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Prepared July 28, 2025 for August 13, 2025 Hearing

To: Coastal Commissioners and Interested Persons
From: Dan Carl, Deputy Director, Central Coast District
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Subject: **Notice of Impending Development No. SLT-NOID-0006-25 (North Coastal San Luis Obispo County Regional Ecological Strategy for Improving Landscapes Project)**

SUMMARY OF STAFF RECOMMENDATION

The Upper Salinas-Las Tablas Resource Conservation District (RCD) is proposing the North Coastal San Luis Obispo County Regional Ecological Strategy for Improving Landscapes Project pursuant to the RCD's Commission-certified Forest Health and Fire Resilience Public Works Plan (PWP). The project consists of vegetation treatments on up to 88,151 acres of land, within the coastal zone of San Luis Obispo County from the northern county line to Toro Creek near Morro Bay.

Past fire suppression practices have contributed to a buildup of vegetation densities, overstocked stands, and an accumulation of dead, dying, and diseased vegetation within the project area. At the same time, Monterey pine forests, hardwood forests, coastal grasslands and other vegetated habitats in the region have been identified as in need of restorative management focused on forest health and wildfire prevention. The goals for the proposed vegetation treatments are to increase ecosystem health and vigor, increase biological diversity, promote ecosystem resiliency, and reduce the severity of wildfire and help protect communities at risk. Within the project area, proposed treatment activities would consist of manual and mechanical treatments, prescribed burning, prescribed herbivory, and selective herbicide application.

Although the project proposes vegetation treatments across 88,151 acres, the RCD does not expect to be able to implement all treatments over the entire project area during the remaining term of the PWP, which expires October 15, 2031. Instead, the RCD is requesting programmatic authorization of treatments across this landscape scale, allowing it to schedule annual treatment activities on individual properties within the project area when and where funding, cooperating landowners, and equipment and contractors can be secured. As proposed, the vast majority of the project area, about 84,757 acres (or 96%), could involve pure ecological restoration efforts to restore native stand conditions and ecosystem resilience through the removal of dead, dying, diseased, and overstocked trees, and dense understory fuels, including through the elimination of invasive species. Treatments on the remaining 3,394 acres (or 4%) could

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focus on shaded (636 acres) and non-shaded (2,758 acres) fuel breaks, while also improving ecological function as much as possible.

The proposed project includes extensive best management practices, mitigation measures, and implementation protocols designed to protect coastal resources consistent with the certified PWP. In addition, staff is recommending special conditions that, among other things, require monitoring and reporting of treatments implemented, ensure that the ecological benefits of the project are realized in addition to fire prevention benefits, create an Executive Director review and approval process prior to initial treatment, prohibit treatment in chaparral and coastal sage scrub in this particular NOID, and ensure that the RCD enforces all terms and conditions of the NOID, all of which are necessary to meet PWP requirements. RCD staff has indicated agreement with such condition language. The end result is a programmatic authorization that expedites needed forest health and fire resiliency work in a coastal resource beneficial manner. Staff thanks RCD's partnership in this regard. As proposed and conditioned, staff recommends that the Commission determine that the proposed development is consistent with the certified PWP. The motion and resolution to implement the staff recommendation can be found below on **Page 5**.

Procedural Note – Action Deadline

The PWP provides the Commission with 30 working days to take action on the subject notice of impending development (NOID) after the date it was filed unless the RCD waives such requirement. The NOID was filed as complete on July 8, 2025, and thus the Commission has until August 19, 2025 to act or else the project may proceed without Commission action. Thus, unless the RCD waives the action deadline, the Commission is required to take action on this NOID at its August 2025 meeting.

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I. PROCEDURAL BACKGROUND

A. Public Works Plan Background and History

Section 30605 of the Coastal Act authorizes public works plans (PWP) as an alternative to case-by-case coastal development permit (CDP) review for “public works,” which are defined per Section 30114, in relevant part, as publicly financed recreation facilities, projects of the State Coastal Conservancy, and any development by a special district. PWPs typically involve large or phased public works projects, and review authority for projects under PWPs remains with the Commission irrespective of CDP jurisdictional boundaries. PWPs must be sufficiently detailed regarding the size, kind, intensity, and location of development to allow the Commission to determine their consistency with the Chapter 3 policies of the Coastal Act (in areas that are pre-Local Coastal Program (LCP) certification) or the certified LCP (in post-LCP certification areas). Once the Commission approves a PWP, in general, CDPs are not required for specific projects described within it, as long as the Commission determines that such projects are consistent with the PWP, with or without conditions to make them so. As part of the PWP process, before commencing any specific project, the project proponent must submit notice in the form of a notice of impending development (or NOID), and the Commission must determine whether the submitted project is consistent with the certified PWP, or if conditions are necessary to make it consistent.

In this case, the Commission certified the Upper Salinas-Las Tablas Resource Conservation District (RCD) Forest Health and Fire Resilience PWP on October 15, 2021.¹ The PWP allows the RCD to facilitate the planning, review, and authorization of vegetation treatment projects within the San Luis Obispo County coastal zone to improve forest health, restore ecosystems, and increase wildfire resilience. Thus, the RCD prepares proposed NOID components, including drafting Project-Specific Analyses, public noticing of NOIDs, submitting NOIDs to the Commission, and preparing and submitting any other project materials to the Commission. The RCD is responsible for monitoring of project conditions, reporting, and maintaining oversight to confirm that all work is consistent with the PWP and NOID. This is the fourth project being proposed under the PWP.

B. Standard of Review

Coastal Act Sections 30605 and 30606 and Title 14, Sections 13357(a)(5), 13359, and 13353-54 of the California Code of Regulations (CCR) govern the Coastal Commission’s review of subsequent development where there is a certified PWP, where the standard of review is consistency with the PWP. These provisions are also incorporated into the PWP. As identified in the 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 the PWP, and it is demonstrated that project implementation is in compliance with all Standard Project Requirements (SPRs) and Mitigation Measures of the California Board of Forestry and Fire Protection’s California

¹ See: <https://documents.coastal.ca.gov/reports/2021/10/F21a/F21a-10-2021-exhibits.pdf> for the full PWP, <https://documents.coastal.ca.gov/reports/2021/10/F21a/F21a-10-2021-report.pdf> for the report, and <https://documents.coastal.ca.gov/reports/2021/10/F21a/F21a-10-2021-addendum-1.pdf> and <https://documents.coastal.ca.gov/reports/2021/10/F21a/F21a-10-2021-addendum-2.pdf> for addenda.

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Vegetation Treatment Program (CalVTP) Programmatic Environmental Impact Report (PEIR) (Project Standard 2), as well as the coastal-specific Coastal Vegetation Treatment Standards (Coastal VTS) applicable to the project and project area (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 can be conditioned to be PWP-consistent.

C. NOID Procedures

Section 13354 of Title 14 of the California Code of Regulations requires the Executive Director to review the NOID within five working days of receipt to determine whether it provides sufficient information to determine if the proposed development is consistent with the certified PWP. The notice is to be filed when all necessary supporting information has been received. The subject NOID was submitted by the RCD on July 1, 2025, and filed as complete on July 8, 2025. Pursuant to 14 CCR Section 13359 the Commission is required to take action on the NOID within thirty working days of its filing (i.e., here, no later than August 19, 2025), unless the RCD waives such a requirement. The RCD has not waived the 30-working-day action deadline, and so the Commission must take an action on the subject NOID at the August 2025 Commission meeting, or else the RCD may proceed with the project without Commission approval.

II. MOTION AND RESOLUTION

Staff recommends that the Commission determine that the development described in the Notice of Impending Development, as conditioned, is consistent with the certified Upper Salinas-Las Tablas Resource Conservation District Forest Health and Fire Resilience Public Works Plan. To implement this recommendation, staff recommends a **YES** vote on the following motion which, if passed, will result in the adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission determine that the development described in Notice of Impending Development SLT-NOID-0006-25, as conditioned pursuant to the staff recommendation, is consistent with the certified Upper Salinas-Las Tablas Resource Conservation District Forest Health and Fire Resilience Public Works Plan, and I recommend a yes vote.*

Resolution: *The Commission hereby determines that the development described in the Notice of Impending Development SLT-NOID-0006-25, as conditioned, is consistent with the certified Upper Salinas-Las Tablas Resource Conservation District Forest Health and Fire Resilience Public Works Plan for the reasons discussed in the findings herein.*

III. SPECIAL CONDITIONS

1. **Authorization Period.** Implementation of treatment activities, including initial and maintenance treatment activities, as described in the NOID, is authorized to

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occur up until October 15, 2031. Any other non-exempt development shall require separate NOID or CDP authorization.

