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STAFF REPORT: REGULAR CALENDAR

Consistency Determination No.: CD-0003-26

Applicant:	United States Forest Service
Location:	Los Padres National Forest; Monterey, San Luis Obispo, and Santa Barbara Counties.
Project Description:	Fuel reduction treatments, including the maintenance and creation of fuelbreaks and defensible space, to reduce wildfire risk in select areas of Los Padres National Forest.
Staff Recommendation:	Concurrence.

SUMMARY OF STAFF RECOMMENDATION

The U.S. Forest Service (USFS) has submitted a consistency determination for its Los Padres National Forest Wildfire Risk Reduction Project to implement fuel reduction and wildfire resilience treatments across roughly 33,000 acres of Los Padres National Forest (LPNF), including up to 1,899 acres located seaward of the coastal zone boundary. The proposed project has been in development for several years by USFS and has undergone significant revision, including a reduction in size of roughly 86% (from over 235,000 acres initially to roughly 33,000 acres now). USFS has stated that these revisions and refinements reflected in the current proposal were made in response to the significant concerns raised during prior public comment opportunities. Due to its

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significant size and the resources involved in its implementation, the proposed project is expected to be carried out over approximately 20 years. After initial treatments are performed, USFS expects to return to treated areas to perform maintenance activities at a minimum interval of every 3 years.

The proposed project is intended to reduce the severity, spread, and impacts of wildfires affecting communities, infrastructure, and natural resources. As a result of historical fire suppression strategies, USFS states in its consistency determination that LPNF has experienced ecological changes such as increased tree density, greater vulnerability to bark beetle outbreaks, increased fire frequency in chaparral habitat, decreased fire frequency in forested habitat, and a corresponding decline in forest health. The proposed project is intended to reintroduce fire, reduce hazardous fuels, improve vegetation resilience, and create fuelbreaks and defensible space in and near wildland-urban interface areas.

Within the coastal portions of LPNF, the proposed project focuses on constructing and maintaining defense zones along existing roads, trails, recreation sites, USFS administrative facilities, and along the boundaries of non-USFS properties. Three fuelbreaks are also proposed to be constructed. Proposed treatment methods include mechanical and hand thinning, pile burning, chipping, mastication, mowing and weed-whipping, prescribed fire, targeted grazing, limited herbicide use, and planting or seeding of native species. These techniques are intended to slow wildfire spread, facilitate effective firefighter response, and reduce the need to grade bare-soil dozer lines in emergency situations.

The project's potential spillover effects on coastal resources and uses relate primarily to environmentally sensitive habitat areas (ESHA), hazards, water quality, visual resources, and public recreation. While vegetation removal could contribute to loss of ESHA and sensitive species, erosion, sedimentation of waterbodies, and sediment outflows to the ocean, the overall impact of the project is expected to be a reduction in catastrophic wildfires that are capable of generating more severe adverse impacts to these resources. The reduced risk of catastrophic wildfires within LPNF is also expected to reduce these risks in areas adjacent to, but outside of, LPNF. Therefore, wildfire-related erosion, air quality, and recreation impacts in the coastal zone adjacent to LPNF are expected to be reduced as a result of the proposed project.

The project incorporates an extensive suite of measures that would be implemented during the proposed treatment activities to avoid or minimize adverse impacts to coastal resources. Field surveys and ground-truthing by resource experts would be carried out prior to all treatments, with sensitive biological resources flagged for avoidance. The USFS has also developed species-specific protections for federally listed and USFS-designated sensitive species, including buffers around individual plants, limits on the use of mechanical equipment, seasonal restrictions, and worker training. Riparian habitats would be protected through a required five-step screening process that establishes minimum buffer distances, prohibits most treatments within these buffers, and requires coordination with resource specialists when limited treatments are necessary. Measures to prevent erosion would also be implemented and include

restricting activities during wet conditions, implementing erosion control features, spreading slash where needed to cover bare ground, and minimizing soil disturbance during equipment operation and prescribed burning. To protect public access and recreation, the USFS has committed to minimizing access closures, coordinating with recreational staff, providing public notifications and signage, and scheduling work during lower use periods where feasible. In scenic areas near Highway 1 and designated recreation sites, less visually intensive treatment methods would be used, and mastication or chipping would be prohibited within 50 feet of scenic byways to reduce visual impacts. By prioritizing treatments near communities and existing development and focusing on areas already disturbed, the project would limit adverse impacts to undisturbed habitat and reduce the overall scale of potentially sensitive resource interactions.

With these measures in place and with the expectation that the proposed project would reduce the frequency and extent of catastrophic wildfires in the National Forest and surrounding lands, Commission staff recommends that the Commission **concur** with USFS Consistency Determination No. CD-0003-26 and find that the proposed project is consistent with the enforceable policies of the California Coastal Management Program. The motion is on **page 5**.

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EXHIBITS

[Exhibit 1 – Maps of Project Areas](#)
[Exhibit 2 – Draft EA for the WRRP \(2025\)](#)
[Exhibit 3 – Draft EA Appendix A: Resource Protection Measures](#)
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Agreement](#)
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I. FEDERAL AGENCY'S CONSISTENCY DETERMINATION

The U.S. Forest Service has determined the project consistent with the California Coastal Management Program.

II. MOTION AND RESOLUTION

Motion:

I move that the Commission concur with Consistency Determination CD-0003-26.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in a concurrence in the determination of consistency and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

Resolution:

The Commission hereby concurs with consistency determination CD-0003-26 by the U.S. Forest Service on the grounds that the project is fully consistent, and thus consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program.

III. APPLICABLE LEGAL AUTHORITIES

A. Standard of Review

The federal Coastal Zone Management Act (CZMA) requires that federal agency activities affecting coastal resources be "carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State management programs." 16 U.S.C. § 1456(c)(1)(A). The implementing regulations for the CZMA, at 15 C.F.R. § 930.32(a)(1), define the phrase "consistent to the maximum extent practicable" to mean:

... fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency.

This standard allows a federal activity that is not fully consistent with California's Coastal Management Program (CCMP) to proceed, if full compliance with the CCMP would be "prohibited by existing law." In its consistency determination, the U.S Forest Service did not argue that full consistency is prohibited by existing law or provide any documentation to support a maximum extent practicable argument. Therefore, there is no basis to conclude that existing law applicable to the federal agency prohibits full consistency. Since the U.S. Forest Service has raised no issue of practicability, as so defined, the standard before the Commission is full consistency with the enforceable

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policies of the CCMP, which are the policies of Chapter 3 of the Coastal Act (Cal. Pub. Res. Code §§ 30200-30265.5).

The Commission has the ability under the federal consistency regulations to re-open this consistency determination should the proposed federal activity have effects on any coastal use or resources substantially different from those originally described in USFS's consistency determination. Should this scenario occur, the Commission's finding that the project is "fully consistent" with the enforceable policies of the CCMP could be re-examined in light of new circumstances.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The U.S. Forest Service (USFS) proposes to implement portions of its Los Padres National Forest (LPNF) Wildfire Risk Reduction Project (WRRP) in areas within and adjacent to California's coastal zone boundary.^{1,2} The project would include up to 1,899 acres seaward of the coastal zone boundary. Due to the proximity of these areas to the coast, proposed activities within them are more likely to have effects on coastal zone resources and uses.

In its draft Environmental Assessment (EA), the USFS states that the LPNF has been subject to fire suppression management over the past century and that this has led to forest habitats experiencing a departure from their historic fire regimes. In general, conifer forests and oak woodlands experience fire less frequently than their historic averages and chaparral experiences more frequent and intense fire than its historic average. USFS asserts that this departure from historic fire regimes has harmed forest health. Conifer and hardwood forests have higher tree densities, which has led to increased bark beetle infestations. As fire frequency increases, chaparral habitats experience increased invasion from non-native weeds and type conversion to grassland. USFS states that the purpose of the proposed project is to increase community and infrastructure protection, improve wildfire containment opportunities, improve vegetation resiliency to environmental stressors, and improve forest health.

