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To: California Coastal Commission and Interested Parties

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Subject: Resource Conservation District of Monterey County Forest Health and Fire Resilience Public Works Plan (**PWP-3-MCO-22-0002-1)**

SUMMARY OF STAFF RECOMMENDATION

The Resource Conservation District (RCD) of Monterey County prepared the Monterey County Forest Health and Fire Resilience Public Works Plan (PWP) to allow the RCD to help facilitate the planning, review, and authorization of vegetation treatment projects within the County's coastal zone to improve forest health, restore ecosystems, and increase wildfire resilience. Due to historic fire suppression that has led to an accumulation of fuel loads, coupled with drought, a warming climate, and the spread of invasive species, larger and more catastrophic wildfires are threatening the County's communities and natural resources. The PWP will help to address these risks through vegetation treatment that will align fire resilience planning with the protection of coastal resources to facilitate healthy forests.

The PWP is designed to dovetail with the California Vegetation Treatment Program (CalVTP), which was developed under the direction of the California Board of Forestry and Fire Protection (BOF) and in cooperation with the California Department of Forestry and Fire Protection (CalFIRE) to reduce wildfire risks as one component of the range of actions being implemented by the State to respond to California's wildfire challenges. Importantly, the State's strategy relies on an increase in the pace and scale of vegetation treatment to reduce those risks. In addition to complying with the State's fire planning efforts, the PWP applies additional efficiencies over and above implementation of the CalVTP by addressing specific local coastal issues and ensuring full consistency with the Monterey County Local Coastal Program (LCP), which is the standard of review for this PWP. The PWP also provides for efficient programmatic streamlining of both California Environmental Quality Act (CEQA) compliance and Coastal Act authorizations. It does this by creating a framework within which identified vegetation treatment projects can be analyzed and implemented under a coordinated plan that relies on the standards (called Standard Project Requirements, or SPRs) and mitigation measures adopted as part of the certified CalVTP Programmatic Environmental Impact

Report (PEIR), as well as coastal-specific standards (Coastal Vegetation Treatment Standards, or Coastal VTS) developed collaboratively by Commission and RCD staff.

The PWP would enable the RCD and project partners to design and implement multiple critical fire resilience projects throughout the 119,735-acre PWP program area (the entire unincorporated Monterey County coastal zone area) over a 10-year period. Vegetation treatment activities under this PWP are categorized as either “forest health” projects designed to restore and enhance ecosystems, including to prevent fire behavior to which the ecosystem is not adapted, or “fire prevention” projects that will protect existing structures and infrastructure, such as through the establishment of new or maintenance of existing strategic fuel breaks. Both types of projects are intended to enhance habitat values as much as possible when they affect habitat areas in the County, and the RCD indicates that the majority of PWP projects will be forest health projects. Vegetation treatment could be carried out using prescribed burning, mechanical treatment (e.g., use of masticators), manual treatment (e.g., use of chainsaws), prescribed herbivory, and/or limited, strategic herbicide application. As proposed under the PWP, projects would be designed in a manner that protects coastal resources while meeting fire resiliency goals. Qualifying projects must be covered by the PWP, must incorporate CalVTP PEIR and Coastal VTS requirements, must incorporate certain specific LCP resource protection standards, and must include project and program monitoring.

Staff believes that the PWP will provide an important tool for helping to reduce fire danger in the County while simultaneously protecting forests and forest health. Importantly, although the PWP is designed to allow the RCD to facilitate regulatory authorizations for interested land managers and landowners in the County’s coastal zone, such land managers and landowners are not limited to the PWP for permitting vegetation treatment projects. On the contrary, the PWP simply provides a streamlined Coastal Act authorization vehicle for such projects, but vegetation treatment activities may continue to be authorized directly by the County through CDPs, exemptions, or other approval mechanisms allowed under the LCP. In such a case, the County would also be responsible for any other necessary CEQA documentation.

Staff’s analysis has concluded that the PWP is consistent with the Monterey County LCP, and that there are no other feasible alternatives or mitigation measures available that would further lessen any significant adverse effects that the approval would have on the environment. **Thus, staff recommends that the Commission certify the proposed PWP as submitted.** The necessary motion is found on **page 8** of the staff report.

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EXHIBITS

1. LIST OF ACRONYMS

BOF	California Board of Forestry and Fire Protection
BMP	Best Management Practices
CalFIRE	California Department of Forestry and Fire Protection
CalVTP	California Vegetation Treatment Program
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
Coastal VTS	Coastal Vegetation Treatment Standards
CZ	Coastal Zone
ESHA	Environmentally Sensitive Habitat Area
GHG	Greenhouse Gas
IP/CIP	Implementation Plan/Coastal Implementation Plan
LCP	Local Coastal Program
LUP	Land Use Plan
NOID	Notice of Impending Development
PEIR	Programmatic Environmental Impact Report
PRC	Public Resources Code
PSA	Project-Specific Analysis
PWP	Public Works Plan
RCD	Resource Conservation District
RWQCB	Regional Water Quality Control Board
SPR	Standard Project Requirement
SRA	State Responsibility Area
WLPZ	Watercourse and Lake Protection Zone
WUI	Wildland Urban Interface

2. PROCEDURAL BACKGROUND

The Resource Conservation District of Monterey County has prepared the subject PWP (see Exhibit 1) to function as a document for planning, reviewing, and authorizing vegetation treatment projects pursuant to the Board of Forestry's certified PEIR for the CalVTP (see https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-program-eir/). The PWP creates a framework within which identified projects can be analyzed and implemented under a coordinated plan. The goal of this process is to optimize the suite of proposed vegetation treatment types and activities so that wildfire management and ecological restoration goals are met in a manner that maximizes protection and enhancement of Monterey County's significant coastal resources.

A. Public Works Plans

Coastal Act Section 30114 defines public works to include, among other things, the following:

> *(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.*

Section 30605 of the Coastal Act states, in part:

> *To promote greater efficiency for the planning of any public works … and as an alternative to project-by-project review, plans for public works … may be submitted to the commission for review in the same manner prescribed for the review of local coastal programs set forth in Chapter 6 (commencing with Section 30500). … If any such plan for public works is submitted after the certification of local coastal programs, any such plan shall be approved by the commission only if it finds, after full consultation with the affected local governments, that the proposed plan for public works is in conformity with certified local coastal programs in jurisdictions affected by the proposed public works. … Where a plan for a public works … has been certified by the commission, any subsequent review by the commission of a specific project contained in the certified plan shall be limited to imposing conditions consistent with Sections 30607 and 30607.1. …*

Thus, a PWP is one of the alternatives available to the Commission and project proponents for Commission review of large or phased public works projects, and remains under the authority of the Commission, irrespective of local government coastal permit jurisdictional boundaries (here, as applies to Monterey County). A PWP is an alternative to project-by-project review for public works (which, in this situation would require multiple coastal development permits (CDPs)). PWPs must be sufficiently detailed regarding the size, kind, intensity, and location of development to allow the Commission to determine consistency with the policies in Chapter 3 of the Coastal Act (pre-LCP certification) or the certified LCP (post-LCP certification). Once the Commission approves a PWP, no CDP is required for a specific project described within it; rather, before commencing each specific phase or project, the project proponent needs to submit notice in the form of a Notice of Impending Development (NOID), which requires the Commission to determine whether the submitted project is consistent with the standards within the PWP, or if conditions are necessary to make it consistent.

B. PWP Project Review

Consistency determinations for individual projects proposed as part of the PWP are made by the Coastal Commission and are subject to public review and comment and a public hearing. Sections 30605 and 30606 of the Coastal Act and Title 14, Section 13359 of the California Code of Regulations (CCR) govern the Coastal Commission's review process for development proposed pursuant to a certified PWP. Section 30606 of the Coastal Act requires the applicant proposing the PWP project to provide a NOID to the Coastal Commission (and other interested parties, organizations, and governmental agencies), along with data demonstrating the project is consistent with the certified PWP. Once a NOID is deemed complete, it is scheduled for a public hearing within 30 working days, at which time the Coastal Commission is tasked with determining whether the project is PWP-consistent, or if it can be made PWP-consistent through conditions. If a project cannot meet those tests, then it is not covered by the PWP, and would need its own separate authorization through a CDP.

As applicable to this proposed PWP, development submitted to the Commission for review under the NOID process shall not be authorized unless it is of a type, location, and size as identified in Section II of the PWP (see Exhibit 1), and it is demonstrated that project implementation is in compliance with all SPRs and Mitigation Measures of the CalVTP (Project Standard 2), as well as the more coastal-specific Coastal VTS

development standards for Monterey County (Project Standard 3). Projects may also be conditioned by the Commission to ensure consistency with the PWP; however, the Commission cannot reject a proposed project if it is included within the listed projects approved as a part of the Commission's original PWP review and it is otherwise PWP-consistent.

