INVITATION TO BID

RFB 202324-1

GARLAND RANCH REGIONAL PARK FUEL MITIGATION PROJECT

Monterey Peninsula Regional Park District

4860 Carmel Valley Road

Carmel, CA 93923

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RELEASE DATE: June 7, 2024

DEADLINE FOR QUESTIONS: July 8, 2024

RESPONSE DEADLINE: July 17, 2024, 2:00 pm

RESPONSES MUST BE SUBMITTED ELECTRONICALLY TO:

https://procurement.opengov.com/portal/mprpd

ATTACHMENT 1

Monterey Peninsula Regional Park District

INVITATION TO BID

Garland Ranch Regional Park Fuel Mitigation Project

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Attachments:

A - EXHIBIT A - GRRPFMP_CalVTPPEIR_PSA_Addendum

B - EXHIBIT B - GRRPFMP_CalVTPPEIR_MMRP

C - EXHIBIT C - 22-085 Grant Agreement

D - PROJECT AERIAL MAP

F - PROJECT SLOPE MAP

G - PROJECT TOPO MAP

H - GENERAL SITE PHOTOS

1. Introduction

1.1. Summary

The Monterey Peninsula Regional Park District (MPRPD) is seeking a specialized contractor to conduct fuel reduction, eucalyptus tree removal, and other invasive species removal treatments at Garland Ranch Regional Park, consistent with the California Vegetation Treatment Program developed by the Board of Forestry and Fire Protection (https://bof.fire.ca.gov/projects-and-programs/calvtp-homepage-and-storymap/), for a fire fuels reduction project located in Carmel Valley, California. Work will begin as soon as it is feasible after a contract is awarded. Funding for this work comes from a State Coastal Conservancy Wildfire Resilience Grant awarded to MPRPD.

The Garland Ranch Regional Park Fuel Management Project is a hazardous fuel reduction project targeting thinning and removal of eucalyptus trees within a 12.2-acre area Work will occur adjacent to publicly accessible trails, nearby private residential areas, and sensitive environmental areas in including the Carmel River Riparian Corridor. The goals of this project are to reduce fuel hazards, remove invasive non-native plant species, and increase forest and vegetation community health and resilience.

1.2. Background

Contractor services will include removal of eucalyptus trees within an 8.2 acres area, and thinning eucalyptus trees within a 4 acre area, using a mix of manual and mechanical treatment standards and handheld motorized tools, on approximately 12.2 acres of public lands within Garland Ranch Regional Park. A project description, implementation requirements, and a project maps are provided.

1.3. Contact Information

Jake Smith
Planning & Conservation Program Manager
PO Box 223340
Carmel, CA 93922
Email: jsmith@mprpd.org
Phone: (831) 372-3196 Ext: 116

Department:
Planning & Conservation

1.4. Timeline

Release Project Date	June 7, 2024

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Pre-Bid Meeting (Mandatory)	June 28, 2024, 10:00am Garland Ranch Regional Park, 700 West Carmel Valley Road, Carmel, CA 93924 (meet at the Ranger Station https://www.google.com/maps/dir//36.5060014,-121.7722617/@36.5077027,-121.7722617,17.5z?entry=ttu) All Project Documents, plans & specifications are available on the District's electronic purchasing portal, OpenGov Procurement: https://procurement.opengov.com/portal/mprpd.
Question Submission Deadline	July 8, 2024, 11:30pm
Bid Submission Deadline/Opening	July 17, 2024, 2:00pm Zoom Link: https://us02web.zoom.us/j/83077029936?pwd=RHdjYU1ublhIdm9sdWNLTjBaM1FGQT09 Topic: Garland Ranch Regional Park Fuel Mitigation Project Bid Opening Date and Time: Tuesday, July 17, 2024 2:00 pm PDT Meeting ID: 830 7702 9936 Pass Code: 512098 Phone Call In: + 1 669 444 9171

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2. Instruction to Bidders

2.1. Bid Submission

Monterey Peninsula Regional Park District invites bids on the project and services described herein to be submitted via the District's e-Procurement Portal, OpenGov. Bids will be received until 2:00 pm on Wednesday, July 17, 2024 and then publicly opened and read aloud. Bids will be opened via a public Zoom meeting.

2.2. Inquiries

All questions related to this RFB shall be submitted in writing through the OpenGov Question/Answer Tab via the District's e-Procurement portal, on or before, Monday, July 8, 2024 by 11:30 pm. Please include the section title for each question, if applicable, in order to ensure that questions asked are responded to correctly. All questions submitted and answers provided shall be electronically distributed to bidders following this solicitation on the District's e-Procurement Portal.

2.3. Addenda

Any addenda shall be posted on the District's e-Procurement Portal. Addenda notifications will be emailed to all persons on record as following this RFB. Failure of any bidder to receive any such addenda or interpretation shall not relieve such bidder from any obligation under their bid as submitted. All addenda so issued shall become part of the Contract Documents.

If the Bidder submits this bid without all issued addenda, the agency finds your bid nonresponsive.

2.4. Basis of Award

The basis of award to the lowest responsive, responsible bidder will be the lowest TOTAL BID.

2.5. Withdrawal

Bids may be withdrawn through the District's e-Procurement Portal, the responding firm may "unsubmit" their proposal in OpenGov. After withdrawing a previously submitted proposal, the responding firm may submit another proposal at any time up to the deadline for submitting proposals by written request prior to the bid opening.

This bid shall remain valid and will not be withdrawn by the undersigned bidder for a period of ninety (90) days from the date prescribed for opening of this bid.

2.6. Pre-Bid Site Visit

There will be a mandatory pre-bid site visit on Friday, June 28, 2024, 10:00 am at Garland Ranch Regional Park, 700 West Carmel Valley Road, Carmel, CA 93924 (meet at the Visitor Center). Project documents including any plans and specifications will be available Friday, June 7, 2024at OpenGov Procurement

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2.7. Licensing & Registration Requirements

Any licenses, certificates or permits required by the federal, state, county or municipal governments for Contractor to provide the services requested must be procured by Contractor and be valid at the time Contractor enters into this Agreement. Further, during the term of this Agreement, Contractor shall maintain such licenses, certificates and permits in full force and effect. Such licenses, certificates and permits will be procured and maintained by Contractor at no expense to the District

No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a).

No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

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3. Scope of Work

3.1. Eucalyptus Tree Removal and Stand Thinning

Generally, mechanical and hand fuel treatments would include:

- Carefully remove all eucalyptus and non-native trees within an 8.2-acre area that encompasses portions of the Carmel River Riparian Forest and thin an additional 4 acre stand of eucalyptus trees and remove limbs up to 15 feet high using a mix of mechanical and manual vegetation treatments.
- Implement manual treatments using hand tools and hand-operated power tools, including chainsaws, hand saws, brush cutters, and loppers, to cut, clear, and/or prune trees.
- Implement mechanical treatments using tractors/skidders/backhoe, chippers, masticators, and stump grinders. A water truck or other water containers may also be onsite during mechanical treatments as a precaution.
- Masticate or chip target live Eucalyptus trees and other non-native trees up to 10 inches dbh, downed Eucalyptus bark/woody debris, and woody shrubs within project areas;
- Grind eucalyptus and other nonnative tree stumps in non-riparian areas;
- Targeted application of approved herbicide to cut stumps immediately after cutting or grinding
- Retain some isolated large native logs, but spread out to increase soil contact and natural breakdown speed;
- Fuel reduction activities that will be performed via mechanized mowing of native species (i.e., mastication operations) will maintain a minimum native vegetation height of 4 inches to promote crown sprouting and regrowth.
- Retain native oak and riparian trees and, to the extent feasible, native shrubs and other desirable species as determined by MPRPD;
- Retain at least 75% of the overstory and 50% of the understory canopy of native riparian vegetation within the limits of riparian habitat.
- Woody residue left over from treatments will be either lopped and scattered in place or chipped, to a depth no greater than six inches.
- Lopped or chipped material will not be spread or piled under native tree canopies.
- Additive Alternative: Biomass pile burning and incineration
    - subject to a burn plan developed in consultation with CAL FIRE and/or burn permit requirements, burn remaining debris piles via pile burning, or, preferably, using an air curtain burner or carbonator.
    - subject to a burn plan developed in consultation with CAL FIRE and/or burn permit requirements, burn stockpiled eucalyptus logs over 10” dbh using an air curtain burner or carbonator.

Requirements for the Fuels Treatment contractor include:

- Prior experience in maintaining or establishing fuel modification projects by-way-of:
    - Working within sensitive riparian areas and following detailed best management practices
    - Mechanical and manual vegetation thinning using traditional tools including tractors/skidders/backhoe, chippers, masticators, and stump grinders
    - Selectively felling and staging large trees such as eucalyptus
    - lop and scatter methods
    - herbicide application
- Commitment to being respectful of private landowners, park users, and partnering agencies.
- Willingness to work long hours in difficult terrain including dense vegetation, poison oak, and potentially extreme temperatures.
- Communicate regularly with MPRPD project lead and field staff.
- Ability to provide detailed invoicing and notes in an organized format.
- Interpret field maps and survey records for sensitive resources.
- Understanding of ArcGIS Field Maps, Avenza Maps, or similar mapping software.

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- Adhere to all specific project requirements and best management practices outlined in project documents and permits.
- Knowledge of invasive plant species and appropriate measures for their control or eradication.

3.2. General Project Design Standards, Mitigation Measures, and Treatment Requirements

In advance of work, MPRPD and/or its consulting Registered Practicing Forester or Biologist will map and flag sensitive habitat areas, locations of known invasive plant species, special work areas, setbacks and buffer zones, eucalyptus trees that will be kept, recommendations on the appropriate equipment staging and use areas, and recommendations for specific treatment areas. MPRPD, or a qualified project representative, will also coordinate regularly with the Contractor's project manager to evaluate and advise on proper implementation of project design criteria, permit requirements, and mitigation measures.

Project Design Standards and Mitigation Measures that pertain to the scope of this RFB are described below and organized by sub-categories. Additional Project Information and requirements can be found in the attachments section of this RFB.

General Treatment Guidelines

A. Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant/tree removal, selective thinning, and removal of encroaching upland species.
B. Manual treatments and mechanical treatments can be completed at the same time.
C. To implement manual treatments, crews would use hand tools and hand-operated power tools, including chainsaws, hand saws, brush cutters, and loppers, to cut, clear, and/or prune trees.
D. Treatments in riparian habitats will retain or improve habitat functions by implementing the following within riparian habitats:
    1. Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped.
    2. Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities.
    3. Removed trees will be felled away from adjacent streams or waterbodies and then removed and piled outside of the riparian vegetation zone.
    4. Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided.
    5. Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments.
    6. Cut stumps will not be ground/masticated to avoid ground disturbance
E. The treatment design will maintain some native shrubs within the treatment area to maintain heterogenous patches that maintain habitat function,
F. A minimum of 35 percent relative cover of existing shrubs and associated native vegetation will be retained at existing densities in patches distributed in a mosaic pattern within the treated area or the shrub canopy will be thinned by no more than 20 percent from baseline density (i.e., if baseline shrub canopy density is 60 percent, post treatment shrub canopy density will be no less than 40 percent).
G. Retain randomly sized and randomly distributed islands and peninsulas of vegetation within treatments areas to provide a natural appearance and habitat patches for wildlife while meeting fuel reduction objectives.
H. Precaution should be taken to prevent scarring of leave-trees by equipment.

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I. All pruning cuts will be made as close as possible to the trunk without cutting into the branch collar or leaving a protruding stub.
J. Where stump grinding is not feasible due to steep slopes, to reduce visual disturbances, flush cut stumps within 4 inches of the uphill side of the stump where practicable.

Protected Plants & Wildlife

A. MPRPD will provide contractor crew members and contractors with training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological Specific Project Requirements and mitigation measures and to comply with the applicable environmental laws and regulations and training on Phytopthora diseases and other plant pathogens in the worker awareness training.
B. All protected plants will be flagged with an appropriate buffer and must be avoided. Chips or cut vegetation shall not be spread in these areas.
C. All sensitive habitat and wildlife nesting locations will be flagged with an appropriate buffer and must be avoided .
D. To mitigate effects to migratory and resident birds within their nesting habitat during their sensitive reproductive season, in areas of brush treatment, it is recommended to avoid implementation from March 15 through July 15.
E. MPRPD and/or its consulting Registered Practicing Forester or Biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked, and any treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments
F. No-disturbance buffers will generally be a minimum of 50 feet from listed plants, but the size and shape of the buffer zone may be adjusted if MPRPD and/or its consulting Registered Practicing Forester or Biologist determines that a smaller buffer will be sufficient to avoid killing or damaging listed plants or that a larger buffer is necessary to sufficiently protect plants from the treatment activity.
G. For all treatment activities MPRPD and/or its consulting Registered Practicing Forester or Biologist will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions or more specific guidance indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed.
    1. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species.
H. MPRPD and/or its consulting Registered Practicing Forester or Biologist will establish a buffer around wetlands, creeks, springs, or ponds and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of feature and site specific conditions.

Invasive Plant Invasive Plants and Pathogens

A. Minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment;
B. Minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination;

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C. Staging areas for equipment, materials, or crews should be limited to previously disturbed areas as much as possible and away from areas with infestations of priority weeds to minimize the spread of weed seed.
D. Genista monspessulana or French broom occurrences will be cut with handheld tools (motorized or not). Other alternative-specifics for French broom:
    1. Cut mature plants before seed set occurs or when more than 50% of the plant is in flower. If plants are more than 50% in flower, pile all mature French broom cuttings in discrete piles no more than 24" high. Do not lop and scatter seeded plants.
    2. All other non-seeded French broom plants can be lopped and scattered in a layer no more than 18" deep.
E. Clean and sanitize vehicles, equipment, tools, footwear, and clothes of accumulations of soil and plant parts before entering or leaving the project area and/or prior to moving from one project area to another.
F. For all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species
G. Inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas;
H. To prevent spread of pathogen that inflicts Sudden Oak Death, chain saw bars will be cleaned and sprayed with Lysol® to disinfect the cutting surface. Wood chips and organic matter should be removed from the saw. Hand tools will be cleaned and disinfected in a similar manner; all the above apply before they enter the project area and prior to leaving the project area.

Scenery & Park User Experience

A. Store all treatment-related materials, including vehicles, vegetation treatment debris, and equipment, outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible.
B. Locate materials staging and storage areas outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible.
C. Preserve sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from public trails, parks, recreation areas, and roadways as reasonable or appropriate for vegetation conditions
D. Thin and feather adjacent vegetation to break up or screen linear edges of the clearing and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance
E. With the shaded fuel break, the project proponent will thin and feather adjacent vegetation to break up the linear edges of the fuel break and strategically preserve vegetation at the edge of the fuel break, as feasible, to help minimize the contrast between the fuel break and surrounding untreated vegetation.

Air Quality

A. If road use creates excessive dust, contractor will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant.
B. Suspend treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary.

Geology & Soils

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A. Suspend mechanical treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated.
B. The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure.
C. Use of heavy equipment is prohibited where any of the following conditions are present:

    (i) Slopes steeper than 65 percent.

    (ii) Slopes steeper than 50 percent where the erosion hazard rating is high or extreme.

    (iii) Slopes steeper than 50 percent that lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a watercourse or lake.

    (2) On slopes between 50 percent and 65 percent where the erosion hazard rating is moderate, and all slope percentages are for average slope steepness based on sample areas that are 20 acres, or less, heavy equipment will be limited to:

    (i) Existing tractor roads that do not require reconstruction, or

    (ii) New tractor roads flagged by the project proponent prior to the treatment activity.

D. The project proponent will stabilize soil disturbed during mechanical treatments that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical treatment activities could result in substantial sediment discharge from soil disturbed by machinery organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface.
E. The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area.

Hazardous Material and Public health

A. All diesel- and gasoline-powered equipment must be maintained per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed
B. Mechanized hand tools to have federal- or state-approved spark arrestors.
C. Tree cutting crews must carry one fire extinguisher per chainsaw. Each vehicle will be equipped with one long-handled shovel and one axe or Pulaski
D. smoking is only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter
E. A Spill Prevention and Response Plan (SPRP) will be prepared submitted to MPRPD for approval prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants.

Herbicide Application

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A. All herbicide application would be performed by certified and licensed pesticide applicators in accordance with all local, state, and federal regulations.
B. Suspend herbicide treatments if the National Weather Service forecast is a “chance” (30 percent or more) of rain within the next 24 hours.
C. As allowed, herbicide will be applied to suitable eucalyptus stumps as soon as possible after the stump is cut to maximize uptake of the herbicide and reduce need for future reapplication.
D. Only ground-level application would occur; no aerial spraying of herbicides would occur. Herbicide treatments would typically use a one-to two-person crew, a transport vehicle, and herbicide application equipment. Several herbicide application methods are available for use by on-the-ground personnel, including paint-on stems/stumps, using backpack hand-applicators, hypo-hatchet tree injection, or hand placement of pellets.
E. Only herbicides identified in the CalVTP PEIR (Section 2.5.2 Page 27) would be applied. Imazapyr, Glyphosate, and Triclopyr (all herbicides identified in the CalVTP PEIR) are effective on Eucalyptus; however, the certified and licensed applicator would choose the best approved herbicide for treatment.
F. Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway.
G. Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry.
H. No terrestrial or aquatic herbicides will be applied within Water and Lake Protection Zones (WLPZs) of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application.
I. No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools.
J. For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray.
K. Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative).

Hydrology and water quality

A. Establish Watercourse and Lake Protection Zones (WLPZs) 75 feet from top of bank from the Carmel River
B. Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry
C. Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas
D. WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water.
E. Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses
F. Manual treatment activities may occur immediately adjacent to the top of bank of the Carmel River
G. Allow temporary refueling and servicing only at approved locations, located well away from waterbodies.

Noise

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A. Noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays
B. All powered treatment equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered treatment equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations that engine shrouds be closed during equipment operation.
C. Locate treatment activities, equipment, and equipment staging areas away from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship), to the extent feasible, to minimize noise exposure
D. All motorized equipment be shut down when not in use. Idling of equipment and haul trucks will be limited to 5 minutes.

