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# F21a

**Prepared October 13, 2021 for October 15, 2021 Hearing**

**To:** Commissioners and Interested Parties

**From:** Dan Carl, Central Coast District Director  
Madeline Cavalieri, Statewide Planning Manager  
Shana Gray, Statewide Planning Supervisor  
Mary Matella, Environmental Scientist  
Jonna Engel, PhD, Senior Ecologist

**Subject:** **Staff Report Addendum for F21a  
Public Works Plan Number PWP-3-SLO-21-0004-1 (Upper Salinas-Las  
Tablas Resource Conservation District Forest Health and Fire Resilience  
Public Works Plan)**

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The purpose of this addendum is to respond to comments received in the time since the staff report for the above-referenced proposed public works plan (PWP) was distributed (on September 30, 2021). Specifically, in addition to a letter from San Luis Obispo County Supervisor Bruce Gibson<sup>1</sup> supporting the proposed PWP and its first project (i.e., the Covell Ranch forest health project) that are before the Commission for a decision on October 15, 2021, the Commission received three comments raising concerns about the Covell Ranch project.<sup>2</sup> These comments specifically: (1) disagree with measures in the vegetation removal hierarchy (tree density targets, removal goals, etc.); (2) oppose proposed use of mechanical mastication; (3) request a test plot requirement in the Covell Ranch Project Specific Analysis (PSA); and (4) request additional measures to protect California red-legged frog habitat. Each of these issues is responded to below. Importantly, all of the USFWS issues are addressed via these responses.<sup>3</sup> Also importantly, this response to comments does not alter the staff

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<sup>1</sup> Supervisor Gibson represents the area governed by the proposed PWP overall, and thus also the Cambria area where the proposed Covell Ranch forest health project is proposed, and Supervisor Gibson asks the Commission to approve both as submitted.

<sup>2</sup> One from Cambria Forest Committee dated 10/7/21, another from California Native Plant Society and dated 10/8/21, and one from USFWS dated 10/7/21. All correspondence received is available in the correspondence package for this item.

<sup>3</sup> As expressed on behalf of USFWS by Leilani Takano ([EXTERNAL] RE: Covell Ranch VTP Discussion with USFWS) in correspondence dated September 30, 2021 (see attached).

recommendation, which continues to be that the Commission approve the PWP and its first project as submitted.

### **Covell Ranch Project Vegetation Removal Hierarchy**

At the outset, and as described in the staff report, it is important to note that the Covell Ranch project is important because fire suppression, and more recently, climate change, have resulted in generally unhealthy coastal-area forests that can set the stage for disease, pest infestations, and larger and more intense fires than would naturally occur in the absence of human interventions. In addition, fire suppression has resulted in many ecosystems that are characterized by dense overgrowth, including too many trees and an unnaturally thick and impenetrable understory. These crowded forests, particularly when stressed by drought conditions, provide a ladder for flames to reach high into treetops or crowns and produce more intense fires than are natural for the forests in question, and that are challenging to manage and more damaging to the forest ecosystem. Additionally, buildup of live and dead understory vegetation reduces fire and drought resiliency. Without the more frequent burns that were associated with natural fire regimes and their generally lower intensity, forests are less healthy, wildlife habitat is lost, and communities and infrastructure are threatened by the increased risk of major fire events. All of these factors are at play at the Covell Ranch Monterey pine forest.