The proposed PWP also identifies specific filing content requirements regarding future NOID submittals under Section V, including preparation and submittal of draft and final Project-Specific Analyses (PSA). A PSA is required by the CalVTP PEIR to determine whether a project qualifies as within the scope of the CalVTP PEIR and whether the project will result in any new or substantially more significant impacts than described in the CalVTP PEIR. The PSA also serves as a foundation for the Commission's Coastal Act analysis.

C. PWP Reporting Mechanisms

Proposed PWP Project Standard 6 requires PWP projects to adhere to the reporting and monitoring requirements as provided in the PEIR SPRs. More specifically, the administrative SPRs contained within the CalVTP PEIR ensure that projects are reported on and project data is available to the public. For example, SPR AD-7 of the PEIR requires a completed Mitigation Monitoring and Reporting Program to be submitted to CalFIRE and the Board of Forestry for all proposed, approved, and completed stages of vegetation treatment projects. This information will be posted to an online database available to the public and will ensure that the requirements of all relevant SPRs that are implemented are verified and monitored by the agency or organization responsible for ensuring that the SPRs are implemented. Similarly, SPR AD-6 ensures that public notifications for treatment projects are posted in conspicuous locations describing treatment activities and timing, as well as contact information. SPR-GHG-1 also requires project proponents subject to AB 1504[1] to provide all vegetation treatment data for carbon inventory tracking to the U.S. Forest Service and CalFIRE. Further, the PWP requires that individual projects be noticed in conjunction with Commission regulations.

In addition, pursuant to proposed PWP Project Standard 6, the PWP requires the RCD to prepare a five-year programmatic review identifying: the status of individual projects implemented under the PWP, as well as projects expected to be implemented under the PWP; level of program completion (e.g., number of acres treated, high priority areas for the subsequent five years, etc.); collective monitoring results; constraints and lessons learned; and program success. The programmatic review must be submitted to Monterey County and the Coastal Commission for review. At the ten-year mark following certification of the PWP, a final programmatic review is to be prepared by RCD and submitted to the County and Coastal Commission for review.

D. Public Participation

A Public Review Draft of the PWP was first released on November 3, 2022 for a six-week review period. That draft was subsequently updated to make administrative

[1] See https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200920100AB1504.

corrections and provide clarifying language, which was then adopted by the RCD Board on December 15, 2022. During that local hearing, the RCD considered additional public testimony. Following submittal of the locally-adopted PWP to the Commission on December 22, 2022, Commission staff continued to accept public comment on the PWP.

In addition, members of the public will have additional opportunities to comment on individual projects designed and implemented under the PWP. As part of the project design stage, the RCD must consult with parties interested in, with jurisdiction over, and/or affected by the proposed project. Further, persons residing within 100 feet of the project boundary, as well as within greater distances that may need to be noticed pursuant to the CalVTP SPRs and mitigation measures, or those persons, parties, and agencies who have requested to receive such notice, will receive a notice of a completed NOID to be submitted to the Commission for consistency review under the PWP. Once a NOID is submitted to the Commission and agendized for hearing, interested parties may also submit written comment to the Commission prior to the scheduled hearing on the NOID, and/or request to provide public testimony during the Commission hearing on the NOID (see the Procedures for PWP Filing and Certification section starting on page 28 of the PWP in Exhibit 1).

E. Local Government and Stakeholder Consultation

Throughout the development of the PWP, Commission staff and RCD staff have engaged Monterey County staff, as well as a variety of State agency representatives, such as State Parks staff. Discussions on the PWP commenced in October 2021, with more focused meetings beginning in January 2022 and extending through November 2022.

The development of the coastal-specific development standards (see Coastal VTS for Monterey County on page 41 of Exhibit 1) and the PWP has been a collaborative process with representatives of Monterey County staff and RCD staff building off the existing Coastal VTS developed in prior Forest Health and Fire Resilience PWPs to design a Coastal VTS consistent with the Monterey County LCP. Monterey County staff have indicated that the County is in support of the PWP and believes that it is consistent with the County's LCP.[2]

The Commission and the RCD also notified tribal representatives from the Esselen, Ohlone (Costanoan), and Salinan tribes. Tribal entities were notified of the development of the PWP, as well as the availability of the Public Review Draft PWP once available. Following such notification, Commission staff consulted with Kanyon CoyoteWoman Sayers-Roods of the Costanoan Ohlone-Mutsun tribe in July of 2022 to discuss the PWP's tribal cultural resource protection measures, as well as the use of prescribed fire as part of tribal cultural burning practices. No other tribes or tribal representatives requested consultation.

[2] The County expressed support of the RCD's locally-adopted PWP in correspondence dated January 9, 2023.

In addition, projects that benefit California Native American Tribes and Environmental Justice communities within the County, as identified using CalEnviroScreen 4.0, will be prioritized and designed in consultation with these groups during the project selection, design, and implementation stages to the maximum extent feasible. These and other stakeholders will have the opportunity to consult with the RCD and/or provide comments to the RCD and the Commission during the project design stage, including through the NOID submittal and Commission adoption process (see the Procedures for PWP Filing and Certification section starting on page 28 of the PWP in Exhibit 1).

F. Environmental Documents

Section 30605 of the Coastal Act and CCR Sections 13353 and 13357 require PWPs to include environmental information sufficient in detail to enable the Commission to determine the consistency of the plan with the policies of the Coastal Act or LCP, as applicable. Consistent with these requirements, the PWP relies, in part, on the analysis and conclusions in the Board of Forestry's certified Program Environmental Impact Report of December 2019 to examine potential environmental impacts of vegetation treatment projects being considered in the coastal zone. The CalVTP PEIR provides evidence that supports the Commission's analysis of the PWP's coastal resource impacts and contains standards that help protect coastal resources in a manner consistent with the LCP. Specifically, the PEIR provides a comprehensive framework for implementing vegetation treatment projects through the adherence to Standard Project Requirements and Mitigation Measures that will result in the avoidance and minimization of adverse impacts to environmental resources.

In addition to the CalVTP, the Coastal Vegetation Treatment Standards (see Coastal VTS for Monterey County on page 41 of Exhibit 1) provide additional standards and requirements that projects within the Coastal Zone must meet, including related to specific habitat considerations. All PWP projects must be consistent with all Project Standards outlined in Section III of the PWP, including the CalVTP SPRs and Mitigation Measures and the Coastal VTS.

3. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, certify the proposed PWP as submitted. To do so, staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the PWP as submitted and adoption of the following resolution and findings. The motion to certify passes only by affirmative vote of a majority of the appointed Commissioners.

> ***Motion:*** *I move that the Commission certify Public Works Plan PWP-3-MCO-22-0002-1 as submitted by the Resource Conservation District of Monterey County, and I recommend a yes vote.*
>
> ***Resolution to certify:*** *The Commission hereby certifies the Monterey County Forest Health and Fire Resilience Public Works Plan as submitted and adopts the findings set forth below on the grounds that the Plan conforms with the Monterey County Local Coastal Program. Certification of the Plan as submitted complies with the California Environmental Quality Act because either 1) feasible*

mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Plan on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the Plan on the environment.

4. FINDINGS AND DECLARATIONS

A. Background

CalVTP Background

Following then-Governor Brown's 2018 Executive Order B-52-18, which mandated a substantial increase in the pace and scale of vegetation treatment in California for the purpose of reducing wildfire threats, the BOF certified its final PEIR for the CalVTP in December 2019. As one approach to addressing the wildfire crisis, the CalVTP PEIR provides an important tool to help reduce risks to life, property, and natural resources by targeting vegetation reduction and/or modification in the State Responsibility Area (SRA) for fire prevention and suppression.

Based on the PEIR, the objectives of the CalVTP are to:

- Serve as the vegetation management component of the State's range of actions underway to reduce risks to life, property, and natural resources by managing the amount and continuity of hazardous vegetative fuels that promote wildland fire consistent with California's 2018 Strategic Fire Plan (BOF and CalFIRE 2018) and California's Wildfire and Forest Resilience Action Plan (Governor's Forest Management Task Force 2021).

- Substantially increase the pace and scale of vegetation treatments to contribute to achieving a statewide total of at least 500,000 acres per year on non-federal lands, consistent with the former Governor's EO B-52-18, which results in a CalVTP target up to 250,000 acres per year after considering other types and areas of vegetation treatments.

- Increase the use of prescribed burning as a vegetation treatment tool, consistent with the provisions of Senate Bill 1260, Statutes of 2018, and Public Resources Code (PRC) Section 4483(a).