Emissions

A. Diesel-powered off-road equipment used in construction will meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available.
B. Prior to implementation of treatment activities, the project proponent will demonstrate the ability to supply the compliant equipment. A copy of each unit's certified tier specification or model year specification and operating permit (if applicable) will be available upon request at the time of mobilization of each unit of equipment.
C. Electric- and gasoline-powered equipment will be substituted for diesel-powered equipment to the extent practicable.
D. Workers will be encouraged to carpool to work sites, and/or use public transportation for their commutes.
E. Off-road equipment, diesel trucks, and generators will be equipped with Best Available Control Technology for emission reductions of NOX and PM

Biomass Disposal and Burning

A. Woody residue left over from treatments will be either lopped and scattered in place or chipped, to a depth no greater than six inches.
B. Biomass (e.g. logs) from manual and mechanical treatment that cannot be lopped and scattered or chipped/masticated and disposed on onsite according to project specifications would be piled or staged using equipment (e.g., skid steer, tractor, bulldozer or excavator) or hand crews for future pile burning or incineration via carbonator or air curtain burner in locations identified by MPRPD and/or its consulting Registered Practicing Forester or Biologist. Typically, dozers are equipped with a brush rake to reduce soil displacement and create "clean" piles.
C. Any burning will occur from October through February to avoid the bumble bee flight season and may be subject to a burn plan developed in consultation with CAL FIRE.
D. The piles or staged logs would be located as close as safely possible to the burning location.
E. Pile burning or incineration via air curtain burner or carbonator would occur 100 feet or more from tree and shrub vegetation. All grasses and other herbaceous vegetation would be removed or burned to bare soil within 30-40 feet of the burn location.

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4. Bid Form

BID TABLE

Bidders MUST also complete the Bid Form found in the Vendor Questionnaire

Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total
1	Removal of Eucalyptus Trees and understory fuel load reduction	8.2	acres		
2	Eucalyptus Thinning and understory fuel load reduction	4	acres		
3	Eucalyptus stump herbicide application	12.2	acres		
3	Additive Alternate: Carbonator or air curtain burner log burning and biomass pile burning	12.2	acres		
TOTAL					

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5. General Conditions - Part I

5.1. Rights

It is understood that the Owner reserves the right to reject any and all bids or waive any irregularities or informalities in the bidding.

5.2. ARTICLE 1 - DEFINITIONS

A. Architect/Engineer. The "Architect" or "Engineer" is the person or organization identified in the Agreement as the Architect or Engineer, or their authorized representative, or the replacement designated in writing by Owner. All references to the "Architect/Engineer" in the Special Conditions and General Conditions for this project shall be a reference to MPRPD.

B. Change Order. "Change Order" means a written modification of the Contract between the Owner and Contractor, signed by the Owner, the Contractor, and the Architect/Engineer.

C. Change Order Proposal. "Change Order Proposal" means a Contractor-generated document in response to a Change Order Request (COR).

D. Change Order Request. "Change Order Request" (COR) means a document which informs the Contractor of a proposed change in the Work, and appropriately describes or otherwise documents such change.

E. Close-Out Documents. "Close-Out Documents" means the product brochures, product/ equipment maintenance and operations instructions, manuals, and other documents/warranties, as-built record documents, affidavit of payment, release of lien and claim, and as may be further defined, identified, and required by the Contract Documents.

F. Construction Project Manager. "Construction Project Manager" is the person designated by the Owner responsible for the management of the construction component of the project.

G. Contract. "Contract" means the entire agreement between Owner and Contractor, including all of the Contract Documents.

H. Contract Date. "Contract Date" is the date when the agreement between the Owner and the Contractor becomes effective.

I. Contract Sum. The "Contract Sum" is stated in the Agreement and is the total amount payable by the Owner to the Contractor for the performance of the work under the contract.

J. Contract Time. "Contract Time" means the period between the Start Date identified in the Notice to Proceed with Construction and the Substantial Completion Date identified in the Notice to Proceed or as subsequently amended by Change Order.

K. Contractor. The "Contractor" means the individual, corporation, company, partnership, firm, or other entity contracted to perform the Work and identified as such in the Agreement, or their

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authorized representative, regardless of the type of construction contract used, so that the term as used herein includes a Construction Manager-at-Risk or a Design-Build firm as well as a General or Prime Contractor. The Contract Documents refer to Contractor as if singular in number.

L. Day. A “Day” or “day” is a calendar day.

M. Date of Commencement. “Date of Commencement” means the date designated in the Notice to Proceed for the Contractor to commence the Work.

N. Final Completion. “Final Completion” means the date determined and certified by the Architect/Engineer and Owner on which the Work is fully and satisfactorily complete in accordance with the Contract.

O. Owner. “Owner” means the Monterey Peninsula Regional Park District.

P. Owner’s Designated Representative. “Owner’s Designated Representative” (ODR) means the individual assigned by the Owner to act on its behalf, and to undertake certain activities as specifically outlined in the Contract. The ODR is the only party authorized to direct changes to the scope, cost, or time of the contract.

Q. Project. "Project" means all activities necessary for realization of the Work. This includes design, contract award(s), execution of the Work itself, and fulfillment of all contract and warranty obligations. The work performed under this contract is directed towards completion of all or a part of the project.

R. Project Manager. The “Project Manager” (PM) is the person designated by the Owner responsible for the management of the project.

S. Samples. "Samples" are representative physical examples of materials, equipment, or workmanship, used to confirm compliance with requirements and/or to establish standards for use in execution of Work.

T. Schedule of Values. “Schedule of Values” means the detailed breakdown of the cost of the materials, labor, and equipment necessary to accomplish the Work as described in the Contract Documents, submitted by Contractor for approval by Owner and Architect/Engineer.

U. Shop Drawings. "Shop Drawings" means the drawings, diagrams, illustrations, schedules, performance charts, brochures, and other data prepared by the Contractor or any subcontractor, manufacturer, supplier, distributor, or agents, and which detail some portion of the work for fabrication and installation, and which have been reviewed and approved by the Engineer.

V. Site. The "Site" is the geographical area of the location of Work.

W. Subcontractor. "Subcontractor" is a person or organization who has a direct contract with the Contractor to perform any of the work at the site or to furnish material worked to a special

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design according to plans and specifications of this work. The term "subcontractor" also includes sub-subcontractors performing work at the site or furnishing specially designed material for the work, who have only an indirect relationship to the Contractor.

X. Substantial Completion. “Substantial Completion” means the date determined and certified by the Contractor, Architect/Engineer, and OWNER when the Work or a designated portion thereof is sufficiently complete, in accordance with the Contract, so as to be operational and fit for the use intended.

Y. Work. The "Work" includes all labor necessary to produce the construction required by the contract documents, and all materials and equipment incorporated or to be incorporated in such construction.

5.3. ARTICLE 2 - CONTRACT INTERPRETATION

A. Counting time. When any provision in the Contract Documents calls for computation of time in terms of days, the period so counted shall include all calendar days within the period, including usual workdays as well as weekends and holidays. Business Days and Workdays refer to Monday through Friday, eight-hour duration.

B. Gender and number. References to one gender include the other; references to either singular or plural include the other.

C. Headings. Article and paragraph headings are for convenience only, and shall not be used to interpret the provisions of this contract.

D. Express and implied work requirements. This contract requires the completion of all elements of work expressly mentioned herein, together with all elements of work that are reasonably inferable from the express terms of this contract as being necessary for the proper completion of the work.

E. Technical or trade meanings. Words which have well known technical or trade meanings are used herein in accordance with such recognized meanings.

F. Interpretations by Engineer. Written interpretations necessary for the proper execution or progress of the work, in the form of drawings or otherwise, will be issued with reasonable promptness by the Engineer and in accordance with any schedule agreed upon. Contractor shall make written request to the Engineer for such interpretations. Such interpretations shall be consistent with, and reasonably inferable from the Contract Documents, and may be made by field orders issued pursuant to Article 15**.**

G. Conflicts among Contract Documents - priorities. If there is any conflict between any of the Contract Documents, the conflict shall be resolved by giving effect to the provisions in the documents having higher priority and by disregarding conflicting provisions in documents having lower priority, as follows: first priority, any modifications, with the most recent having priority

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over earlier modifications; second priority, the Agreement; third priority, any addenda, with the most recent having priority over earlier addenda; fourth priority, the Special Conditions; and fifth priority, the General Conditions.

H. Conflicts and interpretation problems involving plans, specifications, or working details. If a conflict or other problem of interpretation involves plans, specifications, or working details, the problem shall be resolved as follows: Dimensions take precedence over scale at all times. Figured dimensions on plans shall govern, but work not dimensioned shall be as directed. Work not particularly shown or specified shall be the same as similar parts that are shown or specified. Large-scale details shall take precedence over smaller scale details as to shape and details of construction. Specifications shall govern as to materials, workmanship, and installation procedures. Plans, specifications, and working details are intended to be fully cooperative and to agree. However, if Contractor observes that plans, specifications, and/or working details are in conflict, they shall promptly notify the Engineer with a copy to the Owner in writing and any necessary changes shall be adjusted as provided elsewhere in the Contract Documents for changes in work. The Engineer shall resolve all conflicts involving plans, specifications, or working details wherever the foregoing principles do not apply, or where, if applied, they lead to results that appear unreasonable.

5.4. ARTICLE 3 - CONTRACT DOCUMENTS

A. Contract Documents. The Contract Documents consist of all component parts of the contract as specified in the Agreement, including the Notice to Contractors, Information for Bidders, Bid as accepted, List of Subcontractors, Non-Collusion Affidavit, Contractor's Certificate as to Workers' Compensation, Bid Bond or Bidder's Security, Agreement, Performance Bond, Payment Bond for Public Works, Insurance Certificate, General Conditions and Special Conditions, Specifications, Plans, all addenda issued prior to execution of the contract, and all modifications.

B. Contract. The contract documents form the contract. The contract represents the entire and integrated agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral, including the bidding documents. The contract may be amended or modified only by a modification as defined in paragraph C. Modification.

C. Modification. A modification is (1) a written amendment to the contract signed by both parties (2) a change order (3) a written interpretation issued by the Engineer or (4) a written order for a minor change in the work issued by the Engineer pursuant to Article 15. A modification may be made only after execution of the contract and implemented only after said modification has been signed by the Owner and Engineer.

D. Familiarity with site and local conditions. Prior to submitting a bid, and prior to executing this contract, the Contractor shall visit the work site, familiarize themselves with the local conditions under which the work is to be performed, and correlate their observations with the

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requirements of this contract. By executing the contract, the Contractor represents that they have done so. Based on such visits and investigations, Contractor shall notify the Owner in writing of any discrepancies between the local conditions and the requirements of the contract. Contractors failure to notify Owner prior to submitting its bid shall be deemed an acknowledgment of and acceptance of any such discrepancies, and a waiver of any claims for extra work, which may result therefrom.

E. Contract Documents furnished to Contractor. Unless otherwise provided in the Contract Documents, the Contractor will be furnished, one full size set and one half-size set of all the Contract Documents, including the plans, specifications, and working details to facilitate the execution of the work. Additional copies of the Contract Documents may be obtained at cost of reproduction.

F. Ownership of documents. All plans, specifications, working details, and copies thereof furnished by the Engineer are and shall remain the property of the Owner. Such documents shall not be used on any other project and shall be returned to the Owner on request at the completion of the work.

G. Organization of Contract Documents not controlling. The organization of the specifications into divisions, sections, and articles, and the arrangement of the plans or working details shall not control the Contractor in dividing the work among subcontractors or in establishing the extent of work to be performed by any trade.

H. Contract Documents on-site. Contractor will at all times maintain at least one complete, up to date set of the Contract Documents on the site, to be available to the Owner, Engineer, and their representatives.

5.5. ARTICLE 4 - SUBCONTRACTORS

A. No contractual relationship between Owner and subcontractors. Nothing contained in the Contract Documents shall create any contractual relation between the Owner or Engineer and any subcontractor.

B. Work performed by subcontractors; substitutions. Subcontracted work shall be performed only by the subcontractors identified in Contractors bid documents, as provided by Public Contract Code section 4100, et seq. Substitution of subcontractors may be made only in conformity with the Subletting and Subcontracting Fair Practices Act, Public Contract Code section 4100, et seq.

C. Contracts with subcontractors. All work performed for the Contractor by a subcontractor shall be pursuant to a written agreement between the Contractor and the subcontractor (and where appropriate, between subcontractors and sub subcontractors). All such agreements shall require performance by the subcontractors in conformity with the terms of this contract, and shall include all the terms of this contract, which are applicable to subcontractors.

D. Payments to subcontractors.

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1. The Contractor shall pay each subcontractor, upon receipt of payment from the Owner, any amount equal to the percentage of completion allowed to the Contractor on account of such subcontractors work, less the percentage retained from payments to the Contractor. The Contractor shall also require each subcontractor to make similar payments to their subcontractors. Owner shall have the right, but not the obligation, to issue payment by joint checks payable to the order of Contractor and any of its subcontractors.

2. If the Project Manager fails to issue a certificate for payment for any cause which is the fault of the Contractor and not the fault of a particular subcontractor, the Contractor shall pay the subcontractor on demand, made at any time after the certificate for payment should otherwise have been issued, for their work to the extent completed, less the retained percentage.

3. Neither the Owner nor the Project Manager shall have any obligation to pay or to see to the payment of any monies to any subcontractor except as may otherwise be required by law. All monies paid to Contractor hereunder shall immediately become and constitute a trust fund and shall be applied by Contractor for the benefit of all persons supplying labor, materials, or equipment in connection with the work and shall not be diverted to any other purpose until the claims of such persons have been discharged.

E. Information provided to subcontractors. The Owner's Project Manager and the Engineer may, on request, and at their discretion, furnish to any subcontractor, if practicable, information regarding percentages of completion certified to the Contractor on account of work done by such subcontractors.

F. Contractor's responsibility for work of subcontractors. Contractor shall be as fully responsible to Owner for the acts and omissions of any subcontractor and of persons either directly or indirectly employed by the subcontractors, as they are for acts and omissions of persons directly employed by them.

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6. Conduct of Work - Part II

6.1. ARTICLE 5 - CONTRACT ADMINISTRATION BY ENGINEER

A. No contractual relationship between Engineer, Project Manager, and Contractor. Nothing contained in the Contract Documents shall create any contractual relationship between the Engineer, Project Manager, and the Contractor or any subcontractor.

B. Owners representative. The Project Manager will be the Owners representative during construction and until final payment as provided in this Agreement. The Project Manager will have authority to act on behalf of the Owner to the extent provided in the Contract Documents, unless otherwise modified by written instrument which will be shown to the Contractor. The Project Manager will advise and consult with the Owner, and all of the Owners instructions to the Contractor shall be issued through the Project Manager. As the Owners representative, the Project Manager will provide general administration of the contract, including performance of the functions hereinafter described. In addition, the Project Manager will be the Owners Representative for management of construction in the field. The Project Manager is responsible for managing the project schedule, budget, and has the authority to act on behalf of the Owner as relating to the management of these items.

C. Instructions issued through Project Manager. The Owner shall issue instructions to the Contractor through the Project Manager, provided that the Owner shall have the right, but not the obligation, to itself or through other project representatives issue change orders, require additional work and/or direct the omission of work previously ordered by written instructions directly to Contractor, provided such project representative and instructions have been prior approved in writing by the Owner.

D. Project Manager's and Engineer's access to work. The Project Manager and Engineer shall at all times have access to the work wherever it is in preparation and progress. The Contractor shall provide facilities for such access so the Project Manager and Engineer may perform their functions under the contract.

E. Inspections. The Engineer will make periodic visits to the site to familiarize themselves generally with the progress and quality of the work and to determine, in general, if the work is proceeding in accordance with the Contract Documents. On the basis of their on-site observations, they will keep the Owner informed of the progress of the work, and will endeavor to guard the Owner against defects and deficiencies in the work of the Contractor. The Engineer will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work. They will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the work, and they will not be responsible for the Contractor's failure to carry out the work in accordance with the contract documents, except to the extent such failure is due to Engineer's breach of agreement with the Owner or is otherwise due to the negligence or willful misconduct of Engineer.

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F. Determination of payments to Contractor. Based on such observations and the Contractors applications for payment, the Engineer and Project Manager will determine the amounts owing to the Contractor and will issue certificates for payment in such amounts, as provided in Articles 18-21.

G. Decisions on artistic effect. The Engineer's decisions in matters relating to artistic effect will be final if consistent with the intent of the contract documents.

H. Authority to reject work or to require special inspection or testing. The Project Manager and Engineer may reject work, which does not conform to the contract documents. Whenever, in their reasonable opinion, they consider it necessary or advisable to ensure the proper implementation of this contract, they may require special inspection or testing of the work in accordance with Article 11, whether or not such work is then fabricated, installed, or completed. However, the Project Manager's authority to act under this paragraph, nor any decision made by them in good faith either to exercise or not to exercise such authority, shall not give rise to any duty or responsibility of the Project Manager to the Contractor, any subcontractor, any of their agents or employees, or any other person performing any of the work.

I. Review of shop drawings and samples. The Engineer will review and approve all shop drawings and samples as provided in Article 9.

J. Change orders prepared by Project Manager. The Project Manager will prepare change orders and may order minor changes in the work in accordance with Article 15.

K. Inspections and document review. The Project Manager will: conduct inspections of the work (including a final inspection); receive and review written guarantees and related documents required by the contract and assembled by the Contractor; and issue a final certificate for payment. Contractor and all subcontractors shall comply with the State Coastal Conservancy Grant Agreement Section XIII.AUDITS/ACCOUNTING/RECORDS. The obligations under this section shall survive termination of this Agreement.

L. Termination of Engineer's employment; substitution of new Engineer. In case of the termination of the employment of the Engineer, the Owner shall appoint an Engineer to replace the former Engineer, who shall insofar as Contractor is concerned, succeed and be entitled to all the rights and benefits of the prior Engineer.

6.2. ARTICLE 6 - SERVICES PROVIDED BY OWNER

A. Easements obtained by Owner. The Owner shall secure and pay for all easements, rights-of-way, and fee interests in land necessary to enable Contractor to complete the work.

