	0.40	0.50	0.60	0.60	0.70	0.80	1.00	1.00	1.00	1.20	1.30	1.40	1.50	1.60	1.70	1.80	1.80	
28	0.40	0.50	0.60	0.70	0.90	1.00	1.00	1.20	1.30	1.40	1.50	1.60	1.70	1.80	2.00	2.00	2.00	
30	0.50	0.60	0.70	0.90	1.00	1.00	1.20	1.30	1.50	1.60	1.70	1.80	2.00	2.00	2.20	2.30	2.40	
32	0.60	0.70	0.80	1.00	1.00	1.30	1.40	1.50	1.70	1.80	2.00	2.00	2.20	2.40	2.50	2.70	2.80	
34	0.60	0.80	0.90	1.00	1.30	1.40	1.60	1.70	2.00	2.00	2.20	2.40	2.50	2.70	2.80	3.00	3.20	
36	0.70	0.90	1.00	1.30	1.40	1.60	1.80	2.00	2.00	2.30	2.50	2.70	2.80	3.00	3.20	3.40	3.50	
38	0.80	1.00	1.00	1.40	1.50	1.80	2.00	2.20	2.40	2.60	2.80	3.00	3.20	3.30	3.50	3.70	4.00	
40	0.90	1.00	1.30	1.50	1.70	2.00	2.20	2.40	2.60	2.80	3.00	3.30	3.50	3.70	4.00	4.20	4.40	
Retention Suitability	<div style="display: flex; align-items: center; justify-content: space-between;"> <span>LOW</span> <span>→</span> <span>HIGH</span> </div>																	
	Do Not Retain																	
	Retain																	

78.3 Special Interest, Threatened, Endangered, And Rare Species: Special interest species which are locally important because of rarity or other public interest, and threatened, endangered or rare species as designated under state and federal endangered species acts, shall be protected from habitat disturbance from conflicting land uses. These special interest species are: goshawk, osprey, bald eagle, golden eagle, peregrine, water fowl, and deer. The habitat locations of these species are depicted on TRPA maps. At a minimum, the following standards shall apply for the protection of special interest, threatened, endangered and rare species and associated habitat:

78.3.A Disturbance Zones: Perching sites and nesting trees of goshawks, peregrines, eagles, and osprey as shown on the TRPA Regional Plan Overlay Maps shall not be physically disturbed in any manner nor shall the habitat in the disturbance zone be manipulated in any manner unless such manipulation is necessary to enhance the quality of the habitat. The threshold applies not only to the number of known population sites, but will also apply to the disturbance and influence zone buffers to sites found in the future.

- (1) The disturbance zones for goshawks are 0.5 mile radius around each nest site.

- (2) The disturbance zones for osprey and peregrines are 0.25 mile radius around each nest site.
- (3) The disturbance zones for wintering bald eagles are as shown on the TRPA maps.
- (4) The disturbance zones for nesting bald eagles are 0.5 mile radius around each nest.
- (5) The disturbance zones for golden eagles are 0.25 mile radius around each nest site.

78.3.B Adverse Impacts: Uses, projects or activities, outside existing urban areas and within the disturbance zone of special interest, threatened, endangered or rare species, shall not, directly or indirectly, significantly adversely affect the habitat or cause the displacement or extirpation of the population.

78.3.C Environmental Documents: Applicants for projects within disturbance zones shall submit, with their applications, appropriate environmental documentation prepared by a biologist, which includes specific recommendations for avoiding significant adverse impacts to the special interest, threatened, endangered or rare species.

78.3.D Special Conditions: Special conditions of project approval may be required to mitigate or avoid significant adverse impacts to special interest species listed by TRPA or the U.S. Forest Service for the Lake Tahoe Basin, or for threatened, endangered and rare species.

78.3.E Developed Parcels: Subsections 78.3.A through 78.3.C, inclusive, shall not apply to situations where special interest, threatened, endangered or rare species choose to live in close proximity to existing developed parcels.