- Contribute to meeting California's greenhouse gas (GHG) emission goals by managing forests and other natural and working lands as a net carbon sink, consistent with the California Forest Carbon Plan (Forest Climate Action Team 2018), California's 2017 Climate Change Scoping Plan (California Air Resources Board 2017), Fire on the Mountain: Rethinking Forest Management in the Sierra Nevada (Little Hoover Commission 2018), and California 2030 Natural and Working Lands Climate Change Implementation Plan (California Environmental Protection Agency et al. 2019).

- Improve ecosystem health in fire-adapted habitats by safely mimicking the effects of a natural fire regime, considering historic fire return intervals, climate change, and land use constraints.

Vegetation treatment consists of three treatment types, as described in the PEIR, including:

- Wildland-Urban Interface (WUI) Fuel Reduction: Located in WUI-designated areas, fuel reduction would generally consist of strategic removal of vegetation to prevent or slow the spread of non-wind driven wildfire between structures and wildlands, and vice versa.

- Fuel Breaks: In strategic locations, fuel breaks create zones of vegetation removal and ongoing maintenance, often in a linear layout, that support fire suppression by providing responders with a staging area or access to a remote landscape for fire control actions. While fuel breaks can passively interrupt the path of a fire or halt or slow its progress, this is not the primary goal of constructing fuel breaks.

- Ecological Restoration: Generally outside of the WUI in areas that have departed from the natural fire regime as a result of fire exclusion, ecological restoration would focus on restoring ecosystem processes, conditions, and resiliency by moderating uncharacteristic wildland fuel conditions to reflect historic vegetative composition, structure, and habitat values.

Within each of the three treatment types listed above, five treatment activities are identified in the PEIR, including:

- Prescribed Burning: Includes pile burning (prescribed burning of piles of vegetative material to reduce fuel and/or remove biomass following treatment) and broadcast burning (prescribed burning to reduce fuels over a larger area or restore fire resiliency in target fire-adapted plant communities; would be conducted under specific conditions related to fuels, weather, and other variables).

- Mechanical Treatment: Use of motorized equipment to cut, uproot, crush/compact, or chop existing vegetation.

- Manual Treatment: Use of hand tools and hand-operated power tools to cut, clear, or prune herbaceous or woody species.

- Prescribed Herbivory: Use of domestic livestock to reduce a target plant population thereby reducing fire fuels or competition of desired plant species.

- Herbicides: Chemical application designed to inhibit growth of target plant species.

To avoid and minimize environmental impacts, the PEIR stipulates that project proponents must adhere to the PEIR's SPRs, which are development standards or best management practices (BMPs) designed "to integrate environmental protection into a

comprehensive approach to reduce wildfire risk statewide through vegetation treatment."

When designing projects to implement the CalVTP, project proponents are also required to complete a Project-Specific Analysis (PSA) to determine whether the proposed vegetation treatment project is "within the scope" of the PEIR or requires additional environmental documentation and review. As the PEIR states:

> *The purpose of the PSA is to evaluate the proposed site and the later activity to determine whether the environmental effects of the activity are addressed within the scope of this PEIR, consistent with Section 15168 of the CEQA Guidelines for later activities consistent with a program and its PEIR. The PSA also requires the project proponent to determine that all applicable SPRs and mitigation measures identified in the CalVTP PEIR have been incorporated into the project, and whether additional mitigation would be necessary.*

B. Monterey County Existing Conditions

The Monterey County coastal zone is particularly vulnerable to catastrophic wildfires. Like many areas of the State, forest, woodland, and grassland landscapes throughout Monterey County are undergoing significant change. The climate is becoming warmer and drier, endemic species are at risk, invasive species are on the move, and sudden oak death has taken an immeasurable toll on regional ecosystems and overall forest health. Altered fire regimes and increased fuel loads are also driving larger and more catastrophic wildfires. The result has been damaging changes to ecosystems that require vegetation treatments to redirect the path of changing climates and ecological conditions impacting Monterey County.

The 2016 Soberanes Fire and the 2020 Carmel, Dolan, and River Fires are real-world examples of the level of risk posed by wildfires, and their impacts to our human and biological communities in the landscape. The latter three wildfires combined burned approximately 312,044 acres in Monterey County, destroyed 185 structures, and exhibited extreme fire behavior. Impacts of this extreme fire behavior was especially evident in areas where fires burned larger areas at high severity, destroying soil structure, resulting in damaging debris flows. Post-fire mapping data suggest the majority of forested areas in the Big Sur region burned at high fire severities as a result of dense understory growth. Such outcomes suggest that high priority forest health and fire prevention projects need to be carried out on a more routine and timely basis to promote both forest health and fire resiliency throughout the County's coastal areas.

The PWP covers an area within the County's LCP jurisdiction that stretches from just north of Elkhorn Slough to the southern Big Sur Coast. The PWP Program Area encompasses nearly 119,735 coastal zone acres where potential future projects could take place. Map 1 on page 11 of Exhibit 1 shows the geographic context within which the PWP would apply as well as the relationship between the PWP Program Area and the approved LCPs for cities within Monterey County. Map 2 on page 12 of Exhibit 1 displays the PWP Program Area overlayed on CalFIRE's Fire Severity Zone Maps to provide context for future planning efforts within the PWP Program Area. Map 3 on page

13 of Exhibit 1 shows the CalVTP Treatable Landscapes map and how that program overlaps with the PWP Program Area. While the PWP has been developed as a companion to the CalVTP, it is expected that some high priority projects outside of the modeled treatable landscape will be developed and authorized through the PWP. Map 4 and Map 5 on pages 14 and 15 of Exhibit 1 provide additional context by illustrating both the LCP land-use designations and vegetation types mapped within the PWP Program Area.

Monterey County Local Coastal Program
Monterey County's LCP was fully certified by the Commission in 1988 and comprises four area-specific Land Use Plan (LUP) segments and associated Coastal Implementing Programs (CIP). The LCP has not undergone a comprehensive update since initial certification, but numerous amendments have been certified by the Commission. The County issues CDPs throughout its coastal zone.

County staff have collaborated on the development of this PWP and have advised that the design of projects consistent with the CalVTP, including the SPRs and Mitigation Measures, and the Coastal VTS within the PWP sufficiently protect coastal resources consistent with the County's LCP.[3]

C. Forest Health and Fire Resilience Public Works Plan Description

The PWP provides a cost-effective and programmatic approach to compliance with the California Coastal Act that can help to increase the pace and scale of implementation of critical projects that will improve both ecological conditions (i.e., forest health) and the resilience of County landscapes to future climate change-induced wildfire (i.e., fire prevention). Over the proposed ten-year period of the PWP, the RCD plans to conduct high priority forest health and fire prevention projects with voluntary collaborating landowners within the PWP Program Area in moderate to very high wildfire hazard areas of the Coastal Zone (CZ) of Monterey County.

While forest health projects will be explicitly designed to directly improve ecosystem health, fire prevention projects will also be designed to directly improve ecosystem conditions to the extent feasible (e.g., removal of dead, diseased, and overgrown vegetation, removal of non-native invasive plant species, management that mimics natural disturbance regimes, etc.). Fire prevention projects that cannot be designed to directly improve or restore ecosystems or ecosystem processes will be limited to projects that are required to protect existing structures and/or infrastructure, and will provide indirect ecosystem benefits by reducing the intensity, rate of spread, and extent of catastrophic wildfire on adjacent habitats and ecosystems.

Approved projects will be designed to:

- Proactively restore forest health, improve ecosystem resiliency, and conserve working forests by conducting ecologically minded forest health treatments, including

[3] The County expressed support of the RCD's locally-adopted PWP in correspondence dated January 9, 2023.

by promoting a mosaic of native vegetation types and improving habitat for rare, threatened, and endangered plant and animal species.

- Protect State water supply sources by strategically implementing ecological restoration projects across priority watersheds.
- Encourage the long-term storage of carbon in forest and woodland trees and soils through the reduction of dense understory thus promoting larger healthier stands of mature trees.
- Minimize the loss of forest carbon from large, intense wildfires, through reduction of ladder fuels and brush resulting from years of fire suppression.
- Promote public safety, health, and welfare and protect public and private property through the implementation of ecologically restorative fuel reduction treatments in the wildland urban interface.

Five treatment activities may be carried out depending on the goals and objectives of each specific project, including prescribed burning, mechanical treatment (e.g., use of masticators), manual treatment, prescribed herbivory, and herbicide application. For a detailed description of these treatment activities, see the CalVTP Background section above, as well as Section II of the PWP in Exhibit 1.

In addition, the PWP would allow for the treatment of vegetation within the defensible space area of a building, which is typically measured as the first 100 feet from a building, or to the property line, whichever is closer. Such treatment must be part of a larger, contiguous vegetation treatment project being undertaken and must follow all PWP protection measures to the maximum extent feasible, while still meeting applicable County defensible space requirements.