B. Surveys provided by Owner. The Owner shall furnish all surveys describing the existing physical characteristics, legal limits, and utility locations for the site of the project. Unless specifically provided for in the plans and specifications, the Owner shall not provide field engineering or construction staking.

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C. Information and services provided by Owner. Information or services under the Owners control shall be furnished by the Owner with reasonable promptness to avoid delay in the orderly progress of the work.

6.3. ARTICLE 7 - CONTRACTOR'S ADMINISTRATIVE DUTIES

A. Review of Contract Documents for errors. The Contractor shall carefully study and compare the Contract Documents and shall, at once, report in writing to the Engineer, with a copy to the Project Manager, any error, inconsistency, or omission they may discover. The Contractor shall not be liable to the Owner or the Engineer for any damage resulting from any such errors, inconsistencies, or omissions in the contract document which were reported, in writing, by Contractor to the Engineer, with a copy of the correspondence to the Project Manager; provided no provisions herein shall relieve the Contractor from liability for errors, inconsistencies, or omissions which were known or reasonably should have been known to Contractor, which were not disclosed in writing to the Engineer, with a copy of the correspondence to the Project Manager.

B. Taxes. Contractor shall pay all sales, consumer, use, and other similar taxes required by law.

C. Transportation and utility service. Contractor shall pay for all transportation and utility service not later than the 20th day of the calendar month following that in which such services are rendered.

D. Materials and equipment. Contractor shall pay for all materials, tools, and other expendable equipment to the extent of 90 percent of the cost thereof, not later than the 20th day of the calendar month following that in which such materials, tools, and equipment are delivered at the project site and the balance thereof not later than the 30th day following completion of that part of the work in or on which such materials, tools, and equipment are incorporated or used.

E. Contractors superintendent. The Contractor shall employ a competent, qualified superintendent who shall provide full time, on-site supervision of all aspects of the work. Full time means any and all times that contractor, its agents, employees, or subcontractors are performing any and all work. The superintendent shall be satisfactory to the Owner, and shall not be changed except with the consent of the Owner. The Owner may request at any time that a Contractor remove its superintendent from the project and provide an alternate superintendent as approved by the Owner. The superintendent shall represent the Contractor and all communications given to the superintendent shall be as binding as if given to the Contractor. Important communications will be confirmed in writing. Other communications will be so confirmed on written request in each case.

F. Contractors responsibility for agents and employees. The Contractor shall be responsible to the Owner for the acts and omissions of all their employees and all subcontractors, their agents, and employees, and all other persons performing any of the work under a contract with the Contractor.

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G. Communication through Project Manager. The Contractor shall forward all communications to the Owner through the Project Manager.

6.4. ARTICLE 8 - GENERAL PROVISIONS REGARDING CONDUCT OF WORK

A. No work without construction documents. The Contractor shall do no work without current plans, specifications, working details, etc.

B. Supervision and construction procedures. The Contractor shall supervise and direct the work, using their best skill and attention. They shall be solely responsible for all construction means, methods, techniques, sequences, and procedures, and for coordinating all portions of the work under the contract.

C. Contractors responsibility for labor, materials, and equipment. Unless otherwise specifically noted, the Contractor shall provide and pay for all labor, materials, equipment, and machinery, water, heat, utilities, transportation, and other facilities and services necessary for the proper execution and completion of the work.

D. Conduct and skill of employees. The Contractor shall at all times enforce strict discipline and good order among their employees and shall not employ on the work any unfit person or anyone not skilled in the task assigned to them. Any person in the employ of the Contractor whom the Owner may deem incompetent or unfit shall be dismissed from the work and shall not again be employed on it except with the written consent of the Owner.

E. Progress schedule. The Contractor, immediately after being awarded the contract, shall prepare and submit for the Project Manager's approval, an estimated progress schedule for the work. The progress schedule shall be related to the entire project to the extent required by the Contract Documents. This schedule shall indicate the dates for the starting and completion of the various stages of construction and shall be revised weekly, subject to the Engineer's approval.

F. Plans and specifications at site. The Contractor shall maintain at the site for the Owner one copy of all approved shop drawings, plans, specifications, working details, addenda, change orders, and other modifications, in good order and marked to record all changes made during construction. These shall be available to the Project Manager. A reproducible set of plans and working details, marked to record all changes made during construction, shall be delivered to the Project Manager for the Owner upon completion of the work and prior to release of final payment.

G. Dimensions to be checked. All dimensions shall be carefully checked by the various artisans. Each Contractor shall be held responsible for the accuracy of the dimensions of its own work. Dimensions shown on plans shall be adhered to insofar as it is possible, and no deviation from such dimensions shall be made except with the consent of the Engineer. Where the work of one Contractor comes in contact with the work of another Contractor, each Contractor shall

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carefully check all dimensions which affect its own work. Wherever possible, dimensions shall be taken at the building, but no work shall be delayed or held up waiting for building dimensions, when by the exercise of foresight and proper cooperation, the dimensions may be established in advance of construction. The Contractor shall verify all dimensions at the site and shall be solely responsible for same or deviations from same.

H. Cutting and patching. The Contractor shall be responsible for any cutting, fitting, and patching that may be required to complete their work, except as otherwise specifically provided in the Contract Documents. The Contractor shall not endanger any work of any other contractors by cutting, excavating, or otherwise altering any work and shall not cut or alter the work of any other contractor except with the written consent of the Project Manager.

I. Revision of operations. When, in the judgment of the Owner, it becomes necessary to accelerate the work, the Contractor when so ordered shall concentrate their forces at such points as directed and execute such portions of the work as may be required.

J. Damage to work and property on-site. All damage or loss to any property on or near the site caused in whole or in part by the Contractor, any subcontractor, or anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable, shall be remedied by the Contractor, at their expense, except damage or loss attributable to faulty specifications or working details, or to the acts or omissions of the Owner or Engineer or anyone employed by either of them or for whose acts either of them may be liable, and not attributable to the fault or negligence of the Contractor.

6.5. ARTICLE 9 - SHOP DRAWINGS AND SAMPLES

A. Submittal of shop drawings and samples. The Contractor shall review, stamp with their approval, and submit, with reasonable promptness and in orderly sequence so as to cause no delay in the work or in the work of any other contractor, all shop drawings and samples required by the Contract Documents or subsequently by the Engineer as covered by modifications. Shop drawings and samples shall be properly identified as specified, or as the Engineer may require. At the time of submission, the Contractor shall inform the Engineer in writing of any deviation in the shop drawings or samples from the requirements of the Contract Documents.

B. Warranties concerning shop drawings and samples. By approving and submitting shop drawings and samples, the Contractor thereby represents that they have determined and verified all field measurements, field construction criteria, materials, catalog numbers, and similar data, or will do so, and that they have checked and coordinated each Shop Drawing and Sample with the requirements of the work and of the contract documents.

C. Engineer's review and approval. The Engineer will review and approve shop drawings and samples with reasonable promptness so as to cause no delay, but only for conformance with the design concept of the project and with the information given in the Contract Documents. The

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Engineer's approval of a separate item shall not indicate approval of an assembly in which the item functions.

D. Corrections. The Contractor shall make any corrections required by the Engineer and shall resubmit the required number of corrected copies of shop drawings or new samples until approved. The Contractor shall direct specific attention in writing or on resubmitted shop drawings to revisions other than the corrections requested by the Engineer on previous submissions.

E. Contractors responsibility. The Engineer's approval of shop drawings or samples shall not relieve the Contractor of responsibility for any deviation at the time of submission, nor shall the Engineer's approval relieve the Contractor from responsibility for errors or omission in the shop drawings or samples.

F. Completion of work in accordance with shop drawings and samples. No portion of the work requiring a Shop Drawing or Sample submission shall be commenced until the Engineer has approved the submission. All such portions of the work shall be in accordance with approved shop drawings and samples.

6.6. ARTICLE 10 - SEPARATE CONTRACTS ON SAME PROJECT

A. Owners right to award separate contracts. The Owner reserves the right to award other contracts in connection with other portions of the project.

B. Coordination among contractors. Contractor shall ascertain to their own satisfaction the scope of the project and the nature of any other contracts that have been or may be awarded by Owner in prosecution of the project, to the end that Contractor may perform this contract in light of such other contracts, if any. Nothing herein shall be interpreted as granting to Contractor exclusive occupancy at the site. Contractor shall not cause any unnecessary hindrance or delay to any other contractor working on the project. If simultaneous execution of any contract for the project is likely to cause interference with the performance of some other contract or contracts, the Owner shall decide which contractor shall cease work temporarily and which contractor shall continue or whether work can be coordinated so that contractors may proceed simultaneously. Owner shall not be responsible for any damages suffered or extra costs incurred by Contractor resulting directly or indirectly from the award or performance or attempted performance of any other contract or contracts on the project, or caused by any decision or omission of Owner respecting the order of precedence in performance of the contracts. Any delay in the progress of the work as a result of such priorities shall not give rise to any adjustments in the Contract Price and Contractor agrees that its sole right and remedy therefore shall be an extension of time.

C. Responsibility to other contractors. The Contractor shall afford other contractors on the same project reasonable opportunity for the introduction and storage of their materials and

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equipment and the execution of their work, and shall properly connect and coordinate their work with theirs.

D. Duty to inspect other contractor's work. If any part of the Contractor's work depends for proper execution or results upon the work of any other separate contractor, the Contractor shall inspect and promptly report to the Project Manager any apparent discrepancies or defects in such work that render it unsuitable for such proper execution and results. Failure of the Contractor so to inspect and report shall constitute an acceptance of the other contractor's work as fit and proper to receive their work, except as to defects which may develop in the other separate contractor's work after the execution of the Contractor's work. Any work exhibiting unacceptable quality as defined by the Contract Documents will result in Contractor's payment (or a portion thereof) being withheld until the unacceptable work is corrected to meet the required quality standards, per Article 19 herein.

E. Damage to other contractor's work. Should the Contractor cause damage to the work or property of any separate contractor on the project, the Contractor shall, upon due notice settle with such other contractor by agreement or arbitration, if he will so settle. If such separate contractor sues the Owner or initiates an arbitration proceeding on account of any damage alleged to have been so sustained, the Owner shall notify the Contractor who shall defend such proceedings and indemnify and hold harmless Owner.

F. Responsibility for costs caused by one contractor to another. Any costs to one contractor or his subcontractors on the project caused by defective or ill timed work by another contractor or his sub-contractors on the project shall be borne by the party responsible for such defective or ill timed work.

G. Owner's right to settle disputes over cleanup. If a dispute arises between the separate contractors as to their responsibility for cleaning up under Article 13(E), the Owner may clean up and charge the cost thereof to the several contractors, as the Owner shall determine to be just.

6.7. ARTICLE 11 - TESTS

A. Contractor's responsibility for required tests. If the Contract Documents, laws, ordinances, rules, regulations, or orders of any public authority having jurisdiction require any work to be inspected, tested, or approved, the Contractor shall give the Project Manager timely notice of its readiness and of the date arranged so the Project Manager may observe such inspection, testing, or approval. The Owner shall bear all costs of such inspections, tests, and approval, unless otherwise provided.

B. Responsibility for tests not anticipated in contract. If after the commencement of the work, the Project Manager determines that any work requires special inspection, testing, or approval which paragraph A does not include, he will, upon written authorization from the Owner, instruct the Contractor to order such special inspection, testing, or approval, and the Contractor shall give notice as in paragraph A. If such special inspection or testing reveals a failure of the

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work to comply (1) with the requirements of the Contract Documents or (2) with laws, ordinances, rules, regulations, or orders of any public authority having jurisdiction, then the Contractor shall bear all costs thereof, including the Project Manager's additional services made necessary by such failure; otherwise the Owner shall bear such costs, and an appropriate change order shall be issued.

C. Certificates of inspection. Required certificates of inspection, testing, or approval shall be secured by the Contractor and promptly delivered by them to the Project Manager.

D. Observation by Project Manager. If the Project Manager wishes to observe the inspections, tests, or approvals required by this Article 11, they will do so promptly and, where practicable, at the source of supply.

E. No waiver of Contractor's responsibility. Neither the observations of the Project Manager in their administration of the construction contract, nor inspections, tests, or approvals by persons other than the Contractor shall relieve the Contractor from their obligations to perform the work in accordance with the Contract Documents.

6.8. ARTICLE 12 - TIME FOR PERFORMANCE AND LIQUIDATED DAMAGES

A. Time is of the essence. All time limits stated in the Contract Documents are of the essence of the contract.

B. Commencement and completion of work. Contractor shall commence the work on the starting date established in the Notice to Proceed and shall complete the work thereafter within the time limit established in the Project Schedule as defined in Special Conditions, Section 1. If there is no Notice to Proceed, Contractor shall commence the work on the starting date established in the Special Conditions and shall complete the work thereafter within the time limit established in the Special Conditions. If there is no Notice to Proceed and if the Special Conditions do not establish a starting or completion date, Contractor shall commence the work promptly after the Agreement is executed by all parties and shall prosecute the work regularly and diligently so as to complete the work within a reasonable time thereafter.

C. Prosecution of work. Contractor shall prosecute the work diligently and expeditiously with adequate forces and shall complete it within the time specified in the Contract Documents.

D. Date of final completion. When the Contractor believes that their work is completed, he shall request that the Engineer and the Owner inspect the work and certify its completion. The Engineer and the Owner will respond promptly to such a request. The date of final completion of the work or any designated portion thereof is the date on which, after the Engineer and the Owner certifies that construction has been completed in accordance with the Contract Documents, the Owner accepts the work.

E. Grounds for extension of time. The time for completion of the work shall be extended by change order for such reasonable time as the Engineer or Owner may determine, if an extension of time

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is reasonably necessary due to a delay caused to the Contractor by any of the following circumstances:

1. Sole act or sole negligence of the Owner, the Engineer, any employee of either, or any separate contractor employed by the Owner;

2. Any change ordered in the work, which change is requested by Owner or Engineer or which is not due to the act or negligence of Contractor.

3. Any labor disputes, fire, unusual delay in transportation, unavoidable casualties, or causes beyond the Contractor's control and which Contractor could not reasonably have foreseen or made reasonable provisions for, and which are not caused by or the continuance of which is not due to, any act or failure to act on behalf of Contractor; or

4. Any other cause which the Engineer or Project Manager determines may justify the delay.

F. Extensions of time due to failure to furnish interpretation. No extension of time shall be allowed for delay caused by the Project Manager's failure to promptly provide an interpretation of the contract, except in the following circumstances:

1. The Project Manager failed to provide the interpretation for over fifteen (15) days after demand was made for such interpretation, and it would be reasonable to extend time due to such failure; or

2. The parties have agreed upon a schedule for the provision of interpretations, the Project Manager failed to comply with that schedule, and it would be reasonable to extend time due to such failure.

G. Claims for extension of time. Notwithstanding the provisions of Section E and F above, none of the causes of delay described therein shall be deemed a valid excuse for Contractor's failure to start, perform, or complete the work, or any portion thereof, on time unless Contractor has notified the Project Manager, in writing, of the alleged cause of delay within ten (10) days after commencement of the cause of the delay. Should the Engineer and the Owner disagree with Contractor that the alleged delay warrants an extension of time for the performance of any act required hereunder, the Contractor shall notify the Owner, in writing, as provided in Article 30; provided that the Contractor shall proceed with the work during the period that the Engineer and Contractor seek to resolve the matter.

H. Liquidated damages. THE PARTIES AGREE THAT IN CASE ALL THE WORK CALLED FOR UNDER THE CONTRACT IN ALL PARTS AND REQUIREMENTS IS NOT COMPLETED WITHIN THE TIME SPECIFIED IN THE CONTRACT DOCUMENTS, DAMAGE WILL BE SUSTAINED BY THE OWNER, AND THAT IT IS AND WILL BE IMPRACTICABLE AND EXTREMELY DIFFICULT TO DETERMINE THE ACTUAL DAMAGE WHICH THE OWNER WILL THEREBY SUSTAIN. THE PARTIES THEREFORE AGREE THAT THE CONTRACTOR WILL PAY TO THE OWNER THE SUM SET FORTH IN THE SPECIAL CONDITIONS, IF ANY, FOR EACH CALENDAR DAY OF DELAY UNTIL THE WORK IS COMPLETED AND ACCEPTED.

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CONTRACTOR AND THEIR SURETY SHALL BE LIABLE FOR THE TOTAL AMOUNT THEREOF. THE CONTRACTOR AGREES TO PAY SAID LIQUIDATED DAMAGES ESTABLISHED HEREIN, AND FURTHER AGREES THAT THE OWNER MAY DEDUCT THE AMOUNT THEREOF FROM ANY MONIES DUE OR THAT MAY BECOME DUE THE CONTRACTOR UNDER THE CONTRACT.

1. Neither party will be held responsible for delay or default caused by declared emergencies, natural disasters, or any other cause which is beyond the party's reasonable control. Contractor will, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and will, upon the cessation of the cause, diligently pursue performance of its obligations in this Agreement.

I. Removal or relocation of main or trunk line utility facilities. The Contractor shall not be assessed for liquidated damages for delay in completion of the project, when such delay was caused by the failure of the Owner or a utility company to provide for removal or relocation of existing main or trunk line utility facilities; however, when the Contractor is aware that removal or relocation of an existing utility has not been arranged, Contractor shall promptly notify the Owner and the utility company in writing, so that provision for such removal or relocation may be made to avoid and minimize any delay which might be caused by the failure to remove or relocate the main or trunk line utility facilities, or to provide for their removal or relocation. In accordance with Government Code section 4215, if the Contractor while performing the contract discovers any existing main or trunk line utility facilities not identified by the Owner in the contract plans or specifications, he shall immediately notify the Project Manager and utility in writing. The utility, where it is the Owner of the facilities, shall have the sole discretion to perform repairs or relocation work or permit the Contractor to do such repairs or relocation work at a reasonable price. The Contractor shall be compensated for the costs of locating, repairing damage not due to the failure of the Contractor to exercise reasonable care, and removing or relocating such utility facilities not indicated in the plans and specifications with reasonable accuracy and for equipment on the project necessarily idled during such work. Such compensation shall be in accordance with the extra work provisions set forth elsewhere in the Contract Documents. Conversely, Contractor shall not be compensated for the costs of locating, repairing damage and removing or relocating such utility facilities which is due to the failure of the Contractor to exercise reasonable care. In such an event, Contractor shall not be credited for nor given an extension of time for equipment on the project necessarily idled during such work necessitated by Contractor's failure to exercise reasonable care.