¹ The USFS asserts in its consistency determination that the federal lands of LPNF are excluded from the coastal zone and has limited its analysis to spillover effects on coastal resources and uses within the coastal zone outside of federal property. In this report, the coastal zone boundary is used as a proxy for where spillover effects are most likely to occur. More information on the geographic scope of the WRRP project, including areas not considered in this evaluation, can be found in the USFS draft Environmental Assessment for the Los Padres National Forest WRRP (**Exhibit 2**).

² LPNF includes portions of six counties (Monterey, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, and Kern) and consists of five ranger districts (Monterey, Santa Lucia, Mt. Pinos, Santa Barbara, and Ojai). See Figure 1 in the draft EA (**Exhibit 2**).

The proposed project was developed and refined over several years, with initial scoping in 2022, release of a draft EA in 2025, and submittal of a consistency determination for the current revised project in April 2026. With each iteration, the scale of the project has been refined and the overall size has decreased (see **Table 1** below). Public comments on the 2025 draft EA expressed concerns about the project scale, treatment locations, and impacts to sensitive species and habitats. The USFS has stated that their refinements to treatment extent and locations in the 2026 revised project were made in response to these public comments, including removing forest health treatment units from coastal regions. Additionally, the USFS has agreed to incorporate data from the California Natural Diversity Database (CNDDDB) during the planning phase of implementation to help identify state-designated sensitive botanical resources not covered under the federal endangered species act or designated as USFS sensitive species (**Appendix B**).

	2022 Initial Scoping	2025 Draft EA	2026 Current Project
Total Project Area	235,493 acres	90,796 acres	33,023
Coastal Project Area	21,085 acres (9.0%)	7,438 acres (8.2%)	1,899 acres (5.8%)

Table 1. Change in total project area over multiple iterations of the proposed project. The proposed project areas seaward of the coastal zone boundary were reduced by approximately 75% from the project described in the 2025 draft EA and now account for 5.8% of the total project area.

The majority of the treatment areas seaward of the coastal zone boundary are located along the coast in Monterey County in the Big Sur area; please see **Exhibit 1** for maps of these areas. As shown above, the coastal portion of the project remains small relative to the overall project. The overall project includes two broad categories of fire resiliency treatments: forest health units and defense zones, including fuelbreaks.³ The areas of LPNF that would be included in forest health units are far inland and are not expected to have spillover effects to the coastal zone. Therefore, the project description below focuses on fuelbreaks and defense zones, as these would be implemented within and near the coastal zone boundary and are expected to have spillover effects.

Most of the proposed project areas seaward of the coastal zone boundary are located along existing roads, trails, recreation sites, or other developments in areas that have previously been disturbed. It is also notable that the proposed 1,899 acres represents the maximum potential treatment size within this area. The actual area that would be treated is expected to be less than this amount, because the USFS incorporated buffers into the project that represent the maximum allowable incursion into USFS lands for

³ See **Appendix C** for a photographic example of a fuelbreak.

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purposes of creating defensive space around adjacent non-USFS properties. The proposed property boundary treatments would only be pursued if the neighboring property required treatment of LPNF land to meet defensible space requirements. For example, defensible space protocols may recommend buffers around structures that exceed the extent of the parcel. In these cases, USFS would authorize treatments within USFS lands to help homeowners satisfy fire safety recommendations.⁴ In addition, the area calculations were derived using desktop mapping tools and GIS-assisted planning. Although efforts were made to accurately identify areas for treatment, further refinement through site assessments and on-the-ground surveys by resource experts would occur and be expected to further reduce the overall acreage of the proposed project and treatments.

Treatment Methods

Within coastal project areas, the USFS would construct and maintain strategic fuelbreaks and defense zones using the treatment methods described below:⁵

- **Mechanical and/or hand thinning of shrubs and trees.** Mechanized equipment (typically tracked excavators with thinning or cutting attachments) would be used to remove small- to mid-sized trees from the understory.^{6,7} In areas with steep slopes,⁸ or if mechanized equipment is not available, thinning would be completed using hand tools (e.g., chainsaws). Mechanical thinning would not be performed in shrub vegetation or grassland but may be used in forested areas. Hand thinning may be used in shrub vegetation or forested areas. Thinning reduces surface and ladder fuels and is often followed by prescribed fire. Various methods would be used to dispose of vegetation trimmings after thinning and cutting:
 - o **Pile burning.** Trimmings and cuttings may be piled using mechanized equipment or by hand and burned. Pile burning would be in accordance with an approved prescribed fire plan when feasible and would be performed away from retained vegetation. Air curtain burners or other technologies may be used in addition to standard pile burning methods.

⁴ The draft EA (**Exhibit 2**) notes that 80% of ignitions over the past two decades within Los Padres National Forest have been human caused. Thus, defensible space around homes is protective of both homes and forest in the wildland-urban interface. See p. 15.

⁵ See Table 3 on p. 17 of the draft EA for more information about treatment methods within different vegetation types (**Exhibit 2**).

⁶ Limited to trees with diameters of 24" or less at breast height (24" DBH).

⁷ Within forested areas, some trees would be retained to promote shaded fuelbreaks and defense zones.

⁸ Mechanical thinning would be limited to slopes less than 35% and on short, steep pitches no more than 50%.

- o **Chipping and grinding.** After thinning and cutting, wheel-based (towed) or tracked chippers and grinders may be used to reduce trimmings to small pieces.⁹ This equipment may be towed or mounted to trucks and would normally be used along roads or at landings. However, tracked chippers may be used in off-road areas where slopes allow. Chipped or ground material may be disposed of offsite or spread in the immediate area, dependent on the amount and depth of material to be disposed of.
- o **Mastication.** Mechanized masticators chop, shred, and/or grind small tress, limbs, shrubs, and dead woody debris into small pieces. Mastication equipment is limited to shallower slopes (< 35%) but may be used on short, steep pitches (up to 50%). Mastication may also be used to remove brush along roads and trails. Shredded trimmings are typically dispersed in the immediate area to provide soil cover, reduce erosion, and return carbon to the soil. Mastication would not be used in grasslands.
- o **Spreading on site.** In areas with steep slopes, piling and chipping may be ineffective or potentially unsafe for implementation personnel. In these cases, trimmings may be scattered onsite.
- **Mowing and weed-whipping.** Mowing and weed-whipping are mechanical treatments that reduce the density and height of grasses and brush. Mowing is performed using small- to medium-sized tracked and rubber-tired vehicles (e.g., tractors, skid steers) equipped with mower attachments. Weed-whipping involves hand-held machines and tools and would typically be used in areas where mowing is not feasible or where slopes exceed 35%. These techniques may be used in conjunction with pile and burn treatment to avoid accumulating fuel loads in treatment areas. Mowing and weed-whipping may be used in shrub and grass vegetation and would be limited in forested areas to trail- and roadsides.
- **Prescribed fire.** The purpose of prescribed fire is to mimic historical conditions in areas that previously experienced frequent, small wildfires. These small, controlled fires are intended to reduce surface and ladder fuels that contribute to the formation of larger wildfires. Hand firing methods (drip torches, aerial ignition) be used to ignite treated vegetation, and emerging technologies (e.g., BurnBot) may be used as suitable. Thinning, cutting, and arranging of fuels are often necessary prior to prescribed burns. Prescribed fire may be used in any vegetation type and conducted at a frequency of no more than every three years.
- **Targeted grazing.** Targeted grazing involves the use of livestock (goats, sheep, or cattle) to reduce non-native species or overall plant cover and plant density in a confined target area. Dependent on vegetation type, targeted grazing may be used once annually or up to several times annually. This approach does not target specific species, but rather is used to reduce overall vegetation. The use of

⁹ Grinders are preferred for larger or bulkier cuttings.

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cattle would be limited to existing cattle allotments where cattle are already permitted. Targeted grazing could be used in grass or shrub vegetation types.

- **Application of herbicide(s).** Herbicides may be applied using hand sprayers to treat non-native species and prevent their return post-treatment. Aerial spraying is not proposed. The use of herbicides is intended to reduce competition pressure for native species and promote desired vegetative community composition. Application of herbicides would be in accordance with existing USFS standards for LPNF.^{10,11}
- **Planting and seeding.** USFS would plant and/or seed native species to replace ignitable, non-native species, and to enhance native species regeneration. These treatments would be used in several scenarios. (1) Planting and seeding would be used in disturbed areas prone to invasion by noxious weeds, which tend to be more flammable than native species. (2) Areas with a history of moderate- to high-intensity, stand-replacing fires may also receive planting and seeding treatments. Finally, (3) trees may be planted within zone treatment areas to provide shade in fuelbreaks.

