



2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

RECEIPT NUMBER: 04-04202026-020
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY BUTTE COUNTY RESOURCE CONSERVATION	LEAD AGENCY EMAIL	DATE 04/20/2026
COUNTY/STATE AGENCY OF FILING BUTTE	DOCUMENT NUMBER 296	

PROJECT TITLE
BERRY CREEK RANCHERIA WILDFIRE AND RESILIENCE PROJECT 338 RACON ROAD UNIT

PROJECT APPLICANT NAME BERRY CREEK RANCHERIA OF MAIDU INDIANS OF	PROJECT APPLICANT EMAIL	PHONE NUMBER (530) 693-3173
PROJECT APPLICANT ADDRESS 150 CHUCK YEAGER WAY STE A	CITY OROVILLE	STATE CA
		ZIP CODE 95965

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,227.50	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$3,043.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,437.25	\$ _____
<input checked="" type="checkbox"/> Exempt from fee		
<input checked="" type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$ 50.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X <i>K. Wan</i>	AGENCY OF FILING PRINTED NAME AND TITLE Krystal Wan , Deputy County Clerk-Recorder
-------------------------------------	---



Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency) Butte County Resource Conservation District
150 Chuck Yeager Way, Ste A
Oroville, CA 95965

County Clerk / County of Butte
155 Nelson Ave

Oroville, CA 95965-3411

Project Title: Berry Creek Rancheria Wildfire and Resilience Project, 338 Raccoon Road Unit

Project Applicant: Berry Creek Rancheria of Maidu Indians of California

Project Location – Specific: The 338 Raccoon Road unit comprises 39.5 ac on the Berry Creek quadrangle in T20N, R05E, section 1.

Project Location - City: Berry Creek (95916)

Project Location - County: Butte

Description of Nature, Purpose and Beneficiaries of Project:

The project area is a new restoration site donated to the Tribe in 2025. Like much of Berry Creek, the site experienced 90-100% mortality during the 2020 North Complex Fire emergency. Since then, dense post-fire vegetation regrowth, ladder fuels, and invasive species have increased wildfire risk. The project will be the first fuels reduction entry since the fire. It consists of 1) hazardous tree removal conducted primarily by hand, leaving the largest cavity-rich wildlife trees standing; 2) invasive species removal (primarily targeting Himalayan blackberry); 3) selective thinning that will retain and promote fire-adapted native species such as well-spaced ceanothus, manzanita, and yerba santa; and 4) pile burning & potential broadcast burning. Biomass generated from tree removal will be managed through a combination of hand piling and machine piling for larger material. Traditional Ecological Knowledge (TEK) crews will identify plants, protect sensitive cultural and ecological areas, and collect native seed for future restoration efforts.

Name of Public Agency Approving Project: Butte County Resource Conservation District

Name of Person or Agency Carrying Out Project: Berry Creek Rancheria of Maidu Indians of California

Exempt Status:


- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a)); _____
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption (Sec. 20184;15300-15322); Minor alterations to land (\$15304)
- Statutory exemption: 14 CCR 15269 (emergency projects);
- Compliant w/ State regulatory program certified as functionally equivalent to CEQA (Sec. 21080.5):

Reasons why project is exempt: The project consists of manual vegetation modification, mimicking natural processes, that would not remove healthy scenic trees. Integrated design features of the project are adequate to protect resources on the site. The project is consistent with the categorical exemption concept of "minor alterations to land".

Lead Agency Contact Person: Thad Walker, District Manager Area Code/Telephone/Extension: (530) 693-3173

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project: Yes No

Signature: <u></u>	Date: <u>2/11/20</u>	Title: <u>Chairman, Board of Directors</u>
---	----------------------	--

- Signed by Lead Agency
- Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21108, 21152, and 21152.1, Public Resources Code.

Date received for filing at OPR: _____

Berry Creek Rancheria Wildfire and Resilience Project
338 Raccoon Road Unit

Author:	Wolfgang D. Rougle
Title:	Planning and Watershed Program Manager
Address:	150 Chuck Yeager Way, Ste. A, Oroville, CA 95965
Phone:	(530) 693-3173
Email:	wolffy@bcrwd.org

An abbreviated environmental checklist was developed for this project to confirm that the project’s scope of work and integrated design features are consistent with the categorical exemption “minor alterations to land”.