- 2. Monitoring Reports.** The RCD shall submit monitoring reports for the review of the Executive Director that shall be substantially consistent with the requirements of SPR AD-7 (and any other reporting required under the CalVTP). In addition to any monitoring reports required pursuant to the CalVTP, the RCD shall submit information regarding the status of authorized treatment activities under this approval as part of its 5-year and 10-year programmatic review to the Executive Director and to San Luis Obispo County pursuant to PWP Project Standard 4. The RCD shall also carry out its proposal to provide annual updates on the San Luis Obispo Monterey Pine Restoration Project (SLOMPRP) website (<https://slomprp.org/>) of treatments implemented in the past year, including the treatment type, acres treated, maps of where treatment has occurred, and anticipated treatments for the coming year.
- 3. Implementation Phasing of Forest Health and Fire Prevention Treatments.** In order to comply with Coastal Vegetation Treatment Standards 4 and 6 (Vegetation Removal Hierarchy) of the PWP, the RCD shall ensure that the number of acres treated in the ecological restoration or shaded fuel break treatment types (forest health) exceeds the number of acres treated in the non-shaded fuel break treatment type (fire prevention) by the end of each 3-year period following approval of the NOID. Within three (3) years of initial treatment, and every three (3) years subsequent thereto, the RCD shall submit to the Executive Director a monitoring report that demonstrates that at least 51 percent of the total acreage treated pursuant to this NOID within the project area was forest health treatment, and shall include information such as the number of acres treated, treatment types and treatment activities. The RCD shall also carry out its proposal to provide annual tracking of acres of forest health and fire prevention treatments completed on the San Luis Obispo Monterey Pine Restoration Project (SLOMPRP) website (<https://slomprp.org/>).
- 4. Substantial Conformance Review.** NOT LESS THAN 45 DAYS PRIOR TO COMMENCEMENT OF ANY TREATMENT ACTIVITIES ON A PROPERTY IN THE PROJECT AREA, the RCD shall submit a summary of proposed treatments for the review and approval of the Executive Director. The summary shall include the following:

 - a. Treatment Types and Activities.** The RCD shall submit a written summary of the treatment types and activities to be implemented on the property, including acreages and maps identifying the areas of each treatment type and activity.
 - b. Landowner Agreement(s).** The RCD shall provide a copy of all applicable property owner authorizations for the subject development during the Authorization Period of this NOID. The RCD shall inform the Executive Director of any changes to the project required by any property owner. Such changes shall not be incorporated into the project until the RCD

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obtains Commission authorization, unless the Executive Director determines that no new authorization is legally required.

- c. Rare Plant Surveys.** The RCD shall submit botanical survey reports including relevant protocol-level surveys conducted by a qualified RPF or biologist consistent with SPR BIO-7. If sensitive species are observed within the treatment area, any appropriate mitigation measures needed to address impacts and ensure compliance with Coastal Vegetation Treatment Standards and any relevant CalVTP-related standard, beyond those already described in the Project Specific Analysis and Coastal Vegetation Treatment Standards, shall be described in the report. Late bloom season survey results that cannot be completed 45 days before treatments begin may be submitted as late as a week before treatments begin for Executive Director review and approval.
- d. Burn Plans.** If the proposed treatments include use of prescribed fire, PRIOR TO COMMENCEMENT OF ANY INDIVIDUAL BURN PROJECT, the RCD shall submit a copy of the final, signed Burn Plan for the subject development. Prior to submitting each copy, the RCD shall inform the Executive Director of any significant changes to the project (as reflected in the Burn Plan) required by the RCD and/or CAL FIRE that could have additional adverse environmental impacts within the coastal zone. Such changes shall not be incorporated into the project until the RCD obtains Commission authorization, unless the Executive Director determines that no new authorization is legally required.
- e. Grazing Management Plan.** If the proposed treatments include prescribed herbivory, NOT LESS THAN 60 DAYS PRIOR TO COMMENCEMENT OF PRESCRIBED HERBIVORY TREATMENT, the RCD shall submit, for the review and approval of the Executive Director, a Grazing Management Plan. The Grazing Management Plan shall describe current and target conditions, including native and invasive vegetation communities, as well as wildlife and habitat use; the potential impacts of grazing or browsing on resources of concern and any special consideration given thereto; grazing management goals, objectives and performance standards; details of the grazing program, including stocking rates and capacity, timing, grazer distributions, grazer supplements (e.g., water), infrastructure (e.g., fencing), and a summary of grazing management requirements that ensure compliance with PWP, Coastal VTS, and CalVTP SPR and mitigation standards designed to avoid and minimize any potentially adverse impacts that grazing could have on sensitive coastal resources; and monitoring and reporting requirements. Grazing shall be limited to a total of up to 61,867 acres within the project area and shall not be allowed where impacts to sensitive natural communities ranked G1, G2, G3, S1, S2, or S3 would occur.

The Executive Director shall review the submitted information to determine whether the proposed treatments are consistent with the Project Specific

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Analysis and the specific terms of this NOID. The Executive Director shall notify the RCD of any proposed activities that do not comply with the terms of this NOID within 45 days of submittal by the RCD. No development may occur until either the Executive Director provides written approval confirming the substantial conformance of the proposed treatments or the 45-day period has passed.

5. **Treatment Prohibition in Chaparral and Coastal Sage Scrub.** No ecological restoration or fuel break treatments shall occur within chaparral or coastal sage scrub in the project area pursuant to this NOID.
6. **Accelerants.** Activities related to the mixing, filling, and pouring of fuels and other materials to create accelerants shall take place in designated areas located at least 100 feet from coastal waters, streams, wetlands, and other watercourses and shall be designed to fully contain spills of fuels and other contaminants.
7. **Project Changes.** Only the work described in this NOID is authorized. Any additional work that does not substantially conform with the project authorized by this NOID requires separate authorization, unless the Executive Director determines that no new authorization is legally required.
8. **Enforcement.** The RCD shall require that all vegetation treatment activities are consistent with the terms and conditions of this NOID authorization, issued pursuant to the PWP. The RCD shall investigate, in a reasonable time, allegations regarding vegetation treatment activities being undertaken inconsistent with the provisions of the PWP or this NOID authorization and shall attempt to resolve any such inconsistencies discovered. In the event inconsistencies are not resolved, the RCD shall report to the Executive Director or the Coastal Commission, who are authorized to enforce the terms of the PWP, this NOID, and the Coastal Act.
9. **Modified SPRs and Mitigation Measure.** The RCD must implement SPR CUL-4, GEO-1, HAZ-1, and Mitigation Measure BIO-4 as required by the 2019 CalVTP PEIR, rather than the modified versions of those as proposed in its Project Specific Analysis and CEQA Addendum.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The Upper Salinas-Las Tablas Resource Conservation District (RCD) Forest Health and Fire Resilience Public Works Plan (PWP) allows for the planning, review, and authorization of vegetation treatment projects within the Upper Salinas-Las Tablas RCD jurisdiction of the San Luis Obispo County coastal zone (which covers an area within the County's LCP jurisdiction that stretches from the boundary with Monterey County in the north to the northern border of the City of Morro Bay in the south) to improve forest health, restore ecosystems, and increase wildfire resilience. The PWP provides for efficient programmatic streamlining of both California Environmental Quality Act (CEQA) compliance and Coastal Act authorizations through a framework within which identified

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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 California Vegetation Treatment Program (CalVTP) Programmatic Environmental Impact Report (PEIR), as well as local coastal-specific standards (Coastal Vegetation Treatment Standards, or Coastal VTS for the Upper Salinas-Las Tablas RCD jurisdiction of the San Luis Obispo County) developed collaboratively by Commission and RCD staff, as well with San Luis Obispo County, CAL FIRE, and the San Luis Obispo County Fire Safe Council.

In addition to compliance 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 San Luis Obispo County Local Coastal Program (LCP) and California Coastal Act. The PWP thus enables the RCD and project partners to design and implement critical forest health and fire resilience projects throughout the approximately 93,000-acre PWP program area over a 10-year period. Vegetation treatment activities under the PWP are categorized as either "forest health" projects designed to restore and enhance ecosystems, including to mitigate fire behavior to which the ecosystem is not adapted, or "fire prevention" projects that will protect existing structures and infrastructure, such as through strategic fuel breaks and defensible space clearances. Both types of projects are required to prioritize enhancement of habitat values as much as possible where implemented throughout the program area (e.g., through the removal of invasive species).

