

## 1.10.2 Wildlife and Fisheries Subelements

### Overview

In the 1987 Regional Plan, the Wildlife and Fisheries Threshold program areas are addressed in separate Subelements. In this Regional Plan Update, they will be considered together.

Wildlife management in the Tahoe Region is affected by urbanization of the region and focuses on maintaining suitable habitats by maintaining habitat diversity. Current wildlife Threshold standards include identifying special-interest species and the population sites for those species. Also, there is a nondegradation standard applied to management of habitats of special significance, which are habitats consisting of riparian associations such as deciduous trees, wetlands, and meadows.

Threshold standards for fisheries include instream flow and lake and stream habitats. Stream quality overlay maps for the Tahoe Region designate stream habitat as excellent, good, or marginal based on quality as fish habitat for migrating and resident populations. These habitats are subject to a numerical standard. Spawning and feed/cover habitats are delineated in Lake Tahoe and are subject to a nondegradation management standard. Also within the current plan is a Threshold policy statement supporting the reintroduction of Lahontan cutthroat trout.

TRPA goals for wildlife in the current plan clarify the need to maintain habitats for all indigenous species and to preserve, enhance, and expand habitats essential for threatened, endangered, rare, or sensitive species. According to TRPA wildlife policies, all proposed actions must consider impacts on wildlife, riparian vegetation must be protected and managed for wildlife needs, non-native wildlife and exotic species must be controlled, and release of such animals into the wild is prohibited. Domestic animals and pets are to be controlled and appropriately contained.

The goals for fisheries emphasize improvement of affected fish habitat considered essential for the growth, reproduction, and perpetuation of existing and threatened fish resources in the Tahoe Basin. Policies for fisheries include the evaluation of development projects for impacts to the fishery, removal of impediments to fish movement, regulation of instream flows, transfers of existing water diversions back to Lake Tahoe, and reintroduction of Lahontan cutthroat trout.

Regulations contained in the 1987 plan address the protection of wildlife habitats, including stream environment zones and migration corridors, as well as habitat elements such as snags and logs. Additionally, endangered, threatened, rare, and special-interest species are protected through the use of buffers between conflicting land uses. Specific fisheries regulations protect lake and stream habitat and prohibit the introduction of aquatic invasive species.

## **Alternative 1—Continuation of Existing Regional Plan**

### **Summary**

Alternative 1, the “No Action” Alternative, assumes the continuation of the Goals, Policies, regulations, and programs of the 1987 Regional Plan, including those in place for Fisheries and Wildlife. For this Subelement, however, one new policy has been added within Alternative 1, and it addresses the need to support existing Code and other implementation efforts regarding invasive species.

### **Goals and Policies**

A policy to address invasive species will be added to promote efforts to prevent introductions of new aquatic and terrestrial invasive species and aid in the control or eradication of those that currently exist in the Region.

### **Implementation Measures**

No changes are proposed to the Fisheries or Wildlife Subelements under Alternative 1. However, TRPA has recently adopted new regulations to prohibit the introduction of aquatic invasive species. These strategies include public education, boat inspections, and the provision of boat washing facilities.

## **Alternative 2**

### **Summary**

Alternative 2 is designed to promote the protection of wildlife and fisheries through improved regulations and implementation incentives. Within this newly merged subelement, there is one specific implementation measure (involving the provision of animal-resistant garbage containers) designed to incentivize the private sector in meeting environmental improvement goals.

### **Goals and Policies**

Under Alternative 2, the Wildlife and Fisheries Subelements of the 1987 plan would be combined into a single Wildlife and Fisheries Subelement to reflect the link between terrestrial and aquatic habitats and shared stressors. In addition, the Goals would be reorganized to reflect the three desired goals for the wildlife and fisheries Thresholds developed as part of the Pathway process: biological integrity of terrestrial ecosystems, biological integrity of aquatic ecosystems, and sustainability of special-status species.

Under the goal related to the biological integrity of terrestrial ecosystems, several current policy statements would be revised to reflect a more ecosystem-based management and regulatory approach. In addition, policies would be added relating to invasive species, habitat elements and functional characteristics (such as snags and logs), connectivity of habitats, access to human-related food sources, education and outreach, and science.

Under the goal related to the biological integrity of aquatic ecosystems, revisions would be made similar to those proposed for the terrestrial ecosystems goal. These changes would reflect a shift in emphasis from a fish-centered management and regulatory approach to a more ecosystem-based approach to protection and enhancement.