6.9. ARTICLE 13 - USE OF SITE - WITH NO ENGINEERS FIELD OFFICE

A. Limit of operations. The Contractor shall confine their apparatus, the storage of materials, and the operations of their workers to limits indicated on the plans, or by law, ordinances, permits, or directions of the Project Manager and shall not unreasonably occupy the premises with their materials. Insofar as possible, the Contractor shall arrange their work and its progress to prevent

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any interference with the operations of the existing facilities. All utilities must be protected and connections made to utilities so as not to interrupt service.

B. Utilities. Unless otherwise noted, all utilities, including, but not limited to, electricity, water, gas, and telephone, used on the work shall be furnished and paid for by Contractor. Contractor shall furnish and install temporary distribution systems, including meters, if necessary, from distribution points to points on-site where utility is necessary to carry on the work. Upon completion of the work, Contractor shall remove all temporary distribution systems. If this contract is for an addition to an existing facility, Contractor may, with the written permission of the Owner, use Owner's existing utilities by making prearranged payments to Owner for utilities used by Contractor for construction.

C. Metering devices. For the purpose of providing utility service to the project, Contractor may install or cause to be installed metering devices or other equipment of utility companies or of political subdivisions, title to which is commonly retained by the utility company or political subdivision. If any such metering device or equipment is installed, contractor shall advise Owner as to the Owner of such device or equipment.

D. Sanitary facilities. Contractor shall provide sanitary toilet facilities for the use of all workers and subcontractors. The building shall be properly stocked and maintained in a sanitary condition at all times and shall be left at the site until removal is directed by the Project Manager. Use of the toilet facilities in the Work under construction shall not be permitted.

E. Cleaning up during and after work. The Contractor, at all times, shall keep the premises free from accumulation of waste materials or rubbish caused by their operations. At the completion of the work, they shall remove all their waste materials and rubbish from and about the project as well as all their tools, construction equipment, machinery, and surplus materials. If the Contractor fails to clean up, the Owner may do so and the cost thereof shall be charged to the Contractor as provided in Article 31 B**.**

6.10. ARTICLE 14 - MATERIALS

A. Materials provided by Contractor. Except as otherwise expressly stated in this contract, Contractor shall provide and pay for all materials, labor, tools, equipment, water, lights, power, transportation, superintendence, temporary constructions of every nature, and all other services and facilities of every nature whatsoever necessary to execute and complete this contract within the specified time.

B. Quality of materials. Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of good quality.

C. Provision and storage of materials. Materials shall be furnished in ample quantities and at such times as to ensure uninterrupted progress of work and shall be stored properly and protected as required. Contractor shall be entirely responsible for damage or loss by weather or other causes

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to materials or work under this contract. All stored items shall be inventoried, specified by identification numbers (if applicable), released to Owner by sureties of the Contractor, and, if stored offsite, stored only in a reputable bonded warehouse.

D. Substitution of materials. Whenever in the specifications any materials, process, or article is indicated or specified by grade, patent, or proprietary name or by the name of the manufacturer, such specification shall be deemed to be used for the purpose of facilitating the description of the material, process, or article desired and shall be deemed to be followed by the words "or equal," and Contractor may, unless otherwise stated, offer any material, process, or article which shall in every respect be substantially equal to or better than that specified. The burden of proof as to equality of any material, process, or article shall rest with Contractor. Contractor shall submit any request for substitution, together with any substantiating data, within (35) thirty-five days after the award of this contract. These provisions authorizing submission of "or equal" justification data shall not in any way authorize an extension of time for performance of this contract. In the event Contractor-furnished material, processes, or articles that are more expensive than those specified, the difference in cost so furnished shall be borne by Contractor. Requests for substitution of products, materials, or processes other than those specified must be accompanied by evidence whether or not the proposed substitution: (1) is equal in quality and serviceability to the specified item; (2) will entail changes in detail and construction of related work; (3) will be acceptable in consideration of the required design and artistic effect; (4) will not provide a cost disadvantage to Engineer or Owner. Contractor shall promptly provide, upon request, any other information that may be required of it to assist Engineer and Owner in determining whether the proposed substitution is acceptable. The final decision shall be that of the Engineer and the Owner. Owner's and Engineer’s approval shall be in writing, shall follow the procedure for change orders, and shall be required for the use of a proposed substitute material. Owner may condition its approval of the substitution upon delivery to Owner of an extended warranty or other assurances of adequate performance of the substitution.

6.11. ARTICLE 15.01 - CHANGE ORDERS

The Owner, without invalidating the contract, may order changes in the work within the general scope of the contract consisting of additions, deletions, or other revisions. The contract sum and the time for performance of the work shall be adjusted accordingly. All such changes in the work shall be authorized by change order, and shall be executed under the applicable conditions of the Contract Documents. The contract sum and the time for performance of the work may be changed only by change order.

The amount to be paid to the Contractor pursuant to the Contract Documents shall, where applicable, be increased or decreased in the manner hereinafter set forth; provided however, that if the Contractor should proceed with a Change in the Work upon an oral order, by whomsoever given, it shall constitute a waiver by the Contractor of any claim for an increase in the Contract Sum on account thereof. Upon receipt of said written Change Order or Written Directive, the Contractor shall promptly proceed with the Change in the Work, even though the amount of any resultant increase or decrease in the contract

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sum has not yet been determined. All Changes in the Work shall be performed in accordance with the Contract Documents.

6.12. ARTICLE 15.02 - METHOD TO CALCULATE ADJUSTMENTS IN CONTRACT PRICE

Determination of the method to be used to calculate adjustments in the Contract Price shall be at the sole discretion of the Owner. The use by the Contractor of the Total Cost Method (calculating the total sum of expenses incurred on the project, less amounts paid, marked up by overhead and profit) of pricing changes and claims is expressly prohibited (provided however, the Owner may use a "make whole" analysis to determine the reasonableness of the Contractor's claim). One of the following methods shall be used:

A. Unit Price Method:

1. Whenever Owner, or its representative (i.e. on-site project manager) authorizes Contractor to perform on a Unit Price basis, Owner's authorization shall clearly state the:

    a. Scope of Work to be performed;

    b. Applicable Unit Price; and

    c. A not to exceed amount of reimbursement as established by the Owner.

2. The applicable unit price shall include reimbursement for all direct and indirect costs of the Work, including overhead and profit.

3. Contractor shall only be paid under this method for the actual quantity of materials incorporated in or removed from the Work and such quantities must be supported by field measurement statements verified by Owner.

B. Firm Fixed Price Method:

1. The Contractor and Owner may mutually agree on a fixed amount as the total compensation for the performance of changed work.

2. 2. Any adjustments to the Contract Price using the Firm Fixed Price Method shall include, when appropriate, all reasonable costs for labor, equipment, material, overhead and profit. Such overhead and profit shall be calculated in accordance with provision 15.04(B)(4)(f).

3. Whenever the Owner authorizes Contractor to perform changed work on a Firm Fixed Price Method, the Owner's authorization shall clearly state:

    a. Scope of Work to be performed

    b. Total Fixed Price payment for performing such work

C. Time and Materials Method:

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1. Whenever the Owner authorizes the Contractor to perform Work on a Time and Material basis, Owner's authorization shall clearly state:
    a. Scope of Work to be performed;
    b. A not to exceed amount of reimbursement as established by the Owner.
2. Contractor shall:
    a. Cooperate with Owner and assist in monitoring the Work being performed;
    b. The Contractor's and subcontractors' labor hours, materials, and equipment charged to work under the Time and Materials Method shall be substantiated by detailed time cards or logs completed on a daily basis before the close of business each workday. The Contractor shall initial each time card and/or log at the close of each workday. Records of the Contractor and Subcontractors pertaining to work paid for on a Time and Materials method shall be maintained and available for inspection as requested by the Owner or its representatives;
    c. Perform all work in accordance with this provision as efficiently as possible; and
    d. Not exceed any cost limit(s) without Owner's prior written approval.
3. Contractor shall submit costs and any additional information requested by the Owner to support Contractor's requested price adjustment.No change in the Contract Price shall be allowed to the extent (1) Contractor's changed cost of performance is due to the fault, acts, or omissions of Contractor, or anyone for whose acts or omissions Contractor is responsible; (2) the change is concurrently caused by Contractor and Owner; or (3) the change is caused by an act of Force Majeure.The Owner shall not be responsible for, and the Contractor shall not be entitled to, unallowable costs. Unallowable costs include, but are not limited to, (1) interest or attorney's fees of any type other than those mandated by California statutes, (2) claim preparation or filing costs, (3) the cost of preparing or reviewing Change Proposals or Requests for Change Orders, (4) lost profits, lost income or earnings, (5) rescheduling costs, (6) costs for idle equipment when such equipment is not at the Site, has not been employed in the Work and is not scheduled to be used at the Site, (7) lost earnings or interest on unpaid retention, (8) claims consulting costs, (9) the costs of corporate officers or staff visiting the Site or participating in meetings with the Owner, (10) any compensation due to the fluctuation of foreign currency conversions or exchange rates, (11) loss of other business, and (12) any other special, consequential, or incidental damages incurred by the Contractor or subcontractors.

6.13. ARTICLE 15.03 - SIGNATURES ON CHANGE ORDERS

A change order shall be in writing and shall be signed by the Owner's Project Manager and the Engineer. Alternatively, the change order may be signed by the Engineer alone, provided they have written authority from the Owner for such procedure and that a copy of such written authority is furnished to

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the Contractor if they agree to the adjustment in the contract sum or the contract time. Except as otherwise provided herein, the change order shall also be signed by the Contractor in order to be effective, indicating the Contractor's consent to the changes made.

6.14. ARTICLE 15.04 - DETERMINING COST OR CREDIT FOR CHANGE ORDER

A. The cost or credit to the Owner resulting from a Change in the work shall be determined in one or more of the following ways:

1. by mutual acceptance of a lump sum for work and materials properly itemized;
2. by unit prices stated in the Contract Documents or subsequently agreed upon; or
3. as provided in subsection B.

B. All parties to the agreement shall observe the following procedures for all change proposals and shall require all subcontractors to follow the same procedures:

1. Each change proposal will carry a unique identifying number, such as C-001, A-001 or O-001 which identifies the originator, i.e. C = Contractor, E = Engineer, O = Owner and a chronological serial number. All correspondence referring to that change order, no matter who originates the correspondence, shall refer to the same identifying number. Any change proposal without such number shall be returned to the originator.
2. The items of Work involved shall be identified by specific reference to drawing and detail number and specification section if possible.
3. The quantities of material or other Work involved will be identified along with the costs thereof. The items of Work shall be arrayed in a manner that is consistent with the Construction Specifications Institute (CSI) (48) forty-eight division uniform system for classifying construction activities used for the schedule of values for each project component.
4. The total cost of a change proposal shall be limited to the following elements of cost, overhead, and profit:
    a. Labor - For all labor, including foreman supervision, but excluding general superintendents, as may be necessary, the Contractor shall be reimbursed for labor costs as provided herein. The labor cost of a change in the work shall be calculated as the sum of the following.
        i. Wages of labor on the Contractor’s payroll, including foreman, directly engaged in the Work; hourly rates for each classification of worker shall be identified;
        ii. Engineering and drafting performed;
        iii. Fringe benefits established by the governing trade organizations;

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iv. Federal Insurance Contributions Act costs and Federal and State Unemployment Taxes;

v. Net actual premium change for Commercial Liability, Workers' Compensation, Property Damage, and any other forms of Insurance.

b. Materials – The cost of materials resulting from a change in the Work shall be calculated in one or more of the following methods, at the Owner's election:

i. Invoice Cost: Contractor may be paid the actual invoice cost of materials including actual freight and express charges and applicable taxes less all available discounts, rebates, and back charges, notwithstanding the fact that they may not have been taken by the Contractor. This method shall be considered only to the extent the Contractor's invoice costs are reasonable and the Contractor provides copies of vendor invoices, freight and express bills, and other evidence of cost accounting and payment satisfactory to the Owner. As to materials furnished from the Contractor's stocks for which an invoice is not available, the Contractor shall furnish an affidavit certifying its actual cost of such materials and such other information as the Owner may reasonably require;

ii. Wholesale Price – The Contractor may be paid the lowest current wholesale price for which the materials are available in the quantities required, including customary costs of delivery and all applicable taxes less all available discounts, rebates, and back charges; or,

iii. Owner-Furnished Materials – The Owner reserves the right to furnish such materials as it deems advisable, and the Contractor shall have no Claim for costs, overhead, or profit on such materials.

c. Equipment – The additional cost, if any, of machine-power tools and equipment usage shall be calculated in accordance with the following:

i. Equipment Rates – The Contractor's own charge rates may be used if verified and approved by the Owner and based on the Contractor's actual ownership and operating cost experience. Rental rates contained in published rate guides may be used if their cost formulas and rate factors are identifiable, reflect the Contractor's historical acquisition cost, utilization and useful life, and do not include replacement cost, escalation contingency reserves, general and administrative expense, or profit. Rates shall be based on the Contractor's actual allowable costs incurred or the rates established according to the Rental Rate Blue Book for Construction Equipment, published by Machinery Information Division of PRIMEDIA, whichever is less. The Rental Rate Blue Book established rate shall be the monthly rate for the equipment plus the monthly rate for required attachments, divided by 176, plus the hourly operating cost, multiplied by the appropriate area adjustment factor if appropriate.

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The rates shall apply for actual equipment usage up to eight hours per day. For all hours in excess of eight hours per day or 176 hours per month, the established monthly rate shall be divided by 352, plus the hourly operating cost, multiplied by the area adjustment factor, if appropriate.

ii. Transportation – If necessary equipment is not already at the Site and it is not anticipated that it would be required for the performance of other work under the terms of the Contract, the calculation shall include a reasonable amount for the costs of the necessary transportation of such equipment.

iii. Standby – The Contractor shall only be entitled to standby equipment costs if (a) the equipment is ready, able, and available to do the Work at a moment's notice; (b) Contractor is required to have equipment standby because of an event or condition solely caused by the Owner; and (c) the Contractor can demonstrate that it could have and intended to use the equipment on other projects or jobs. The Contractor shall be compensated at 50 percent (50%) of the adjusted hourly rate identified in the Rental Rate Blue Book for Construction Equipment, published by Machinery Information Division of K-111 Directory Corp. Standby shall not be paid during periods of Contractor-caused delay, concurrent delay, unusually severe weather conditions, during any seasonal shutdown, routine maintenance, downtime or occurrence specified in the Contract Documents. No payment shall be made for a 24-hour period. Standby costs shall not be paid for weekends, holidays, and any time the equipment was not intended to the used on the project as demonstrated by the Project Schedule.

d. Subcontractors' Cost – The Subcontractor's cost of Work shall be calculated and itemized in the same manner as prescribed herein for Contractor.

e. Bonds - Itemized statement of changes in costs of bonds.

f. Markup – The allowed markup for change order work shall not exceed the following two items:

i. 10 percent (10%) combined overhead and profit markup for the Contractor performing the actual change order work and,

ii. 5 percent (5%) combined overhead and profit markup on the direct costs for the Contractor's markup of subcontractor work. In no event shall the total combined overhead and profit markup for the Contractor and all intermediate tier subcontractors and suppliers exceed 15 percent (15%) of the direct cost to perform the Change Order Work. Direct costs shall include Labor (as defined in provision 15.04(B)(4)(a), Materials (as defined in provision 15.04(B)(4)b, Equipment (as defined in provision 15.04(B)(4)(c), Subcontractor Costs (as defined in provision 15.04(B)(4)(d), Bonds (as defined in provision 15.04(B)(4)(e). All other costs shall be

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deemed overhead costs. Profit markup shall be allowed on delay, acceleration, unabsorbed overhead, or any other asserted impact costs.

g. Taxes - Taxes required to be paid by the Contractor, but not included above.

C. Invoices or quotes shall accompany Change Proposals from vendors. Change proposals shall be sent to the Engineer and Project Manager in duplicate, who shall maintain a database of all proposals which can readily determine the location and status of the change request. Change proposals shall include all cost backup, including breakdown of hours expended by jobsite personnel per task with or without overall execution of the work. Lump sum change proposals lacking necessary backup, as determined by Owner, will not be accepted or approved.

D. All change proposals shall be checked by the Engineer and Project Manager for accuracy and fairness. Should contractor utilize SMACNA or NECA cost-estimating standards, they will use 70 percent (70%) of the most favorable labor productivity rates.

E. When the final costs are agreed upon by the Owner, the Contractor, and the Engineer, a change order will be prepared by the Owner for signature by the Owner, Contractor, and Engineer. The Change Order shall be the record document defining the costs and time extensions, if any, of the required and agreed-to change in the Work. A Change Order calculated in accordance with the provisions of this Agreement shall be full and complete compensation and final settlement of all changes and claims for all (a) time; (b) direct, indirect, and overhead costs; (c) profit; and (d) any and all costs or damages associated with delay, inconvenience, disruption of schedule, impact, ripple effect, loss of efficiency or productivity, acceleration of work, lost profits, and/or any other costs or damages related to any work either covered or affected by the changed work, or related to the events giving rise to the change.

F. The Contractor shall keep and present, in the American Institute of Engineers' format, an itemized accounting together with appropriate supporting data. Pending final determination of cost to Owner, payments on account shall be made on the Contractor's certificate for payment. The amount of credit to be allowed by the Contractor to the Owner for any deletion or change which results in a net decrease in cost will be the amount of the actual net decrease as confirmed by the Engineer and Project Manager. When both additions and credits are involved in any one change, the allowance for overhead and profit shall be figured on the basis of net increase, if any.

G. If no agreement can be reached on changes in the work or costs, or the Contractor refuses to accept a Change Order, the Owner may issue the Change Order unilaterally. The Contractor shall comply with the requirements of the Change Order. The Owner shall provide for an equitable adjustment to the Contract Price and compensate Contractor accordingly. If the Contractor does not agree that the adjustment is equitable, it may submit a claim in accordance with Article 30. If Contractor refuses to comply with the Change Order, Owner may have the work done by another contractor or its own forces.