Finally, to ensure protection of important chaparral habitat, the PWP does not allow treatment within chaparral habitat, except within the defensible space area of a building or structure; any non-defensible space project proposing work in chaparral would need an alternative authorization process.

D. Coastal Habitats

General Ecological Considerations

For the last century, fire suppression- and more recently, increased fire frequency in some areas - and climate change have resulted in unhealthy forests that set the stage for disease, pest infestations, non-native species invasion, and larger and more intense fires than would naturally occur in the absence of human interventions. Fire suppression has resulted in many forests 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 that are challenging to manage. 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. The warmer temperatures, drier conditions, and extended droughts associated with climate change further exacerbate the problems facing forests and the likelihood of catastrophic fires. Changes to native disturbance regimes, including fire, can additionally result in the conversion of habitat via altered processes (e.g., succession, invasion), and thus, the resilience of coastal ecosystems.

Fire has been essential to the health of forest ecosystems for thousands of years. Untamed burns sparked by lightening have shaped the structure and diversity of forests around the world. Nearly 80 percent of the native vegetation in North America evolved with fire.[4] The intention of forest health projects is to restore forest communities to conditions mimicking the respective fire frequencies they would naturally be exposed to; that is to remove dead, diseased, and pest infested trees and brush, thin young saplings to allow mature trees to attain full growth, and to clear unnaturally thick understory vegetation while restoring wildlife habitat.

Commission ecologists helped develop the Coastal VTS for forest health and fire prevention projects in sensitive habitats. As part of a regional approach to fire planning, the Coastal VTS underwent several iterations following review and discussions with applicable public agencies. The Coastal VTS was initially developed in collaboration with the RCDs and Counties of both San Mateo and Santa Cruz, with input from CalFire to ensure that it was not redundant with the CalVTP PEIR and that applying the Coastal VTS would bring projects in the Coastal Zone into conformance with LCP coastal resource protection requirements. This initial version of a Coastal VTS was then revised to address LCP-specific requirements for Monterey County in collaboration with the RCD of Monterey County and planning staff from the County of Monterey Housing and Community Development.

California forests are often ecologically impaired where fire has been suppressed, and climate change further imposes stress. The Commission's ecologists consider forest health projects that adhere to the Biological SPRs and the Coastal VTS developed for the geographies and ecosystems specified therein to qualify as restoration projects because they are designed to improve overall forest condition including native community structure, diversity, and associated functions.

Fire prevention projects involve fuel reduction or vegetation management to specifically protect existing structures and/or infrastructure by creating defensible space and addressing public safety concerns. In addition to public safety, fire prevention projects are integral to a range of strategies that mitigate fire hazard on regional and community scales, to reduce the risk of uncontrolled fires, and which can adversely affect ecosystems as well. Recent wildfires have demonstrated that if vegetation growth goes unchecked in the absence of natural disturbance, it becomes a hazard not only for an individual property, but for the neighboring properties, surrounding community, and adjacent natural areas. Without adequate vegetation management or other return of

[4] See, for example, https://www.nature.org/en-us/about-us/where-we-work/united-states/idaho/stories-in-idaho/wildfires-and-forest-management/

natural disturbance regimes, catastrophic wildfires are likely to be more frequent and larger across the region, thereby causing damage or destruction to homes, businesses, utility lines, roads (including due to landslides caused by post-fire erosion events), other structures, and potentially natural lands subjected to unnatural fire regimes. Fuel reduction and fuel breaks are often necessary during an active fire and these cannot be designed with the typical ecological considerations under duress. As a result, proactively implemented fire prevention projects can be designed to use the CalVTP and Coastal VTS to minimize impacts to ecosystems, and even deliver benefits (e.g., selective removal of invasive species) in comparison to actions required under emergency conditions.

Under the PWP, fire prevention projects that affect coastal habitat resources are required to follow standards to first implement the strategies that would benefit forest health (e.g., removal of dead, diseased, and pest infested trees and brush, thinning young saplings to allow mature trees to attain full growth, and clearing unnaturally thick understory vegetation while restoring wildlife habitat) and secondarily, implement additional vegetation management measures only if necessary to achieve fire protection mandates. While some fire prevention projects, for example, may need to remove more vegetation than might benefit forest health, the RCD and Commission staff expect that fire prevention projects will be able to generally apply most, if not all, of the standards laid out in the Biological SPRs of the CalVTP PEIR and the Coastal VTS for Monterey County forest health projects. Where fire prevention projects must go beyond forest health strategies to reduce fire risk for public safety, such projects must also be designed to avoid and minimize any adverse impacts to sensitive resources (including through habitat conversion) to the maximum extent feasible. Given the care and concern for protecting such resources provided by the CalVTP, paired with the additional protections of the Coastal VTS and the requirement to provide benefits to the habitat to the greatest extent possible, staff anticipates that the fire prevention projects can be implemented while avoiding and minimizing ecological impacts and delivering some benefits. Fire prevention projects are an integral part of an overall vegetation management regime and thus, though they may not directly provide restoration benefits, they are a component of the overall fire resilience effort for the County, and thereby can provide indirect benefits to ecosystems whilst protecting people and property.

Applicable LCP Coastal Habitat Provisions

The Monterey County LCP identifies Environmentally Sensitive Habitat Areas (ESHA) as unique, limited and fragile resources of statewide significance that must be protected, maintained, and where possible, enhanced and restored. Each of the four LUPs include this key policy, including a requirement to protect ESHA from significant disruption by allowing only resource-dependent uses within ESHA for the purpose of maintaining or enhancing the habitat. The LUPs generally define ESHA in line with the Coastal Act definition: as “areas in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem”, including rare, endangered, or threatened species and their habitats; other "sensitive" species and habitats such as species of restricted occurrence and unique or especially valuable examples of coastal habitats; Areas of Special Biological Significance as identified by the State Water Resources Control Board; rare and endangered species habitat, all coastal wetlands and lagoons, all marine wildlife, and kelp beds; and dune habitats. In

some LUPs, certain types of habitats are specifically identified as constituting ESHA, such as Northern Coastal Prairie and Gowen Cypress Woodland in the Carmel LUP. Each LUP also includes various policies requiring measures to protect ESHA, such as through the preparation of site-specific biological surveys to identify ESHA where development is proposed within or near ESHA; the implementation of siting and design measures to avoid and/or minimize adverse impacts from allowable development within or near ESHA; the recording of deed restrictions or conservation easements to ensure ongoing protection of ESHA in perpetuity; and the use of native plant species in landscaping plans and the removal of invasive species throughout the County. Other LCP policies limit the use of harmful chemicals that could impact ESHA and require mitigation for any impacts to ESHA.

PWP Coastal Habitat Protection Standards

Under the PWP, vegetation treatment activities that might affect ESHA, special-status species, and other biological resources in the County's treatable landscape must be designed and implemented to protect these resources consistent with the PWP Project Standards. If vegetation treatment activities were carried out without these protections, they could cause adverse impacts, for example, by resulting in vegetation removal that disrupts or displaces sensitive habitat and species. In addition, workers carrying out manual treatment activities could adversely impact sensitive species if buffers and flagging (of sensitive species) is not carried out properly.

To protect ESHA and biological resources, the CalVTP (pursuant to PWP Project Standard 2) and Coastal VTS for Monterey County (pursuant to PWP Project Standard 3) include a significant number of safeguards. In general, these safeguards: ensure review of site-specific records and reconnaissance-level surveying to determine the potential for sensitive species and habitat within treatment areas; require resource-protection training for crews carrying out treatment activities; require measures to protect against impacts to sensitive habitats and species; and require other appropriate measures designed to address habitat concerns. The SPRs and Coastal VTS standards are described in more detail below.

For biological resources, a number of SPRs provide for design and treatment measures to protect against resource impacts. SPR BIO-1 requires a qualified professional, such as biologist, to conduct a data review and reconnaissance-level survey prior to commencing with treatment activities. Where sensitive biological resources are found pursuant to this survey, SPR BIO-3, SPR BIO-7, and SPR BIO-10 require a protocol-level survey for special status vegetation communities and sensitive habitats, special-status plant species, and special-status wildlife species. Treatment must then be designed to protect against adverse impacts (e.g., SPR BIO-4, 5, 11, and 12)[5]. Further, work crews must undergo biological resource training, including proper implementation of biological SPRs and mitigation measures, as well as identification and avoidance of sensitive biological species (SPR BIO-2). A number of best management practices must

[5] To protect important chaparral habitat, the PWP does not allow treatment within chaparral habitat, except within the defensible space area of a building; any non-defensible space project proposing work in chaparral would need an alternative authorization process.

also be implemented to prevent the spread of plant pathogens and invasive species, such as cleaning and sanitizing equipment, staging equipment in designated areas, and treating invasive biomass on-site (SPR BIO-6 and SPR BIO-9). Treatment will help protect habitat by prioritizing retention of larger, healthy native trees (e.g., SPR BIO-4 and BIO-8). Project proponents must also consult with Commission staff through the preparation of NOIDs to ensure projects are designed to protect the habitat function and values of the ESHA (SPR BIO-8). Further, Mitigation Measure BIO-4 requires avoidance of impacts to wetlands, including through buffers and restrictions on herbicide and prescribed herbivory usage. For a more detailed summary of these SPRs, see page 46 of Exhibit 1.