Planting would be performed either by hand or by machine after fuel reduction activities are complete. Seeding would be performed using hand tools (rakes, hoes) or using a seeding implement. USFS would use seed mixtures that are certified to be free of noxious weeds and would use locally collected native seeds. Planting and seeding may be conducted in any vegetation type but would be seasonally limited to January to June and September to December periods.

Collectively, these treatments are expected to slow the rate and intensity of wildfire spread, facilitate safe and effective firefighter response, and increase defensible space for evacuation routes, essential facilities, and homes. Maintenance of fuelbreaks and defensible spaces is also expected to reduce the need for emergency dozer lines in the event of a wildfire, which may cause greater impacts to coastal vegetation than planned treatments.¹²

The proposed project prioritizes fuel treatments within the wildland-urban interface and treatments resulting in defensible space. In this context, USFS defines Wildland-Urban Interfaces (WUIs) as areas of variable width up to 1.5 miles from at-risk communities, or

¹⁰ USFS (2020). Environmental Assessment for the Forest-Wide Invasive Plant Treatment Program. <https://www.fs.usda.gov/r05/lospadres/projects/51845>.

¹¹ USDA (2016). Environmental Impact Statement for the Los Padres National Forest Tamarisk Removal Project. <https://www.fs.usda.gov/r05/lospadres/projects/28147>.

¹² Ongoing maintenance is contingent upon funding availability.

as defined in individual community fire protection plans.¹³ Project areas within the coastal zone, particularly in Monterey County, are also considered WUIs.

Treatments would not take place within designated or recommended wilderness areas, designated Wild and Scenic River areas, or critical biological land use zones. Additionally, as described further in Section D of these findings, treatments would be limited within certain sensitive habitats, or within habitats that support sensitive species.

Fuelbreaks and Defensible Space Widths

The width of proposed fuelbreaks and defensible space areas are based on vegetation type and infrastructure category. Within coastal areas, the maximum fuelbreak size would be 300 feet for forested areas (conifer and hardwood), chaparral, and shrub, and 100 feet for grasslands.

Treatment areas would be limited near roadways and motorized trails to within 50 feet of the edge of the road or trail. Treatments would be performed around USFS infrastructure sites (defensive zones) as well as within the sites. Along roadways and trails, vegetation brushing and removal would be performed within approximately 10 feet (dependent on slope, vegetation type, and other factors). Within 50 feet of roads and trails, planting and seeding of less-ignitable native species would occur as appropriate to prevent the return of more-ignitable non-native species and thinning would be performed within forested areas.

Defensible space treatments adjacent to recreation, administrative, and communication sites would occur within 150 feet and be gradually phased out between 150 – 300 ft if needed, based on site conditions and vegetation type.

Treatments in fuelbreaks and defense zones would be planned to include vegetation retention. Shaded fuelbreaks would be implemented in forested areas, with canopy cover increasing towards the outer edges of the corridor. In both fuelbreaks and defense zones, trees larger than 24 inches diameter at breast height (DBH) would be retained. Additionally smaller trees would also be retained to ensure diversity of age and size classes within the fuelbreak. Downed logs and snags (standing dead trees) will be retained for habitat values where safety hazards (e.g., trees at risk of falling onto trails) do not exist. In shrublands, treated areas would retain vegetation islands with edges of the treatment area feathered to transition into adjacent areas.

Implementation

¹³ USFS additionally defines WUI Defense Zones and WUI Threat Zones, subsets of WUIs, in the LPNF Land Management Plan (LMP). WUI Defense Zones are direct protection zones that include areas adjoining structures and evacuation routes. WUI Threat Zones are additional buffer areas that typically extend approximately 1.25 miles outward from WUI Defense Zones. In some cases, a WUI Threat Zone may extend significantly beyond 1.25 miles from its corresponding Defense Zone, because their size is determined based on fire history, local fuel conditions, weather, topography, and other factors.

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To date, the proposed project has been developed through desktop assessments and resources. As discussed further below, implementation of the project would occur incrementally over many years. To effectively implement the proposed project, the USFS has proposed an Implementation Plan (**Exhibit 6**) to consider resource conditions at the time of treatment and tailor the treatment methods and use of resource protection measures (RPMs) to the specific treatment areas and project. The Implementation Plan includes additional planning steps to:

- Identify preliminary treatment areas;
- Refine the proposed treatment areas and methods through field assessments and ground-truthing; and
- Review environmental resources or constraints to further refine the treatment areas, flag habitats and species for retention or avoidance, and identify the appropriate RPMs for the treatment area.

The USFS's implementation plan also includes post-project reporting of areas treated, treatment methods, amount of material removed and processed, and geospatial data. Additionally, implementation would include documentation of lessons learned for continuous improvement of resource protection through the implementation process. The implementation process for this project provides an opportunity for the USFS to assess whether changed circumstances would lead to effects on any coastal use or resource substantially different than originally considered. If implementation of treatment in a specific area is found to lead to substantially different coastal effects, the USFS and Commission would engage in supplemental coordination as described under 15 CFR 930.46.¹⁴

The proposed project would be implemented as funding and resources are available. Project actions would be carried out either directly by USFS staff or by contractors. USFS staff would conduct opportunistic, smaller-scale activities along roadsides and near recreational areas. Larger scale projects, including fuelbreak construction, may be contracted out. The USFS aims to perform treatments on up to 7,500 acres of the overall project area annually and does not anticipate treating more than 15,000 acres in a single year. Initial treatment volumes would be less than the 7,500-acre target as operations ramp up. The entire project's implementation would occur over approximately 20 years. After initial treatments are performed, USFS expects to return to treated areas to perform maintenance at a minimum interval of every 3 years.

Prior Commission Actions

The Commission previously reviewed and concurred with consistency and negative determinations submitted by the USFS for fuelbreak projects in the Monterey Ranger District and Big Sur Region. In CD-018-88 the Commission concurred with the USFS's Land and Resource Management Plan which directed the agency to take an active role

¹⁴ 15 CFR 930.46: <https://www.ecfr.gov/current/title-15/section-930.46>.

in fire management through the use of prescribed burns and establishment and maintenance of fuel breaks, in part to protect coastal watersheds. In ND-081-05 the USFS updated its Land and Resource Management Plan to include provisions for maintenance of existing roadways and fuelbreaks to protect Big Sur communities; maintenance and enhancement of wildfire suppression activities, in part through vegetation management; and development and maintenance of Wildland Urban Interface defense zones. In CD-0008-17, and CD-006-84 the Commission concurred with specific fuelbreak projects in the Monterey Ranger District.

B. Other Agency Approvals and Consultation

National Marine Fisheries Service

The USFS has completed project consultation with the National Marine Fisheries Service (NMFS) under provisions of the Endangered Species Act. The USFS has completed a biological assessment for aquatic species and received a concurrence letter from NMFS on March 20, 2025 (**Exhibit 9**).

U.S. Fish and Wildlife Service

The USFS has completed biological assessments for botanical and wildlife species (**Exhibits 7 and 8**) and is completing project consultation with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act. The USFWS is expected to issue a biological opinion in July or August of 2026.

California State Historic Preservation Office

The USFS has completed initial project consultation with the California State Historic Preservation Officer (SHPO) consistent with Section 106 of the National Historic Preservation Act of 1966 (54 USC 306108). The USFS would conduct project activities under an existing programmatic agreement with the SHPO.¹⁵ During project implementation, USFS would continue to engage with SHPO on a site-specific basis.

Regional Water Quality Control Boards

The USFS would conduct project activities in a manner consistent with an existing Management Agency Agreement with the State of California. This agreement outlines how the USFS will implement California's Nonpoint Source Control Program on National

¹⁵ See draft EA, Appendix A, Attachment A: Programmatic Agreement Among the USDA Forest Service, Pacific Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forests of the Pacific Southwest Region (**Exhibit 4**).