Scope of work

The scope of work to be partially or entirely funded by public (State of California) dollars includes hazard tree removal, brush removal, invasive plant removal, seed collection and replanting, pile building, pile burning and/or underburning. Biomass generated from tree and brush removal will be managed through a combination of hand piling and machine piling for larger material. Prior to implementation, Traditional Ecological Knowledge (TEK) crews will identify plants, flag sensitive botanical, cultural and ecological areas for avoidance or special treatment, and collect native seed for future restoration efforts. If work is conducted from Feb 1-August 15, crews will conduct nesting bird surveys 1-3 days in advance of work, and nesting sites of native birds will be flagged for avoidance with a buffer of 30 feet. (Take of bird nests is always prohibited, regardless of CEQA exemption.)

A minimum of 6 snags per acre (or 60 snags per 10 acres) will be left as wildlife trees. These will generally be the largest-diameter snags available and/or those that display the most wildlife-friendly features such as cavities, broken tops, and unusual growth structures.

WLPZs are Watercourse and Lake Protection Zones. Within WLPZs, no saws or other gas/oil-powered equipment would be refueled; no mechanized equipment would enter WLPZ (except at designated crossings perpendicular to the watercourse). A mechanical arm may reach into the WLPZ to pick up material as long as the machine itself does not enter. All WLPZs on the project site have been or will be flagged (or geofenced) for avoidance. WLPZ widths are below. Pursuant to 1038.1(c)(5) *et seq.*, no tractor or heavy equipment operations will be allowed on slopes greater than fifty (50) percent or on unstable areas, and no construction of new tractor roads on slopes greater than forty (40) percent.

Water Class	Class I	Class II	Class III	Class IV
Water Class Characteristics or Key Indicator Beneficial Use	1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or 2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.	1) Fish always or seasonally present offsite within 1000 feet downstream and/or 2) Aquatic habitat for nonfish aquatic species. 3) Excludes Class III waters that are tributary to Class I waters.	No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of timber operations.	Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.

WLPZ Width (ft) – Distance from top of bank to the edge of the protection zone

< 30 % Slope	75	50	Sufficient to prevent the degradation of downstream beneficial uses of water. Determined on a site-specific basis.
30-50 % Slope	100	75	
>50 % Slope	150	100	

Source: 14 CCR Section 916.5 [936.5, 956.5] (February 2019 version)

Abbreviated environmental checklist

Aesthetics, visual resources; agriculture and timber; mineral resources

The site is not visible from any scenic highway and will not have an aesthetic impact on any viewshed. The site is not on prime farmland and will not remove land designated as prime timberland from production. The site does not contain any important mineral resources that would be rendered unusable by the project. The project’s effects on these resource elements will thus be insignificant.

Air quality and greenhouse gas emissions.

Emissions from project activities, such as from chainsaws and 4-wheel-drive equipment, will be insignificant. Air quality impacts from pile burning and/or broadcast burning will be adequately mitigated because the Tribe will obtain burn permits from BCAQMD before burning, and comply with all permit terms including only burning on days allowed by BCAQMD and developing a smoke management plan when necessary. The project’s effects on these resource elements will thus be insignificant.

Biology: Wildlife

On May 10, 2023, BCRCD conducted a 15-quad CNDDDB search, which disclosed that the following sensitive wildlife are known to occur on the Berry Creek and Brush Creek quadrangles *or on adjacent quadrangles*. Sensitive species are listed in the following table along with the reason the project will not have an adverse effect on them. Reasoning has been adapted/customized for the 338 Raccoon Road project description. The project’s effects on these resource elements will be insignificant.

Notes: **SSC** = Species of Special Concern. **Fed** = U.S. Endangered Species Act. **State** = California Endangered Species Act. **CDFW** = California Department of Fish and Wildlife

Amphibians and reptiles		
Species	Status	Reason no effect
foothill yellow-legged frog - Feather River DPS	Fed Proposed Threatened; State Threatened	Stays close to water; if present, would be protected by standard WLPZs.
California red-legged frog	Fed Threatened; CDFW SSC	Stays close to water; if present, would be protected by standard WLPZs.
Sierra Nevada yellow-legged frog	Fed endangered, State threatened; CDFW Watch List	Stays close to water; if present, would be protected by standard WLPZs.
western spadefoot	CDFW SSC	No suitable habitat in project area.
western pond turtle	CDFW SSC	Stays close to water; if present, would be protected by existing WLPZs.
“coast” horned lizard (i.e. Blainville’s Horned Lizard, <i>Phrynosoma blainvillii</i>)	CDFW SSC	Nests in burrows in friable soil, maternity April-Aug. Project won’t adversely affect habitat. Individuals could be incidentally harmed by machinery. If a horned lizard is