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6.15. ARTICLE 15.05 - CHANGES REQUIRING AN INCREASE IN CONTRACT SUM

A. If the Owner elects to have the Change in the Work performed on a lump sum basis, its election shall be based on a lump sum proposal which shall be submitted by the Contractor to the Owner within five (5) workdays of the Owner's request therefore, but the Owner's request for a lump sum proposal shall not be deemed an election by the Owner to have the Change in the Work performed on a lump-sum basis.

B. If the Owner elects to have the Change in the work performed on a unit-cost basis, its election shall be based on a unit price proposal which shall be submitted by the Contractor to the Owner within five (5) workdays of the Owner's request therefore, but the Owner's request for a unit price proposal shall not be deemed an election by the Owner to have the Change in the work performed on a unit-price basis.

C. If the Owner elects to have the Change in the work performed on a time and materials basis, the same shall be performed, its election shall be based on a time and materials price proposal which shall be submitted by the Contractor within five (5) workdays of the Owner's request therefor, but the Owner's request for a time and materials price proposal shall not be deemed an election by the Owner to have the Change in the work performed on a time and materials basis.

D. Nothing herein contained shall preclude the Owner from requesting a lump sum proposal, a unit price proposal, and a time and materials price proposal, or any two of those, with respect to the same Change in the Work, in which event, the Contractor shall submit all proposals requested.

E. Until such time as the Owner makes it election under this paragraph, the Contractor shall submit daily time and material tickets to the Owner as required under subparagraph (c) and section 15.04(b), which shall be subject to authentication as therein provided. At such time as the Owner makes its election under this paragraph, an appropriate Change Order will be issued; provided however, that until such time, the Owner shall pay to the Contractor up to the Owner's reasonable estimated value of the Change in the Work.

F. The Contractor's proposal shall be in compliance with sections 15.02, 15.03, and 15.04 of the General Conditions.

6.16. ARTICLE 15.06 - CHANGES REQUIRING A DECREASE IN CONTRACT SUM

If the Change in the Work will result in a decrease in the contract sum, the Owner shall request a quotation by the Contractor of the amount of such decrease for use in preparing a Change Order. The Contractor's quotation shall be forwarded to the Owner within five (5) days of the Owner's request and, if acceptable to the Owner and Engineer, shall be incorporated in the Change Order. If not acceptable, the parties shall make every reasonable effort to agree as to the amount of such decrease, which may be based on a lump sum properly itemized, on unit prices stated in the Contract Documents and/or on such other basis as the parties may mutually determine. If the parties are unable to so agree, the amount of such decrease shall be the total of the estimated reduction in actual cost of the work, as

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determined by the Owner in its reasonable judgment, plus ten percent (10%) thereof as overhead and profit. The Contractor's proposal shall be in compliance with sections 15.02, 15.03, and 15.04 of the General Conditions.

6.17. ARTICLE 15.07 - CHANGES AFFECTING CONTRACT TIME

If the Change in the Work will result in an extension or contraction of the contract time, and the parties are unable to agree as to the number of days by which the contract time will be extended or contracted, the Owner shall not be required to make its determination until the work has been completed, at which time its determination shall be based on a review of the Contractor's books and records relating to the time involved in performing the Change in the Work and on the Owner's judgment as to whether the Contractor diligently performed the same.

6.18. ARTICLE 15.08 - DISPUTES REGARDING CHANGES

If any dispute should arise between the parties with respect to an increase or decrease in the Contract Sum or an expansion or contraction in the contract time as a result of a Change in the Work, the Contractor shall not suspend performance of a Change in the Work or the Work itself unless otherwise so ordered by the Owner in writing. The Owner shall, however, pay to the Contractor up to the Owner's reasonable estimate of the value of the Change in the Work, regardless of the dispute, if said Change in the Work results in an increase in the Contract Sum; and the Owner shall have the right to decrease the Contract Sum to the Owner's reasonable estimated value of the Change in the Work, regardless of the dispute, if said Change in the Work results in a decrease in the contract sum.

6.19. ARTICLE 15.09 - ADJUSTMENT OF UNIT PRICES

If unit prices are stated in the Contract Documents or subsequently agreed upon, and if the quantities originally contemplated are so changed in a proposed change order that application of the agreed unit prices to the quantities of work proposed will create a hardship on the Owner or the Contractor, the applicable unit prices shall be equitably adjusted to prevent such hardship.

6.20. ARTICLE 15.10 - CONCEALED CONDITIONS

If concealed conditions encountered in the performance of the work below the surface of the ground are at variance with the conditions indicated by the Contract Documents, or if previously unknown physical conditions encountered below the surface of the ground are of an unusual nature, differing materially from those generally recognized as inherent in work of the character and in the location provided for in this contract, or should concealed or unknown conditions in an existing structure be at variance with the conditions indicated in the Contract Documents or be of an unusual nature, at variance with those ordinarily encountered and generally inherent in the work to be performed, then the contract sum shall be equitably adjusted by change order upon claim by either party made within twenty (20) days after first observing the conditions.

6.21. ARTICLE 15.11 - CLAIMS FOR ADDITIONAL COSTS

All claims for additional compensation or for an increase in the contract sum shall be made as provided in Article 30. Any change in the contract sum resulting from such claim shall be authorized by change order.

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6.22. ARTICLE 15.12 - MINOR CHANGES IN THE WORK

Subject to approval by the Owner, the Engineer or Project Manager may order minor changes in the work not involving an adjustment in the contract sum or an extension of the contract time and not inconsistent with the intent of the Contract Documents. Such changes may be made by field order or by other written order. Such changes shall be binding on the Owner and the Contractor.

6.23. ARTICLE 15.13 - FIELD ORDERS

Subject to approval by the Owner, the Engineer may issue written Field Orders, which interpret the Contract Documents or order minor changes in the work without change in contract sum or contract time. The Contractor shall carry out such Field Orders promptly.

6.24. ARTICLE 15.14 - LIMITATIONS

Except as expressly provided by this Section, there shall be no change whatsoever in the plans and specifications and in the work. Contractor shall not vary the work, the Contract Documents, or change, add to, or omit any element, component part, or portion of the work without the express written consent of Owner's Project Manager or the Engineer contained in an executed change order or field order as herein provided. Owner shall not be liable for the cost for any extra work or any substitutions, changes, additions, omissions, or deviations from the plans and specifications unless the same have been authorized by and the cost thereof approved in writing by change order. No extension of time for performance of the work shall be allowed hereunder unless claim for such extension shall be made at the time changes in the work are ordered and such duly adjusted in writing by Owner and Engineer. Contractor recognizes and acknowledges that timely completion of the work is paramount and that its duty is to proceed with the work in accordance with the contract Documents, notwithstanding any request for change in the work, to the extent that proceeding is reasonable and feasible under the circumstances.

6.25. ARTICLE 15.15 - REVIEW OF CONTRACT DOCUMENTS

The Contractor shall carefully study and compare the Contract Documents including, but not limited to, the Agreement, general conditions, drawings, specifications, addenda, and modifications, and shall at once report to the Engineer and Project Manager any error, inconsistency, or omission it may discover. The Contractor shall not work without proper drawings and specifications or interpretations. If the Contractor performs any construction activity knowing it involves a recognized error, inconsistency or omission in the Contract Documents without such notice to the Engineer and Project Manager, the Contractor shall assume appropriate responsibility for such performance and shall bear an appropriate amount of the costs attributable for correction.

6.26. ARTICLE 15.16 - REQUESTS FOR INFORMATION

The Contractor shall review any Request for Information (RFI), or other Contractor or subcontractor-initiated request for information prior to submission to the Engineer and Project Manager to ensure that the information requested in such RFI is not already provided in the Contract Documents. RFI submittals shall come only from the Contractor (not from any subcontractors). The Contractor shall prepare the RFI in an RFI form approved by the Engineer, which shall include a detailed description of the conditions, cause, and/or reason for the request. The RFI shall also include a proposed resolution. Each RFI shall

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reference the applicable Construction Documents. A transmittal letter over a subcontractor's RFI does not constitute an approved form.

6.27. ARTICLE 16 - UNCOVERING AND CORRECTION OF WORK

A. Uncovering of work.

1. If any work is covered contrary to the request of the Engineer, it must, at the request of the Project Manager, be uncovered for their observation and replaced at the Contractor's expense.

2. The Project Manager may ask to see any other work that has been covered prior to its inspection by the Project Manager, and the Contractor shall uncover the work. If such work is found to be in accordance with the Contract Documents, the cost of uncovering and replacement shall, by appropriate change order, be charged to the Owner. If such work is found not to be in accordance with the Contract Documents, the Contractor shall pay such costs unless it is found that a separate contractor caused this condition, and, in that event, the Owner shall be responsible for the payment of such costs.

B. Correction of work.

1. The Contractor shall promptly correct all work rejected by the Project Manager, and/or Engineer, as defective or as failing to conform to the Contract Documents whether observed before or after substantial completion and whether or not fabricated, installed, or completed. The Contractor shall bear all cost of correcting such rejected work, including the cost of the Project Manager's additional services made necessary thereby.

2. All such defective or non-conforming work shall be removed from the site if necessary, and the work shall be corrected to comply with the Contract Documents without cost to the Owner.

3. The Contractor shall bear the cost of making good all work of separate contractors destroyed or damaged by such removal or correction.

C. Contractor's failure to remove defective work. If the Contractor does not remove such defective or non conforming work within a reasonable time fixed by written notice from the Project Manager, the Owner may remove it and may store the materials or equipment at the expense of the Contractor. If the Contractor does not pay the cost of such removal and storage within ten (10) days thereafter, the Owner may upon ten (10) additional days' written notice sell such work at auction or a private sale and shall account for the net proceeds thereof, after deducting all the costs that should have been borne by the Contractor, including compensation for additional services. If such proceeds of sale do not cover all costs, which the Contractor should have borne, the difference shall be charged to the Contractor and an appropriate change order shall be issued. Such change order shall not require the Contractor's consent to be effective. Said amount may be deducted from any payment thereafter due to the Contractor under this or any

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other contract with Owner. If the payments then or thereafter due the Contractor are not sufficient to cover such amount, the Contractor shall pay the difference to the Owner.

D. Contractor's failure to correct defective work. If the Contractor fails to correct such defective or non-conforming work, the Owner may correct it in accordance with Article 31 B.

E. Acceptance of defective or non-conforming work. If the Owner prefers to accept defective or non-conforming work, it may do so instead of requiring its removal and correction, in which case a change order will be issued to reflect an appropriate reduction in the contract sum, or, if the amount is determined after final payment, it shall be paid by the Contractor. The issuance of the final certificate, final payment, or any provisions in the Contract Documents shall not relieve Contractor of responsibility for faulty materials, equipment, or workmanship. Contractor shall remedy any defects due to, and pay for any damage to, other work in accordance with the applicable guaranty or warranty provisions of the Contract Documents.

F. Emergency corrective action by Owner. If, in the opinion of the Owner, defective work creates a dangerous condition or requires immediate correction or attention to prevent further loss to the Owner or third parties or to prevent interruption of operations of the Owner or third parties, the Owner will attempt to give notice to Contractor. If Contractor cannot be contacted promptly or does not comply with the Owner's request for correction within a reasonable time as determined by the Owner, the Owner may, notwithstanding the provisions of this contract, proceed to make such correction or provide such attention, and the costs of such correction or attention shall be charged against the Contractor. Such action by the Owner shall not relieve Contractor of any warranty obligations provided in this contract.

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7. Safety - Part III

7.1. ARTICLE 17 - PROTECTION OF PERSONS AND PROPERTY

A. Contractor's responsibility for safety. The Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work. The Contractor shall take all reasonable precautions for the safety of, and shall provide all reasonable protection to prevent damage, injury, or loss to:

1. all employees on the work and all other persons who may be affected thereby;
2. all the work and all materials and equipment to be incorporated therein, whether in storage on or off the site, under the care, custody, or control of the Contractor or any subcontractor; and
3. other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, and utilities not designated for removal, relocation, or replacement in the course of construction.

B. Compliance with safety requirements. The Contractor shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of any public authority having jurisdiction for the safety of persons or property or to protect them from damage, injury, or loss. They shall erect and maintain, as required by existing conditions and progress of the work, all reasonable safeguards for safety and protection, including posting danger signs and other warnings against hazards, promulgating safety regulations, and notifying owners and users of adjacent utilities.

C. Trench safety. For all trenches to be made in connection with the work, the contractor shall submit a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trenches. If such plan varies from the shoring system standards, a registered civil or structural engineer shall prepare the plan. The plan shall be reviewed, and must receive approval as adequate to protect worker safety, by the Owner or by a registered civil or structural engineer employed by the Owner, in advance of excavation. The shoring, sloping, or protective system must be at least as effective as that required by the Construction Safety Orders. See Labor Code section 6705.

D. Trenches or Excavations Deeper than Four Feet Below Surface. If any trench or excavation made in connection with the work involves digging deeper than four feet below the surface, the following is required pursuant to Public Contract Code section 7104:(a). That the contractor shall promptly, and before the following conditions are disturbed, notify the local public entity, in writing, of any:(1) Material that the contractor believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code, that is required to be

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removed to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.(2) Subsurface or latent physical conditions at the site differing from those indicated by information about the site made available to bidders prior to the deadline for submitting bids.(3) Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract.(b) That the local public entity shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the contractor's cost of, or the time required for, performance of any part of the work shall issue a change order under the procedures described in the contract.(c) That, in the event that a dispute arises between the local public entity and the contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the contractor's cost of, or time required for, performance of any part of the work, the contractor shall not be excused from any scheduled completion date provided for by the contract, but shall proceed with all work to be performed under the contract. The contractor shall retain any and all rights provided either by contract or by law which pertain to the resolution of disputes and protests between the contracting parties.

E. Hazardous substance. The term "hazardous substance" means any substance on the list of hazardous substances established by the Director of Industrial Relations pursuant to the Labor Code section 6382, which includes asbestos, lead, toxic chemicals, contaminants, any substance designated by the Environmental Protection Agency as a hazardous substance, and other pollutants and contaminants.

1. If Contractor encounters on the property any substance reasonably believed to be a Hazardous Substance that has not been rendered harmless, i.e., not potentially hazardous to human health, Contractor shall immediately stop work in the area affected and report the condition to the Owner Project Manager and Engineer in writing.

2. Neither the Contractor nor any subcontractor shall cause or permit any Hazardous Substance to be brought upon the property or used in the work without the prior written consent of the Owner. Contractor and each subcontractor shall comply with all laws regarding the handling, treatment, presence, removal, storage, decontamination, cleanup, transportation, or disposal of Hazardous Substances brought onto the property by Contractor, its Subcontractors, and/or their personnel.

3. Any handling, treatment, removal, decontamination, cleanup, transportation, disposal, or disturbance in any of Hazardous Substances shall only be performed by the Contractor or any subcontractor licensed and certified to perform the work. Any hazardous substance abatement or remediation work will be performed in such a way that is legally consistent with the recommendations of the certified Owner agent, appropriate governmental agencies, and all applicable laws.

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4. If there is a Hazardous Substance on the property, Contractor shall protect adjoining property and shall provide barricades, temporary fences, and covered walkways required to protect the health and safety of passersby as required by this Agreement, prudent construction practices, and all applicable laws.

F. Contractor's safety monitor. The Contractor shall designate a responsible member of their organization at the site whose duty shall be the prevention of accidents. This person shall be the Contractor's superintendent unless otherwise designated in writing by the Contractor to the Owner.

G. Unsafe loading. The Contractor shall not load or permit any part of the work to be loaded so as to endanger its safety.

H. Emergencies. In any emergency affecting the safety of persons or property, the Contractor shall act, at their discretion, to prevent threatened damage, injury, or loss. Any additional compensation or extension of time claimed by the Contractor on account of emergency work shall be determined as provided in Article 15 for changes in the work.

I. Accidents. Contractor shall promptly report in writing to the Engineer and Owner all accidents whatsoever arising out of, or in connection with the performance of the work, whether on or off the site, which caused death, personal injury, or property damage, giving full details and statements of witnesses. In addition, if death or serious injuries or serious damages are caused, Contractor shall report the accident immediately to the Project Manager by telephone or messenger. Contractor shall thereafter promptly report the facts in writing to the Engineer and Owner giving full details of the accident.

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8. Payments - Part IV

8.1. ARTICLE 18 - PROGRESS PAYMENTS

A. Monthly progress payments. Monthly progress payments shall be made to the Contractor, as provided in this Article.

B. Schedule of values. Before Contractor submits any application for payment, the Contractor shall submit to the Project Manager, and/or Engineer, a schedule of values of the various portions of the work, to be used to enable the Owner to estimate the timing and amounts of the successive progress payments. If required by the Project Manager, the schedule shall include quantities aggregating the total contract sum, divided so as to show the Contractor's anticipated payments to subcontractors. The schedule shall be prepared in such form as may be specified in the Contract Documents or by the Project Manager, or as may be agreed upon by the Project Manager and the Contractor. The schedule shall include such data as the Project Manager may require substantiating its correctness. Each item in the schedule shall include its proper share of overhead and profit. This schedule, when approved by the Project Manager, shall be used only for preparing and reviewing the Contractor's applications for payment, and will not be considered as fixing a basis for additions to or deductions from the contract sum.

C. Application for payment. On or before the fifth day of each month, the Contractor shall submit to the Project Manager an application for payment including a schedule of values, requesting payment for the work completed up to the end of that same month, using the standard AIA form for requesting progress payments or such other form as may be prescribed by Owner. The application shall be itemized by task and shall be supported by such data substantiating the Contractor's right to payment as the Owner or the Project Manager may require.

D. Payment for stored materials and equipment. If payments are to be made on account of materials or equipment not incorporated in the work but delivered and suitably stored at the site, or at some other location agreed upon in writing, such payments shall be conditioned upon submission by the Contractor of bills of sale or such other procedures satisfactory to the Owner to establish the Owner's title to such materials or equipment or otherwise protect the Owner's interest including applicable insurance and transportation to the site.