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Forest lands.^{16,17} The Los Padres National Forest Land Management Plan provides direction consistent with California's nonpoint source management programs. Therefore, no additional authorizations from regional water quality control boards are required for the project.

Tribal Governments

The USFS conducted Tribal outreach and consultation during project development. USFS began government-to-government consultation with two federally-recognized Tribes—the Tejon (Kitanemuk) Tribe and the Santa Ynez Band of Chumash Indians—starting in 2022. Concerns expressed during these consultations included notification for treatments in specified areas, cultural resource monitoring, and archaeological surveys. The USFS also solicited feedback from non-federally recognized Tribes. The Salinan Tribe and Xolon Salinan Tribe shared comments with USFS requesting protection of culturally significant sites and identifying areas of concern. Additionally, the Wishtoyo Chumash Foundation expressed concerns about impacts to cultural resources (including traditional use plants), roadless areas and wilderness, and sensitive species.

Consultation by Commission Staff

As part of the Commission's review process, Commission staff invited Tribes with ties to areas where project activities, or potential project-related impacts, could occur to consult on the project. The Tribes invited to consult on the project were identified by the Native American Heritage Commission (NAHC) and are listed in **Appendix A** of the staff report. Commission staff heard concerns from the Salinan Tribe about protecting a sacred site inland of the coastal zone but has not received any requests to consult as of the publication date of this report.¹⁸

C. Hazards

Coastal Act Section 30253 states, in relevant part:

New development shall do all of the following:

¹⁶ California Water Boards. Nonpoint Source Pollution Control Program: Water Quality Management Plan for National Forest System Lands in California.

https://www.waterboards.ca.gov/water_issues/programs/nps/wqmp_forests.html

¹⁷ USFS (2011). Draft Water Quality Management Handbook.

https://www.waterboards.ca.gov/water_issues/programs/nps/docs/wqmp_frsts/usfs.pdf

¹⁸ The sacred site identified for concern was determined to be outside of (and away from) proposed project areas, both within and outside the coastal zone boundary.

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- ...
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Fire Hazards

In its draft EA, USFS states that approximately 75% of LPNF is classified as “high” or “very high” wildfire hazard potential.¹⁹ The purpose of the proposed project is to reduce the severity and spread of wildfires within LPNF and to protect the resources and uses of the forest, including within the coastal zone boundary. As stated in the USFS consistency determination:

The WRRP will reduce the potential for catastrophic wildfire throughout the project area and reduce the potential for spread through the coastal zone where there could be impacts to life and property.

The USFS consistency determination additionally states that the project would address long-term management needs through improvements to:

- 1) Resilience of vegetation to wildfires and overall improvement of forest health by reducing fuels and reintroducing fire on the landscape using prescribed fire;
- 2) Community and infrastructure protection by reducing fuels adjacent to communities, USFS facilities, communication sites, roads, motorized trails, property boundaries, and strategic fuelbreaks; and
- 3) Wildfire containment opportunities by establishing and maintaining fuelbreaks, defense zones, and maintaining general forested areas in strategic locations.

The proposed project is expected to reduce the occurrence of moderate- to high-intensity wildfires relative to the current baseline and focuses on reducing fuels near communities. The proposed project includes defense zones on the edge of LPNF

¹⁹ See draft EA (**Exhibit 2**), p. 9, Increased Risk to Human Communities and Infrastructure.

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adjacent to non-federal property. As described in Section A of these findings, USFS included these areas to enable other property owners to meet defensible space requirements, where necessary. Thus, the project is expected to reduce wildfire-related risks to life and property in and around the proposed project areas and is therefore expected to reduce the risk of wildfire within coastal zone lands adjacent to LPNF.

With the anticipated reduction in intensity and frequency of large wildfires, increased defensible space around properties, and increased ability for firefighters to access and fight wildfires that would result from its completion, the proposed project would be designed to reduce risks to life and property in areas of high wildfire risk. Thus, the proposed project is consistent with Section 30253(a) of the California Coastal Management Program.

Erosion

Wildfire contributes to increased erosion. Preventing or reducing the intensity or size of wildfires in LPNF would therefore reduce erosion potential within LPNF. As stated in the draft EA, the USFS has determined that the benefits to reduced erosion from preventing large-scale and high-intensity wildfires significantly exceed the potential erosion impacts that are anticipated as a result of treatment activities:

High-intensity wildfires can have detrimental effects on soils. These fires can breakdown[sic] soil structure, reduce moisture retention and capacity, and lead to the development of water repellency. When fire consumes vegetation and underlying organic layers, hydrophobic or water-repellant soil conditions can form, resulting in increased surface runoff and erosion. Increased surface runoff and erosion can lead to increased water quality impairments ultimately reducing water quality condition ratings. It is expected that wildfire intensity would vary depending on soil types, slopes, and vegetation present. However, in all situations after a high intensity wildfire, a rainfall event would have higher potential to overwhelm the capacity of drainages as sediment and ash are moved downslope at greater rates than would normally occur with the same storm event on an area that burned at a low or moderate intensity.

...

Modeling indicates that wildfire would result in more sediment delivery in a year of disturbance than the maximum predicted from modeled treatment activities combined.

Additionally, the USFS has incorporated RPMs to reduce potential erosion directly resulting from project activities, including:

- Spreading of slash (as a mulch) to a distance of at least 150 feet along skid trail prisms from any intersection of a road, trail, trailhead, or campground and over all skid trails where mineral soil has been exposed in order to control erosion.

- Placement of erosion control features (water bars, leadout ditches) in firelines to minimize erosion.
- Retention of residual grass or dry matter in areas treated with targeted grazing.

With the proposed RPMs and anticipated reduction in frequency and intensity of large wildfires that would result from it, the proposed project would neither create nor contribute significantly to erosion that could affect the coastal ocean, consistent with Section 30253(b) of the California Coastal Management Program.

Air Quality

The proposed project would include the use of vehicles and equipment that would introduce small sources of air pollutants as a result of gasoline or diesel combustion; however, due to the limited number of vehicles and equipment used in manual and mechanical treatments, emissions from mechanical or hand thinning treatment activities would not be expected to exceed air quality *de minimis* levels, and would be consistent with requirements imposed by the air pollution control district.

The proposed project would also include the use of prescribed burns and pile burning as fuel reduction treatments. These treatments produce air pollutants (including particulate matter, carbon monoxide, and others) that are deleterious to human health and to environmental resources.²⁰ The proposed treatments would be small-scale, controlled, and planned in advance to prevent adverse impacts to local communities. Additionally, these treatments would be spatially dispersed and occur only within specified treatment areas. Therefore, the scale of direct fire-related impacts anticipated as a result of project activities is expected to be small. However, due to the regionally dispersed nature of air pollution, some air quality impacts may spill over into the coastal zone.

USFS would carry out the proposed prescribed burn and pile burning treatments in accordance with local air district requirements and guidelines. Pursuant to Clean Air Act Section 176(c), the USFS is required to evaluate whether the proposed project would cause or contribute to a violation of National Ambient Air Quality Standards (NAAQS)²¹ or interfere with the purpose of a State Implementation Plan. USFS notes in its draft EA that:

... treatment activities, including pile burning and prescribed fire, are already considered within the U.S. EPA-approved Smoke Management Program administered by CARB and the local air districts. Emissions from prescribed fire

²⁰ For more information on air pollution associated with wildfires and fires within WUIs, see the U.S. Environmental Protection Agency's (EPA's) Wildland Fire Research resources at <https://www.epa.gov/air-research/wildland-fire-research-whats-smoke>.

²¹ NAAQS have been established for six criteria air pollutants: particulate matter, carbon monoxide, nitrogen dioxide, ozone, sulfur dioxide, and lead. Air districts additionally regulate the release of volatile organic compounds (VOCs) because they act as precursors to ground-level ozone formation.

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conducted in accordance California's Smoke Management Program (California Code of Regulations, Title 17, Section 80100, et seq.) are "presumed to conform" [40 CFR 93.153(i)(2)]. Therefore, the emissions from the proposed action would not hinder the efforts by the local air pollution control authorities to achieve attainment and demonstrate ongoing maintenance of NAAQS.