The PWP's Coastal Vegetation Treatment Standards (VTS) provide a hierarchy for vegetation removal that first focuses projects on the removal of dead, dying and pest-infested trees and shrubs, as well as non-native, invasive species. Such vegetation removal hierarchies are carried out through prescribed methods laid out in the PSA, which themselves are carried out through the additional on-the-ground knowledge and experience of the qualified biologists and foresters who flag the vegetation to remain. An important aspect of the Covell Ranch forest health project is that no trees larger than 8 inches in diameter at breast height (dbh) (including dead, dying, and diseased trees) will be removed, other than such trees that present safety concerns, and many trees less than 8" dbh will be retained based on the on-the-ground conditions. The biologists and foresters would incorporate existing conditions (such as the number of healthy adult trees, number of dead, dying, and diseased trees, and the number of saplings less than 8" dbh) along with factors such as slope orientation, soil type, proximity to a watercourse, etc. to determine the appropriate number of saplings to remove. Consideration of all the on-the-ground factors will result in some areas with more saplings left in place. Further, the Coastal VTS includes a requirement to provide for an appropriate level of downed trees and snags for wildlife use. Removal of healthy vegetation for forest health objectives at Covell Ranch will only be allowed when such removal is necessary to achieve the habitat restoration and fire return interval goals of the project.

One commenter raised concerns that the vegetation treatment standards that were applied to a previous shaded fuel break project at a portion of Covell Ranch would be extended to the entire Covell Ranch forest through the proposed project under the proposed PWP here. That is incorrect. As stated in the previous paragraph, the proposed treatment at Covell Ranch is based on enhancing/restoring forest health and

ecological values. Treatments proposed for this project do not include the implementation of any shaded fuel breaks (such as those that have occurred along Bridge Street in the past), nor an extension of any prior shaded fuel break measures into the larger forest area. In fact, only some limited maintenance is expected to occur in the existing shaded fuel break area as part of the Covell Ranch treatments.

Another commenter indicated that regeneration of the forest after vegetation treatment will not occur under current drought conditions. However, the Commission's Senior Ecologist, Dr. Jonna Engel, believes that, despite the drought, new vegetative growth will occur as a response to the treatment, especially as coastal fog provides significant moisture to Monterey pine forest vegetation.

In terms of concerns expressed regarding the potential for negative impacts due to understory thinning on Monterey pine forest habitat, the Covell Ranch project is designed to restore healthy forest structure. In fact, here, the Monterey pine forest understory has become thick and overgrown due to fire suppression and non-native species invasion. A healthy forest would have a mosaic of understory patches and open space. The current status is a forest understory so thick it is difficult for people and some wildlife to penetrate. The goal of the forest health project is to help create and maintain a mosaic of trees and understory representative of a Monterey pine forest that is exposed to a natural fire regime – that is one with patches of contiguous understory interspersed with open space and adult and sapling trees as well as snags and downed trees that provide wildlife habitat.

In response to the comment that a thinning target of achieving a density of 200 trees per acre is too low, the appropriate density of Monterey pine trees in a healthy forest ecosystem depends on many physical and biological factors specific to the respective forest location.<sup>4</sup> Forest health considerations can vary considerably depending on these contexts and factors,<sup>5</sup> including the number of adult trees versus the number of saplings, the number of associated trees (e.g., coast live oak, Bishop pine, etc.) in the forest, slope orientation, proximity to watercourses, etc.. The Covell Ranch Monterey pine forest is currently exhibiting some unhealthy signs, with dead, dying, and diseased trees, an excess of saplings, and an overgrown understory with areas invaded by non-native invasive French broom. A primary goal of the project is to strategically remove excess saplings and to remove all invasive species and some native understory to create a mosaic of contiguous native understory and open space that more approximates natural fire return interval conditions. Staff, including Dr. Engel, believe that a density target of approximately 200 trees per acre is appropriate given the

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<sup>4</sup> Physical factors include such measures as latitude and longitude, climate, proximity to watercourses, soil type, slope orientation, etc., and biological factors include associated tree species, associated understory species, level of non-native species invasion, presence of disease, etc..

<sup>5</sup> For example, surveys of Monterey pines and Monterey pine forest habitat conducted in Monterey by Zander Associates for the Pebble Beach Company (2002) found healthy stands of pine that supported as few as 70 trees per acre and others with as many as 375 pines per acre.

consideration of on-the-ground conditions, and, therefore, as proposed, the project will provide beneficial restoration to the forest at this location.