Decades of fire suppression, compounded by climate change, have led to the accumulation of dead, dying, and diseased vegetation and departure from natural fire regimes. In coastal San Luis Obispo County, of particular concern is the increasing loss of coastal grasslands and vulnerability of native Monterey pine (*Pinus radiata*) stands recovering from significant outbreaks of pitch canker and a drought-induced beetle epidemic circa 2015 that resulted in substantial tree mortality. Following the 2015 mortality event, there has been continuing prevalence of tree diseases such as dwarf mistletoe, western gall rust, and pitch canker. These degraded conditions have been exacerbated by additional stressors, such as drought, increasing yearly average temperatures, and fewer fog days. Vegetation communities in this region, including Monterey pine forests, hardwood forests, and coastal grasslands, thus face ongoing significant ecological stressors and adverse outcomes that have caused changes in vegetation composition, structure, and density resulting in increased fuel loads, and which reduce the health and resilience of these habitats. Most of the dead trees that have fallen to the forest floor have also become entangled with regenerating understory vegetation, creating hazardous fuels accumulation and increasing the likelihood of high severity or catastrophic wildfire.

The RCD is requesting review of the NOID for vegetation treatments on up to 88,151 acres of land, which is nearly the entirety of the 93,000 acre PWP program area in San Luis Obispo County, extending from the northern County line to Toro Creek near Morro

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Bay (see [Exhibit 1](#)).² Although the project proposes vegetation treatments across 88,151 acres, the RCD does not expect to be able to implement all treatments over the entire project area during the term of this NOID approval. Instead, the RCD evaluated vegetation treatments across this landscape scale so that vegetation treatments can be implemented on individual properties within the project area when and where resources become available. As proposed, the vast majority of the project area, about 84,757 acres (or 96%), would involve pure ecological restoration. The remaining 3,394 acres (or 4%) would focus on shaded (636 acres) and non-shaded (2,758 acres) fuel breaks, while also improving ecological function as much as possible. The locations of the ecological treatment areas and fuel break areas are shown in Figures 2-13 and 2-14 of [Exhibit 3](#).

The primary goal throughout the project area is to restore ecosystem health and vigor in areas where vegetation is currently dead, dying, or diseased. The forest health component of the project is focused on ecologically restorative fuels reduction activities designed to enhance existing sensitive habitat and restore natural recruitment of native vegetation by reducing excessive downed material that currently prevents regeneration, consistent with PWP Project Standard 1 (Qualifying PWP Projects). Treatment activities will reintroduce ecologically appropriate disturbance regimes, initially by partially reducing fuel loads via mechanical mastication and hand thinning tailored to each site-specific vegetation community, and potentially through the subsequent use of prescribed fire. Vegetation removal during treatment activities other than prescribed burning would follow the hierarchy described in the Coastal VTS (consistent with PWP Project Standard 3) and the order of priority for removal to meet project goals will be as follows: first thinning and removal of dead, dying, and diseased vegetation; then removal of nonnative, invasive plant species; and lastly thinning of healthy native species (less than 8 inches dbh) to increase tree spacing and reduce fire fuel loads. Any authorized reduction of native vegetation will be implemented to avoid type conversion based on Manual of California Vegetation (MCV) membership rules. Invasive vegetation within the treatment area would be prioritized for treatment, including via limited strategic application of herbicides. The treatments proposed across the project site are designed to create a more vigorous and diverse forest and understory by reducing competition within currently densely vegetated areas. The proposed treatments are expected to increase the resilience of the treated ecosystems while reducing the continuity of hazardous fuels.

Other goals of this project are to reduce wildfire risk to nearby communities, provide entry points to emergency resources and fire personnel, and maintain and improve health and safety outcomes. As such, the project also includes both shaded and non-shaded fuel breaks. Fuel break treatments would create zones of vegetation removal to reduce wildfire risk and support fire suppression efforts by providing responders with a staging area or access to remote landscapes for fire control actions. Fuel breaks would also provide safe emergency access/egress during wildfires, would reduce high severity

² The areas not included in this project have already received treatment approval through prior Commission actions. See, e.g., PWP-3-SLO-21-0004-1 (Covell Ranch), SLT-NOID-0002-23 (Cambria Pines Ecological Reserve & Rancho Marino Reserve), and SLT-NOID-0003-23 (Hearst Ranch).

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fire exposure to homes, and would reduce the likelihood of severe fire occurring within treated areas by minimizing ignition potential. Fuel breaks are generally proposed to be approximately 100 feet wide, 50 feet radially from roads, or 100 feet wide up or downslope from residential communities. In addition, there are several critical locations near communities and historic structures (e.g., Hearst Castle and adjacent to human communities) where fuel break treatments would be up to 300 feet wide.³

The project will involve manual treatments, mechanical treatments, prescribed fire (broadcast burning and pile burning and portable biomass processing technologies), limited herbicide application, and prescribed herbivory (see [Exhibit 3](#) Figures 2-16 and 2-17 for treatment activities mapping). Across the project area, a maximum of 88,151 acres could be treated using manual activities (use of hand tools and hand-operated power tools) to cut, thin, remove or prune trees, shrubs and herbaceous vegetation. Mechanical treatment activities (use of motorized equipment, like masticators, tracked chippers and skidders) are proposed on up to 61,687 acres and are limited to areas with road or trail access points and generally on slopes less than 35 percent. Pile burning and portable biomass processing technologies (including air curtain burners) are proposed on up to 61,867 acres to process biomass following vegetation removal using manual and mechanical treatments. Broadcast burning is proposed on up to 88,151 acres. A maximum of 3,394 acres of herbicide application is proposed. However, because targeted herbicide application is predominantly expected to occur in the fuel break treatment type near roads and trails for management of nonnative and invasive species when other treatment activities are not effective, the actual treatment area for herbicide application may be significantly less than this maximum acreage. Finally, prescribed herbivory treatments would include the use of sheep or goats to graze or browse target vegetation on a maximum of up to 61,867 acres.

Biomass resulting from all treatment activities would be disposed of through masticating, chipping, lopping and scattering, piling and burning, broadcast burning, and air curtain burning. A small percentage of biomass could be hauled off site for disposal or processing. Invasive plant biomass would be treated onsite to eliminate seeds and propagules or would be hauled offsite for disposal at an appropriate landfill.

Maintenance treatments will be performed by returning to a previously treated area, using the same treatment activities implemented during initial treatment. Maintenance frequency will be based on monitoring of site conditions, including the rate of understory species reestablishing dense, continuous understory and ladder fuels, as well as funding and appropriate field conditions. Maintenance treatments are expected to occur more frequently in non-shaded fuel breaks than in ecological restoration and shaded fuel break areas.

As noted previously, the RCD does not anticipate being able to undertake treatment of the entire project area during the remaining term of the PWP. Instead, the RCD is requesting programmatic authorization of treatments across this landscape scale to

³ See PSA Figures 2-13 and 2-14 for the fuel break treatment areas. These wider (up to 300-foot) fuel break areas consist of less than 200 acres total of the total 88,151-acre project area.

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schedule treatment implementation where and when funding, cooperating landowners, and equipment and contractors can be secured. The RCD proposes to provide annual updates on the San Luis Obispo Monterey Pine Restoration Project (SLOMPRP) website (<https://slomprp.org/>) of treatments implemented over the prior year (including the treatment type, acres treated, and a map of completed projects) and anticipated treatments for the coming year. The RCD also proposes to track and report on the project website the acreage of forest health and fire prevention treatments on an annual basis.

To facilitate this process of conducting initial and maintenance treatments and allow for flexibility to accommodate funding and field conditions opportunistically, the proposed development is authorized until the expiration date of the existing PWP, pursuant to **Special Condition 1**. Any extension of the PWP's expiration date would not automatically extend the authorization period for the work under this NOID. **Special Condition 7** is also necessary to provide limited flexibility by acknowledging that, although a project might need to be modified prior to implementation, it may proceed only if the changes substantially conform with the work described in this NOID and will not cause substantial new or increased environmental effects. All initial and maintenance treatment activities would be supervised and overseen by the RCD to ensure treatment is implemented consistent with the PWP, including the monitoring protocols required by **Special Condition 2**. Although the RCD is the CEQA lead agency and an implementing entity for this project, it may also partner with other agencies (such as CAL FIRE San Luis Obispo Unit or the San Luis Obispo County Fire Safe Council), landowners, contractors, or other entities to implement the proposed vegetation treatment activities. Therefore, the Commission imposes **Special Condition 8** restating the enforcement responsibilities of the RCD required by the PWP to ensure compliance of all vegetation treatment activities with the terms and conditions of this NOID.