The USFS has incorporated RPMs into the project to reduce the potential for detrimental impacts from air pollution and smoke, including:

- USFS would seek approval for prescribed fires from the applicable local air district prior to treatment.
- The USFS would develop Prescribed Fire Plans, to include Smoke Management Plans.
- Nearby landowners would be notified prior to prescribed burns.
- The timing of prescribed burns would be selected to minimize risks due to weather and fuel conditions (typically October to June).
- Control lines (firelines) would be constructed as needed to prevent the spread of prescribed fire beyond intended areas. These control lines would also help to ensure that smoke from prescribed fire remains within expected limits.

With the USFS's commitment to obtain approval from local air districts for prescribed fire use, the proposed project is consistent with Section 30253(c) of the California Coastal Management Program.

Recreational Uses

The proposed project areas include popular visitor destinations and recreational areas in coastal Monterey County, including in Big Sur and along portions of the California Coastal Trail. Proposed treatments in these areas include fuel reduction along roads, walking trails, motorized trails, and recreation sites.

Wildfires have the potential to damage or destroy existing visitor destinations within LPNF, or to damage or destroy roads used to access these destinations. Closures following wildfires can be long-lasting as USFS has limited resources to repair damaged facilities.

Similarly, wildfires originating within LPNF can spread beyond the forest and into state parks or other regions of the coastal zone, and reductions in fire risk within LPNF would therefore be protective of coastal zone resources.

The proposed project is expected to reduce the frequency and intensity of uncontrolled wildfires within LPNF. Treatments along and within recreational areas are expected to improve firefighting outcomes in the event of a wildfire. Therefore, the project is expected to reduce wildfire-related risks to popular visitor destinations within the LPNF, consistent with Section 30253(e) of the California Coastal Management Program.

D. Environmentally Sensitive Habitat Areas

Coastal Act Section 30240 states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Los Padres National Forest extends over 2,700 square miles, hosts over 450 wildlife species, and contains diverse habitats including coastal bluffs, oak woodlands, grasslands, and forests within the coastal zone boundary. Considering the relatively undisturbed status and diverse abundance of biological resources present in the project area, it is critically important that any proposed development within LPNF includes careful analysis of areas that constitute environmentally sensitive habitat area (ESHA) so that project implementation can be sited and designed in a manner consistent with the requirements of Section 30240.

Defining ESHA

ESHA, as defined in Section 30107.5 of the Coastal Act, is "...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 which could be easily disturbed or degraded by human activities." Thus, Section 30107.5 sets up a two-part test for determining what constitutes ESHA. The first part is determining whether an area includes plants, animals or their habitats that are either: (a) rare; or (b) especially valuable because of their special nature or role in an ecosystem. If so, then the second part asks whether such areas could be easily disturbed or degraded by human activities. If so, then the area where such plants, animals, or habitats are located is deemed ESHA per Section 30107.5.

Rare plant or animal life or their habitats include but are not limited to: globally and state-ranked species or sensitive natural communities (i.e., with rarity rankings of G1-3 or S1-3, which are considered state or globally critically imperiled, imperiled, or vulnerable), federal and state threatened, endangered or candidate species, California rare plants (i.e., California Rare Plant Rank 1 or 2), California Species of Special Concern, and California Fully Protected Species. In addition to habitats recognized on the basis of rarity, other areas may be considered "especially valuable" based on their special nature or role in the ecosystem, thus meeting the definition of ESHA. Examples of special nature include genetically distinct populations or unusual ecotones. Riparian

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corridors, areas supporting rare plant species, and sensitive natural vegetation communities are examples of ESHA located within the proposed project area.

Potential habitats and biological resources within project area

Approximately 1,900 acres of project treatment areas are proposed seaward of the coastal zone boundary, the majority of which would be within Monterey County between Bixby Creek and San Carpoforo Creek. Two proposed treatment areas, totaling approximately 64 acres, would also be located in the foothills near Carpinteria in Santa Barbara County. Treatment would occur across an assortment of habitat types, including sensitive natural communities, more common (but non-sensitive) native plant communities, and areas that are heavily invaded by non-native species. These habitats include but may not be limited to:²² 192 acres of annual grassland (predominantly non-native), 318 acres of oak woodlands, 165 acres of other hardwood, conifer, and pine habitats, 491 acres of mixed and chamise-redshank chaparral, and 601 acres of coastal scrub.

The preliminary desktop analysis submitted by USFS states that there are no federally endangered or threatened plant species expected to occur in the project areas within the coastal zone boundary. Federally listed or candidate wildlife that may be in the project area seaward of the coastal zone boundary include California spotted owl (*Strix occidentalis occidentalis*; Proposed Endangered); marbled murrelet (*Brachyramphus marmoratus*; Threatened); southwestern pond turtle (*Actinemys pallida*; Proposed Threatened); California red-legged frog (*Rana draytonii*; Threatened); foothill yellow-legged frog (*Rana boylei*; Endangered); monarch butterfly (*Danaus plexippus*; Proposed Threatened); and Smith's blue butterfly (*Euphilotes enoptes smithi*; Endangered). Prior to initiation of project treatments, site assessments would be carried out by biological resource experts to determine if any of these species are present. If they are, USFS would implement avoidance protocols to minimize potential adverse effects, as described further below.

Treatments

The ecological goals of the proposed project include increasing resilience of vegetation to wildfires and overall improvement of forest health by reducing fuels and reintroducing fire on the landscape using prescribed fire where ecologically appropriate. Fuelbreaks and defense zones are intended to reduce a wildfire's ability to spread, improve firefighter access, and to reduce the need for dozer lines, which include ground disturbance and removal of vegetation when constructed.²³ As described in Section A of

²² Land areas are estimated based on USFS desktop studies. Ground-truthing would be performed to confirm the habitat types present in treatment areas prior to implementation.

²³ Emergency dozer lines are firebreaks constructed after a wildfire has already begun to contain the fire and prevent its spread. Construction of these firebreaks involves the use of a bulldozer to clear wide areas of vegetation, often down to bare soil. Typically these firebreaks are created without prior

these findings, the proposed project includes mechanical and hand thinning activities, mowing and weed whipping activities, prescribed fire, targeted grazing, use of herbicides, and planting and seeding native plants. These proposed project activities have the potential to disturb sensitive habitats. However, most of the proposed treatments are located along existing roads, motorized trails, recreation sites, and other disturbed areas.

Three fuelbreaks are proposed in coastal areas (see **Appendix C**). One proposed fuelbreak would run approximately southwest to northeast from the crossing of Highway 1 at Prewitt Creek, north of Plaskett. This fuelbreak was suggested by public commentors as an alternative to a previously proposed fuelbreak further south in a previous iteration of the project. This new location would coincide with a containment line utilized during a previous wildfire. Two other fuelbreaks would run along ridgelines and portions of Plaskett Ridge Rd. and Fort Hunter Liggett Rd. in previously disturbed areas. No additional fuelbreaks are proposed within the coastal portions of LPNF. The remaining potential treatment areas are defense zones surrounding administrative and communication sites, neighboring private parcels, and public recreation areas.

As described in Section A, the maximum widths of proposed defense zones, fuelbreaks, and treatment areas are determined in part by habitat type, including forested (conifer and hardwood), shrub, and grass. Generally, treatment areas along roads would extend a maximum of 50 feet from road and trail edges, while defense zones around administrative and communication sites could extend up to 150-300 feet from structures. It should be noted that the project area shown in **Exhibit 1** demonstrates the maximum, rather than minimum, possible treatment area. Funding limitations, operational capacity, adjacent landowner coordination, and other factors may substantially reduce the acreage ultimately treated under the project.

As described in Section A, the proposed treatments include vegetation retention policies, including with the use of shaded fuel breaks in forested areas. This treatment would retain trees larger than 24 inches DBH as well as a proportion of smaller trees to ensure diversity of age and size classes. Downed logs and snags (standing dead trees) would be retained for habitat value. Within shrublands, vegetation islands would be retained and feathered edges applied to the treatment areas. Additionally, the use of prescribed fire would be focused on areas that have, in recent years, burned less frequently than their historical average. The USFS has identified that this is mostly applicable to areas of conifer forests, but that prescribed fire may be used to maintain established fuel breaks in chaparral as well. Historic fire regimes are mapped within the Environmental Assessment and will be considered when implementing treatments.²⁴ Planting and seeding may be implemented in disturbed areas or to retain shade in

environmental review due to immediate, emergency-level need to contain an active fire and there can be detrimental ecological impacts from their construction that last long after the fire is extinguished.