### **Covell Ranch Project Mechanical Mastication**

One commenter suggested that mechanical mastication should not be used in Covell Ranch due to the potential for it to result in excessive habitat disturbance. To be clear, the project includes requirements that hand crews be used in more sensitive areas (such as near watercourses), but given the scale of the area to be treated, using only hand crews to accomplish the goals of the project is infeasible due to the cost and the time necessary for hand crews to complete all necessary tasks. The proposed project, as well as the PWP itself, include numerous measures to ensure that the use of mechanized equipment is the minimum necessary, and that biological resources will not be significantly adversely impacted as a result. Staff, including Dr. Engel, believes that the project includes appropriate methods that are sensitive to and protective of the forest here.

### **Covell Ranch Project Demonstration Plots**

Three commenters requested more information on the proposed demonstration plots (also called test plots). As proposed, two demonstration plots of 1-2 acres each are planned to assist contractors to prepare their bids for the Covell Ranch Unit 1 treatment, and for interested stakeholders (e.g., the California Native Plant Society and USFWS) to observe application of the treatment standards to help refine subsequent forest health activities and ensure they will be implemented consistent with the PWP. The proposed demonstration plots are now explicitly described in the proposed PSA, as described further on page 5, below. Once the Covell Ranch project is approved, the demonstration plots will be prepared and interested stakeholders will be invited to review the results. Conducting additional iterative testing and experimentation beyond the proposed demonstration plots to determine the appropriate saplings for removal, as suggested in comments, is not feasible or necessary, and is not recommended by staff. On a site visit, Dr. Engel reviewed two pre-flagged treatment areas to preview how the proposed forest health treatments would be applied, and believes the vegetation treatment as proposed will result in a Monterey pine forest ecosystem that resembles one subjected to a more natural fire regime, and one that is more resistant to intense crown fires.

### **Covell Ranch Project California Red-Legged Frog Protections**

In response to the USFWS concern that vegetation treatment of the understory at Covell Ranch might harm the upland dispersal habitat of California red-legged frog (CRLF), CalFIRE and the RCD invited USFWS staff to visit the site on September 27, 2021. The Commission's Senior Ecologist, Dr. Engel, was also present. On the site visit, the team previewed the two aforementioned pre-flagged treatment areas in order to provide an on-the-ground assessment of how the proposed forest health treatments would be applied. Within the upland and Class III watercourse example sites, the team demonstrated that an adequate amount of understory and downed material would remain in place following treatment, such that the outcome would provide structure for CRLF to use for dispersal, shelter, and foraging. At the Class II watercourse site, the

team demonstrated that seasonal no-work buffers,<sup>6</sup> which are intended to avoid potential CRLF breeding habitat that may be present, would adequately protect CRLF as well. As a result of the site visit, the RCD and CalFIRE also agreed to add additional CRLF habitat measures in the Covell Ranch project proposal PSA as follows:

- *Mechanized mastication operations will cease for 24 hours after a rain event defined as any precipitation resulting in 0.2 inches or greater throughout the year to avoid dispersing California Red Legged Frog (CRF).*
- *Burn piles shall be inspected by environmentally trained staff familiar with CRF to ensure frogs are not present prior to ignition. Environmentally trained staff includes a qualified RPF, qualified biologist, or supervised trained designee.*
- *CAL FIRE will coordinate with the USFWS following the implementation of two treatment demonstration plots, providing the Service with an opportunity to review the work and CAL FIRE to consider additional recommendations for avoidance measures of CRF.*
- *CAL FIRE will provide any information on CRF sightings per the requirements of the PSA and any additional CRF biological reports generated as part of the PSA to the USFWS.*
- *CAL FIRE will consult with USFWS should any significant changes be proposed to the approved PSA treatment design that could impact CRF.*