E. Certificates for payment. If the Contractor has made application for payment as above, the Project Manager will, with reasonable promptness but not more than ten (10) days after the receipt of the application, issue a certificate for payment to the Owner, with a copy to the Contractor, for such amount as they determine to be properly due, or state in writing their reasons for withholding a certificate as provided in Article 19 A. A payment request determined not to be a proper payment request suitable for payment will be returned to the Contractor within seven (7) days with a statement setting forth the reasons why the payment request is not proper. The final payment, if unencumbered, or any part thereof unencumbered, shall be made not later than 60 days after completion of the work and submission of all completion

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documents. Payments shall be made on demands drawn in the manner required by law, accompanied by a certificate signed by the Project Manager, stating the work for which payment is demanded has been performed in accordance with the terms of the contract. Contractor is entitled to interest pursuant to Public Contract Code Section 20104.50 if Owner fails to make the progress payment within 30 days after receipt of an undisputed properly submitted payment request.

F. Findings to issue certificate of payment. In determining to issue a certificate of payment, the Project Manager, and/or Engineer, must make the following findings, based on his observations at the site, the schedule of values, and the data included in the application for payment:

1. that the work has progressed to the point indicated;

2. that, to the best of their knowledge, information, and belief, the quality of the work is in accordance with the Contract Documents (subject to an evaluation of the work for conformance with the Contract Documents upon substantial completion, to the results of any subsequent tests required by the Contract Documents, to minor deviations from the Contract Documents correctable prior to completion, and to any specific qualifications stated in their certificate); and

3. that the Contractor is entitled to payment in the amount certified.

G. Amount of progress payment. The amount of each progress payment shall equal ninety-five percent of the estimated value of work performed up through the last day of the previous month, less the aggregate of all previous payments. The amount of the progress payment may be further reduced by any withholdings or deductions that may be taken from the payment pursuant to other provisions of this contract. For the purpose of determining the amount of any particular progress payment, the value of work completed is only an estimate; such value or estimate shall be used for no other purpose in connection with this contract and shall not be binding on Owner or Project Manager for any other purpose or any other payment, and Owner and Project Manager shall have the right to correct any error in such value or estimate for later payments.

H. Payment by Owner. Promptly after the Project Manager has issued a certificate for payment, the Owner shall submit the appropriate documentation to the Owner , who shall make payment to Contractor within 30 days thereafter. All materials and work covered by payments made shall thereupon become the sole property of Owner, and this provision shall not be construed as relieving Contractor from the continuing responsibility for all materials and work upon which payments have been made or the restoration of any damaged work, or as a waiver of any right of Owner to require the fulfillment of all terms of this Agreement. Title to all work completed in the course of construction and to all materials, including the specifications and other documents prepared by the Project Manager and/or the Contractor on account of which payment has been made shall be vested in Owner.

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I. Limited effect of issuance of certificate or progress payment. By issuing a certificate for payment, the Project Manager shall not thereby be deemed to represent that they have made exhaustive or continuous on-site inspections to check the quality or quantity of the work or that they have reviewed the construction means, methods, techniques, sequences, or procedures, or that they have made any examination to ascertain how or for what purpose the Contractor has used the monies previously paid on account of the contract sum. Further, no certificate for a progress payment, nor any progress payment, nor any partial or entire use or occupancy of the project by the Owner, shall constitute an acceptance of any work not in accordance with the Contract Documents.

8.2. ARTICLE 19 - WITHHOLDING PAYMENTS

A. Grounds for Withholding Payments. The Project Manager may decline to approve an application for payment and may withhold their certificate as to all or part of the payment amount requested, to the extent reasonably necessary to protect the Owner, if in their opinion they are not able to make the findings set forth in Article 18 F**.** The Project Manager may also decline to approve payment, in whole or in part, and, based on subsequently discovered evidence or subsequent inspections, they may nullify the whole or any part of any certificate for payment previously issued, to such extent as may be necessary in their opinion to protect the Owner. Such withholding of the certificate or of any amounts requested by Contractor in connection with the certificate, may be based on any of the following grounds:

1. defective work not remedied;
2. third-party claims filed or reasonable evidence indicating probable filing of such claim;
3. failure of the Contractor to make payments properly to subcontractors or for labor, materials, or equipment;
4. reasonable doubt that the work can be completed for the unpaid balance of the contract sum;
5. damage to another contractor;
6. reasonable indication that the work will not be completed within the contract time;
7. unsatisfactory prosecution of the work by the Contractor;
8. stop notices filed for any portion of the work;
9. failure or refusal of the Contractor to fully comply with the contract requirements; or
10. Contractor’s failure to comply within a reasonable time with Article 17 of these conditions.

B. Application of withheld amounts. Owner may apply any such withheld amounts to payment of such claims or obligations, in Owner's sole discretion. In so doing, Owner shall be deemed the agent of Contractor and any payment so made by Owner shall be considered as a payment

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made under contract by Owner to Contractor. Owner shall not be liable to Contractor for any such payments made in good faith. Such payments may be made without prior judicial determination of such claim or obligation. Owner will render to Contractor a proper accounting of any funds so disbursed on behalf of Contractor.

C. Payment when grounds removed. When the above grounds for withholding payment are removed by Contractor or by Owner, payment of the withheld amounts or the remaining balance thereof shall be made to Contractor.

8.3. ARTICLE 20 - COMPLETION AND FINAL PAYMENT

A. Application for Final Payment. When the work is complete, the Contractor shall submit to the Project Manager, and/or Engineer, the following documents:

1. a written notice that the work is ready for final inspection;
2. an application for final payment;
3. an affidavit that all payrolls, bills for materials and equipment, and other indebtedness connected with the work for which the Owner might in any way be responsible, have been paid or otherwise satisfied;
4. the consent of the sureties, if any, to final payment; and
5. if required by the Owner, other proof (such as receipts, releases, and waivers of liens) establishing payment or satisfaction of all obligations arising out of the contract, to the extent and in such form as may be designated by the Owner.

B. Bond for outstanding claims or liens. If any person refuses to furnish a release or waiver required by the Owner, the Contractor may furnish a bond satisfactory to the Owner to indemnify and defend the Owner against any claim that might be made against the Owner or any lien that might be placed against the work on account of such person. If any such claim or lien remains unsatisfied after all payments are made, the Contractor or the surety shall pay to the Owner all monies that the Owner may be compelled to pay in discharging such claim or lien, including all costs and reasonable attorneys' fees.

C. Inspection and final certificate. Upon receipt of the above documents, the Project Manager will promptly inspect the work. The Engineer and Project Manager shall issue a certificate for final payment, with copies to both Owner and Contractor, if he makes the following findings:

1. that the work is acceptable under the Contract Documents;
2. that the contract has been fully performed;
3. that to the best of their knowledge, information, and belief, and on the basis of their observations and inspections, the work has been completed in accordance with the terms and conditions of the Contract Documents;

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4. that all potential liens or claims for subcontractors' services and for labor, equipment, and materials on the work have been satisfied or adequately secured;

5. that the balance noted in the final certificate is due and payable; and

6. that all necessary approvals of applicable federal, state, or local agencies and/or authorities have been issued.

D. Determination not to issue certificate for final payment. If the Project Manager determines that the necessary findings cannot be made to issue a final certificate, the Project Manager shall promptly notify the Contractor, in writing, of the reasons for such determination. Contractor shall promptly thereafter take appropriate steps to remove the grounds for denial of the final certificate.

E. Acceptance by Owner. Promptly after the Project Manager issues the certificate for final payment, the matter will be submitted to the Owner for final acceptance of the work. Work on the contract shall be deemed complete when the Owner accepts the work. Not later than fifteen (15) days after such acceptance, Owner shall record its notice of completion.

F. Effect of final payment as to Owner. The making of the final payment by the Owner to Contractor hereunder shall not constitute a waiver of any claims which Owner may now or hereafter have against Contractor by reason of this Agreement or any other matter related to the work.

G. Effect of final payment as to Contractor. The acceptance of final payment shall constitute a waiver of all claims by the Contractor except those previously made in writing and still unsettled.

8.4. ARTICLE 21 - ALTERNATIVE PAYMENT OF WITHHELD FUNDS

A. Alternatives to withholding. This contract requires a five percent (5%) withholding from progress payments. Progress payments shall not be made in excess of 95 percent of the actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the Owner, and unused. Owner shall withhold five (5) percent from the progress payments until final completion and acceptance of the project by the Board of Supervisors. At the Contractor's request, the Owner shall make payment of these funds withheld from progress payments through the use of the escrow procedures provided in this paragraph and either Article 21(B) or 21(C). As a prerequisite to compliance with Article 21(B) or 21(C), the Contractor shall select an escrow agent, who shall be the Owner or any state or federally chartered bank in California; the parties shall enter into an escrow agreement meeting the requirements of Public Contract Code section 22300; and the parties shall deposit with the escrow agent the escrow agreement, the withheld portions of the progress payments that have accrued before opening of the escrow, all future withheld portions as they accrue, and all other

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deposits required below. The Contractor shall pay all expenses incurred in implementing the procedures set forth herein.

B. Alternative one: substitution of securities for withheld funds. At the Contractor's request, eligible securities provided by the Contractor, equivalent to the amount withheld, shall be deposited with the escrow agent, who shall then pay the withheld monies to the Contractor. After the initial deposits and disbursements, the Owner shall deposit all additional amounts to be withheld with the escrow agent as they accrue, and if the Contractor desires their release, the Contractor shall increase the amount of the securities on deposit, if necessary, in order that the value of the securities on deposit shall equal or exceed the total of all amounts currently and previously authorized to be withheld under the contract without the substitution of securities. Upon satisfaction of that condition, the escrow agent shall immediately pay the additional withheld amounts to the Contractor. Upon satisfactory completion of the contract, the securities shall be returned to the Contractor.

C. Alternative two: investment of withheld funds. Alternatively, the Contractor may direct that the withheld funds deposited in the escrow be invested in eligible securities. Upon satisfactory completion of the contract, the Contractor shall receive from the escrow agent all securities, interest, and payments received by the escrow agent from the Owner. The Contractor shall pay to each subcontractor, not later than 20 days after receipt of the payment, the respective amount of interest earned, net of costs attributed to retention withheld from each subcontractor, on the amount of retention withheld to ensure the performance of the Contractor.

D. Eligible securities: interest. Securities eligible to be used under the above paragraphs shall include those listed in Government Code Section 16430, bank or savings and loan certificates of deposit, interest bearing demand deposit accounts, standby letters of credit, or any other security mutually agreed to by the Contractor and the Owner. The parties must agree upon the value of the securities, as a condition of their deposit in the escrow. The Contractor shall be the beneficial Owner of any securities deposited pursuant to this Article 21and shall receive any interest thereon. The Contractor may withdraw interest earned on securities held in escrow at any time, without notice to the Owner.

E. Inapplicability of Article 21 to certain contracts. The provisions of this Article 21 shall not apply to contracts in which there will be financing provided by the Farmers Home Administration of the United States Department of Agriculture pursuant to the Consolidated Farm and Rural Development Act (7 U.S.C. § 1921 et seq.) and where federal regulations or policies, or both, do not allow the substitution of securities.

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9. Employment Practices - Part V

9.1. ARTICLE 22 - APPRENTICES

A. Compliance with Labor Code apprenticeship requirements. Contractor and all subcontractors shall comply with the provisions of Labor Code sections 1777.5, 1777.6, and 1777.7, when applicable, pertaining to apprentices, and with all applicable regulations there under (Cal. Code Regs., tit. 8, § 200 et seq., especially § 227 et seq.), including, but not limited to, provisions relating to required or permitted ratios of apprentices to experienced workers. When any question exists concerning these requirements, Contractor and/or any subcontractor concerned should contact the Division of Apprenticeship Standards, 1515 Clay St, 19th Floor, Ste 1902, Oakland, CA, or one of its branch offices, prior to commencement of work. The prime contractor is responsible for ensuring compliance with this section.

B. State policy. It is State policy to encourage the employment and training of apprentices on public works contracts in conformity with standards set by law.

9.2. ARTICLE 23 - NON-DISCRIMINATION PROVISIONS

A. Non Discrimination in employment practices. Contractor shall ensure that the evaluation and treatment of its employees and applicants for employment and all persons receiving and requesting services are free of such discrimination. Contractor and any subcontractor shall, in the performance of this Agreement, fully comply with all federal, state, and local laws and regulations which prohibit discrimination. The provision of services primarily or exclusively to such target population as may be designated in this Agreement shall not be deemed to be prohibited discrimination.

B. "Discrimination" defined. As used in this contract, the term "discrimination" includes, but is not limited to, the illegal denial of equal employment opportunity, harassment (including sexual harassment and violent harassment), disparate treatment, favoritism, subjection to unfair or unequal working conditions, and/or any other prohibited discriminatory practice. The term also includes any act or retaliation.

C. Compliance with laws. During the performance of this agreement, Contractor shall comply with all applicable federal, state, and local laws and regulations, which prohibit discrimination, including, but not limited to, the following:

1. California Labor Code section 1735;
2. California Fair Employment and Housing Act, Government Code sections 12900 et seq., and the administrative regulations issued thereunder, Title 2 California Code of Regulations, section 7285.0 et seq. (Division 4 Fair Employment and Housing Commission);
3. California Government Code sections 11135 et seq. (Title 2, Div. 3, Part 1, Chap.1, Art. 9.5) and any applicable administrative regulations issued thereunder;

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4. Federal Civil Rights Acts of 1964 and 1991 (see especially Title VII, 42 U.S.C. section 2000d et seq.), as amended, and all administrative rules and regulations issued thereunder (see especially 45 C.F.R. § 84); and all guidelines and interpretations issued pursuant thereto;

5. The Rehabilitation Act of 1973, sections 503 and 504 (29 U.S.C. §§ 793, 794), as amended; all requirements imposed by the applicable HHS regulations (45 C.F.R. § 84); and all guidelines and interpretations issued pursuant thereto;

6. Americans With Disabilities Act of 1990, as amended, (42 U.S.C. §§ 12101 et seq.; 47 U.S.C. §§ 225, 611, and any federal regulations issued pursuant thereto (see 24 C.F.R. Subtitle B, Chapter I; 28 C.F.R. §§ 35, 36; 29 C.F.R. §§ 1602, 1627, 1630; and 36 C.F.R. § 1191.)

7. Unruh Civil Rights Act, California Civil Code sections 51 et seq.; and

D. Written assurances. Upon request by Owner, Contractor will give any written assurances of compliance with the Civil Rights Acts of 1964 and 1991, as amended, the Rehabilitation Act of 1973, as amended, the Americans With Disabilities Act of 1990, as amended, and/or Executive Order 11246, as may be required by the federal government in connection with this contract, pursuant to 45 Code of Federal Regulations. Sec. 80.4, 45, 84.5 or other applicable state or federal regulations.

E. Written non discrimination policy. Contractor shall maintain a written statement of its non discrimination policies, which shall be consistent with the terms of this agreement. Such statement shall be available to Contractor's employees, the Owner, Owner's officers and employees, and members of the public, upon request.

F. Notice to labor unions. Contractor shall give written notice of its obligations under Article 23 (A) - (H) to labor organizations with which it has a collective bargaining or other agreement.

G. Access to records by government agencies. Contractor shall permit access by Owner and by representatives of the California Department of Fair Employment and Housing and the U.S. Equal Employment Opportunity Commission, and any federal and/or state agency providing funds for this contract upon reasonable notice at any time during normal business hours, but in no case on less than 24-hour notice, to such of its books, records, accounts, facilities, and other sources of information as the inspecting party may deem appropriate to ascertain compliance with these non discrimination provisions.

H. Non-Denial of Benefits. During the performance of this agreement, the grantee and its contractors shall not deny the agreement's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital

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status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. The grantee shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. The grantee and contractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the Conservancy to implement such article. The grantee shall permit access by representatives of the Department of Fair Employment and Housing and the Conservancy upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or the Conservancy shall require to ascertain compliance with this clause. The grantee and its contractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105).

I. Binding on subcontractors. The provisions of Article 23(A) - (I) shall also apply to all of Contractor's subcontractors. Contractor shall include the non discrimination and compliance provisions of these paragraphs in all subcontracts to perform work or provide services under this agreement.

9.3. ARTICLE 24 - HOURS OF WORK

A. Eight hour day; 40 hour week. No work shall be performed by employees of Contractors in excess of eight (8) hours per day or 40 hours during any one week, unless such employees are compensated for all such excess hours at not less than one and one/half times the basic rate of pay, as provided in Labor Code Section 1815. Holiday work when permitted by law shall also be compensated at not less than one and one half times the basic rate of pay.

B. Penalties. Pursuant to Labor Code Section 1813, the Contractor shall forfeit, as a penalty to the Owner, $25 for each worker employed in the execution of the contract by the Contractor or any subcontractor under them for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of the Labor Code sections 1810, 1815.

C. Approvals. Contractor will not be entitled to additional compensation for work performed outside of regular working hours, except to the extent such compensation is approved in advance, in writing, by Project Manager. If so approved, such compensation shall in such event cover only the direct cost of the premium portion of the time involved, when permitted, and be without any overhead or profit.

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9.4. ARTICLE 25 - PREVAILING WAGES

A. Prevailing wage rates determined. The Director of the California Department of Industrial Relations has determined the general prevailing rate of per diem wages in the locality in which said public work is to be performed for each craft, classification, or type of worker needed to execute the contract in accordance with Labor Code sections 1770. Copies of the prevailing rate of per diem wages are on file and shall be made available to any interested party on request at Owner's main office, 4860 Carmel Valley Road, Carmel, CA 93923. Current prevailing wage rate schedules can also be found at the California Department of Industrial Relations website located at http://www.dir.ca.gov/oprl/DPreWageDetermination.htm.

B. Payment of prevailing wage rates. Contractor and all subcontractors performing work under this contract shall pay wages to their workers employed on such work at not less than the general prevailing rate of per diem wages for such work, as required by Labor Code section 1771.

C. Registration for public contract work required. Pursuant to Labor Code section 1771.1, subdivision (a), "[a] contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

D. Penalties. Failure to pay such prevailing wages shall subject the employer to the penalties set forth in Labor Code section 1775.