²⁴ See draft EA (**Exhibit 2**), Figure 2.

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areas previously burned and where ecologically appropriate. Planting and seeding stock will utilize locally sourced seed with species native and ecologically appropriate for the area.

Potential Spillover Impacts to ESHA and Biological Resources

Under the federal CZMA, the Commission is authorized to review federal agency activities and actions that occur within or outside of California's coastal zone and that affect any land or water use or natural resource of the coastal zone. In cases where a proposed project that is being reviewed under the Commission's federal consistency authority is to be located in federal lands excluded from the coastal zone, the Commission's review of the project is limited to evaluating whether the activities will result in effects that extend outside of the federal property and will "spill over" into the coastal zone. In other words, it evaluates a project's consistency with Coastal Act ESHA policies by analyzing how any impacts to ESHA on the federal property may spill over and affect species or habitat resources located in the coastal zone beyond the federal property boundary. In implementing this approach, the Commission considers if impacts to the species and habitats on federal land will affect the species and habitats in the coastal zone due to species movement, population viability, or other factors.

The proposed project has the potential to create spillover effects related to ESHA through the removal of native and rare vegetation, increasing erosion, and use of herbicide. Removal of a rare species during treatment would eliminate seed sources that may contribute to a rare species survival in the coastal zone. Widespread removal of vegetation could increase erosion on hillsides and contribute to increased sediment loads within streams and creeks. However, the USFS has identified protocols for use within Riparian Conservation Areas and 192 Resource Protection Measures (RPMs) to avoid and minimize impacts to habitats and biological resources (see **Exhibit 3**). These are described in further detail below.

Implementation and Proposed Resource Protection Measures

As described in Section A, the USFS will undertake field surveys and assessments to further refine implementation of the project, including avoiding sensitive habitats and identifying RPMs for each treatment area. A proportion of the RPMs are related to the protection of habitat and biological resources, especially while treatments are implemented in the field. RPMs and best management practices regarding biological resources, including special status species and riparian corridors, are described in further detail below.

Threatened, Endangered, and Sensitive Species Protections

The USFS has incorporated protections for threatened, endangered, and sensitive (TES) species. In the context of this project, "TES species" include federally-listed endangered, threatened, candidate, or proposed species as well as plant and animal species listed as USFS Sensitive. Therefore, not all state-listed species or California rare plant species are included under this designation. However, USFS has agreed to

review the California Natural Diversity Database and any fine-scale vegetation mapping available during the planning stage of the Project Implementation Framework to identify any at-risk plant occurrences, suitable habitat potential, and special habitats in addition to TES species that may be present during treatment activities. Additional protections for these sensitive botanical resources would be incorporated into the project to the extent practicable.

For federally threatened, endangered, or candidate species, USFS prepared specific effects analyses, which were used to devise species-specific RPMs, which are detailed in **Exhibit 3**. RPMs were also developed to avoid and minimize impacts to all TES species. These RPMs include:

- Prior to treatment, the USFS would survey project areas for TES plant species. If found, sensitive plants would be flagged and occurrence maps provided to contractors in order to avoid individuals of these species.
- Prior to treatment, habitat areas for TES species would be assessed for suitability and for occupancy by a qualified biologist or botanist. In areas where species are determined or assumed to be present, or in areas determined to be suitable habitat (regardless of presence), established survey protocols would be implemented and treatment design would be adapted to include species-specific considerations and protections.
- No project operations should occur within 50 ft of individual threatened or endangered plant species, and no mechanical treatments or burn piles will occur within 50 ft of threatened and endangered species.
- Prior to treatment, workers would receive training on the TES species that could be present in the project area, their identification, and how to respond if any area observed.
- If TES species are unexpectedly discovered in a project area, USFS staff would be notified and RPMs applicable to the discovered species would be implemented.
- If an unexpected federally-listed species is discovered in a project area, USFS would consult with the U.S. Fish and Wildlife Service.

In addition, all activities will prioritize avoiding bird nesting season (approximately March-July) to the extent practicable. If the season cannot be avoided, nests would be identified and a qualified biologist would establish an exclusionary buffer. Work would be delayed overnight if potential bat roost sites were identified during March 15 – August 31 to allow bats to vacate the project area.

Riparian Habitats

The USFS has developed a five-step screening process that identifies additional protections specific to riparian conservation areas (RCAs) and wetlands.²⁵ This plan:

1. Applies RCA minimum buffer widths based on nearby aquatic features where most treatment activities would be prohibited, with exceptions for those areas next to roads and administrative sites.²⁶
2. Incorporates additional buffer distances as needed based on special status species present in the area. These additional buffers would extend beyond the standard buffers determined in Step 1.
3. Evaluates whether the proposed project would maintain or improve conditions in the RCA, consistent with federal recovery plans for federally-listed riparian-dependent species.
4. Screens the proposed project against USFS watershed program strategies and coordinates with resource agencies.
5. Implements applicable USFS guidelines and management tactics for soil and water conservation in the LPNF.²⁷

The USFS has incorporated protective measures for riparian corridors into the project, including:²⁸

- Treatments within riparian habitats would be restricted and implemented consistent with the 5-Step Screening Process for Riparian Conservation Areas (RCAs) described above. Limited exceptions may be made if beneficial to special status species critical or occupied habitat.
- Staging areas, landings, and firelines would be sited to avoid riparian areas to the maximum extent possible.
- Refueling and servicing of equipment and storage of fuel or other hazardous waste would not occur within 100 feet of perennial or seasonal streams, seeps, springs, meadows, or water bodies.

²⁵ See **Exhibit 5**.

²⁶ Within the proposed project areas, the minimum buffers would vary from a minimum of 98 ft to a minimum of 328 ft. These buffers would begin either at the edge of the feature (such as a streambank edge) or at the edge of its surrounding riparian vegetation, dependent on the type of feature and the extent associated riparian conditions. For example, a perennial stream have a buffer of at least 328 ft, but this buffer would begin at the edge of its associated riparian vegetation if the vegetation extends at least 164 ft from the streambank edge. For more specific criteria, see **Exhibit 5**, Table 1 (p.1).

²⁷ See **Exhibit 5**, p. 8.

²⁸ See Resource Protection Measures (**Exhibit 3**).

- Broadcast burning treatments would be designed to avoid entering riparian vegetation, and non-broadcast burning within riparian areas would not occur simultaneously with broadcast burns.
- Targeted grazing would not be used within riparian or aquatic habitats.

Herbicide application across the project area will follow measures identified in the Forest-wide Invasive Plant Treatment Program EA (2020), or most current version. This includes, but is not limited to, applying the minimum amount to be effective, using targeted applicators rather than broadcast spray methods, prohibiting herbicide application less than 48 hours before forecasted rain events, and prohibiting application when winds are 10 mph or greater.

Summary of Consistency Analysis

As stated above, possible significant spillover effects from the proposed activities include impacts to ESHA, especially riparian corridors and rare species or vegetation communities. However, the proposed treatment locations, RPMs, RCAs, and implementation plan effectively prevent impacts that would significantly degrade ESHA to the maximum extent practicable.

Specifically, the majority of vegetation removal will occur along roadsides and existing fuelbreaks, limiting impacts to habitat that has not previously been treated or disturbed (see examples in **Appendix C**). Vegetation within the project boundary has to date been predominantly identified in desktop analyses, but field surveys to identify sensitive resources on the ground will be conducted before treatments are implemented, and sensitive resources within treatment areas would be identified, flagged, and avoided to the greatest extent feasible. Additionally, fine-scale vegetation mapping through the California Vegetation Classification and Mapping Program is anticipated to be available by 2027, which will allow for further refined desktop analysis to refine project boundaries and avoid sensitive vegetation communities. Additionally, as discussed above, RPMs (**Exhibit 3**) are proposed to avoid impacts to special status and sensitive plant and animal species to the greatest extent feasible.