Thus, the Covell Ranch PSA was explicitly modified to ensure that CalFIRE will coordinate with USFWS to ensure any potential impacts to CRLF are avoided. In addition to offering the opportunity for review of vegetated habitat structure by USFWS prior to full project treatment operations, CalFIRE “invites USFWS to observe the vegetation treatments for each Treatment Area post operation to become more familiar with prescriptions implemented on the ground.”<sup>7</sup> In addition CalFIRE agreed to keep USFWS regularly informed regarding planning, design and implementation of activities in Covell Ranch Unit 1 and future projects. With these commitments and Covell Ranch project changes, USFWS staff indicated that USFWS supports the Covell Ranch project.<sup>8</sup>

And on this point it is important to note that the PWP already requires regular monitoring and reporting on PWP projects, including regarding the status of individual projects implemented under the PWP, identification of projects expected to be implemented in the future, as well as the level of overall program implementation (e.g., number of acres treated, high-priority areas for the subsequent five years, collective monitoring results,

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<sup>6</sup> These seasonal buffers are specified in the PSA Impact BIO-2.

<sup>7</sup> As expressed on behalf of CalFIRE by Brandon Sanderson ([EXTERNAL] RE: Covell Ranch VTP Discussion with USFWS) in correspondence dated September 28, 2021.

<sup>8</sup> As expressed on behalf of USFWS by Leilani Takano (Re: [EXTERNAL] RE: Covell Ranch VTP Discussion with USFWS) in correspondence dated September 30, 2021 (see attached).

constraints and lessons learned, program success, etc.). All interested stakeholders, including wildlife agencies and including USFWS, will be able to review the reported information on approved projects. Further, each individual project authorized under the PWP must adhere to the Coastal VTS and is required to be reviewed and authorized by the Commission through a public hearing process where the Commission retains the authority to condition individual projects to ensure consistency with the PWP, including the Coastal VTS requirements, and staff fully expects USFWS and other resource agencies to weigh in during such processes. Thus, through the requirements for monitoring, reporting, and public process for review and approval of PWP projects, staff believes all interested stakeholders are ensured opportunities to review and provide recommendations on future projects.

In summary, staff has reviewed the comments received, has provided the above responses to them, and continues to believe that the PWP as proposed, including the Covell Ranch project, is consistent with the LCP and applicable Coastal Act policies. Thus, staff continues to recommend that the Commission approve both as submitted. Staff further notes that it is possible that if actions on the PWP and the Covell Ranch project are delayed, the result will not only be delays in achieving important Cambria forest health objectives, but also that the Covell Ranch project may not be able to be conducted in 2021, and its current grant funding may be lost.

# Attachment 1

**From:** [Takano, Leilani](#)  
**To:** [Sanderson, Brandon@CALFIRE](#); [Kirkland, Debora L](#); [Mitcham, Chad J](#)  
**Cc:** [Henry, Steve](#); [kevincooper@resoluteassoc.com](#); [Nielson, Len@CALFIRE](#); [Carr, Rick@CALFIRE](#); [Engel, Jonna@Coastal](#); [Matella, Mary@Coastal](#); [Cavalieri, Madeline@Coastal](#); [steve.auten.arc@gmail.com](#); [Gee, Jonathan@CALFIRE](#); [andy.usltrcd@gmail.com](#); [devin.usltrcd@gmail.com](#); [riley.mcfarland.arc@gmail.com](#); [hayleybarnes.usltrcd@gmail.com](#); [firesafeslo@gmail.com](#); [Johnson, Shannon@CALFIRE](#); [O'Neil, Dennis@CALFIRE](#); [Iegorova, Liza@CALFIRE](#)  
**Subject:** Re: [EXTERNAL] RE: Covell Ranch VTP Discussion with USFWS  
**Date:** Thursday, September 30, 2021 3:19:56 PM