Similarly, because the RCD does not anticipate being able to implement treatment across the entire project area but proposes instead to schedule treatment implementation where and when funding, cooperating landowners, and equipment and contractors can be secured, **Special Condition 4** requires a substantial conformance review process. The RCD will be required to submit to the Executive Director a summary of planned treatments on each property, authorization from the landowners and rare plant surveys conducted to design treatments. The Executive Director will have 45 days to review the submitted information and ensure that the proposed treatments are consistent with the PSA and terms of this NOID. In addition, where prescribed fire or prescribed herbivory treatments are proposed, final burn plans and grazing management plans must also be submitted to the Executive Director prior to commencement of such treatments.

During finalization of the PSA, a Court of Appeal decision in the ongoing litigation related to the CalVTP PEIR found that the Board failed to analyze the potential impacts that chaparral and coastal sage scrub removal would have in terms of increased fire risk (due to potential conversion from chaparral/scrub to annual grasses, which are more flammable and can cause fire to spread faster) and that the Board's CEQA findings related to the CalVTP PEIR were deficient with regard to treatment of chaparral and coastal sage scrub. The case has been sent back to the trial court to order a remedy,

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but the timing and content of that order, and any potential modification to the CalVTP PEIR is unknown at this time.

This PSA tiered off of the CalVTP PEIR for CEQA compliance and as proposed, it includes treatment of chaparral and coastal sage scrub. In light of the recent Court of Appeal decision, it appears that reliance on the CalVTP PEIR to support treatment of chaparral and coastal sage scrub vegetation is likely inconsistent with the requirements of CEQA. To avoid having the Commission, as a CEQA responsible agency, approve a project that tiers its environmental review of chaparral and coastal sage scrub treatments off of a Board CEQA document that has been found deficient the Commission imposes **Special Condition 5** to remove the proposed treatment of chaparral or coastal sage scrub from the work authorized by this NOID. However, despite the current status of the CalVTP PEIR regarding chaparral and coastal sage scrub, other environmental review and permitting pathways remain available for pursuing wildfire reduction vegetation treatment in chaparral and coastal sage scrub. In the coastal zone, this may include coastal development permits processed by the local government, a separate NOID application submitted pursuant to this PWP that relies on non-CalVTP CEQA compliance (e.g., CEQA exemptions), or authorization via the Governor's March 1, 2025 State of Emergency suspension process for critical fuels reduction projects.⁴

As indicated above, the standard of review for the subject NOID is consistency with the PWP. The RCD has submitted a final Project-Specific Analysis and Addendum to the Program EIR (PSA, attached as [Exhibit 3](#)), including a Mitigation Monitoring and Reporting Program, which together serve as the primary evaluation mechanism for the proposed project in determining whether the environmental effects of the proposed activities are addressed within the scope of the CalVTP PEIR. The PSA also provides that all applicable SPRs and mitigation measures identified in the CalVTP PEIR will be implemented, except for five SPRs and one mitigation measure that the RCD proposes to slightly modify in order to provide operational flexibility. However, the RCD's proposal to modify three of these SPRs and the mitigation measure is not consistent with PWP Coastal VTS Standard 1 and Project Standard 1, which require that implementing projects comply with and carry out the requirements of the CalVTP PEIR, including all applicable SPRs and mitigation measures. Accordingly, **Special Condition 9** requires the RCD to implement SPR CUL-4, GEO-1, HAZ-1, and Mitigation Measure BIO-4 as required by the 2019 CalVTP PEIR, rather than the modified versions of those standards, as proposed in its Project Specific Analysis and CEQA Addendum. The Commission finds that the RCD's proposed revisions to the other two SPRs—SPR NOI-1 and HYD-4—do not truly revise those SPRs, but simply provide specificity on how the broadly-worded SPRs will be carried out. SPR NOI-1 requires notification of noise-sensitive receptors before certain project activities will take place, but it does not specify how such notice must occur. The RCD's revision describes how different types of notice will be given for receptors in different locations in order to provide the best chances of the notice reaching interested individuals. HYD-4 requires delineation of watercourse and lake protection zones, and the RCD's revision simply describes how it will comply

⁴ See <https://wildfiretaskforce.org/requests-to-suspend-state-statutes-and-regulations/>

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with this standard by ensuring that such zones are identified whenever they occur within 300 feet of proposed project activities, rather than identifying them throughout all 88,000+ acres of the potential project area. These two revised SPRs remain consistent with the broadly worded language of the CalVTP SPRs and do not raise any issues regarding consistency with the PWP or resource protection.

As part of the PSA, Attachment B, Coastal Vegetation Treatment Standards, details how the proposed project meets the local coastal-specific protection measures incorporated within the PWP. The PSA details how the NOID is consistent with PWP Section IV (CalVTP Protective Measures and Coastal Vegetation Treatment Standards), including Project Standard 1 (Qualifying PWP Projects), Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring). Accordingly, the Commission finds that the subject NOID has incorporated applicable protection measures of the PWP, and as conditioned, is consistent with the PWP, as is also discussed below.

B. Environmentally Sensitive Habitat Areas

Pursuant to PWP Project Standard 3 (Coastal VTS), projects proposed within the PWP program area must be either forest health projects and/or fire prevention projects. Under forest health projects, the goal of vegetation treatment is “to restore and enhance ecosystems, including to prevent fire behavior to which the ecosystem is not adapted.” Forest health projects must therefore restore and maintain vegetation communities that reflect appropriate compositions and structural distributions for native fire frequencies while avoiding unintended habitat conversion. Under fire prevention, the goal of vegetation treatment is “to protect existing structures and infrastructures, including access roads,” while meeting the goals of forest health projects to the maximum extent feasible.

The proposed project includes forest health components explicitly designed to provide direct ecological benefits to the local landscape. Ecological restoration of the subject site will promote regeneration of native species as well as resilience among surviving vegetation through the removal of dead and dying material as well as invasives, and thinning select live trees in overly stocked stands to reduce resource competition and improve individual tree health. Prescribed burning will be used to remove biomass and reintroduce appropriate fire regimes for target plant communities. Finally, selective application of herbicides is proposed primarily to control invasives and nonnative vegetation where other treatment options are ineffective. The treatment activities will also help protect against loss of life, property, and ecosystems from catastrophic wildfire. The project proposes to create fuel breaks (non-shaded and shaded) along main highways, next to residential communities, and along primary access routes through the removal of vegetation and/or pruning of woody stemmed species. While the purpose of fire prevention activities is not first and foremost to address ecological needs, such treatments can also be implemented to facilitate resilience and retain ecological value by maintaining live overstory canopy (wherever possible), removing dead, dying and diseased trees, and reducing density in overstocked stands.

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As proposed, approximately 84,757 acres (or 96%), would involve pure ecological restoration, explicitly designed to provide direct ecological benefits to the local landscape. The remaining 3,394 acres (or 4%) would focus on shaded and non-shaded fuel breaks, while also improving ecological function as much as possible. Of the fuel break work, up to 2,758 acres are anticipated to be non-shaded. The RCD anticipates the remaining 636 acres to be shaded, involving the same treatment prescriptions and maintenance frequencies as the ecological restoration treatments. Shaded fuel breaks can still support residual and regenerating forest stands through the retention of an overstory canopy, which will aid in the reduction of rapid re-growth of understory vegetation and maintain forest continuity, consistent with PWP Project Standards 1 and 3. Because the proposed shaded fuel breaks will implement the same treatment prescriptions and maintenance frequencies as the ecological restoration treatments, they qualify as forest health treatments as described by PWP Project Standards 1 and 3. As a result, up to 85,393 acres of the 88,151-acre project area could receive forest health treatments (nearly 97% of the project area including the 84,757 acres of ecological restoration areas and 636 acres of shaded fuel break treatment areas). Non-shaded fuel breaks will generally occur in non-forested areas without a tree canopy. While the RCD is proposing to maintain such non-shaded fuel breaks in a regenerative state, where root systems would be left predominantly intact such that they could resprout in the future, non-shaded fuel breaks are considered fire prevention projects as described by PWP Project Standards 1 and 3.

The PWP requires that a majority of the total acreage of covered projects be forest health projects. Given that the RCD is seeking authorization of treatments across this landscape scale to maximize flexibility in implementing work across the project area when resources become available, the exact timing and location of implementation of fire prevention versus forest health work is unknown. As such, there is potential that implementation of fire prevention work (i.e., non-shaded fuel breaks) could exceed or precede the forest health component of the project. In order to comply with Coastal Vegetation Treatment Standards 4 and 6 (Vegetation Removal Hierarchy) of the PWP, and to ensure that the ecological benefits of the project are realized in addition to fire prevention benefits, **Special Condition 3** is imposed to ensure that the project is phased in such a way where the majority of the implemented work constitutes forest health treatment by the end of each 3-year period following approval of this NOID. The RCD would be required to submit a report to the Executive Director every 3 years after initial implementation demonstrating that at least 51 percent of the total acreage treated within the project area was forest health treatment and carry out its proposal to publish online annual tracking of forest health and fire prevention acreages treated.