The proposed RCAs prohibit most treatment activities within approximately 100 feet of wetlands and intermittent watercourses and within 328 feet (100 meters) of perennial watercourses. Additionally, vegetation removal will retain islands of vegetation to maintain habitat and implement multiple RPMs prescribe measures to avoid or reduce erosion, including limiting removal of vegetation when erosion may be exacerbated, and requiring the installation of erosion control measures (e.g., water bars within firelines) where necessary.

Herbicide application generally has the potential to inadvertently spread from federal lands and into adjacent areas within the coastal zone. Given that herbicide will not be used near riparian corridors, applied less than 48 hours before rain events, and only when winds are <10 mph, impacts from herbicide use are minimized.

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With the project's RPMs in place, the Commission finds that the proposed project is consistent to the maximum extent practicable with Section 30240 of the California Coastal Management Program.

E. Visual Resources and Public Recreation

Coastal Act Section 30251 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30213 states, in relevant part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.

Scenic and Visual Qualities

The proposed project areas include coastal regions of high scenic and visual resource value, including recreation areas— day use picnic areas, beach access points, campgrounds, hiking trails, and other recreational areas— along portions of Scenic Highway 1 and upland areas in Monterey County. Additionally, a portion of the proposed project areas are located in close proximity to, and may be viewable from, California State Parks.

Some of the proposed project activities have the potential to diminish the scenic quality of treatment areas by reducing the vegetation density, including by trimming, cutting, mowing, prescribed burns, and other vegetation removal. To address visual resource impacts, the USFS has incorporated a suite of resource protection measures (RPMs) into the project to avoid and minimize impacts to the scenic quality of coastal areas (see **Exhibit 3**). Treatment areas would have free-form shapes that relate to local topography and reflect natural open space patterns. Scalloping and feathered edges would soften the visual transition between treatment and non-treatment areas. Within fuelbreaks,

islands of vegetation would be retained and retained vegetation would be left unpruned except for necessary tree limbing. If trees are removed within campsites or trailhead boundaries, they would be flush-cut to stump heights not more than 2 inches.

USFS has incorporated specific implementation procedures within 50 feet of scenic byways (such as Highway 1) and recreation areas. In these areas, treatments would be limited to less visually impactful methods. No mastication or chipping would be allowed in these areas. Saplings less than 10 ft tall would be excluded from treatment activities, and limbing of trees taller than 10 feet would be limited to one third of their height. During tree thinning, no more than 5-10 feet of space would be created between crowns. Between 50 and 150 ft from scenic byways, pile burning would not be used and prescribed burns would only be used in areas where chipping is infeasible. If prescribed burning is implemented along scenic byways, completing these burns within two years of the beginning of fuel treatment to allow at least one year of recovery and complete all work within a three-year window to limit the duration of treatment impacts.

The USFS has also incorporated protections for nationally-designated trails, along which treatments would be limited to hand treatments except roadside brushing and limited bucking of trees. Tree bucking would exclude any trees that could not be moved at least 50 ft from the trail. Within 4 ft of trails, unattached overhanging limbs created as a result of project actions would be removed.

After completion of treatments in recreational areas, USFS (or contractors working on its behalf) would seek inspection and approval of slash and debris clean-up from ranger district recreation staff to the extent practicable.

While some visual and recreational impacts are expected from project activities, they would be temporary and short-term. The proposed RPMs are expected to minimize disruptions to recreational and scenic value while promoting and enhancing these resources long-term by preventing catastrophic wildfires that have the potential to scar the landscape and damage or destroy recreational sites and facilities.

The proposed treatment areas focus on protecting existing development, and with few exceptions are primarily sited in already-disturbed areas.

A portion of the proposed treatment areas are within already disturbed areas and may currently be visually degraded by the presence of fire scars or visual evidence of dozer lines. Treatment of these areas would focus on removal of invasive, highly ignitable plants, and re-seeding with native plants that are less ignitable and more reflective of the natural landscape in LPNF. Treatments within these areas are therefore expected to enhance or restore the visual quality of LPNF.

With the proposed RPMs, treatments are not expected to degrade the scenic or recreational value of coastal resources, and the proposed project is consistent with Section 30251 of the California Coastal Management Program.

Public Access and Recreation

The proposed fuel reduction treatments may result in temporary, localized reductions in public access to recreational opportunities within the coastal zone boundary if closures of roads, trails, or treatment areas are necessary for public safety. Roads would not be closed by default during treatment activities. However, temporary road closures may be required during road- and trail-side fuel reduction treatments for purposes of public health and/or safety. Dependent on the treatment location, these closures may temporarily affect access to popular visitor destinations for recreation or scenic views, including those accessed via Highway 1.

Access to certain popular sites—such as the access road and parking lot for Pfeiffer Beach and day-use picnic areas along Highway 1—could be temporarily closed or reduced in capacity. For example, treatment of areas adjacent to Pfeiffer Beach could temporarily affect the number of available parking spaces. Treatment of Highway 1 near Pfeiffer Beach could result in partial or complete closures of the road for safety reasons. The USFS has committed to ensuring continuous public access to coastal recreation sites—particularly those west of Highway 1—during treatment activities (see **Appendix B**), including by:

- Completing treatments during low visitation times or seasons.
- Using partial rather than full closures of recreation and parking areas.
- Using traffic controls, signage, and temporary detours to ensure continued access.

Within recreational areas, treatments would be scheduled to coincide with lower-use seasons to minimize disruptions to visitors and permitted special uses, and USFS would coordinate with recreational staff to plan and communicate any necessary closures. Recreators with special use permits would be notified at least 30 days in advance of any access restrictions. Signage would also be placed at trailheads and access points to clearly identify active treatment locations and advise users of any temporary access limits. After completing treatments along trails, slash and debris would be removed to ensure that trails are unobstructed.

Treatments would be designed to reduce the risk of damage to special use structures (communication towers, transmission lines, etc.). Recreational site amenities—such as water systems, roads, trash cans, tables, grills, signage, light poles, and restrooms—would be protected during treatment activities. If any damage occurs, amenities would be repaired or replaced to at least their pre-treatment condition. If prescribed burns are used within recreation areas, control lines (firelines) would be implemented to prevent the spread of fire beyond the intended treatment area.

With the incorporation of these measures, public access and recreational opportunities would be maintained to the maximum extent feasible while meeting essential public safety needs. Therefore, the project is consistent with Section 30210 of the California Coastal Management Program.

Lower-Cost Recreational Facilities

The proposed project includes fuel reduction treatments near lower-cost visitor and recreational facilities, including campground and trails, within LPNF. These treatments would also help to prevent fires from entering nearby state parks—including Pfeiffer Big Sur State Park, Julia Pfeiffer Burns State Park, and Andrew Molera State Park—that contain similar low-cost recreational facilities. As the purpose of the project is to prevent catastrophic wildfires that might threaten these facilities, and the proposed project activities include the creation of defensible space around and reduction of fuels within these facilities, the project is consistent with Section 30213 of the California Coastal Management Program.

F. Water Quality

Coastal Act Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project includes activities that have the potential to cause minor-to-moderate impacts to water quality in nearshore marine and fresh waters on a temporary basis. These impacts are associated with erosion, sediment runoff, accidental spills, and stream crossings by equipment, personnel, and livestock. Depending on the intensity and location of treatment activities, it is possible that water quality both in the coastal ocean and within coastal streams that serve as habitat for steelhead (a species that travels between LPNF and the coastal zone) could be affected by project activities. For example, defensive space treatments near Pfeiffer Beach would occur adjacent to the coast, and erosion from this location could flow onto the beach and into the ocean.

As described in Section B of these findings, the USFS would conduct project activities in a manner consistent with an existing Management Agency Agreement with the State of

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California for nonpoint source management within National Forest lands.²⁹ This agreement includes the adoption of programmatic guidance for developing site-specific Best Management Practices and ensures that USFS actions are carried out in compliance with state and federal water quality objectives.