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Dear Brandon,

Thank you for your below email, following the previous day's site visit. Attending the site visit with your team was valuable for us to clearly understand the work being proposed. Chad Mitcham and Debora Kirkland of my staff appreciated the time your team spent in presenting two pre-flagged treatment areas in order to provide an on-the-ground review on how the proposed forest health and fuels reduction treatments would be applied. Within the upland and Class III watercourse example sites, you demonstrated that an adequate amount of understory and downed material would remain in place following treatment, which would provide structure for California red-legged frogs to use for shelter and feeding. At the Class II watercourse site, you demonstrated the seasonal no-work buffers, which are intended to avoid potential breeding habitat that may be present. You defined these seasonal buffers in the Project Specific Analysis (PSA) Impact BIO-2 that references the 2008 U.S. Fish and Wildlife Service Information Needs and Guidelines for Timber Harvest Plans for U.S. Fish and Wildlife Service Technical Assistance Analysis California Red-legged Frogs (hereafter, referred to as USFWS THP guidance). You provided details of the seasonal buffers in the attachment to your September 28, 2021, email. Your team assured my staff that the example (pre-flagged) treatment areas were representative of the treatments to be applied in Treatment Unit 1, as well as Treatment Unit 2, if and when funding for that work is secured.

The USFWS THP guidance is referenced in the Project Specific Analysis for the Covell Ranch Forest Health Fuels Reduction Project (project) to define suitable habitat for the California red-legged frog. As discussed, when defining suitable habitat for the California red-legged frog, we refer to the definitions provided in the 2005 Revised Guidance on Site Assessments and Field Surveys for the California red-legged Frog provided to you via email on July 8, 2021, and in our September 2, 2021, letter for aquatic breeding and non-breeding habitat, upland habitat, and dispersal habitat. To define the aquatic habitat avoidance measures for projects, utilizing the definitions 2005 revised guidance and provided in the September 2, 2021, letter to define suitable aquatic breeding and non-breeding habitat is appropriate.

Thank you for providing references for the California red-legged frog protection measures as an attachment to your September 28, 2021, email. You provided locations and text in the project documents that addressed our recommended avoidance measures. You explained that it was not feasible for a qualified biologist to inspect burn piles for California red-legged frogs prior to ignition for the 665-acre project site. However, we learned during the site visit that pile burning is anticipated to predominantly be for French broom, will be located at least 300

feet from Class II watercourses, and due to the proximity to the Cambria community, will occur during the wet season aided by accelerant as a highly managed discreet activity. We believe that it is possible that California red-legged frogs could utilize piles for shelter as they disperse after breeding, even if the piles are located outside the riparian exclusion zones. Therefore, we ask that you implement MM BIO-2 and SPR BIO-10 because it is prudent to require that burn piles be inspected by environmentally-trained staff familiar with the California red-legged frog to ensure frogs are not present prior to ignition (measure 1). Environmentally-trained staff includes a qualified RPF or qualified biologist or a supervised trained designee.

We referred to the project documents for the definition of the wet season when considering avoidance measures for the California red-legged frog. In the PSA SPR GEO-4, CAL FIRE defines the wet season for the project area as occurring between mid-October through April, and from the USFWS THP guidance, wet season starts with the first frontal rain system depositing a minimum of 0.25 inch of rain after October 15 and ends on April 15. In order to further minimize the likelihood of take for the California red-legged frog, mechanized work should be avoided 24 hours after a rain event defined as any precipitation resulting in 0.2 inch or greater throughout the year, to avoid dispersing California red-legged frogs (measure 2).

We appreciate CAL FIRE's invitation to revisit the project area after you create two 1-acre demonstration plots this year. The purpose of the demonstration plots are to assist contractors to prepare their bids, and for the California Native Plant Society, as well as the USFWS, to observe results of the treatments. We appreciate your invitation to see the demonstration plots when they are complete and look forward to the continued coordination with CAL FIRE through an adaptive management process, as outlined in your email, and the opportunity to provide recommendations to further minimize the likelihood of take of California red-legged frog, if necessary.