Under the goal related to the sustainability of special-status species, changes would be made to existing policies; new policies would be added to address temporal protection (i.e., special protection for species during key stages of the year or the species' life cycle) for special-status species and protection for habitat processes and components critical to these species. The existing policy related to the reintroduction of Lahontan cutthroat trout would be revised to reflect increased knowledge regarding this species. The term "self-sustaining" would be included in the policy to better address the recovery of the species in the Tahoe Basin, rather than merely its reintroduction.

### **Implementation Measures**

Alternative 2 would include the following new measures in Chapters 78 and 79 to implement the new wildlife- and fisheries-related policies described above:

- Define and apply limited operating periods for projects (including development and organized recreation centers and activities) within non-disturbance zones that coincide with those used by USFS for special-status species to provide temporal protection to these species. Currently, limited operating periods for special-status species are not specifically codified, but are applied under 78.3.D "Special Conditions."
- Modify Code language so that protections for "species populations" are specifically described for populations "in the Tahoe Basin." This more narrow definition of "population" would increase species protection by decreasing the area for which an impact is being considered in the environmental analysis, thus avoiding dilution of the impact in a larger population.
- Modify Code language so that references to northern goshawk non-disturbance zones explicitly describe the protocol for establishing these zones as based on best available nesting and postfledging habitat outside of the urban boundary.
- Add language to the Code regarding non-disturbance zones for California spotted owl and willow flycatcher that specifically describes the process for establishing and modifying non-disturbance zones for each species. Non-disturbance zones for these species are not currently found in the TRPA Code.
- Prohibit the release of terrestrial exotic and invasive species, using language similar to that currently found in Chapter 79.3 that prohibits the release of aquatic exotic and invasive species.
- Add language to the Code detailing how direct and indirect effects to the current habitats of special significance Threshold are to be determined based on the proximity of the project site to significant habitat (within or outside of 100 feet). The determination habitat significance is based on evaluation of vegetation maps and, if needed, field habitat evaluation by a TRPA biologist or designee. Require mitigation of impacted habitat at a rate of 2:1 to 4:1 based on habitat quality.
- Work with federal and state agencies and local jurisdictions to implement policies addressing wildlife access to garbage and other human-related food sources.

- Create incentives for residents and business owners to install animal-resistant containers for garbage, grease, and other wastes that may attract wildlife.

## **Alternative 3**

### **Summary**

Alternative 3 is designed, in large part, to continue the implementation of the current system of regulations in the Tahoe Basin. It will include the invasive species policy cited under Alternative 1.

### **Goals and Policies**

The Goals and Policies in Alternative 3 will be the same as those in Alternative 1.

### **Implementation Measures**

The implementation measures in Alternative 3 will be the same as in Alternative 1.

## **Alternative 4**

### **Summary**

Alternative 4 uses a regulatory approach to protecting the Region's wildlife and fisheries resources. It includes additional implementation measures to enhance the protections and improvements proposed in Alternative 2.

### **Goals and Policies**

The goals and policies under Alternative 4 would be the same as those proposed for Alternative 2.

### **Implementation Measures**

The measures used to implement the new wildlife- and fisheries-related policies for Alternative 4 would be the same as those proposed for Alternative 2, with the following additions to Chapter 78 (*note that the implementation measure related to animal-resistant containers is meant to supersede the incentive-based measure contained in Alternative 2*):

- Extend the non-disturbance zone for northern goshawk to undeveloped parcels containing suitable postfledging and nesting habitat in urban areas that border suitable postfledging and nesting habitat on nonurban lands.
- Modify the new Code language regarding willow flycatcher proposed under Alternative 2 to extend the non-disturbance zone protection to suitable habitats within urban areas.

- Modify language to the Code regarding direct and indirect impacts to the habitats of special significance Threshold as proposed under Alternative 2 to require mitigation of impacted habitats of special significance Threshold at a rate of 4:1.
- Retain existing non-disturbance zones for northern goshawk and expand them so as to include the additional area (based on best available nesting and postfledging habitat) already cited in Alternative 2.<sup>20</sup>
- Add language to the Code mandating installation of animal-resistant containers for garbage, grease, and other wastes that may attract wildlife.

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<sup>20</sup> This Implementation Measure, which retains the existing 1/2-mile radius non-disturbance zone plus the overlay of a 500-acre non-disturbance zone based on best available goshawk nesting and postfledging habitat, is incorporated because of public input received through the environmental scoping process. It should be noted that, though this combined approach to goshawk habitat restricts land use on more land, it does not necessarily provide more protection to the goshawks themselves.