In the coastal zone, environmentally sensitive habitat area (ESHA) is defined as any area in which plant or animal life, or their habitats, are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments (see Coastal Act Section 30107.5). Rarity determinations for habitats and species are published by CDFW, USFWS, and CNPS, and are used to support Coastal Commission ESHA

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determinations.⁵ In addition, an ESHA determination may be made on the basis of an area constituting ‘especially valuable habitat’ where it is of a special nature and/or serves a special role in the ecosystem, such as a breeding area or a corridor that supports important ecological linkages.

Consistent with the PWP, the RCD conducted a data review of project-specific biological resources, including habitat and vegetation types, special-status plants, special-status wildlife, and sensitive habitats with the potential to occur in the potential treatment areas. Desktop analyses and reconnaissance surveys were also conducted to identify and document the presence of such ecological resources and to assess the suitability of habitat for special-status plant and wildlife species. In total, fifty-four (54) special-status wildlife species and one hundred and twenty (120) special-status plant species were determined to have the potential to occur in the potential treatment areas (see PSA Attachment C in [Exhibit 3](#)). Sensitive natural communities were observed during the reconnaissance-level survey, including within forest, shrub, herbaceous, riparian, and wetland habitats (see PSA Table 4.5-2 in [Exhibit 3](#)). While not all dominant species associated with these sensitive natural communities were observed during reconnaissance-level surveys, these communities may be present within the project area. Thus, the subject NOID area contains extensive environmentally sensitive habitat, which is protected under the PWP, as well as ESHA policies in both the LCP and Coastal Act.

Restoration is considered an allowable use in ESHA, and the vast majority of the project area (over 96%) is proposed for ecological restoration and shaded fuel break treatments to restore ecosystem processes, native stand conditions, and forestland resiliency. As required by the PWP, the restoration component of the proposed project has been designed to protect ESHA and other ecological resources during project implementation. For example, all treatment crews will be required to undergo resource-protection training to ensure work activities are implemented in accordance with the PWP protection measures. No roads or other permanent structures or barriers to wildlife movement are proposed. Pre-treatment surveys and inspections will be required for sensitive plant and wildlife species with the potential to occur in the project area. Where such species are present, no-disturbance buffers will be created and/or treatment activities will be adjusted, including to occur outside active reproduction seasons.

As for the proposed non-shaded fuel breaks (approximately 3% of the project area), which constitute fire prevention work, even though restoration is not the primary objective, the work has been proposed in such a way as to be implemented so as to benefit ESHA as much as feasible, including through the removal of invasive species,

⁵ CDFW defines natural communities, animals, and plants with a global or state ranking of 1, 2, or 3 as rare and the Commission typically finds these to be ESHA. The Commission also typically considers plant and animal species listed by the federal and state endangered species acts (ESA and CESA, respectively) and/or identified under other special status categories (e.g., California Species of Special Concern) and/or identified by the California Native Plant Society (CNPS) as ‘1B’ and ‘2’ plant species as constituting ESHA.

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promotion of healthy native vegetation communities, and mitigation of catastrophic fire risk. Invasive species such as French broom (*Genista monspessulana*) will be specifically targeted for prioritized removal via a variety of different treatment methods.

Nonetheless, project activities could result in direct or indirect adverse effects to sensitive habitats, including designated sensitive natural communities, riparian habitats, conifer forests, oak woodlands, and grasslands. If avoidance and/or adjustment is infeasible, measures to minimize impacts will be implemented, including consultation with relevant regulatory agencies (e.g., California Department of Fish and Wildlife) and specimen relocation, as applicable. Through the dozens of Standard Project Requirements, mitigation measures, and Coastal Vegetation Treatment Standards described within the PSA addendum and appendices, the project has already been designed to avoid impacts to special status species (e.g., California red-legged frog, western monarch butterfly; see Attachment C of the PSA in [Exhibit 3](#) for a full list), and other sensitive natural communities. Further, the proposed project requires that important habitat features be retained, including for example, downed wood, native herbaceous vegetation, and native shrubs for cover. These design mechanisms will ensure that the site retains its capacity to facilitate habitat regeneration. To ensure that the relevant design mechanisms are applied on and appropriate for each property treated through this NOID approval, **Special Condition 4** requires a substantial conformance review process. The RCD will be required to submit to the Executive Director a summary of planned treatments on each property, authorization from the landowners and rare plant surveys conducted to design treatments. Finally, all treatment activities will also be monitored by a qualified biological monitor and the RCD will be required to submit monitoring reports and information about the status of authorized treatment activities in this NOID as part of 5-year and 10-year programmatic reviews, as required under **Special Condition 2**, consistent with the PWP and in accordance with Project Standard 4 (Project and Program Monitoring).⁶

Treatment activities will also adhere to the vegetation removal hierarchy consistent with PWP Project Standard 3 (Coastal VTS). Dead, dying and diseased trees and vegetation will be cut, chipped or lopped in place. Invasive species will then be targeted for removal and treated appropriately. In particular, French broom plants will be piled and tarped/bagged near roadsides to avoid germination and facilitate removal from the site for disposal at a landfill. Next, ladder fuels and understory vegetation will be thinned to restore forest health. Project design and vegetation treatments will be based on the retention of target alliances using the membership rules of the online edition of the Manual of California Vegetation (MCV). The project will follow the requirements of the

⁶ The monitoring report required under Special Condition 2 is to be substantially consistent with the requirements of SPR AD-7, but those reports, along with the programmatic reviews, will also provide detail on consistency with the PWP. SPR AD-7 requires project proponents to provide information on proposed, approved, and completed treatment projects to the Board of Forestry or CAL FIRE. Such information shall be made available to the public via an online database and shall include information on completed projects including GIS data of the treated area and a post-project implementation report that includes size of treated area; treatment types and activities; dates of work; a list of SPRs and mitigation measures that were implemented; and any explanation regarding implementation where required by an SPR or mitigation measure of the CalVTP.

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Coastal VTS regarding vegetation removal hierarchy protocols, including documentation of vegetation treatment using MCV membership terminology.

There is also the potential for treatment activities to result in direct or indirect adverse effects on state or federally protected wetlands, or coastal wetlands as defined under the Coastal Act. During the reconnaissance-level survey of the NOID area, the RCD observed different types of aquatic habitats including Class I, Class II, and Class III watercourses, freshwater emergent wetlands, freshwater forested-shrub wetlands, and freshwater ponds. Intermittent and perennial waterways and associated tributaries may also contain or adjoin wetlands, and estuarine and marine wetlands were also found present within the project area in the immediate vicinity of the coast. Based on the RCD's survey, it is estimated that the project area includes approximately 827 acres of riverine habitat (i.e., rivers, streams), 510 acres of estuarine and marine wetlands, 340 acres of freshwater emergent wetlands, 1,311 acres of freshwater forested-shrub wetlands, 57 acres of freshwater pond habitat, and five acres of wet meadow habitat within the project area. Additional wetlands may be present throughout the project area that have not been identified or mapped as well as ponds smaller than an acre (i.e., not considered a lake under Forest Practice Rules). Accordingly, based on the water class characteristics, key indicator beneficial use for aquatic species, and slope and distance to the top of the waterbodies' bank, the project proponent will establish a watercourse and lake protection zone (WLPZ) on either side and prohibit all project actions therefrom, as appropriate and required by SPR HYD-4 and other CalVTP measures. If an inadvertent coastal wetland discovery is made prior to or during treatment, the wetland feature will be delineated, flagged and avoided with a 100-foot avoidance buffer. All work crews will also be trained on the avoidance of riparian areas and potential wetlands.

The subject development also ensures that ESHA and other biological resources are protected through the controlled and limited strategic use of herbicides and continued maintenance of heavy machinery. For example, herbicide use must be implemented under a Spill Prevention and Response Plan that includes procedures for proper storage, use, transport, and disposal of herbicides, consistent with state and federal law. Herbicides will also only be applied by hand, may not be used near wetlands or in areas with open water bodies, and will be applied pursuant to state and federal label instructions. Machinery used for treatment activities will also be maintained per manufacturer's specifications and in compliance with all state and federal emissions requirements. Such equipment will also be inspected daily and removed from operation if found to be leaking.

For the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the project, as proposed and conditioned, has incorporated all necessary measures to protect ecological resources and environmentally sensitive habitat areas, consistent with PWP Project Standard 2 (consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to ESHA.