Additionally, you described the reporting requirements under the California Vegetation Treatment Program that requires USFWS notification if federally listed species are observed during and after the project phases. We request that you provide courtesy copies of any and all follow-up reporting on the results of the proposed Treatment Unit 1 work, and notification when future work within the Covell Ranch is proposed, during the 10-year project term. Throughout the 10-year project term, we remain available to provide technical assistance and request that you contact us as early as possible, if needed.

In summary, based on our assessment of the pre-flagged treatment areas and additional information you provided during our site visit; the measures outlined in the attachment to your September 28, email; the implementation of the two measures (identified as measures 1 and 2) detailed above; and the opportunity for the Service to revisit the project area after demonstration plots are completed, we conclude that project activities are likely to avoid take of California red-legged frogs. Additionally, we believe that following application of treatments, adequate cover, in the form of downed woody material and herbaceous



vegetation, would remain on-site and would be adequate to avoid take of the species, in terms of harm through the proposed habitat modification.

We appreciate CAL FIRE's commitment to conserve the California red-legged frog and the implementation of the protective measures for the species. We look forward to collaborating with CAL FIRE as the project moves forward, and as additional future fuels reduction projects are proposed within our jurisdiction.

Thank you,

Leilani

Leilani Takano  
Assistant Field Supervisor  
U.S. Fish and Wildlife Service  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, CA 93003

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**From:** Sanderson, Brandon@CALFIRE <brandon.sanderson@fire.ca.gov>

**Sent:** Tuesday, September 28, 2021 3:02 PM

**To:** Takano, Leilani <leilani\_takano@fws.gov>; Kirkland, Debora L <debora\_kirkland@fws.gov>; Mitcham, Chad J <chad\_mitcham@fws.gov>

**Cc:** Henry, Steve <steve\_henry@fws.gov>; kevincooper@resoluteassoc.com <kevincooper@resoluteassoc.com>; Nielson, Len@CALFIRE <Len.Nielson@fire.ca.gov>; Carr, Rick@CALFIRE <Rick.Carr@fire.ca.gov>; Engel, Jonna@Coastal <jonna.engel@coastal.ca.gov>; Matella, Mary@Coastal <Mary.Matella@coastal.ca.gov>; Cavalieri, Madeline@Coastal <Madeline.Cavalieri@coastal.ca.gov>; steve.auten.arc@gmail.com <steve.auten.arc@gmail.com>; Gee, Jonathan@CALFIRE <Jonathan.gee@fire.ca.gov>; andy.usltrcd@gmail.com <andy.usltrcd@gmail.com>; devin.usltrcd@gmail.com <devin.usltrcd@gmail.com>; riley.mcfarland.arc@gmail.com <riley.mcfarland.arc@gmail.com>; hayleybarnes.usltrcd@gmail.com <hayleybarnes.usltrcd@gmail.com>; firesafeslo@gmail.com <firesafeslo@gmail.com>; Johnson, Shannon@CALFIRE <Shannon.Johnson@fire.ca.gov>; O'Neil, Dennis@CALFIRE <Dennis.ONeil@fire.ca.gov>; legorova, Liza@CALFIRE <Liza.legorova@fire.ca.gov>

**Subject:** [EXTERNAL] RE: Covell Ranch VTP Discussion with USFWS

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Dear Leilani,

Thank you for your attention and review of the Project Specific Analysis (PSA) for the Covell Ranch Forest Health Fuels Reduction Project (project). CAL FIRE is in receipt of your comment letter dated September 2, 2021 (letter) and email dated September 16, 2021. We have participated in two virtual conference calls on September 16 and September 23, 2021, where we further discussed the project treatment and protections measures as they relate to California red-legged frog (CRLF) habitat and attended a site visit with U.S. Fish and Wildlife Service (USFWS) biologists Deborah Kirkland and Chad Mitcham on September 27, 2021. We value your comments and collaboration regarding the project goals and wildlife protections measures identified in the PSA. We feel the project can move forward with the current mitigations and protection measures detailed in the PSA.