In addition, the CalVTP includes numerous measures for addressing any residual impacts to biological resources. In general, these mitigation measures require avoidance and protection of listed and non-listed special status plants, habitats, and wildlife species, through no-disturbance buffers (Mitigation Measures BIO-1a, 1b, 2a, and 2b) and other measures to address potential impacts overall. Where avoidance and protection of such biological resources in not feasible, compensatory mitigation is required, typically through the preservation and enhancement of similar species and/or habitat outside the treatment area, or through the purchasing of mitigation credits from conservation or mitigation banks (see, for example, Mitigation Measures BIO-1c and 2c).

The coastal-specific standards (Coastal VTS) provide additional protections that build on and refine CalVTP requirements for the protection of ESHA and biological resources in the County's coastal zone (see page 41 of Exhibit 1). The Coastal VTS requires that forest health projects restore and enhance ecosystems and forests, protect watersheds, and promote long-term storage of carbon; restore and maintain vegetation cover to thresholds reflecting appropriate fire-return intervals; maintain vegetation cover and composition to comply with the standards set forth in the Manual of California Vegetation so that habitat conversion is avoided; and provide for appropriate mosaics of native vegetation. Fire prevention projects are required to follow these standards to the extent feasible, while still achieving fire protection goals, and are limited to projects that are required to protect existing structures and/or infrastructure. Critically, the Coastal VTS requires that all vegetation treatment activities, excluding prescribed burning and herbivory, follow a vegetation removal hierarchy that prioritizes thinning and removal of dead, dying, and diseased vegetation, followed by removal of invasive species, and lastly, removal of native species that are not endangered, threatened, rare or otherwise especially valuable. Prescribed burning and herbivory are acknowledged as indiscriminate methods that should be limited to use where sensitive species would not be precluded from recovery.

The Coastal VTS for Monterey County also provides for additional standards that tier off the CalVTP SPRs and/or meet LCP-specific ESHA requirements. For example, the use of heavy machinery, herbicides, prescribed fire, and prescribed herbivory must be limited to projects where their use is required and where demonstrated that they are the least environmentally damaging alternative. In Critical Erosion Areas and specific habitat areas like redwood and chaparral within the North County Area and Carmel Area, prescribed fire, prescribed herbivory, and mechanical treatment are also

prohibited on slopes of more than 25 to 30%. Treatment within Gowen Cypress habitat is also limited to ecological restoration (i.e., forest health projects). Further, the use of accelerants is limited to prescribed fire application where such use will not significantly disrupt or degrade ESHA, while riprap and chemical soil stabilizers that could significantly disrupt or degrade ESHA is explicitly prohibited. Similarly, wildlife-friendly fencing used pursuant to SPR BIO-11 must also allow for adequate ground clearance for smaller species to avoid entrapment and/or entanglement.

LCP Consistency Analysis
For proposed forest health projects, the PWP is consistent with the County LCP because restoration of sensitive habitats, including riparian corridors, is allowed within and/or adjacent to ESHA and other sensitive resources. Specifically, and pursuant to Project Standard 4 of the PWP, the LCP allows for restoration activities within sensitive habitat areas if adequate protection measures are implemented to minimize adverse impacts. Since the PWP relies on the SPRs, mitigation measures, and Coastal VTS developed for Monterey County to safeguard sensitive habitats and species, including protocol-level and reconnaissance surveys prior to treatment activities (SPR BIO-1, SPR BIO-3, and SPR BIO-7), design of treatment in a manner that avoids impacts to sensitive species (e.g., SPR BIO-1, SPR BIO-4, SPR BIO-5, SPR BIO-6, SPR BIO-8, and SPR BIO-12), and mitigation for significant environmental impacts within any sensitive habitat area (Mitigation Measures BIO 1c, 2c, and 3c), the PWP follows County LCP standards for both protection of ESHA and its restoration.

Recent wildfires have demonstrated that if brush is allowed to grow unchecked, it becomes a hazard not only for an individual property, but for the neighboring properties and surrounding community as well. Absent natural disturbance regimes or other vegetation management, including fuel breaks such as those proposed as fire prevention projects, catastrophic wildfires are likely to be more frequent and larger, thereby causing damage or destruction to homes, businesses, utility lines, roads (including due to landslides caused by post-fire erosion events), and other structures, as well as habitat degradation in certain cases. Fire prevention projects, which will generally be implemented as defensible spaces around existing structures in the WUI, or as fuel breaks along existing roads to provide strategic fire breaks and staging areas for firefighters, can also be found consistent with the LCP. Unlike forest health projects, these projects are not explicitly designed for the purpose of ecological restoration, and by extension may have a greater likelihood of impacting coastal habitats and species. However, fire prevention projects are consistent with the LCP's allowance for maintaining the integrity of existing structures, roads, and other such development because they are necessary to maintain the safety, integrity, and utility of such development, and because they are required to minimize and mitigate impacts to the extent feasible.

Specifically, like the Coastal Act, the County's IP identifies that authorizations for the maintenance of existing, legally-established structures, roads, and other such development is somewhat different than the manner in which most new development is

authorized.[6] For situations involving Commission review of maintenance activities that take place in sensitive areas, the Commission does not analyze whether the existing underlying development that is being maintained is consistent with the LCP, as it was already authorized as required by the Coastal Act and LCP (or pre-dated such required authorization). Rather, the Commission analyzes and regulates the methods of conducting the maintenance activities to ensure they are carried out in a manner most protective of coastal resources. Here, this means that the PWP may allow fire prevention activities that may affect coastal habitats, because such projects will help maintain the safety, integrity, and utility of existing structures, roads and other development. However, it must impose measures to avoid, reduce, or mitigate for any impacts to coastal resources caused by the projects, including by following the forest health project guidelines as much as possible.[7] In this case, the PWP implementation overall is also premised on overall habitat enhancement in the County, and in fact the RCD's proposal makes clear that the majority of affected PWP acreage will be forest health projects, and thus by definition the PWP over time will result in overall ecological enhancement. And even for the minority of PWP acreage that might be the subject of fire prevention projects, these projects are required by the PWP to incorporate ecological enhancement principals as much as possible, and thus the cases where fire prevention projects that do not contribute to overall habitat enhancement are expected to be fairly limited.

In conclusion, the PWP provides a detailed series of prescriptions for protecting coastal habitats and species in Monterey County, including CalVTP PEIR and the Coastal VTS requirements, and appropriately mitigates for residual impacts. Therefore, the proposed PWP can be found consistent with the LCP's coastal habitat provisions.

E. Water Resources

The County's LCP ensures that water resources are protected through policies and ordinances that address surface water, including water supply; water quality and in-stream flows; and groundwater measures that address supply, recharge, and quality. Each LUP contains a key policy requiring water resources to be protected and maintained, as well as general policies that provide for essential water resource protection and more specific policies that address the water resource concerns of the LUP area. For instance, each LUP contains general policies requiring the County to adhere to best watershed planning principles when authorizing land use proposals; control and minimize point and non-point sources of pollution; and phase development to ensure water demand does not exceed local supplies. Each LUP also contains a

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[6] See Coastal Act Section 30610(d), 14 CCR Section 13252, County IP Section 20.70.120.

[7] Further, and as described above, the PWP includes both CalVTP PEIR and related standards and mitigation measures that are designed to protect coastal habitats in fire prevention projects. For example, surveys will be conducted for sensitive species, project activities will halt if nesting birds are discovered, and non-shaded fuel breaks will mostly occur on ridges that are not adjacent to riparian areas and will include appropriate runoff control measures to ensure that sediment does not enter sensitive wetland or aquatic habitats. The Coastal VTS requires that removal of vegetation for fire prevention projects be "the minimum necessary to protect existing structures and infrastructure" and that such projects comply, to the maximum extent feasible, with various ecosystem protection measures.

suite of policies addressing erosion control and sedimentation; water pollution control; water supply management; and water quality protection as an important facet for maintaining healthy coastal habitats. In Big Sur for example, the LUP identifies the Big Sur and Little Sur Rivers as essential waterways of the region and the California Protected Waterways system wherein resource protection principles must be adhered to when considering all land use proposals. Similarly, in the Del Monte Forest Area and Carmel Area, the LUPs identify the Carmel Bay as a state-designated Areas of Special Biological Significance (ASBS), while in the North Coast, the LUP identifies Critical Erosion Areas by soil erosion potential ("K-factor") and slope and prohibits the clearing of vegetation during the rainy season.