C. Water Quality

Vegetation treatment activities under the PWP must be designed and implemented in a manner that ensures the protection of water quality, consistent with PWP Project Standards 2 and 3. Projects must therefore identify any sensitive water resources and implement various protection measures. These include: establishment of buffer zones around sensitive water resources and restrictions and/or limitations within such buffer zones; designing treatment activities to prevent the spillage of pesticides; compliance with the appropriate Waste Discharge Requirements and/or Basin Plan Prohibitions of the Regional Water Quality Control Board; maintaining equipment to prevent fuel leakages; following proper herbicide disposal procedures; minimizing erosion through soil stabilization, restrictions on heavy machinery use, and monitoring; and requiring drainage features and conditions to remain unchanged following treatment activities. The PWP also prohibits the construction or reconstruction of any new roads, including temporary roads.

As discussed in the findings above regarding ESHA, there are many protected waterbodies within the project treatment area. The proposed project has been designed to identify and protect watercourses by establishing buffer zones where equipment usage is restricted (or limited to existing roads or watercourse crossings where vehicle tires or tracks remain dry). Within these buffers, no mechanical treatment activities or pile burning would occur. In addition, prescribed herbivory would be excluded from areas within 50 feet of waterbodies, wetlands, or riparian areas through the use of fencing or active herding. Manual treatments, targeted herbicide application, and broadcast burning may occur within or adjacent to buffer zones to meet project goals. Mechanized treatment and prescribed herbivory activities are also restricted during wet conditions. Pursuant to **Special Condition 9** and SPR GEO-1 (as explained above in the Project Description), such treatment activities may not occur when there is a probability of rain within the next 24 hours. Inspections for erosion will occur following the first large storm of the season. Finally, no ignition points for prescribed burning activities will be located within any watercourse.

To guard against water quality impacts from erosion and sedimentation, mechanized operations will occur on slopes less than 35 percent, though equipment access may occur on slopes less than 50 percent. Where mechanical treatment is required on slopes greater than 50 percent, heavy equipment will be used from existing roads or trails to the maximum extent feasible. Broadcast burning will also be conducted when fuel moisture is high enough to allow for effective understory and ladder fuel control, while also reducing the risk of high severity burns that create burned landscapes leading to increased erosion. Any soils disturbed by heavy equipment usage will be stabilized using vegetative debris, such as masticated vegetation or chips. Similarly, water breaks, which are diagonal channels created in roads or paths to divert surface water off roads and into a stable drain, will be used to drain stormwater on compacted soils and bare treatment areas.

To ensure against fuel leakage and herbicide spills, all fuel-powered equipment will be maintained per manufacturer's specifications and in compliance with all state and

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federal emissions requirements. Such equipment will also be inspected daily and removed from operation if found to be leaking. In addition, herbicide use will comply with all appropriate laws and regulations pertaining to the safe use of pesticides, including preparation of and adherence to a Spill Prevention and Response Plan that includes procedures for proper storage, use, and disposal of herbicides; implementation consistent with annual recommendations prepared by a licensed Pest Control Advisor; and application by a State-licensed applicator. Further, non-aquatic herbicides will not be applied within 50 feet of any waterbody or riparian area and herbicide application will be prohibited if the National Weather Service forecast is a “chance” (30 percent or more averaged over each hour) of rain within the next 24 hours. Following completion of herbicide use, all herbicide containers will be cleaned and disposed of at an approved disposal facility. No equipment or personnel will be cleaned or washed in a manner that would allow contaminated water to directly enter any body of water within the treatment area of adjacent watersheds.

Prescribed herbivory is also proposed as initial and maintenance treatments. The proposed project would be protective of water quality because herbivores would be completely excluded from entry into any WLPZ through the use of wildlife passage appropriate fencing, and water will be provided for grazing animals via an onsite stock pond or portable water source located outside of ESHA and identified streams. Herbivores will be used to control invasive plants, and timing of herbivory to avoid non-target vegetation will be determined by a qualified botanist, biologist, or registered professional forester, to ensure no adverse impacts to sensitive natural communities and to reduce the potential for sediment or runoff to enter the watercourses. Lastly, SPR BIO-11 requires installation of any fencing to consider slope, allow for wildlife to be able to pass through without becoming entangled, and to ensure that netting would be temporary and would not alter drainage patterns or slope stability. In order to ensure that these standards are applied to any prescribed herbivory treatment, **Special Condition 4** requires the RCD to submit a Grazing Management Plan for Executive Director review and approval prior to implementation of any prescribed herbivory treatment.

Lastly, accelerants are proposed for usage to facilitate ignition of fuels during broadcast burning and pile burning operations. Accelerants primarily include a mixture of gasoline and diesel fuel to promote initial ignition of fuels and will be mixed, poured, and filled at least 100 feet away from all watercourses, as required by **Special Condition 6**. Accelerants will also burn off during the ignition process, with very little to no residual material remaining.

For the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the project, as proposed and conditioned, has incorporated all necessary measures to protect water quality and is consistent with PWP Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to water quality.

D. Public Views

The PWP requires treatment activities to avoid and minimize impacts to public views, consistent with PWP Project Standards 2 through 3. Any proposed treatment activity must therefore be designed to ensure that project sites are screened with sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from outside the project area. 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. Lastly, all treatment types must also avoid staging equipment, including vehicles and vegetation debris, within viewsheds to the extent feasible.

The nearest officially designated state scenic highway to the project area is Highway 1 (Cabrillo Highway), which runs through the entire project area, from Cayucos through Ragged Point, at times traveling directly along portions of the coastline. The nearest eligible state scenic highway to the project area is State Route 46, which runs east-west through the project area between Harmony and Cambria. Publicly accessible viewpoints within and near the project area from which treatments would be visible are located along these scenic highways and other public roadways, as well as trails and recreation areas such as Cayucos State Beach, Estero Bluffs State Park, Whale Rock Reservoir, Harmony Headlands State Park, Piedras Blancas Light Station, Elephant Seal Vista Point, Arroyo Laguna Beach, La Tortuga Beach, Morro Bay State Park, Montaña de Oro State Park, San Simeon State Park, William Randolph Hearst Memorial State Beach, Heart-San Simeon State Historical Monument and historic castle grounds, and Ragged Point.

Initial and maintenance treatments could include non-shaded fuel break treatments in non-forested areas without an existing overstory. However, some non-shaded fuel breaks would extend slightly into forested areas because of their strategic locations. Public viewpoints of the non-shaded fuel breaks include the public roadways (main highways and primary access routes) adjacent to the proposed treatments. In particular, some non-shaded fuel breaks would be visible from SR 1 and SR 46. Accordingly, the RCD is proposing to conduct a visual reconnaissance of all treatment areas prior to implementing non-shaded fuel breaks to observe the surrounding landscape and determine if public viewing locations, including scenic vistas, public trails, and state scenic highways, have views of the proposed treatment area.

If no impacted public viewing locations are identified, the non-shaded fuel break may be implemented without additional visual mitigation. Consistent with Mitigation Measure AES-3 if the project proponent identifies public viewing points, including heavily used scenic vistas, public trails, recreation areas, and state scenic highways with impacted views of a proposed non-shaded fuel break treatment area, the project proponent will, prior to implementation, attempt to identify any feasible change in location of the fuel break to reduce its visibility from public viewpoints.

Likewise, the use of heavy equipment, thinning and removal of vegetation, and use of fire on the landscape could all degrade public views, but the proposed project has been designed to avoid and minimize significant impacts. For example, treatment is proposed

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through the phasing of activities, so heavy equipment would be present for limited durations in certain areas, with heavy equipment also staged outside of the viewshed of public trails, parks, recreation areas, and roadways to the maximum extent feasible. Vegetation will also be thinned and feathered to screen views from visible locations, with the goal of retaining natural vegetation densities. Smoke from prescribed burning could be temporarily visible from public viewpoints, but prescribed burn activities would predominantly occur outside of the public viewshed and within the interior of project treatment areas. For all of the above reasons, the proposed project is not expected to substantially impact public views.

Therefore, for the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the subject NOID is consistent with PWP Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to public views.

E. 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 and 3. A number of PWP protection measures address coastal hazards, including for example: creating a burn plan to ensure public safety, including the design and implementation of an approved Incident Action Plan for overall tactical action; best practices protecting against fuel leakage and herbicide spills; standards that ensure treatment activities do not contribute to erosion, such as restrictions on mechanical treatment under specified environmental conditions, such as precipitation; and requiring the identification and avoidance of known hazardous waste sites prior to treatment activities and restrictions on soil disturbing activities where such hazardous sites are discovered.