		sighted during implementation, work will pause until the lizard leaves the area
Birds		
Species	Status	Reason no effect
northern goshawk	CDFW SSC	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
golden eagle	CDFW Fully Protected and Watch List	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
prairie falcon	CDFW Watch List	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
American peregrine falcon	Fed and State delisted; CDFW Fully Protected	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
osprey	CDFW Watch List	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
great blue heron	--	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
bald eagle	Fed delisted; CA State endangered	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
black swift	CDFW SSC	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
California Spotted Owl	CDFW SSC	No suitable habitat in project area
tricolored blackbird	State Threatened; CDFW Fully Protected	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
California black rail	State Threatened; CDFW Fully Protected	If present, would be protected by pre-implementation nesting bird/raptor surveys (if required, at time of implementation)
burrowing owl	CDFW SSC	No suitable habitat in project area
willow flycatcher	State Endangered	If present, would be protected by pre-

		implementation nesting bird/raptor surveys (if required, at time of implementation)
Fish and aquatic invertebrates		
Species	Status	Reason no effect
vernal pool fairy shrimp	Fed Threatened	No suitable habitat in project area
California linderiella	--	No suitable habitat in project area
vernal pool tadpole shrimp	Fed Endangered	No suitable habitat in project area
western ridged mussel	--	Aquatic species; if present, would be protected by standard WLPZs.
green sturgeon - southern DPS	Fed Threatened	No suitable habitat in project area
riffle sculpin	CDFW SSC	Aquatic species; if present, would be protected by standard WLPZs
hardhead	CDFW SSC	Aquatic species; if present, would be protected by standard WLPZs
steelhead - Central Valley DPS	Fed threatened	No suitable habitat in project area
chinook salmon - Central Valley spring-run ESU	Fed threatened; State threatened	No suitable habitat in project area
chinook salmon - Central Valley fall / late fall-run ESU	CDFW SSC	No suitable habitat in project area
Wawona riffle beetle	--	Aquatic; if present, would be protected by standard WLPZs.
Non-aquatic insects and arthropods		
Species	Status	Reason no effect
western bumble bee	State Candidate Endangered	Nests underground in rodent burrows. Project's impacts to floral resources will be transient. Bees will be able to avoid disturbances by flying to other nearby areas
Morrison bumble bee	--	Nests usually underground in rodent burrows, but also uses stumps and logs. Logs in an advanced enough state of decay to offer cavities are unlikely to be disturbed by the project. Project's impacts to floral resources will be transient. Bees will be able to avoid disturbances by flying to other nearby areas.
Crotch bumble bee	State Candidate Endangered	Nests often underground in abandoned rodent nests, but also above ground in tufts of grass, old bird nests, rock piles, or cavities in dead trees. Project's impacts to floral resources will be transient. Bees will be able to avoid disturbances by flying to other nearby areas. Trees with cavities will be left standing (unless infrastructure is at risk).

valley elderberry longhorn beetle	Fed threatened	No suitable habitat in project area
Mammals		
Species	Status	Reason no effect
Fisher	CDFW SSC	If a den or nursery site of a fisher or other forest carnivore is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.
Sierra Nevada mountain beaver	CDFW SSC	If a den or nursery site of this animal is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately
gray wolf	Fed endangered; State endangered	If a den or nursery site of this animal is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately
North American porcupine	Incredibly, --	If a den or nursery site of this animal is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately
Sierra marten	--	If a den or nursery site of this animal is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately
northern California ringtail	CDFW Fully Protected	If a den or nursery site of this animal is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately
pallid bat, <i>Antrozous pallidus</i>	CDFW SSC	This species roosts singly to gregariously in a variety of structures including dead trees (e.g. under sloughing bark) year-round; maternity season is April-Aug. If a bat maternity site is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.
Townsend's big-eared bat, <i>Corynorhinus townsendii</i>	CDFW SSC	Cave- and mine-roosting species; does not roost in trees so will not be affected by project.
silver-haired bat, <i>Lasionycteris noctivagans</i>	--	Females form small maternity colonies of up to 70 individuals, almost exclusively in trees — inside natural hollows or under loose bark of large diameter snags at least 45 ft m above ground. Maternity is April-through Aug. Species needs large snag-patches left on the landscape. The economic conditions of the Berry Creek