Vegetation treatment activities under the PWP must be designed and implemented to protect water quality (consistent with PWP Project Standards 2 through 4). Without such requirements, vegetation treatment projects have the potential to adversely impact water quality. For example, mechanical removal of vegetation may introduce heavy machinery, such as masticators, into forested areas, potentially resulting in disturbed and compacted soils that could further contribute to erosion and sedimentation. The equipment used for mechanical removal of vegetation is also a potential risk to water quality through leaks and spills of fuels and other chemicals if such equipment is not maintained correctly, or if maintenance occurs near or within sensitive water resource areas. Where herbicides are applied, the risk for runoff, drift, and misapplication or spills can all threaten water quality, including leaching into groundwater.

To address these potential impacts, the CalVTP includes six SPRs that ensure the protection of water quality. For example, SPR HYD-1 requires project proponents to comply with the appropriate Waste Discharge Requirements and/or Basin Plan Prohibitions of the Regional Water Quality Control Board (RWQCB) to ensure that waste is disposed of in an appropriate manner. Similarly, prescribed herbivory must follow certain standards to guard against water quality impacts, including through the use of fencing to create buffers from sensitive water resources (SPR HYD-3), while Watercourse and Lake Protection Zones are to be established to ensure buffers between heavy machinery and prescribed burning activities are established (SPR HYD-4). For herbicide use, SPR HYD-5 protects non-target vegetation and special-status species by restricting herbicide use within and/or adjacent to various waterbodies. Relatedly, SPR HYD-6 requires treatment activities adjacent to roadways with existing stormwater drainage infrastructure to be maintained. Lastly, SPR HYD-2 prohibits the construction or reconstruction of any new roads, including temporary roads. For a summary of these hydrological SPRs, see page 60 of Exhibit 1.

The CalVTP also includes a number of other SPRs that contribute to water quality protection, which are discussed in more detail under the relevant findings of this report (see Coastal Habitats and Coastal Hazards section). These include measures for incorporating buffers around water resources (SPR BIO-1); designing treatment activities to prevent the spillage of pesticides (SPR HAZ-5); requiring measures to maintain heavy equipment and follow proper herbicide disposal procedures (SPR HAZ-1 and SPR HAZ-7); minimizing erosion through soil stabilization, restrictions on heavy machinery use, and monitoring (SPR GEO-1 through SPR GEO-4, as well as SPR GEO-8); prohibiting the use of heavy equipment in sensitive resource areas (SPR GEO-

7); designing prescribed burning to avoid high-intensity, severe burns (SPR AQ-3); and requiring drainage features and conditions to remain unchanged following treatment activities (SPR BIO-4 and SPR BIO-5).

In addition to the CalVTP measures discussed above, the Coastal VTS developed for Monterey County includes additional measures addressing specific water resource concerns of the LCP. For example, in Critical Erosion Areas and specific habitat areas like redwood and chaparral within the North County Area and Carmel Area, prescribed fire, prescribed herbivory, and mechanical treatment is prohibited on slopes more than 25 to 30%, while all treatment activities within the watershed boundaries of the Del Monte Forest Area and Carmel ASBS are prohibited during periods of soil saturation. Herbicides also may not be used unless their use is found to be the least environmentally-damaging feasible alternative and the use will not result in adverse impacts to sensitive coastal resources.

Given the above standards, vegetation treatment activities carried out under the PWP would be designed and implemented consistent with the LCP through a number of measures that would avoid potential adverse impacts to water resources, maintain biological productivity, and protect water quality (consistent with PWP Project Standards 2 through 4). As such, the PWP protects water resources and is consistent with the County LCP.

F. Public Views

The Monterey County LCP protects coastal zone visual resources, including views from public roads, and views of ridgelines and natural scenic areas. Each LUP contains a key policy requiring the protection of scenic resources through siting and design measures that harmonize development with, and subordinate it to, the natural scenic character of the area. For example, the Carmel LUP seeks “to protect the scenic resources of the Carmel area in perpetuity, all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area” (Carmel LUP Policy 2.2.2). Certain types of natural resources, such as beaches and dunes, are also specifically identified as visual resources in need of protection. And the Big Sur LUP includes protection for all significant public views via its critical viewshed and other scenic resource policies, where Policy 3.2.2 defines critical viewshed as “everything within sight of Highway 1 and major public viewing areas including turnouts, beaches, and…specific locations”, such as Soberanes Point, and requires that these views be preserved.

Treatment activities under the PWP are not anticipated to result in visual resource impacts given that proposed treatments will be designed to guard against significant, visible alterations (consistent with PWP Project Standards 2 through 4). Indeed, the SPRs and Mitigation Measures ensure that project sites be screened with sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from outside the project area (SPR AES-3). Similarly, for mechanical and manual treatment, vegetation must be thinned and feathered to break up or screen linear edges to mimic forms of natural clearings to the extent feasible (SPR AES-1). In addition, all treatment types must also avoid staging equipment, including vehicles and vegetation debris,

within viewsheds to the extent feasible (SPR AES-2). A summary of the public access and recreation SPRs can be found in Exhibit 1.

Relatedly, the Coastal VTS includes numerous standards that address visual resource protection. These include a coastal viewshed protection measure to ensure that treatment activities are planned and implemented to avoid significant breaks in the coastal viewshed, and a landmark tree protection measure aimed at preserving any landmark tree present within an identified scenic easement, critical viewshed, or a ridgeline.

Therefore, proposed PWP vegetation treatment projects would be designed and implemented consistent with the county's scenic and visual resource protection policies because PWP development standards would avoid, minimize and mitigate potential adverse visual resource and aesthetic impacts, and the proposed PWP is consistent with the LCP provisions protecting scenic and visual resources.

G. Coastal Hazards

The County's LCP addresses hazards by ensuring that new development minimizes risk, including through hazard reduction measures, long-term structural stability and integrity, and the avoidance of landform-altering devices. More specifically, the County LCP includes a key hazards policy in each LUP stating that "land uses and development in areas of geologic, flood, fire, and other coastal hazards shall be carefully regulated through the best available planning practices and sited and designed in order to minimize risks to life and property, and damage to the natural environment". Each of the four LUPs contains hazards policies that ensure risks are avoided and/or minimized, including those relevant to the vegetation treatment activities proposed under the PWP. Section 20.144.080 (North County), Section 20.145.080 (Big Sur), Section 20.146.080 (Carmel), and Section 20.147.080 (Del Monte Forest) of the County's IP all contain the applicable regulations addressing coastal hazards.

Vegetation treatment activities proposed under the PWP must be designed and implemented to ensure that existing coastal hazards are not exacerbated (consistent with PWP Project Standards 2 through 4). Without such standards, vegetation treatment projects could adversely impact coastal hazards, including by accidentally igniting a wildfire or causing inadvertent discharge of hazardous materials (e.g., accelerants, herbicides) into the environment. A number of SPRs address the potential for hazards to affect health and safety, including exposure to hazardous materials or to physically hazardous situations. For hazards associated with machinery and equipment, the CalVTP requires that all machinery and equipment be maintained in accordance with manufacturing guidelines, as well as State and federal emissions requirements, including the use of spark arrestors for mechanized hand tools (SPR HAZ-1 and SPR HAZ-2). Tree cutting crews must also carry one fire extinguisher for every inventoried chainsaw, while every vehicle must be equipped with one long-handled shovel and one axe consistent with PRC Section 4428 (SPR HAZ-3). For herbicide use, a licensed Pest Control Advisor is required to prepare a Spill Prevention and Response Plan prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or

other potential contaminants (SPR HAZ-5). Project proponents must also coordinate all herbicide use with the County Agricultural Commissioner and obtain all required licenses and permits and follow all recommendations and regulations pertaining to the safe use of pesticides, including adherence to herbicide application parameters during application to minimize drift into public areas (SPR HAZ-6 and SPR HAZ-8). Disposal of herbicide containers must also adhere to regulations to ensure the prevention of contamination of waterbodies (SPR HAZ-7). Lastly, project proponents must post signage of herbicide usage occurring within or adjacent to sensitive areas such as schools and residential areas, as well as within 500 feet of any public area (SPR HAZ-9). A summary of the hazard SPRs can be found in Exhibit 1.