CAL FIRE would like to thank Ms. Kirkland and Mr. Mitcham for attending the Covell Ranch VTP project site visit this past Monday the 27th. We believe it was a very constructive meeting with discussion and visualization of the site specific project goals and objectives, including vegetation treatment prescriptions and appropriate wildlife protection measures proposed for the project. In addition to attendance by USFWS and CAL FIRE, members of the California Coastal Commission (Jonna Engel), Upper Salinas-Las Tablas Resources Conservation District (Andrew Johnson & Haley Barnes), Auten Resources Consulting (Riley McFarland & Steve Auten), San Luis Obispo County Fire Safe Council (Dan Turner) and Resolute Associates (Kevin Cooper, contract biologist) attended the site visit. We looked at mechanical vegetative fuel treatment applications within the existing shaded fuel break in Treatment Area 1 (along Bridge Street and the Wildland Urban Interface (WUI)) and Treatment Area 3 (south of the historic mill site access road). We also looked at two sample flagged vegetation treatment prescription blocks (as detailed in the PSA), with variable vegetative structure, within and adjacent to a Class III (Treatment Area 1) and Class II watercourse (Leffingwell Creek within Treatment Area 2). We observed various understory and overstory retention prescriptions including woodrat vegetative buffer patches, toyon and oak microhabitats, downed dead and standing dead woody material, Class II work exclusion zones and Class III equipment exclusion zones, and live healthy Monterey pine tree stand preservation.

This project focuses on restoring one of five naturally occurring Monterey pine stands in the world to native ecological conditions for long-term forest health, wildlife abundance, carbon sequestration, and resilience of rare botanical alliances. The Monterey pine forest on Covell Ranch has been identified as a rare, important forestland in need of restorative management focused on forest health and fire prevention. The goal for the project is to increase the health and vigor of the Monterey pine forest and associated habitat by conducting ecologically restorative forest health treatments that increase climate resiliency and biological diversity and reduce the severity of wildfire near the community of Cambria. As observed during the site visit, the Covell Ranch Monterey pine stand is in an unhealthy state that is susceptible to a high intensity stand replacing fire that would likely denude the overstory and associated understory habitat that wildlife species (e.g., CRLF) depend on. Monterey pine forests are fire dependent communities relying on periodic fire or forest management activities to maintain the ecological function of the forest habitat, including the occurrence of many species within that habitat. To mimic natural low to moderate intensity ground fire, mechanical treatments are used to restore the Monterey pine forest habitat and alleviate fire risk to the local community of Cambria as outlined in the PSA. The removal of understory vegetation would mimic a natural disturbance that encourages forest succession to occur resulting in greater

biological diversity and habitat resilience. We believe that this type of forest health and fuel reduction project can benefit CRLF and the Monterey pine forest while still protecting the public safety of Cambria.

Approximately 320 hours of field verification, layout, and reconnaissance level surveys have occurred to date on the 665-acre project area by CAL FIRE, registered professional foresters, assistant foresters, and a qualified biologist. The PSA identifies that potentially suitable aquatic and upland habitat for CRLF occurs and assumes presence of CRLF on site. CRLF has not been observed within the project by the qualified professionals that have been conducting the project layout and environmental compliance review. If CRLF is observed on the project site, the notification process will include the USFWS per the PSA SPR BIO-2.