E. Department of Industrial Relations. The Contractor shall be responsible for complying with all reporting requirements mandated by the Department of Industrial Relations (DIR) for the duration of the public works project. This includes, but is not limited to, the submission of certified payroll records, electronic reporting through the DIR's eCPR system, and any additional documentation as required to demonstrate compliance with prevailing wage laws. The Contractor shall retain all payroll records and related documents for a period of no less than three years from the project's completion date and shall make such records available for inspection by the Owner or DIR upon request. The Contractor shall ensure all reports are accurate, complete, and submitted in a timely manner, adhering to all deadlines established by the DIR. Failure to comply with these reporting requirements may result in penalties, including but not limited to, withholding of payments, fines, or other legal actions as deemed appropriate by the DIR. Contractor shall also submit certified payroll to Owner or Owner's representative.

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9.5. ARTICLE 26 - PAYROLL RECORDS

A. Compliance with Labor Code section 1776. Contractor and all subcontractors shall comply with Labor Code section 1776, the requirements of which are set forth in this article. The Contractor shall be responsible for compliance with these provisions by their subcontractors.

B. Accurate payroll records required. Contractor and each subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time, and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice worker, or other employee employed by them in connection with the public work.

C. Certification and inspection of payroll records. The payroll records enumerated under Article 26(B) shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor or subcontractor on the following basis:

1. A certified copy of an employee's payroll record shall be made available for inspection or furnished to such employee or their authorized representative on request.

2. A certified copy of all payroll records enumerated in Article 26(B) shall be made available for inspection, or furnished upon request, to a representative of Owner, the Division of Labor Standards Enforcement, or the Division of Apprenticeship Standards of the Department of Industrial Relations.

3. A certified copy of all payroll records enumerated in Article 26(B) shall be made available upon request to the public for inspection or copies thereof made; provided however, that a request by the public shall be made through the Owner, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. The public shall not be given access to such records at the principal offices of the Contractor.

D. Filing of records. The Contractor and each subcontractor shall file a certified copy of the records enumerated in Article 26(B) with the entity that requested such records within ten (10) days after receipt of a written request.

E. Elimination of personal identification. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the Owner, the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor or subcontractor awarded the contract or performing the contract shall not be marked or obliterated. Any copy of records made available for inspection by, or furnished to, a joint labor-management committee established pursuant to the Federal Labor Management Cooperation Act of 1978 (29 U.S.C. § 175a) shall be marked or obliterated only to prevent disclosure of an individual's name and social security number.

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F. Notice to Owner concerning location of records. The Contractor and each subcontractor shall inform the Owner as to the location of the records enumerated under Article 26(B), including the street address, city, and Owner, and shall within five (5) workdays, provide a notice of any change of location and address.

G. Notice of non-compliance; penalties. In the event of non compliance with the requirements of this section, the Contractor or subcontractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects such Contractor or subcontractor must comply with this section. Should non compliance still be evident after such 10 day period, the Contractor or subcontractor shall, as a penalty to the Owner, forfeit $100 for each calendar day, or portion thereof, for each worker, until strict compliance is affected. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, such penalties shall be withheld from progress payments then due.

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10. Legal Relations - Part VI

10.1. ARTICLE 27 - COMPLIANCE WITH LAWS

A. Compliance with laws. The Contractor shall give all notices and comply with all laws, ordinances, rules, regulations, and orders of any public authority bearing on the performance of the work. If the Contractor observes that any of the Contract Documents are at variance therewith in any respect, he shall promptly notify the Project Manager, in writing, and any necessary changes shall be adjusted by appropriate modification. If the Contractor performs any work knowing it to be contrary to such laws, ordinances, rules, and regulations, and without such notice to the Project Manager, they shall assume full responsibility therefore, and shall bear all costs attributable thereto. Without limitation of any other provision hereof, if Contractor performs any work which is contrary to such laws, ordinances, codes, rules and regulations, Contractor shall without additional reimbursement or extension of time make all changes and bear all costs as required to comply.

B. Rules of governing agencies. All work and materials shall be in full accordance with the Rules and Regulations of the State Fire Marshall, the Safety Orders of the Division of Industrial Safety, and all other applicable codes and regulations.

C. Compliance with uniform codes. All work and materials shall comply with the current editions of the California Building Code, the National Electric Code, the Uniform Plumbing Code, the Uniform Mechanical Code, and the Uniform Administrative Code, as adopted and amended by the local jurisdiction in which the construction project takes place.

D. Statutory regulation of public works. This contract is subject to all statutes of the State of California regulating the performance of work by a public agency or political subdivision of such state. All work performed under this contract, whether by Contractor or by any subcontractor, shall comply with all such statutes.

E. Compliance with Clean Air and Clean Water Acts. Contractor and all subcontractors shall comply with the federal Clean Air Act (42 U.S.C. § 7401 et seq.) and with the federal Clean Water Act (33 U.S.C. § 1251 et seq.) and all other applicable federal air and water pollution control rules and regulations.

F. Federally funded contracts. If the project for which the work under this contract is to be performed is funded in whole or in part by grants or loans from the federal government, the Contractor and all subcontractors shall comply with regulations adopted by the U.S. Secretary of Labor pursuant to 40 U.S.C. section 3145 and with all other statutes, rules, and regulations that are applicable because of such federal funding.

G. Kickbacks and illegal withholdings of pay. Contractor and all subcontractors shall comply with the provisions of Labor Code sections 221 and 222, which prohibit kickbacks and withholdings from employee wages.

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H. Illegal fees. Contractor and all subcontractors shall comply with the provisions of Labor Code sections 1778, 1779, and 1780, which prohibit the taking of any portion of the wages of workers employed on public works projects and the collection of certain fees from workers employed on public works projects and from applicants for such employment.

I. Provisions required by law deemed inserted. Each and every provision required by law to be inserted in this contract shall be deemed to be inserted herein, and the contract shall be read and enforced as though it were included herein. If through mistake or otherwise any such provision is not set forth word for word in the Contract Documents, or is not correctly set forth, then upon the application of either party, the contract shall forthwith be physically amended to make such insertion or correction.

10.2. ARTICLE 28 - PERFORMANCE AND PAYMENT BONDS

Required bonds and amounts. The Contractor shall furnish a surety bond in an amount equal to one hundred percent (100%) of the contract sum as security for faithful performance of this contract ("Performance Bond") and shall furnish a separate surety bond in an amount at least equal to one hundred percent (100%) of the contract sum as security for the payment of all persons performing labor and furnishing materials in connection with the contract ("Payment Bond"). Both the Performance Bond and the Payment Bond must be executed by an admitted surety insurer. The form of these bonds shall be as set forth in these Contract Documents. Upon request of the contractor, the Owner will consider and accept multiple sureties on such bonds.

10.3. ARTICLE 29 - INDEMNIFICATION AND INSURANCE

1. Indemnification. Contractor shall indemnify, defend, and hold harmless the Owner, its officers, agents, employees, and any other person or entity required to be indemnified as part of the Contract Documents, from and against any and all claims, liabilities, and losses whatsoever (including damages to property and injuries to or death of persons, court costs, and reasonable attorneys' fees) occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies arising out of the performance of this Agreement, and from any and all claims, liabilities, and losses occurring or resulting to any person, firm, or corporation for damage, injury, or death arising out of the Contractor's performance of this Agreement, unless such claims, liabilities, or losses arise out of the sole negligence or willful misconduct of the Owner. "Contractor's performance" includes Contractor's action or inaction and the action or inaction of Contractor's officers, employees, agents, and subcontractors. The obligations under this subdivision, entitled "Indemnification," survive the termination of this agreement.

2. Evidence of Coverage. Prior to commencement of this Agreement, The Contractor shall provide a "Certificate of Insurance" certifying that coverage as required herein has been obtained. Individual endorsements executed by the insurance carrier shall accompany the certificate. In addition a certified copy of the policy or policies shall be provided by the Contractor upon request. This verification of coverage shall be sent to the Owner. The

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Contractor shall not receive a "Notice to Proceed" with the work under this Agreement until it has obtained all insurance required and such, insurance has been approved by the Owner. This approval of insurance shall neither relieve nor decrease the liability of the Contractor.

3. Qualifying Insurers. All Coverages except surety, shall be issued by companies which hold a current policyholder's alphabetic and financial size category rating of not less than A-VII, according to the current Best Key Rating Guide or a company of equal financial stability that is approved by the Owner.

4. General insurance requirements. Without limiting Contractor's duty to indemnify, Contractor shall maintain in effect throughout the term of this Agreement a policy or policies of insurance with the following minimum limits of liability:

   a. Commercial general liability insurance, Contractor shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than $1,000,000 per occurrence, $2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

   b. Property insurance, covering the entire work at the Site to the full insurable value thereof. This insurance shall include the interests of the Owner, the Contractor, and all subcontractors in the work and shall insure against the perils of fire, extended coverage, builder's risk, vandalism, and malicious mischief.

   c. Business automobile liability insurance, Contractor shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Contractor arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than $1,000,000 combined single limit for each accident.

   d. Workers' Compensation Insurance, if Contractor employs others in the performance of this Agreement, in accordance with California Labor Code section 3700 and with Employer's Liability limits not less than $1 Million ($1,000,000) each person, $1 Million ($1,000,000) each accident, and $1 Million ($1,000,000) each disease.

   e. Professional liability insurance, if required for the professional services being provided, (e.g., those persons authorized by a license to engage in a business or profession regulated by the California Business and Professions Code), in the amount of not less than $1 Million ($1,000,000) per claim and $2 Million ($2,000,000) in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. If professional liability insurance is written on a "claims-made" basis rather than an occurrence basis, the Contractor shall, upon the expiration or

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earlier termination of this Agreement, obtain extended reporting coverage ("tail coverage") with the same liability limits. Any such tail coverage shall continue for at least three (3) years following the expiration or earlier termination of this Agreement.

5. Other insurance requirements. All insurance required by this Agreement shall be with a company acceptable to the Owner and issued and executed by an admitted insurer authorized to transact Insurance business in the State of California. Unless otherwise specified by this Agreement, all such insurance shall be written on an occurrence basis, or, if the policy is not written on an occurrence basis, such policy with the coverage required herein shall continue in effect for a period of three (3) years following the date Contractor completes its performance of services under this Agreement. Each liability policy shall provide that the Owner shall be given notice, in writing, at least thirty (30) days in advance of any endorsed reduction in coverage or limit, cancellation, or intended non-renewal thereof. Each policy shall provide coverage for Contractor and additional insureds with respect to claims arising from each subcontractor, if any, performing work under this Agreement, or be accompanied by a certificate of insurance from each subcontractor showing each subcontractor has identical insurance coverage to the above requirements. Commercial general liability and automobile liability policies shall provide an endorsement naming the Owner, its officers, agents, and employees as Additional Insureds with respect to liability arising out of the Contractor's work, including ongoing and completed operations, and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by the Owner and that the insurance of the Additional Insureds shall not be called upon to contribute to a loss covered by the Contractor's insurance. The required endorsement form for Commercial General Liability Additional Insured is **ISO Form CG 20 10 11-85 or CG 20 10 10 01** in tandem with **CG 20 37 10 01 (2000)**. The required endorsement form for Automobile Additional Insured endorsement is **ISO Form CA 20 48 02 99**. Prior to the execution of this Agreement by the Owner, Contractor shall file certificates of insurance with the Owner, showing that the Contractor has in effect the insurance required by this Agreement. The Contractor shall file a new or amended certificate of insurance within five (5) calendar days after any change is made in any insurance policy which would alter the information on the certificate then on file. Additionally, Contractor shall provide certificates for subcontractors of any tier in compliance with these provisions. Acceptance or approval of insurance shall in no way modify or change the indemnification clause in this Agreement, which shall continue in full force and effect. Contractor shall at all times during the term of this Agreement maintain in force the insurance coverage required under this Agreement and shall send, without demand by Owner, annual certificates to Owner. If the certificate is not received by the expiration date, Owner shall notify Contractor and Contractor shall have five (5) calendar days to send in the certificate, evidencing no lapse in coverage during the interim. Failure by Contractor to maintain such insurance is a

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default of this Agreement which entitles Owner, at its sole discretion, to terminate this Agreement immediately.

6. Acknowledgment of workers' compensation requirements. As required by Labor Code section 1861, the Contractor and each subcontractor shall, before commencing work on the project, sign and file with the Owner, the following certificate:

    a. "I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

7. Compliance. In the event of the failure of Contractor to furnish and maintain any insurance required by this Section, Owner or Engineer shall have the right to take out and maintain such insurance for and in the name of the Contractor. Contractor shall pay the cost thereof and shall furnish all information necessary to obtain and maintain such insurance for the account of Contractor. Owner and Engineer each shall also have the right to set off the costs of obtaining and maintaining such insurance against any amounts due Contractor under the Contract Documents. Compliance by Contractor with the requirement to carry insurance and furnish certificates or policies evidencing the same contained in this Article 29 shall not relieve Contractor from liability assumed under any provision of the Contract Documents, including, without limitation, the obligation to defend and indemnify each of the Indemnities.

8. Application of Insurance Proceeds.

    a. In the event of any damage to or destruction of the work from any cause insured against by the insurance required under this Article 29, or any other insurance obtained by Contractor or any other source, Owner may, in its sole discretion, either (i) require Contractor to repair any such damage or destruction and reconstruct the work in accordance with the Contract Documents, and Contractor agrees to perform any such requirement of Engineer, or (ii) terminate the Contract and Contractor shall have no claim arising out of such termination. In the event the work is repaired or reconstructed, appropriate adjustments, if any, in the amount of the contract price or for the time of completion of the work shall be made by change order. Owner shall be given credit against any amount due Contractor under the Contract Documents for the amount of any insurance proceeds collected by Contractor to the extent such proceeds cover costs otherwise payable by Owner under the Contract Documents. In the event that Owner decides not to restore or reconstruct the work and terminates the contract, Contractor shall receive from the insurance proceeds all amounts due Contractor under the Contract for that portion of the work completed as of the date of the event of damage or destruction.

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b. In the event of any damage to or destruction of the work (i) not due to or arising out of the fault or neglect of Contractor or any subcontractor and (ii) from a cause not insured against by the insurance required under this Article 29, Owner may, in its sole discretion, either (i) require Contractor to repair any such damage or destruction and reconstruct the work in accordance with the Contract Documents, and Contractor agrees to perform any such requirements of Engineer, or (ii) terminate the Contract. In the event Owner decides not to restore or reconstruct the work in accordance with the Contract Documents and cause termination of the Contract, Contractor shall have no claim arising out of such termination. In the event that work is repaired or reconstructed, appropriate adjustments, if any, in the amount of the contract price and for the time of completion of the work shall be made by change order. Owner shall be given credit against any amount due Contractor under the Contract Documents to the extent insurance proceeds payable to Contractor cover costs otherwise payable by Owner under the Contract Documents. In the event that Owner decides not to restore or reconstruct the work and causes termination of the contract, Owner shall pay Contractor, as its sole compensation, all amounts due under the Contract Documents for the portion of the work completed as of the date of the event of damage or destruction. Contractor shall be solely responsible for and shall, without cost or expense to Owner, promptly and with all due diligence, restore and reconstruct any uninsured loss or damage to the work which occurs as a result of any fault or neglect of the Contractor or any subcontractor. This obligation is in addition to Owner's remedies under the Contract Documents or by law.

10.4. ARTICLE 30 - CLAIMS AND DISPUTE RESOLUTION

A. Prompt resolution of differences required. It is the intention of this Article that differences between the parties arising under and by virtue of the contract be brought to the attention of the Project Manager at the earliest possible time in order that such matters may be promptly settled, if possible, or other appropriate action may be taken promptly.

B. Contract interpretations, performance judging, and decisions by Engineer and Project Manager.

1. All claims may be presented informally first to the Project Manager. To the extent that resolution of the claim does not involve an extension of time or additional payments, the Project Manager may resolve, in writing, or otherwise, claims that have been presented informally.

2. The Project Manager will be, in the first instance, the interpreter of the requirements of the Contract Documents and the judge of the performance thereunder by both the Owner and Contractor. The Project Manager will, within a reasonable time, render such interpretations, as they may deem necessary for the proper execution or progress of the work. Claims, disputes and other matters in question between the Contractor and the Owner relating to the execution or progress of the work or the interpretation of the Contract Documents shall

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be referred initially to the Project Manager for decision which they will render, in writing, within a reasonable time. In their capacity as interpreter and judge, they will exercise their best efforts to ensure faithful performance by both the Owner and the Contractor and will not show partiality to either. All interpretations and decisions of the Project Manager shall be consistent with the intent of the Contract Documents.

3. See Article 2(F) and 2(H) for the role of the Engineer.

C. Written notice to Project Manager. Any claim for additional compensation or for an extension of time shall be resolved as hereinafter provided. The Contractor shall not be entitled to the payment of any additional compensation for any occurrence or matter relating to this contract and will not be granted any extension of time for performance under this contract, unless the Contractor first gives written notice of such claim to the Project Manager.

D. Contents of notice of claim. The written notice of claim shall set forth the reasons for which the Contractor believes additional compensation will or may be due, the nature of the costs involved, the reasons for any extension of time, and, insofar as possible, the amount of the claim and the amount of any time extension requested.

E. Time for giving notice. The notice of claim must be given to the Project Manager as follows:

1. If the claim is for an increase in the contract sum, they shall give the Project Manager written notice thereof within ten (10) days after the occurrence of the event giving rise to such claim; in addition, this notice shall be given by the Contractor before proceeding to execute the portion of the work to which the claim relates, except in an emergency endangering life or property, and except where the Contractor could not reasonably have discovered the facts giving rise to the claim prior to commencement of that portion of the work.

2. All claims for extension of time shall be made, in writing, to the Project Manager no more than ten (10) days after the occurrence of the delay; otherwise they shall be waived. In the case of a continuing cause of delay, only one claim is necessary.

3. In all other cases, notice shall be given within ten (10) days after the happening of the event, thing, or occurrence giving rise to the claim.

