



SECTION 61.3. VEGETATION PROTECTION AND MANAGEMENT

TRPA Governing Board

September 30, 2020

Agenda

- Review purpose and intent of code update
- Overview of high-level areas for amendment
- Review of proposed code language
- Questions and Comments

What are we trying to do?

- Code updates that facilitate and promote increased pace and scale of vegetation management promoting forest health, community safety, and resilient landscapes while protecting the environment.
- Clarify the code to be more user friendly

Section 61.3. Vegetation Protection and Management

- Section includes protections for:
 - Old Growth
 - SEZs
 - Wildlife, Habitat, and Sensitive Plant Species
 - Historical Resource Protection



Recommended Areas for Amendment

- Refine code language
 - Based on collaborative conversations with partner agencies
 - Updating language to reflect current practices



Amendment Recommendations

- Historic and Cultural Resource Protection
 - Minor edits for streamlining and clarifying language



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Section Number	Summary of Change
61.3.8. Historic Resource Protection	Title language changed to reflect “historic and cultural resource protection”
61.3.8.A. Historic Resource Protection	Redundant references deleted for clarity and streamlining.
61.3.8.B. Historic Resource Protection	Deleted subparagraph, which is redundant with code language in 67.3.1.



61.3.8.J. Historic and Cultural Resource Protection

~~A1.~~ Operations and any ground disturbing activities shall be shall incorporate measures to protect historic resources in accordance with Chapter 67: *Historic Resource Protection*. All historic resources located within the project area shall be flagged and avoided, except in accordance with a TRPA-approved resource recovery plan. Flagging shall be removed at the time of completion of operations.

~~2.~~ ~~If there is a discovery of a historic resource during vegetation management activities, all work shall cease in the vicinity of the discovery until significance is determined. Work may resume upon approval of a resource protection plan.~~

Amendment Recommendations

- Standardizing various references throughout 61.3.
 - Subsections use a variety of language to refer to Old Growth Tree Removal
 - ‘Cut’ versus ‘felled, treated, or removed’
 - Standardize throughout each subsection as ‘felled, treated, or removed’.
 - Removal of Old Growth for Ecosystem Management Goals should be approved by a ‘qualified forester’ not a ‘qualified interdisciplinary team’.

Section Number	Summary of Change
61.3.7.A. Standards for Recreation and Conservation Lands or SEZs	Deleted reference to SEZs and consolidated sections regarding old growth management in SEZs into sections on SEZ protections.
61.3.7.A. Standards for Recreation and Conservation Lands	Replace the word “cut” with “felled, treated, or removed” for consistency.
61.3.7.A.1. Unreasonably Contribute to Fire Hazard	Replace the word “cut” with “felled, treated, or removed” for consistency.
61.3.7.A.10. Private Landowners	Replace the word “cut” with “felled, treated, or removed” for consistency.
61.3.7.A.4. Adverse Impacts to Stream or Riverbed	Deleted because removal of old growth trees for “Adverse Impacts to Stream or Riverbed” can fall under “Ecosystem Management Goals”.
61.3.7.A.2. Unacceptable Risk to Structures or Areas of High Use	Added language regarding overhead utility lines and conductors.
61.3.7.A.4. Ecosystem Management Goals	Clarifying amendment. Replace approval by an “interdisciplinary team” with approval by a “qualified forester”.

live, dead, or dying tree larger than 30 inches diameter at breast height (dbh) in westside forest types shall not be felled, treated, or removed~~cut~~, and any live, dead or dying tree larger than 24 inches diameter at breast height in eastside forest types shall not be felled, treated, or removed~~cut~~, except as provided below.

1. Unreasonably Contribute to Fire Hazard

Trees and snags larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be felled, treated, or removed ~~cut~~ in urban interface areas if TRPA determines that they would unreasonably contribute to fuel conditions that would pose a fire threat or hinder defense from fire in an urbanized area. Within the urban interface areas, fire management strategies favoring the retention of healthy trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types trees shall be fully considered. Urban interface areas are defined as all undeveloped lands within a 1,250 foot zone immediately adjacent to TRPA residential, commercial, or public service plan area boundaries.

Amendment Recommendations

- Frozen Ground Operations
 - Currently Tree Cutting Within Stream Environment Zones allows for “over snow” activity.
 - Suggested to include operations on frozen ground
 - Lahontan Water Board
 - More stable than snow
 - Less environmentally impactful



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Section Number	Summary of Change
61.3.3. Tree Cutting within Stream Environment Zones	Added language to encapsulate reasons for old growth removal in SEZs, which facilitates consistency and user-friendliness of code language.
61.3.3.1. Vehicle Restrictions	Added language regarding operations on frozen ground with hard frozen soil conditions for tree removal within SEZs.
61.3.3.1.a. Vehicle Restriction (criteria)	Added language relying on the judgement of a qualified forester to determine over snow conditions and frozen ground with hard frozen soil conditions.
61.3.3.1.b.1-2.	Added language specifying conditions for over snow and frozen ground with hard frozen soil conditions including: not sinking into soil more than 2 inches for a distance of more than 25 feet and appropriate snow levels for over snow operations.
61.3.3.1.c.v.	Changed perennial and intermittent streams to “watercourses” for clarity and consistency with Regional Waterboard language.