The proposed project includes initial and maintenance treatment of dead and dying vegetation using manual and mechanical treatment methods, prescribed fire, prescribed herbivory, and the limited strategic application of herbicides. Biomass is proposed to be masticated, chipped, lopped and scattered across the forest floor, in some cases stacked and piled to be burned, incinerated with an air curtain burner, or minor amounts may be transported to an appropriate waste facility. Accordingly, proposed treatment activities could exacerbate existing coastal hazards or create new hazards if development activities are not appropriately implemented. As designed, the subject development ensures that risks from natural hazards will not be created or exacerbated through proposed treatment activities. Restoring the treatment areas to more natural conditions that ultimately support native vegetative species regeneration will facilitate site conditions that are less likely to contribute to catastrophic burns (and subsequent flooding) observed following past wildfires.

If not managed effectively, the project could cause potentially significant hazards associated with prescribed burning, including exposure to toxic air contaminants and odors, as well as the potential for fire to escape control boundaries. To address these

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issues, the RCD will prepare a burn plan for each of the burn units proposed for prescribed fire prior to prescribed burn treatment operations. Burn plans are critical to planning and ensuring safe and successful burning operations and generally provide a description of the targeted burn area, appropriate weather conditions to implement prescribed burning safely and with lower environmental effects (e.g., when winds are blowing in a particular direction to both ensure safety but also minimize smoke impacts), and the appropriate emergency response measures for a fire that becomes difficult to control. Prescribed burns will only be undertaken as conditions and prescriptions allow, pursuant to certified burn plans created with input from a certified burn boss. These burn plans, which will be finalized and submitted to the Commission pursuant to **Special Condition 4**, will include Incident Action Plans to aid in operational risk assessment to prioritize hazards, safety, and health issues, and to develop appropriate controls.

To ensure against fuel leakage and herbicide spills, all fuel-powered equipment will be maintained per manufacturer's specifications and in compliance with all state and federal emissions requirements. Prior to the start of treatment activities, all equipment will be inspected for leaks. Such equipment will also be inspected daily and removed from operation if found to be leaking.

In addition, herbicide use will comply with all appropriate laws and regulations pertaining to the safe use of pesticides, including preparation of and adherence to a Spill Prevention and Response Plan that includes procedures for proper storage, use, and disposal of herbicides; implementation consistent with annual recommendations prepared by a licensed Pest Control Advisor; and application by a State-licensed applicator.

The project has also been designed to avoid and minimize erosion impacts through design measures to reduce erosion impacts, ongoing monitoring for erosion during treatment activities and measures to immediately stabilize disturbed soils using vegetative debris for mulching. For example, prescribed fire will only be implemented under prescriptive conditions and through low intensity fire as a measure to minimize soil burn severity. A registered professional forester or licensed geologist will also be required to evaluate treatment areas with slopes greater than 50 percent for unstable areas prior to treatment implementation, though most mechanized operations will occur on slopes less than 35 percent. Where mechanical treatment is required on slopes greater than 50 percent, heavy equipment will be used from existing roads or trails to the maximum extent feasible. Additionally, prescribed herbivory will only be implemented on slopes 50 percent or less.

The initial and maintenance treatments of this proposed project will disturb soils, which could expose workers or the environment to hazardous material if a contaminated site is present within the project area. Several hazardous material sites were identified within the proposed treatment area. However, no prescribed burning or soil disturbing treatment activities will occur within 100 feet of the site boundaries to avoid potential exposures to hazardous material.

Therefore, for the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the subject NOID as proposed and conditioned,

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has incorporated all necessary measures to minimize coastal hazards and is consistent with PWP Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to coastal hazards.

F. Tribal and Cultural Resources

Vegetation treatment activities proposed under the PWP must be designed and implemented to ensure that cultural resources are protected, consistent with PWP Project Standards 2 through 3. For example, during the project design stage, an archaeological and historical resources record search must be conducted pursuant to local or state agency procedures. All California Native American Tribes in San Luis Obispo County must also 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. Pre-field research is also required to inform survey design within the context of local history and prehistory. Finally, a site-specific survey of treatment areas must also be conducted and reported by a qualified archaeologist, pursuant to SPR CUL-4 and **Special Condition 9** (as described above in the Project Description).

Where cultural resources are known to exist or are discovered through project implementation, the PWP provides for additional protection measures. First, all project crew members and contractors must be trained in the protection of cultural resources, including halting work where archaeological resources are encountered and treatment activities involve soil disturbance. Relatedly, consultation with the culturally affiliated tribe(s) is required for the purpose of developing protection measures for known and discovered 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, project proponents must 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.

Despite the aforementioned measures to protect cultural resources, the PWP 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, the PWP requires all ground-disturbing activities within 100 feet of a discovered cultural resource to cease where such resources are discovered (Project Standard 2 of the PWP).

The proposed project includes initial and maintenance treatment of dead and dying vegetation using manual and mechanical treatment methods, prescribed fire, prescribed herbivory, and the limited strategic application of herbicides. Biomass is proposed to be masticated, chipped, lopped and scattered across the forest floor, or burned in an air

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curtain burner, broadcast burn, or piles. Accordingly, proposed treatment activities could impact cultural resources if not appropriately implemented.

Local indigenous tribes were contacted in April 2021 during development of the PWP, and again in April 2025 and June 2025 regarding this particular project. A response from a representative of the Xolon-Salinan Tribe was received by the RCD on May 5, 2025, and a response from a representative of the Salinan Tribe was received by the RCD on May 21, 2025. The RCD responded to both tribal entities, and no other responses were thereafter received from these or other tribes.

To minimize the potential for impacting tribal cultural resources, the RCD implemented a cultural resources records search at the Central Coast Information Center (CCIC) in April 2025 and sent an information request letter and NAHC notification to geographically affiliated tribes. The archival records search yielded 395 previously recorded archaeological sites and historic features within the project area, of which 338 are Native American in nature. Of these sites, only nine have been evaluated for resource protection under CEQA, and the remainder have not been analyzed. As such, the project proponent will need to conduct pre-field research and archaeological surveys prior to commencement of project activities with potential to impact archaeological and tribal cultural resources. The pre-field research and in-field archaeological surveys will inform a full Archaeological Survey Report, which will be completed and submitted to the CCIC prior to project implementation and will address any comments and concerns received from geographically affiliated tribes.

The project proponent will also avoid known and identified built historical resources within the project area; however, if a built historical resource is inadvertently discovered during ongoing archaeological surveys throughout operations, operations will cease within proximity to the resource site and appropriate protection measures will be implemented. All treatment maintenance will be monitored to ensure continued protection of cultural resources after the initial phases of treatment.

Therefore, for the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the subject NOID, as proposed and conditioned, has incorporated all necessary measures to protect cultural resources and is consistent with PWP Project Standard 2 (consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to cultural resources.

G. Air Quality and Greenhouse Gas Emissions

Consistent with the PWP, vegetation treatment activities must be designed and implemented to avoid and/or minimize impacts to air quality, including through greenhouse gas (GHG) emissions reductions. For example, the PWP requires implementation of measures to reduce adverse impacts from prescribed burning, including through limitations on the duration of prescribed burning activities; restrictions on the types and amounts of materials authorized for burning, as well as location; and

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adherence to appropriate climatic and meteorological conditions to lower smoke impacts.

The proposed project includes treatment of dead, dying, and diseased, as well as dense understory vegetation, using heavy machinery as well as prescribed fire activities. Operation of heavy machinery and application of fire to vegetation, including through pile burning, broadcast burning, and the use of curtain burners or carbonators, can lead to the release of air pollutants, smoke and odors if not appropriately implemented.

As designed by the RCD, the proposed project will ensure that air quality impacts are minimized to the extent feasible. For example, the RCD, in coordination with CAL FIRE, will prepare a Smoke Management Plan (as part of its Burn Plan) for review and approval by the San Luis Obispo County Air Pollution Control District (SLOAPCD) prior to implementing any prescribed fire activities. The Smoke Management Plan must describe how prescribed burning activities will ensure compliance with the applicable air quality requirements of the SLOAPCD. Measures to ensure compliance include: identifying the location of smoke sensitive areas and the appropriate meteorological conditions necessary for burning, as well as contingency actions (such as fire suppression or containment) that will be taken if conditions deviate from those specified in the plan; requiring vegetation to be in a condition that will minimize the smoke emitted during combustion when feasible, considering fire safety and other factors; and requiring piled materials to be prepared so that they will burn with a minimum of smoke.