Your letter states, “that the project is likely to result in significant habitat modification or degradation that will result in death or injury to CRLF by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering.” During conference calls and as outlined in your letter and September 21 email, USFWS expressed concern with the nature of understory vegetation treatment proposed. You suggest, “modifying treatment applications for the purpose of allowing the persistence of areas of suitable refugia for the species within the project area” including, “complete avoidance of all aquatic and wetland habitats defined by the presence of hydrophytic vegetation on site with increased no-work avoidance buffers.” Complete avoidance with increased no-work buffers of all aquatic and wetland habitats within the treatment area would not meet the fire protection objectives of the project for the community of Cambria. The PSA proposes a multitude of avoidance and minimization measures to avoid adverse effects to CRLF and its habitat and is consistent with the Specific Project Requirements (SPRs) and Mitigation Measures (MMs) outlined in the California Vegetation Treatment Program (CalVTP) Programmatic Environmental Impact Report (PEIR), and with recovery goals and actions outlined in the USFWS 2002 Recovery Plan for the California Red-legged Frog (Recovery Plan). For example:

1. *Biological resources training will occur for workers prior to operations.*
2. *The exclusion of mechanical and hand work treatments in Class II Watercourse and Lake Protection Zones (WLPZs) along Leffingwell Creek and tributary to San Simeon Creek (**50-foot buffer; 100-foot wide corridor total**). The exclusion of mechanical and hand work treatments within 300-foot buffer during wet season when water is present (**600-foot total**).*
3. *The exclusion of mechanical treatments in Class III Equipment Exclusion Zones (EEZs) (**30-foot buffer; 60-foot wide corridor total**).*
4. *Suspension of mechanical and herbicide treatments if the National Weather Service forecast is a “chance” (30 percent or more) of rain within the next 24 hours. Operations may not resume while soils remain saturated.*
5. *Control of invasive species such as French broom and cape ivy.*
6. *Down dead trees >12 inches diameter to remain in place where feasible unless they create a significant fire hazard.*
7. *Understory vegetation, brush, and shrubs under the drip lines of trees shall be cut and masticated leaving root systems intact for resprouting except:*
  - a. ***The contractor shall not masticate, or remove through handwork, hydrophytic riparian species such as Bracken fern, carex spp., rushes, and blue elderberry.***

- b. Where significant stands of toyon occur under the drip line of trees, Contractor shall maintain a component of these shrubs at a spacing between 75 – 100 feet for each species occurrence, whose shrub crown is approximately 15-25 feet wide.*
8. *Outside of the drip line of retained trees, brush and shrubs shall be cut and masticated leaving root systems intact for resprouting to achieve a horizontal crown separation of approximately 50-75 feet. Spacing may be closer to 50 feet on flatter ground and 75 feet on steeper ground or completely removed to provide defensible space when in proximity to infrastructure or near homes within treatment areas. **Remaining clumps of brush and shrubs should not exceed approximately 15-25 feet in diameter and will consist of healthy appearing specimens where feasible.***
- a. **Consideration shall be given to maintaining a diversity of understory vegetation, brush, and shrub species in these areas.***

As provided above and observed during the site visit, a mosaic of understory vegetation and contiguous habitat will remain untreated for the aquatic and upland dispersal of CRLF across the project site. Additionally, treated understory will quickly regenerate providing a more diverse healthier habitat for CRLF to persist. As part of our conference calls and site visit discussions, per the PSA MM BIO-2a (PSA pg. 97), multiple demonstration treatment plots within various vegetated habitat structure may be reviewed by USFWS prior to full project treatment operations. If USFWS determines that habitat function for CRLF is not being maintained, CAL FIRE will coordinate with USFWS, through an adaptive management process, to determine the appropriate level of habitat function for CRLF on the project site that still meets the fire protection objectives of the project. In addition, CAL FIRE invites USFWS to observe the vegetation treatments for each Treatment Area post operation to become more familiar with prescriptions implemented on the ground.

Thank you for your time and consideration regarding the Covell Ranch Forest Health Fuels Reduction Project. We look forward to working with USFWS during the project term. I have included a reference document directing you to protection measures detailed in the PSA in response to comments provided in your September 16th email. Please feel free to contact me if you have any further questions or comments concerning this project.

Thank you,  
-Brandon

**Brandon Sanderson**  
Environmental Scientist

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**CAL FIRE / SLU**  
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