1. Vehicle Restrictions

~~All vehicles shall be restricted to areas outside of the stream environment zones or to existing roads within stream environment zones.~~ All vehicles shall be restricted to areas outside of the SEZ or to existing roads within SEZs, except for tree removal over-snow or frozen ground with hard frozen soil conditions or use of low impact technology where permanent disturbance does not occur.;

The following ~~criteria-exceptions~~ criteria shall apply:

a. ~~a.-TRPA~~ TRPA may permit the use of vehicles in/on frozen ground with hard frozen soil conditions or over-snow tree removal operations. A qualified forester will~~TRPA shall conduct a pre-operation inspection to~~ ensure that conditions are suitable to prevent ~~significant-~~ visible or permanent soil disturbance and/or significant vegetation damage.

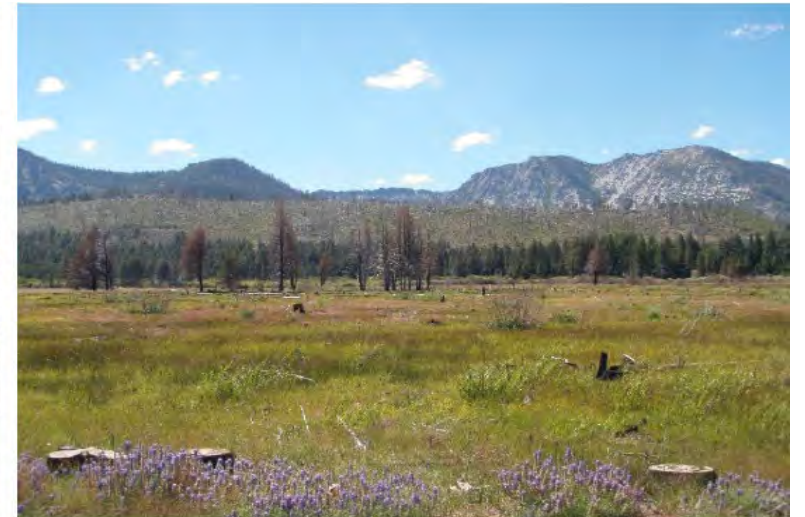
b. ~~Winter ground-based equipment operations would take place on portions of the treatment unit where adequate snow or frozen ground with hard frozen soil conditions are present.~~ The following criteria will be applied in determining equipment operations:

1. ~~a)-Frozen soil operations are permitted where operated vehicles, tractors and equipment can travel without sinking into soil, road, and/or landing surfaces to a depth of more than 2 inches for a distance of more than 25 feet. Temperatures must also remain low enough to preclude thawing of the soil surface.;~~

2. ~~-For over-snow operations, maintain approximately 12 inches of compacted snow/ice on undisturbed ground, and 6 inches of compacted snow/ice on existing disturbed surfaces. For over-the-snow and frozen soil operations in SEZs, exclude ground-based equipment from the 25-foot buffer around perennial and intermittent watercourse channels.~~

Amendment Recommendations

- Innovative Technologies/Equipment Used in SEZs
 - Tree cutting within SEZs currently requires innovative technologies to be piloted and proven environmentally safe.
 - Add language that once an innovative technology is properly demonstrated to the TRPA it becomes a viable option for all partners going forward.



Section Number	Summary of Change
61.3.3.1.c.ix.	Added language allowing previously piloted and approved innovative technology for tree removal in SEZs to be permitted for all permittees or partners once proven environmentally responsible.

(ix) Once an innovative technology has been deemed acceptable by TRPA, all partners or permittees may utilize that technology.

Changes for RPIC and Governing Board

- FHWC approved text including references to regional water board exemptions regarding over snow operations.
- APC suggested broadening the language to accommodate agencies on both sides of the Basin.
- With further review, staff determined a need for significantly more work to craft the language appropriately.
 - Omitted those edits and will address in a later round of amendments.

TRPA Governing Board Questions

Agenda Item VII.A.



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TRPA Governing Board: Public Comment

Agenda Item VII.A.



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TRPA Governing Board Questions

Agenda Item VII.A.



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To approve adoption of the ordinance amendments, the Governing Board must make the following motion(s), based on the staff summary:

1) A motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary; and,

2) A motion to recommend adoption of the Ordinance 2020 -____, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.