		area make it likely that large snag patches will be left standing adjacent to the project site, probably indefinitely until the snags eventually fall of their own accord. If a bat maternity site is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.
western red bat, <i>Lasiurus frantzii</i> , often treated under <i>Lasiurus blossevillii</i>	CDFW SSC	Roosts singly in live trees in edge habitats where intact, leafy trees border open fields; especially associated with intact riparian habitats such as sycamore-willow; roosts in leaf litter e.g. thick oak litter in winter. Due to the 2020 fire, which top-killed 90-100% of oaks and hardwoods, neither roosting habitat is now present in the project area. Therefore, this bat would be unlikely to be affected by the project.
western mastiff bat, <i>Eumops perotis</i>	CDFW SSC	Roosts under exfoliating granite slabs; but with entrance usually at least 9 ft above ground level; therefore, will not be affected by project
western small-footed myotis, <i>Myotis ciliolabrum</i>	--	Does not roost in trees; therefore, will not be affected by project
Yuma myotis, <i>Myotis yumanensis</i>	--	Associated with permanent sources of water; trees are not as important for roosting as rocks/buildings/etc although they do use trees. Primarily feeds on aquatic emergent insects. If a bat maternity site is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.
fringed myotis, <i>Myotis thysanodes</i>	--	Roosts in crevices in large, decadent trees/snags; maternity is April thru July. If a bat maternity site is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.
long-legged myotis, <i>Myotis volans</i>	--	Roosts during the day in crevices in decadent trees and snags; maternity is April through Sept. If a bat maternity site is discovered, CDFW protocol will be followed to buffer and avoid the site appropriately.

Botany

A 15-quad CNDDDB search disclosed 83 sensitive plant species or communities with potential habitat on or adjacent to the Brush Creek and Berry Creek quadrangles. Of these, 38 have moderate to strong potential to occur at 338 Raccoon Road. (See botany appendix.)

If any *new* sensitive plant occurrences are somehow identified before or during implementation of treatments, and the plants are not already inside WLPZs or other treatment exclusion zones, the following measures will be implemented:

- Avoid trampling species of concern or rare plants, if they are found, by hanging equipment exclusion zone flagging around them and directing crews away from the flagging to protect these species. Alternatively, use pin flags if more effective than hanging flagging.

Accordingly, the project's effects on these resource elements will be insignificant.

Cultural Resources

Tribal cultural monitors have surveyed, or will survey, the site prior to implementation. They will record and flag all heritage resources for avoidance or special treatment. Cultural data may be kept internal to the Tribe in accordance with Tribal data sovereignty protocol. The project's effects on these resource elements will thus be insignificant or beneficial.

Energy, Utilities, Growth-Inducing Effects, Population and Housing, Transportation, Recreation, Land Use, and Public Services

The project is purely a vegetation management and educational/training project. It involves no development or new infrastructure, and thus places no demands on public infrastructure, utilities or energy resources. The project's effects on these resource elements will thus be insignificant.

Geology and soils

With slope restrictions in place for mechanized equipment, the project's effects on these resource elements will be insignificant.

Hazards and Hazardous Materials

Fuel and oil would not be handled inside WLPZs. No other hazardous materials would be handled as part of the project. The project would not expose people to any special hazards, beyond those routinely encountered in vegetation management and beneficial fire work. The project would not interfere with implementation of any emergency response or evacuation plan. Impacts on these resource elements would thus be insignificant.

Hydrology/Water Quality

With WLPZ zones observed, impacts on these resource elements would be insignificant.

Noise

Vegetation management activities produce some noise, but it would be during normal working hours and on a remote, rural site where tree removal noise is a common part of everyday life. Impacts from noise would thus be insignificant.

Wildfire

The use of saws, mechanized equipment, and beneficial fire always carries some risk of wildfire, but this risk would be mitigated to below a level of significance by the applicant's obtaining and abiding by the terms of CAL FIRE burn permits, when required, and obeying guidance for all red flag warning days. The site is less than a half-mile from a fire station (Station 61). Furthermore, overall, the project as

designed would reduce hazardous fuels. Impacts on wildfire risk would thus be insignificant or beneficial.

References

Calflora: a non-profit database providing information on wild California plants. 2023. Accessed in April, May and June 2023. <https://www.calflora.org>

CDFW (California Department of Fish and Wildlife). 2018 (May 14). "Considerations for Conserving the Foothill Yellow-Legged Frog." Compiled by Michael van Hattem, Northern Region and Margaret Mantor, Habitat Conservation Planning Branch.

CNDDDB (California Natural Diversity Database). 2023. 9-quad searches centered on Berry Creek and Brush Creek USGS quads. Accessed via commercial subscription, May 2023.

Janeway, Lawrence P. 2019. Vern Oswald's Selected Plants of Northern California and Adjacent Nevada. 2nd Ed: Studies from the Herbarium No. 19. California State University, Chico.

WBWG (Western Bat Working Group). 2017. "Species Accounts." Online resource. Last accessed 6/4/2023 at <http://wbwg.org/western-bat-species/>.