Relatedly, measures to reduce emissions of criteria air pollutants include: use of gasoline-powered (rather than diesel-powered) equipment, encouraging carpooling to the project site and using Best Available Control Technology for emission reductions of noxious gases (NOX) and particulate matter (PM) on equipment. Equipment meeting Tier 4 emission standards and the use of renewable fuel would be implemented to the extent feasible. The proposed project has been also designed to minimize dust during vegetation treatment, including by: limiting the speed of vehicles and equipment traveling on dirt roads to 15 miles per hours; wetting appurtenant, unpaved, and dirt roads with non-toxic chemical dust suppressants if road use creates excessive dust; removing visible dust, silt, or mud tracked-out on to public paved roadways where access to available water supplies is sufficient; and suspending ground-disturbing treatment activities, such as land clearing and bulldozer lines, if dust transport is visible outside the treatment boundary and it may cause public health impacts.

Finally, one of the main goals of the PWP is to reduce the risk of catastrophic wildfires, which are a major contributor to GHG emissions in the State.⁷ While use of prescribed fire and heavy machinery may increase GHG emissions in the short-term, use of prescribed fire to help restore degraded habitat in the program area will aid in GHG emissions reductions over the long-term.

Therefore, for the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the subject NOID, as proposed and conditioned,

⁷ Jerrett, Michael, Amir S. Jina, and Miriam E. Marlier. "Up in smoke: California's greenhouse gas reductions could be wiped out by 2020 wildfires." *Environmental Pollution* 310 (2022): 119888.

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has incorporated all necessary measures to protect air quality and is consistent with PWP Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to air quality and greenhouse gas emissions.

H. Public Access and Recreation

Consistent with the PWP, impacts to public access and recreation must be avoided and/or minimized during and following treatment activities. Therefore, project proponents are required to coordinate with the owner or manager of any public recreation area or facility where there might be public recreational access impacts, and must post notifications of any potential impacts at least two weeks prior to the commencement of the treatment activities. Similarly, projects designed to use prescribed fire within or adjacent to public recreation areas must post signage along the closest public roadway to the treatment area describing the activity and timing. Such notification must also be published in local newspapers or other widely distributed media sources. Relatedly, herbicide use within or adjacent to public recreation areas also requires signage posting at each end of a herbicide treatment area and any intersecting trails. Further, a Traffic Management Plan (TMP) must be prepared “if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments.” Lastly, the PWP requires that public access and public recreational areas and facilities be protected during project operations to the maximum extent feasible, including through the minimization of trails 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 existing conditions.

Most of the project area is on private land with limited to no recreational access; however, this region encompasses a diverse array of recreational opportunities, such as hiking, wildlife viewing, and beach activities, available at several key recreational areas. These areas include Cayucos State Beach, Estero Bluffs State Park, Whale Rock Reservoir, Harmony Headlands State Park, Piedras Blancas Light Station, Elephant Seal Vista Point, Arroyo Laguna Beach, La Tortuga Beach, Morro Bay State Park, Montaña de Oro State Park, San Simeon State Park, William Randolph Hearst Memorial State Beach, Hearst-San Simeon State Historical Monument and its historic castle grounds, and Ragged Point.

Treatment activities include manual and mechanical removal of vegetation, as well as prescribed fire, prescribed herbivory, and the strategic application of herbicides. Heavy machinery, including tracked vehicles like masticators and skid steers, will be operated along existing roads and trails, while fire engines, bulldozers and other machinery will be present for emergency fire suppression purposes when prescribed fire is being implemented. Public access to areas being treated will be suspended during treatment

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operations to protect the public but will return to pre-project status when treatments are complete.

Although the proposed project has the potential to impact public access and recreation through restricted access and noise and smoke impacts during actual treatment times, the project has been designed to avoid and minimize these adverse impacts during project operations to the maximum extent feasible. For example, treatment will occur in phases such that only certain geographic areas will be impacted temporarily, which will help minimize access restrictions or noise and smoke impacts. A Traffic Management Plan will be implemented to reduce potential traffic obstructions, hazards, and service level degradation along affected roadway facilities. Signage will also be posted along roads and trails impacted by treatment activities in as much advanced notice as feasible. Where coastal public access and recreational amenities may be temporarily impacted, such amenities will also be restored to prior conditions following completion of treatment, which is expected to only enhance coastal public access and public safety in the long run.

While noise impacts and changes to scenic views could also potentially disrupt nearby public recreational activities, the proposed project has been designed to follow applicable protection measures that will minimize such impacts, including measures to reduce noise impacts by limiting heavy equipment use to daytime hours; maintaining equipment according to manufacturer specifications; requiring engine shroud closures; locating staging areas away from noise-sensitive land uses; and restricting equipment idling time. Further, initial treatment implementation is proposed through phased development activities by area, so any potential noise impacts would be temporary and localized. Relatedly, the project has been designed to prevent any long-term degradation of scenic views that may be seen from publicly used recreational trails in the area, including by maintaining vegetative screening and staging equipment outside of the viewshed of public trails, parks, and recreation areas to the extent feasible (see also Public Views findings).

Therefore, for the reasons described above and in the PSA (including the attachments to the PSA), the Commission finds that the subject NOID, as proposed and conditioned, has incorporated all necessary measures to protect public recreational access and is consistent with PWP Project Standard 2 (Consistency with the CalVTP PEIR), Project Standard 3 (Coastal VTS), and Project Standard 4 (Project and Program Monitoring) included in Section IV (CalVTP Protective Measures and Coastal VTS). Thus, the Commission determines that the NOID, as conditioned, is consistent with the PWP as it relates to public recreational access.

I. 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 and Fire Protection (Board) was the lead agency under CEQA that had principal responsibility for approving and carrying out the CalVTP. As the lead agency under CEQA, the Board certified its Programmatic EIR (PEIR) in December 2019 in accordance with State CEQA Guidelines Section 15168(c) for streamlining later vegetation treatment activities. The

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RCD is a responsible agency tasked with overseeing the project and other potential entities that will be implementing vegetation treatment under the PWP that is within the scope of the PEIR. However, because some treatment activities are proposed outside the treatable landscape identified as part of the CalVTP PEIR, and in order to reflect changes in the SPRs that the RCD wanted to apply to this project, the RCD acted as a lead agency in preparing an addendum to the PEIR. In that addendum, the RCD determined that treatments in project areas outside the CalVTP treatable landscape and the revisions to the SPRs do not result in new or substantially more severe significant impacts than those identified in the CalVTP PEIR.

Section 13096 of the Commission's administrative regulations requires Commission approval of project applications to be supported by a finding showing that the application, as modified by any conditions of approval, is consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA also prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effect which the activity may have on the environment. (see also CEQA Guidelines Sections 15021(a)(2), 15096(g)(2).)

The Commission has reviewed and considered the information in the PEIR for the CalVTP and the RCD's addendum for the proposed project, which address potential environmental effects, proposed mitigation measures, and alternatives, as applicable to the project. The findings above, which are hereby incorporated by reference in full for purposes of this analysis, have also analyzed the relevant coastal resource issues with the proposal and have identified appropriate and necessary conditions to ensure the project is consistent with the PWP and therefore address adverse impacts to such coastal resources. Further, the Commission's October 15, 2021 certification of the PWP considered the effects that would be caused by projects implemented under that plan, including projects such as this one that are both within and outside the scope of the PEIR.

For the reasons discussed in the findings, above, the project, as proposed, could have had significant impacts on ESHA and wetlands related to grazing, prescribed burning, and any project activities that did not conform strictly with what was described in the NOID or for which there are not currently specific enough details to ensure that any impacts will be less than significant. It could also have had significant impacts related to hazards due to prescribed burns. However, by imposing nine special conditions, including the submission of Burn Plans, Grazing Management Plans, and Rare Plant Surveys prior to project work, the Commission has made changes or alterations to the project that will mitigate these potentially significant effects on the environment and ensure that the project will not have any significant effects on the environment. These conditions are enforceable by the Commission pursuant to the Coastal Act, as described in Section VII of the PWP. By reviewing the project's potential impacts and imposing these conditions, the Commission has complied with CEQA, including with its requirement for responsible agencies to ensure that an activity will not be approved as proposed if there are feasible alternatives or mitigation measures within their control that would substantially lessen a significant adverse effect that the activity may have on the environment.

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Thus, the proposed project, as conditioned to be consistent with the PWP, imposes feasible mitigation and will not result in any significant environmental effects, consistent with CEQA. Accordingly, the project is consistent with CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS⁸

- Upper Salinas-Las Tablas RCD Forest Health and Fire Resilience Public Works Plan, certified October 15, 2021
- California Board of Forestry California Vegetation Treatment Program (CalVTP) Certified Programmatic Environmental Impact Report (December 2019)
- San Luis Obispo County Local Coastal Program

APPENDIX B – STAFF CONTACTS WITH AGENCIES AND GROUPS

- Upper Salinas-Las Tablas Resource Conservation District
- CAL FIRE
- San Luis Obispo Fire Safe Council

⁸ These documents are available for review from the Commission's Central Coast District office.