Adverse impacts to the quality of coastal waters would be avoided and minimized through the implementation of resource protection measures (RPMs) that focus on streams, wetlands, and other coastal water bodies. The USFS has included water quality protections in the project's Implementation Plan (**Exhibit 6**). During the planning phase, water bodies would be mapped along with buffers around these features. Any impaired water bodies would be identified, and if any of these water bodies could be impacted by treatment, recommendations to modify treatment prescription or treatment boundaries would be made. During implementation, water features would be delineated in the field and flagged, and monitoring would be incorporated to ensure compliance with all RPMs, best management practices, and any applicable conditions in project permits. Erosion controls would be included to prevent erosion, and these controls would be verified for adequacy and maintained throughout the project. A general discussion of erosion impacts and RPMs to avoid and minimize erosion can be found in Section C of these findings. After treatments are concluded, the treated area would be evaluated to determine whether any restoration is needed and whether best management practices implemented during treatments were effective. If any are found ineffective, corrective measures would be recommended for incorporation into future treatments.

The Five-Step Project Screening Process for Riparian Conservation Areas, discussed in Section D of these findings, applies to areas along streams, riparian areas, and other water features. This screening process is intended to protect these ecosystems and the quality of coastal waters by implementing buffers around riparian areas and other water features and associated habitats and limiting the treatments and other project activities that may be carried out within these buffers. USFS would collaborate with qualified resource specialists to identify appropriate treatments within buffer areas on a site-by-site basis. More detailed information about this plan can be found in Section D of these findings and in **Exhibit 5**.

USFS has incorporated into the project general RPMs that would be protective of coastal waters. All heavy equipment, vehicles, fuels, and toxicants would be stored outside of riparian areas. Additionally, refueling of vehicles and equipment would be prohibited within 100 feet of waterbodies. If heavy equipment must cross streams, temporary crossings would be constructed to prevent damage to the streambed that

²⁹ California Water Boards. Nonpoint Source Pollution Control Program: Water Quality Management Plan for National Forest System Lands in California.
https://www.waterboards.ca.gov/water_issues/programs/nps/wqmp_forests.html

contributes to turbidity and sedimentation. These crossings would also help to prevent tracking of sediments and pollutants into the stream.

Targeted grazing would not be used within riparian and aquatic habitats. When targeted grazing is used outside these habitats, salt and other supplements for livestock would not be stored within 0.25 miles of water sources (streams, ponds, riparian areas, meadows, springs, etc.). Livestock crossings through streams would be avoided. If unavoidable, qualified resource specialists would select locations where crossings would occur to avoid water quality impacts, and use of established crossings would be preferred over new crossings in undisturbed areas. With these RPMs, the use of livestock for targeted grazing treatments is not expected to harm marine organisms on a population level or to contribute to water quality conditions that would cause health impacts for human populations.

Species-specific protections for aquatic species would also be indirectly protective of water quality. For example, within steelhead habitat areas, prohibitions on livestock passthrough and the removal of aquatic/riparian vegetation would be implemented, and these steelhead protections would indirectly protect water quality by avoiding erosion in these areas. Additionally, no treatments would occur within 50 ft of threatened or endangered plant species, and any potential impacts would therefore be avoided in these areas.

Furthermore, the purpose of the proposed project is to prevent catastrophic wildfires that could be detrimental thereto. With the proposed RPMs, screening for riparian conservation areas, and implementation procedures, the project is not expected to be detrimental to the productivity or quality of coastal waters as appropriate to maintain optimum populations of marine organisms to protect human health. Therefore, the project is consistent with Sections 30230 and 30231 of the California Coastal Management Program.

G. Tribal Cultural Resources

Coastal Act Section 30244 states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The proposed project has the potential to adversely affect Tribal cultural resources as a result of treatment activities. For example, targeted grazing could result in trampling of sensitive resources by livestock; use of heavy equipment could lead to crushing, erosion, or other disturbance of artifacts; and vegetation removal could cause erosion (see Sections D and F) that exposes artifacts to weather or other potential damage.

The USFS has stated that the proposed project may result in positive effects to cultural resources by reducing heavy fuel loading near cultural artifacts and sites. The proposed project is intended to reduce the risk of catastrophic wildfires. A reduction in wildfires

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would reduce the risk of direct fire-related impacts (burning) and indirect impacts from fire suppression activities (such as the use of bulldozers to create emergency firelines).

As discussed in Section B, the USFS began consulting with federally and non-federally recognized Tribes in 2022, during the initial project scoping. The USFS has stated that it will continue to engage with Tribes as appropriate on a site-specific basis during project implementation to ensure cultural resources are protected to the extent . This commitment is incorporated into the project Implementation Plan (**Exhibit 6**), resource protection measures (RPMs; **Exhibit 3**), and Section 106 programmatic agreement with the SHPO (**Exhibit 4**).³⁰

In accordance with the Implementation Plan (**Exhibit 6**), during the planning phase (prior to treatments) interested Tribes would be notified of potentially at-risk resources and USFS would request feedback on proposed site treatments and cultural monitoring. Consultation may be reopened (or new consultation may be initiated) in response to changed conditions,³¹ which would trigger re-evaluation for potential effects to cultural resources and review and, as appropriate, updates to RPMs. Supplemental NEPA review would be triggered if new information indicates that project effects on cultural resources would go beyond those considered in the EA.

RPMs for cultural resources have been incorporated into the project (**Exhibit 3**, RPM Nos. 57-63), including but not limited to cultural resource surveys, Tribal monitoring, avoidance of culturally significant sites, and incorporation by reference of protections identified in the Section 106 programmatic agreement with the SHPO (**Exhibit 4**).

The Section 106 programmatic agreement requires seventeen protective measures be implemented for historic properties, including culturally significant sites.³² These measures include avoidance of, and establishment of buffer zones around, culturally significant sites. USFS would consult with Tribes to determine appropriate buffer widths. Tribal monitoring is also included in these requirements. As such, the project is consistent with Section 30244 of the California Coastal Management Program.

³⁰ See draft EA, Appendix D: Implementation Plan (**Exhibit 6**).

³¹ “Changed conditions” could, for example, include new information brought forward by a Tribe regarding artifacts or locations of cultural significance that could potentially be affected by project activities.

³² In this context, historic properties include traditional cultural sites, historic buildings, and structures with associated historic landscapes (see **Exhibit 4**).

V. SUBSTANTIVE FILE DOCUMENTS

Coastal Commission Staff Report for Consistency Determination No. CD-0008-17 and associated file documents (Los Padres National Forest Strategic Community Fuelbreak Improvement Project, Monterey County). November 2017.

Coastal Commission Staff Report for Resource Conservation District of Monterey County Forest Health and Fire Resilience Public Works Plan (PWP-3-MCO-22-0002-1). January 2023.

Coastal Commission Notice of Impending Development No. MCO-NOID-0001-23 (Rancho Rico Forest Restoration Treatment Project). September 2023.

USFS (2025). Draft Environmental Assessment, Los Padres National Forest Wildfire Risk Reduction Project.

Appendices and Supplements to USFS (2025) draft Environmental Assessment:

- a) Appendix A – Resource Protection Measures
 - i. Required Resource Protection Measures
 - ii. Attachment A: Programmatic Agreement Among the U.S.D.A. Forest Service, Pacific Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Processes for Compliance with Section 106 of the National Historic Preservation Act for Management of Historic Properties by the National Forests of the Pacific Southwest Region
 - iii. Attachment B: 5-Step Project Screening Process for Riparian Conservation Areas
- b) Appendix B – USFWS Information Planning and Conservation (IPaC) System List of Threatened and Endangered Species that May Occur Within Proposed Project Areas
- c) Appendix C – List of Desired Species for Planting and Seeding
- d) Appendix D – Implementation Plan for the LPNF WRRP
- e) Appendix E – Actions Considered for Cumulative Effects Analyses
- f) Appendix F – Special Status Species Lists
- g) LPNF Biological Assessment for Federally Listed Plant Species and Designated Critical Habitat
- h) LPNF Biological Assessment for Federally Listed, Proposed, and Candidate Wildlife Species and Critical Habitat
- i) National Marine Fisheries Service Endangered Species Act Section 7(a)(2) Concurrence Letter for the WRRP, LPNF.

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USFS (2022). Scoping Documents for the Los Padres National Forest Ecological Restoration Project, including the Project Description and Maps.