In addition, the CalVTP includes a mitigation measure that requires the identification and avoidance of known hazardous waste sites. Because mechanical treatment and prescribed burning may result in soil disturbance that could disperse existing hazardous materials in the soil, Mitigation Measure HAZ-3 stipulates that project proponents must "make reasonable efforts…to determine if there are any sites known have previously used, stored, or disposed of hazardous materials." Where hazardous materials are discovered, no soil disturbing activities or prescribed burning is to occur within 100 feet of the site boundaries. This ensures that hazardous waste sites are identified and avoided so that "exposure-related risks associated with the disturbance of a hazardous waste site" would not occur.

For hazards that may be a result of unstable geology and soils (e.g., landslides) associated with the implementation of vegetation treatment activities, the CalVTP includes eight geological SPRs. In general, these standards ensure that treatment activities do not contribute to erosion. For example, mechanical treatment and herbicide use must cease under specified environmental conditions, such as precipitation (SPR GEO-1 and SPR GEO-2). Project proponents must also stabilize soil disturbed during mechanical treatment, prescribed herbivory treatments, and prescribed burns through the use of mulch or an equivalent medium immediately after treatment activities, to the maximum extent feasible, to minimize the potential for substantial sediment discharge (SPR GEO-3). Potential for erosion must be assessed prior to treatment activities, while inspections for erosion during and following treatment activities are also required, including remediation where necessary (SPR GEO-4). A summary of these geological hazard SPRs can be found on page 59 of Exhibit 1.

The CalVTP also includes other SPRs that address potential impacts from vegetation treatment activities that could result in hazardous conditions, including SPR AQ-3, which requires project proponents to prepare Burn Plans (with input from a qualified professional) for all prescribed burns, and which must minimize soil burn severity from broadcast burning to reduce the potential for runoff and soil erosion (see Air Quality and Greenhouse Gas Emissions section). Further, SPR UTL-1 requires project proponents to prepare a solid organic waste disposition plan for the disposal of materials outside the treatment area, which will ensure that organic waste that must be removed from treatment areas, such as diseased vegetation, is removed appropriately. SPR AD-3 requires project proponents to design and implement treatment activities in a manner that is consistent with applicable local plans, policies, and ordinances to the extent that the project is subject to them.

The PWP also includes PWP Project Standard 5 (see page 25 of Exhibit 1) allowing for the treatment of vegetation within the defensible space area of buildings, which is typically within 100 feet from the building, or to the property line, whichever is closer. Such treatment must be part of a larger, contiguous vegetation treatment project being undertaken and must follow all PWP protection measures to the maximum extent feasible while meeting applicable County defensible space requirements. Allowing for treatment within the defensible space zone of a building will reduce fire risks both to the subject building and the surrounding area.

Lastly, the Coastal VTS limits the use of prescribed fire, prescribed herbivory, herbicides and heavy equipment and machinery to avoid and/or minimize hazardous impacts. For example, in critical erosion areas and specific habitat areas like redwood and chaparral within the North County Area and Carmel Area, prescribed fire, prescribed herbivory, and mechanical treatment is prohibited on slopes more than 25 to 30%. Herbicide use must also be limited unless found to be the least environmentally damaging feasible alternative that will not result in adverse impacts to sensitive coastal resources. These standards will help ensure that sensitive resources and communities are protected from inadvertent exposure to hazardous materials and from adverse impacts stemming from the use of heavy machinery.

The PWP can therefore be found consistent with Monterey County LCP provisions that address coastal hazards. This is because the SPRs and Coastal VTS ensure that vegetation treatment activities will be designed to minimize risks to life and property in areas of high geologic, fire and flood hazards, assure slope stability, and neither create not contribute significantly to erosion, geologic instability, or destruction of surrounding areas.

H. Cultural Resources and Environmental Justice

The County's LCP includes a suite of policies for the protection of archaeological, paleontological, tribal, and historical resources (hereafter collectively referred to as cultural resources). Each LUP includes a key policy requiring cultural resources to "be maintained, preserved, and protected for their scientific and cultural heritage values", while "new land uses and development shall be considered compatible…only where they incorporate site planning and design features necessary to avoid impacts to cultural resources, and where impacts are unavoidable…[are] minimized and reasonably mitigated" (see for example the Del Monte LUP Cultural Resources Key Policy). The LUPs also include policies that require the timely identification and evaluation of cultural resources in coordination with applicable tribes; the preparation of archaeological site surveys for all development projects; the implementation of site design measures to avoid impacts to cultural resources and mitigate unavoidable impacts; and the prohibition of unauthorized collecting or disturbance of, including public access to or over known, cultural resources. The LCP also requires that measures be taken to avoid development on sensitive prehistoric or archaeological sites, such as purchasing easements and establishing dedications.

The LCP does not include any environmental justice policies, but County staff indicated that future updates to the LCP will include development of such policies.

The RCD coordinated with local tribes during the development of the PWP, including contacting local tribes with the release of the public draft PWP in early November, as well as through ongoing engagement for RCD projects. Although the PWP provides for the protection of cultural resources through a number of measures, vegetation treatment activities could potentially impact known and unknown cultural resources through treatment activities that involve soil disturbance. For example, the removal of vegetation through manual treatment activities could result in the presence of workers in geographic areas that may include unknown cultural resources. Similarly, mechanical treatment could also result in the physical disturbance of land surfaces (e.g., masticator churning up the surface), which could impact shallow, undiscovered artifacts.

The CalVTP includes significant measures to protect cultural resources. Only qualified professionals or trained workers are authorized to implement the SPRs and Mitigation Measures, while pre-treatment research and reconnaissance surveying of treatment areas is required for all treatment activities. For example, SPR CUL-1 requires an archaeological and historical resource record search to be conducted pursuant to local or State agency procedures; SPR CUL-2 stipulates that California Native American Tribes in the counties where the treatment activity is located to be contacted and provided with a written description of the project objectives and location, as well as the proposed treatment activities and depth of excavation if ground disturbance is proposed; SPR CUL-3 necessitates a pre-field research to “inform survey design, based on the types of resources likely to be encountered within the treatment area, and to be prepared to interpret, record, and evaluate these findings within the context of local history and prehistory”; and SPR CUL-4 requires an archaeologist to conduct a site-specific survey of the treatment area and to provide a survey report.

Where cultural resources are known to exist or are discovered through project activities, the CalVTP provides for additional protection measures. First and foremost, SPR CUL-8 requires that all project crew members and contractors be trained in the protection of cultural resources, including halting work where archaeological resources are encountered and treatment activities involve soil disturbance. Relatedly, SPR CUL-5 and SPR CUL-6 both necessitate consultation with the culturally affiliated tribe(s) to develop protection measures for cultural resources in the treatment area. Such protection measures may include adjustments to the treatment location so that impacts to cultural resources are avoided, and/or changing the treatment design so that adverse impacts to cultural resources do not occur. Lastly, SPR CUL-7 requires project proponents to avoid treatment activities near historical resources (as defined by Section 15064.5 of the State CEQA Guidelines), including by prohibiting prescribed burning and mechanical treatment within 100 feet of such resources. Reduced buffers in such instances may be allowed only after consultation with and approval from a qualified archaeologist. A summary of these SPRs can be found in Exhibit 1.

Despite the aforementioned measures to protect cultural resources, the CalVTP recognizes that ground disturbance during vegetation treatment activities could result in inadvertent damage to or destruction of cultural resources that are discovered during project operations. As such, Mitigation Measure CUL-2 requires all ground-disturbing activities within 100 feet of a discovered cultural resource to cease where such resources are discovered. A qualified archaeologist is also required to assess the

resource and develop procedures to protect its integrity, including in-situ preservation amongst other measures. This follows County LCP standards (Project Standard 4 of the PWP).

In addition, Project Standard 7 of the PWP requires the RCD to select, prioritize, design, and implement projects that benefit California Native American Tribes and Environmental Justice communities, as identified using CalEnviroScreen 4.0, to the maximum extent feasible. This will be carried out through early and meaningful engagement to ensure that such entities are included in the project design process.

Given that the PWP adheres to the cultural resource SPRs and Mitigation Measures of the CalVTP, as well as environmental justice principles, proposed vegetation treatment projects would be designed and implemented consistent with the LCP's cultural resource policies that require protection of such resources through record research, reconnaissance surveying, consultation with tribal entities, and protection through adjustments in treatment location or design (consistent with PWP Project Standards 2 through 4).

As such, the proposed PWP is consistent with LCP provisions protecting cultural resources.

I. Public Access and Recreation

The County's LCP mirrors the Coastal Act by ensuring that coastal public access and recreation is protected and maximized. All four LUPs include a key public access policy ensuring the provision of public access to the shoreline and the protection of coastal recreational amenities. For example, the Big Sur LUP states: "the rights of access to the shoreline, public lands, and along the coast, and opportunities for recreational hiking access, shall be protected, encouraged and enhanced" (Big Sur LUP Policy 6.1.3).

Vegetation treatment activities could result in access restrictions or nuisance impacts (e.g., dust and smoke) to the extent that access and recreation is disrupted temporarily. Since public access and recreational opportunities throughout the treatable landscape occurs on land owned and operated by State and local agencies, special districts, non-profit organizations, and private entities, SPR REC-1 requires project proponents to coordinate with the owner or manager of any public recreation area or facility that would require temporary closure and to post notifications of the closure at least two weeks prior to the commencement of the treatment activities. Similarly, SPR HAZ-9 requires project proponents utilizing herbicide application within or adjacent to public recreation areas to post signs at each end of an herbicide treatment area and any intersecting trails. Further, SPR TRAN-1 would require the preparation of a Traffic Management Plan (TMP) "if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments." Measures included within a TMP could mitigate traffic impacts through signage, flaggers, or treatment schedule restrictions that aim to avoid peak vehicle traffic times.

For nuisance impacts, SPRs related to aesthetic and visual resources (see previous findings on Visual Resources), as well as air quality (see staff findings on Air Quality

and Greenhouse Gas Emissions), would help "reduce disruption of recreation by requiring workers to store equipment outside of the viewshed, minimize smoke dispersion, suspend ground disturbing treatment activities when there is visible dust, and minimize the ingress/egress of heavy equipment along public roadway" (PEIR 3.14-7).

In addition, the coastal-specific standards in the Coastal VTS (see page 41 of Exhibit 1) include a public access and recreation provision requiring the protection of public access and public recreational areas and facilities during project operations to the maximum extent feasible. Measures to be implemented include minimization of trail closures, limiting the use of public parking spaces for staging operations, posting available accessway signage and using flaggers, and designing construction access corridors in a manner that has the least impact on public access. Completed vegetation treatment projects must also ensure that any impacted coastal public access and recreational amenities are restored to existed conditions. Thus, this standard builds upon the CalVTP SPRs and helps to ensure that impacts to access and recreational amenities are avoided and minimized, as well as restored upon project completion.

Therefore, proposed PWP vegetation treatment projects would be designed and implemented consistent with the LCP's public access and recreation policies because PWP development standards would ensure that adverse impacts to public access and recreation would be avoided where possible, or minimized where avoidance would not be feasible (consistent with PWP Project Standards 2 through 4), thus protecting public access. In addition, the PWP is designed to help prevent or minimize disturbance from catastrophic fires and to restore forest health. Reducing the potential for high intensity fires should help enhance and encourage public access by helping reduce the possibility that such fires, and resulting downed trees or landslides, will damage trails or make them less safe or appealing for recreational use. Therefore, the proposed PWP is consistent with the LCP provisions protecting public access and recreation.

J. California Environmental Quality Act

Pursuant to Public Resources Code Section 21067 and Sections 15050 and 15051 of Title 14 of the California Code of Regulations, the Board of Forestry is the lead agency for CEQA purposes, as it is the public agency with principal responsibility for carrying out the CalVTP, while the Resource Conservation District of Monterey County (and any partnering public agency) is a responsible agency tasked with implementing vegetation treatment under the PWP. As the lead agency under CEQA, the BOF certified its PEIR in December 2019 in accordance with State CEQA Guidelines Section 15168(c) for streamlining later vegetation treatment activities.

As an agency with a certified regulatory program under CEQA Section 21080.5, the Commission must consider alternatives and mitigation measures that would substantially lessen any significant adverse environmental effects that the proposal would otherwise have on the environment. Sections 13371 and 13356(b)(2) of Title 14 of the California Code of Regulations require that the Commission not approve or adopt a PWP unless it can find that: "…there are no feasible alternatives, or feasible mitigation

measures,…available which would substantially lessen any significant adverse impact that the development…may have on the environment."

Alternatives to the proposed PWP were analyzed for their potential to substantially lessen any significant adverse impacts that the development may have on the environment. No such feasible alternatives were found.

The No Project alternative was determined not to meet the primary project objectives. Risks from wildfire are present in many areas of California, including natural areas and habitats in the coastal zone. The PWP is intended to allow a streamlined process to help increase the pace and scale of vegetation management activities intended to prevent damaging wildfires. The PWP would help the State meet its goals by authorizing projects over a 10-year period that reduce those fire risks. Without a PWP, vegetation management projects could be authorized through other channels, such as individual CDPs, but likely at a slower pace. If fewer projects move forward, adverse impacts to coastal habitats and species caused by vegetation management might be reduced, depending on which projects were undertaken. However, there would also be fewer habitat benefits from forest health projects, as fewer of these types of restoration projects would likely be carried out. Essentially, without a certified PWP, risk reduction through fuel management in the project area would be minimal, whereas risk reduction through fuel management is intended to be a key strategy in the State's fire prevention efforts. In addition, existing, artificially high fuel loads in habitat areas would remain roughly the same, allowing for continued risk of hotter fires that risk damage to the habitat itself. In sum, without the PWP, there would be fewer restoration projects proposed and carried out, fewer fire prevention projects overall (which could lead to larger and more destructive wildfires), and potentially more requests for emergency permits and individual permits for smaller projects, which would fail to provide the region-wide, systematic approach to fuel management that the State has found is needed to deal with the fire risks in Monterey County and throughout the State. The "no project" alternative would not meet the project objectives, nor would it be less environmentally damaging overall, although it may reduce near-term impacts to some areas depending on which projects were undertaken per the PWP.

Another alternative would be to limit the types of projects that could be implemented under the PWP to only forest health projects. The PWP currently commits to a majority of the total acreage of covered projects to be forest health projects to ensure that benefits to the environment are maximized through forest health and ecological restoration planning in the PWP Program Area. Under an alternative that only permits forest health projects, a majority of the areas proposed for treatment under the PWP would still be eligible for treatment, and the fire prevention projects, which are less directly beneficial to the immediate habitat where they would occur, would not be allowed under the PWP (though still might be permitted on a case-by-case basis through CDPs). This alternative would have fewer direct impacts on habitat areas. However, recent wildfires have demonstrated that if brush is allowed to grow unchecked, it becomes a hazard not only for an individual property, but for the neighboring properties and surrounding community as well, including larger habitat communities. In other words, without the fire prevention component, it is also possible that greater cumulative impacts may occur to habitat areas overall via unchecked

wildfire. Fire prevention projects are a necessary part of fighting wildfires, as fuel breaks provide strategic locations for firefighters to stage equipment and potentially contain fires, while fire prevention around properties and infrastructure provide for a defensible space from approaching wildfires. Without these projects, the County could not achieve the fundamental objectives of the CalVTP to reduce wildfire risks and would not accommodate efforts to reduce the risk of wildfires with the most potential for harm to life and property.

A third alternative is to reduce the overall PWP Program Area available for projects. The PWP program area covers approximately 119,735 acres of unincorporated Monterey County coastal zone, encompassing all moderate, high, and very high fire hazards areas mapped by the BOF. A reduced program area alternative would limit the area where vegetation treatment activities could occur. By their nature, the proposed Program activities must take place within wildland areas of the County, many of which include coastal habitats protected under the LCP. As a result, projects will occur directly within these habitat areas. There are no alternative Program Area configurations that would avoid such areas. In addition, while the potential area for vegetation treatment projects is extensive, limiting the extent of the program area would not likely reduce impacts because implementation of the PWP treatment activities are not intended to occur throughout the entire Program Area. Rather, the PWP is designed to allow flexibility on the location of vegetation treatments based on treatment prioritization over a ten-year period, including by consideration of available funding, priority for high fire risk areas and communities in need, and available entities both willing and able to carry out treatment activities. The number and extent of projects in the proposed Program Area are not currently known; however, the Program Area is not anticipated to be the target of extensive funding and treatments. Maintaining a larger Program boundary allows the necessary flexibility to design projects that maximize effectiveness, as funding and circumstances arise. Therefore, the “reduced program area” alternative would not be less environmentally damaging overall, since the treatment activities will take place in habitat areas regardless of design and confining the projects to a smaller area would not reduce the potential number or extent of treatment activities, but would merely limit flexibility on design and implementation.

The Commission incorporates its findings on LCP consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of this report. For the reasons discussed in this report, the PWP is consistent with relevant LCP requirements. There are no other feasible alternatives or mitigation measures available that would further lessen any significant adverse effects that the development would have on the environment. Thus, the PWP is consistent with CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Monterey County Local Coastal Program
- Board of Forestry Certified Programmatic Environmental Impact Report (December 2019)
- Monterey County Forest Health and Fire Resilience Public Works Plan