F. Response by Owner - claims for under $50,000 and for extensions of time. For claims of less than $50,000 and for claims for extension of time, Owner shall respond, in writing, to any written claim within 45 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim any additional documentation supporting the claim or relating to defenses or claims the Owner may have against the claimant. If further information is thereafter required, it shall be requested and provided pursuant to Public Contract Code Section 20104.2, subdivision (b)(2). The Owner's response to the claim, as further documented, shall be submitted to the claimant within 15 days after receipt of the further documentation or within a

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period of time no greater than that taken by the claimant in producing the additional information, whichever is greater.

G. Response by Owner - claims of $50,000 or more and less than or equal to $375,000. For claims of $50,000 or more and less than or equal to $375,000, and for all claims not covered by Article 30(D), Owner shall respond, in writing, to any written claim within 60 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim any additional documentation supporting the claim or relating to defenses or claims the Owner may have against the claimant. If further information is thereafter required, it shall be requested and provided pursuant to Public Contract Code section 20104.2, subdivision (c)(2). The Owner's response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation or within a period of time no greater than that taken by the claimant in producing the additional information, whichever is greater.

H. Prompt response when needed. Whenever it appears that a prompt response is essential, Owner will respond to claims sooner than the limits prescribed above.

I. Owner's response disputed or not made. If the claimant disputes the Owner's written response, or if the Owner fails to respond within the time prescribed, the claimant may so notify the Owner, in writing, either within 15 days of receipt of the Owner's response or within 15 days of the Owner's failure to respond within the time prescribed, respectively, and demand an informal conference to meet and confer for settlement of the issues in dispute. Upon a demand, the Owner shall schedule a meet-and-confer conference within 30 days for settlement of the dispute.

J. Filing of Government Code claims. If the claimant still remains unsatisfied and desires to preserve their right to pursue the matter further, they must then file a claim with the Owner, pursuant to Government Code sections 900 et seq., and 910 et seq.

K. Civil action. If the Government Code claim is denied, the claimant may file an action in court. Such action shall be subject to Public Contract Code section 20104.4. This paragraph applies only to claims subject to Public Contract Code section 20104. If a claim is not subject to Public Contract Code section 20104, the claimant's right to file a civil action shall be as otherwise provided by law.

L. Claims for damages. Should either party to the contract suffer injury or damage to person or property because of any act or omission of the other party or of any of their employees, agents, or others for whose acts they are legally liable, claim shall be made, in writing, to such other party within a reasonable time after the first observance of such injury or damage, provided that in no case may such a claim be filed after expiration of any applicable statute of limitations for filing such a claim. Claims against Owner that are subject to this paragraph shall comply with all procedures set forth in the California Government Code concerning claims against public entities.

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M. Consistency with Public Contract Code section 20104 et seq. If any claim arising under this contract is subject to the provisions of Public Contract Code section 20104 et seq. (Div. 2, Part 3, Chapter 1, Article 1.5), and if the provisions of that Article require a procedure or procedural element different from that established in this contract, then the provisions of that Article shall apply in place of the conflicting procedure or procedural element established herein.

10.5. ARTICLE 31 - DEFAULT AND TERMINATION OF THE CONTRACT

A. Owner's right to stop work. If the Contractor fails to correct defective work or fails to supply materials or equipment in accordance with the Contract Documents, the Owner may order the Contractor to stop the work, or any portion thereof, until the cause for such order has been eliminated.

B. Owner's rights on Contractor's default. If the Contractor fails to prosecute the work diligently or fails to perform any provision of the contract, the Owner may, after seven (7) days' written notice to the Contractor and without prejudice to any other remedy he may have, make good such deficiencies. In such case, any appropriate change order shall be issued deducting from the payments then or thereafter due the Contractor, the cost of correcting such deficiencies, including the cost of the Engineer's and other Owner Contractors' additional services made necessary by such default. Such change order shall not require the consent of the Contractor to be effective. The Project Manager must approve both such action and the amount charged to the Contractor. If the payments then or thereafter due the Contractor are not sufficient to cover such amount, the Contractor shall pay the difference to the Owner.

C. Termination by Owner.

1. The Owner may terminate the performance of the Contractor under this contract for any reason upon written notice.

2. The Owner may terminate the performance of the Contractor under this contract without prejudice to any other right or remedy the Owner may have, in the manner hereinafter provided, upon certification by the Project Manager that the following circumstances have arisen:

   a. the Contractor is adjudged bankrupt, or makes a general assignment for the benefit of their creditors, or a receiver is appointed on account of their insolvency (except as provided in (e) below);

   b. the Contractor refuses or fails, except in cases for which an extension of time is provided, to supply enough properly skilled workers or proper materials;

   c. the Contractor fails to make prompt payment to subcontractors, to suppliers of materials or equipment, or to employees;

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d. the Contractor disregards laws, ordinances, rules, regulations, or orders of any public authority having jurisdiction; or

e. the Contractor otherwise is guilty of a substantial violation of the contract.

3. To terminate the performance of the Contractor, Owner shall first give seven (7) days' written notice to Contractor and his surety, if any, stating Owner's intent to terminate the performance of the Contractor unless within seven (7) days the grounds for such termination have been removed, and giving his reasons therefor.

4. If within seven (7) days the grounds for termination are not removed, Owner may immediately terminate the performance of the Contractor and shall promptly serve notice of termination on the Contractor and the surety. The surety shall have the right to take over and perform the contract, provided that, within fifteen days after service upon it of said notice of termination, the surety must first give written notice to Owner that it intends to take over and perform the contract, and within thirty days after service upon it of said notice of termination, the surety must commence performance of the contract. If surety fails to take either of these steps in a timely manner, Owner may immediately take possession of the Site and of all materials, equipment, tools, construction equipment, and machinery thereon owned by the Contractor and may finish the work by whatever method it may deem expedient.

5. If within seven (7) days of Owner's notice of intent to terminate, the grounds for termination are not removed, the Contractor shall not be entitled to receive any further payment until the work is finished. If, upon completion of the work by Owner, the unpaid balance of the contract sum exceeds the costs of finishing the work (including compensation for additional engineering, managerial, and administrative services), such excess shall be paid to the Contractor. If such costs exceed such unpaid balance, the Contractor or their surety shall pay the difference to the Owner. The costs incurred by the Owner as herein provided shall be certified by the Project Manager.

6. Notwithstanding the foregoing, performance of the Contractor under this contract may not be terminated, and the contract may not be modified, where a trustee in bankruptcy has assumed the contract pursuant to 11 U.S.C. section 365.

D. Termination by Contractor.

1. The Contractor may, upon seven days' written notice to the Owner and the Project Manager, terminate the contract if the work is stopped for a period of forty-five days under an order of any court or other public authority having jurisdiction, or as a result of an act of government, such as a declaration of a national emergency making materials unavailable, through no act or fault of the Contractor or a subcontractor or their agents or employees or any other person performing any of the work under a contract with the Contractor.

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2. To terminate the contract, the Contractor must give written notice to Owner of such termination, stating the reasons therefor.

3. The Contractor may then recover from the Owner payment for all work executed, for any proven loss sustained upon any materials, equipment, tools, construction equipment and machinery, for lost profits, and for all other damages suffered by the Contractor on account of such stoppage of work.

E. Termination for Convenience of the Owner.

1. The performance of work under this contract may be terminated for any reason upon written notice.

2. The performance of work under this contract may be terminated by Owner in accordance with the section in whole, or from time-to-time in part, whenever the Owner shall determine that termination is in the best interest of the Owner. Any such termination shall be effected by delivery to Contractor of a Notice of Termination specifying the extent to which performance of work under the contract is terminated, and the date upon which such termination becomes effective.

3. After receipt of a Notice of Termination, and except as otherwise directed by the Owner, Contractor shall:

   a. stop work under the contract on the date and to the extent specified in the Notice of Termination;

   b. place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract as is not terminated;

   c. terminate all orders and subcontracts to the extent that they relate to the performance of work terminated by the Notice of Termination;

   d. assign to Owner all the right, title, and interests of Contractor under the orders and subcontracts so terminated, in which case Contractor shall have the right, in its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontractors if so directed by Owner;

   e. settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, subject to the approval of the Owner;

   f. complete performance of such part of the work as shall not have been terminated by the Notice of Termination; and

   g. take such action as may be necessary, or as Owner may direct, for the protection and preservation of the property related to this contract which is in the possession of the Contractor and in which Owner has, or may acquire, an interest.

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4. After receipt of a Notice of Termination, the Contractor shall submit to Owner a verified termination claim. Such claim shall be submitted promptly, but in no event later than 30 days from the effective date of termination, unless one or more extensions, in writing, are granted by the Owner upon request of Contractor made, in writing, within such period or authorized extension of the period.

5. Contractor and Owner may agree upon the whole or any part of the amount or amounts to be paid to Contractor by reason of the total or partial termination of work pursuant to this article, which amount or amounts may include a reasonable allowance for profit on work done; provided that the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated does not exceed the contract sum.

10.6. ARTICLE 32 - WARRANTIES

A. Warranty as to all work. The Contractor shall guarantee all work performed under this contract against defective materials or workmanship for a period of one year from the date of final acceptance by the Owner, or for such longer time period as may be prescribed by law or by the terms of any applicable special guarantee required by the contract. The Contractor shall remedy any defects appearing within that time period and pay for any damage resulting therefrom.

B. Repair of defective work. Contractor shall, within a reasonable time but in no case longer than fifteen (15) days after receipt of written notice thereof, repair and/or replace any defects in materials or workmanship which may develop during said one year period and any damage resulting from the repairing or replacing of such defects at their own expense and without cost to Owner. In the event Contractor fails to remedy any such defect within such reasonable time, Owner may proceed to have such defects remedied at Contractor's expense, and Contractor shall pay the costs and charges incurred thereby and any other damages of Owner. Nothing contained in this paragraph shall operate to relieve Contractor from responsibility after one year from the date of final acceptance of the completed work by Owner as regards damages resulting from defects, both latent and patent, departures from the requirements of the contract, fraud, or such other gross mistakes as amount to fraud, and Contractor shall indemnify, defend, and save Owner harmless from and against liability, loss, or damage arising by reason of any and all such matters. Contractor shall transfer to Owner all guarantees and warranties on equipment included within the project which Contractor receives from material persons and subcontractors. Neither acceptance nor payment nor any provision in these documents shall be deemed a waiver by Owner nor relieve Contractor of any responsibility under the contract. Notwithstanding the above, failure by Contractor to take corrective action within 24 hours after personal or telephonic notice by the Owner on items affecting use of facility, safety, or the preservation of property, will result in the Owner taking whatever correction action it deems necessary. All costs resulting from such action by Owner will be claimed against Contractor or, if necessary, the Contractor’s performance bond.

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C. Title free of liens at time of each progress payment. The Contractor warrants and guarantees title to all work, materials, and equipment covered by an application for payment, whether incorporated in the project or not, will pass to the Owner upon receipt of such payment by Contractor, free and clear of all liens, claims, security interests, or encumbrances.

D. Warranty as to liens. No materials, supplies, or equipment for work under this contract shall be purchased subject to any chattel mortgage or under a conditional sale or other agreement by which an interest therein or in any part thereof is retained by seller or supplier. Contractor warrants good title to all materials, supplies, and equipment installed or incorporated in the work and agrees upon completion of all work to deliver the premises, together with all improvements and appurtenances constructed or placed thereon by them, to Owner free from claims, liens, or charges. Contractor further agrees that neither they nor any person, firm, or corporation furnishing any materials or labor for any work covered by this contract shall have any right to any lien upon the premises or any improvement or appurtenance thereon. Nothing contained in this article, however, shall defeat or impair the right of persons furnishing material or labor under any bond given the Contractor for their protection or any rights under any law permitting such persons to look to funds due Contractor in the hands of the Owner, and this provision shall be inserted in all subcontracts and material contracts and notice of its provisions shall be given to all persons furnishing material for work when no formal contract is entered into for such material.

E. Other Warranties. In addition to the warranties in the Contract Documents, Contractor shall assign to Owner through Engineer all assignable warranties it obtains from manufacturers or suppliers with respect to any materials, equipment, or fixtures incorporated into the work, but the assignment shall not relieve Contractor of any of its guaranties or obligations. Contractor's guaranties and the Contract Documents shall not act as a bar to Contractor's liability for any third-party claim against Contractor, and are in addition to, not exclusive of, Contractor's other obligations under the Contract Documents, including, without limitation, Contractor's obligation to indemnify and defend Owner and Engineer.

F. No Limitations. Nothing in this Article 32 shall be construed to establish a period of limitation with respect to any latent or patent defects in the work or claims or liabilities arising therefrom. The establishment of time periods relates only to the specific obligation of Contractor to correct or cause correction of the work, and has no relationship to the time within which its obligation to comply with the Contract Documents may be sought to be enforced, nor to the time within which proceedings may be commenced to establish the Contractor's liability with respect to its obligations under the Contract Documents or in connection with the work.

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11. Miscellaneous - Part VII

11.1. ARTICLE 33 - MISCELLANEOUS PROVISIONS

A. State audits. If this contract involves the expenditure of public funds in excess of $10,000, the contracting parties shall be subject to the examination and audit of the State Auditor of the State of California for a period of three (3) years after final payment under the contract, as required by Government Code section 8546.7. The examination and audit shall be confined to those matters connected with the performance of the contract, including, but not limited to, the costs of administering the contract.

B. Governing law. The contract shall be governed by the law of the State of California and venue shall lie solely in Monterey County.

C. No assignment. Neither party to the contract shall assign the contract without the written consent of the other, nor shall the Contractor assign any monies due or to become due to them hereunder, without the previous written consent of the Owner. Should any money due or to become due under this contract be assigned, it shall be subject to a prior lien for services rendered or material supplied for performance of work under this contract in favor of all persons, firms, or corporations rendering such services or supplying such materials to the extent that claims are filed pursuant to the Civil Code, Code of Civil Procedure, and/or Government Code.

D. Binding on successors and assigns. The Owner and Contractor each binds themselves, their partners, successors, assigns, and legal representatives to the other party hereto and to the partners, successors, assigns, and legal representatives of such other party in respect to all covenants, agreements, and obligations contained in the Contract Documents.

E. Notices. All notices required or permitted to be given under this contract shall be in writing and shall be deemed to have been duly served (a) when delivered in person to the individual or member of the firm or to an officer of the corporation for whom it was intended, or (b) 48 hours after the notice is placed in the U.S. mail, properly addressed to the party to whom the notice is to be delivered, for mailing by registered or certified mail, with postage thereon fully prepaid. The proper address shall be that previously specified in writing by the proposed recipient as the address for mailing notice, or, if none, then the last business address for the recipient known to the person giving the notice.

F. Contractual rights and remedies not exclusive. The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights, and remedies, otherwise imposed or available by law, except as otherwise specified herein.

G. Assignment of anti trust causes of action. The Contractor and all subcontractors are bound by Public Contract Code section 7103.5, which provides as follows: "In entering into a public works

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contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2, (commencing with section 16700), of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties."

H. Royalties and patents. The Contractor shall pay all royalties and license fees. They shall defend all suits or claims for infringement of any patent rights and shall save the Owner harmless from loss on account thereof, except that the Owner shall be responsible for all such loss when a particular design, process, or the product of a particular manufacturer or manufacturers is specified, but if the Contractor has reason to believe that the design, process, or product specified is an infringement of a patent, they shall be responsible for such loss unless they promptly give such information to the Engineer.

I. Prohibited interests. No official of Owner who is authorized in such capacity and on behalf of Owner to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting or approving any engineering, inspection, construction or material supply contract or any subcontract in connection with the project, shall become directly or indirectly interested financially in this contract or in any part thereof. No officer, employee, architect, attorney, engineer, or inspector of or for Owner who is authorized in such capacity and on behalf of Owner to exercise any executive supervisory or other similar functions in connection with construction of the project shall become directly or indirectly interested financially in this contract or in any part thereof.

J. No continuing waiver. A waiver of rights by Owner or Contractor in one instance hereunder does not constitute a waiver of rights in any similar instance thereafter.

K. Taxable possessory interest. The terms of this document may result in the creation of a possessory interest. If such a possessory interest is vested in a private party to this document, the private party may be subjected to the payment of personal property taxes levied on such interest.

11.2. ARTICLE 34 - SPECIAL CONDITIONS

The special conditions below are included as part of the contract for the project.

A. Starting and completion date. Under Article 12 of the General Conditions, the Contractor shall commence and complete work within the following time limits: The duration to execute the scope of work for the above project is one hundred eighty (180) calendar days as it pertains to Contractor's Scope of Work for base bid and alternates defined by the Contract Documents. Additionally, Contractor shall coordinate their work with all other Contractors whose work is

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affected by the Scope of Work defined in this Agreement. Contractor expressly agrees to provide appropriate labor, material, and equipment in response to adjustments in the Project Schedule made by the Engineer during the course of the project in order to maintain the required progress.

B. Hours of work. Work will take place during daylight hours unless written consent of the Owner is obtained for different hours. Noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays.

C. Sanitary Facilities. Contractor will provide all portable sanitary facilities required to accommodate size of crew.

D. Site Access. Construction access to structures and portable toilets on site is not authorized.

E. Site Cleanup. All debris within public access areas will be picked up and properly disposed of at the end of each day when work takes place. All debris containers will be covered to prevent the wind and/or vandals from scattering refuse.

F. Site Restoration. All landscaping, trees, corrals, fencing, gates, culverts, roads and other improvements are to be protected from construction equipment and/or vehicles. Any compaction, gouging, tearing, removal, or dislocation of the existing landscaping, trees or improvements that occurs during the staging and construction process is to be restored to pre-construction quality. Contractor's lay down area shall be restored back to original condition at completion of work activities.

G. Utilities, Disruption of Service. Contractor shall notify the Owner's representative, in writing, two (2) workdays in advance of any disruption of service, e.g., fire suppression, electrical, water, and the Contractor shall not proceed with the work without written authorization from the Owner's representative.

H. Contractor Parking. Contractor shall park vehicles on site in an area designated by Owner and shall not park vehicles on the shoulder of State Highway 1.

I. Liquidated damages. Pursuant to the Agreement and Article 12 of the General Conditions, the amount of liquidated damages shall be ($500) per day.

J. Agreement and bonds. Contractor will provide specified number of originals for each of the following:

1. 2 Executed Agreements
2. 1 Performance Bond
3. 1 Payment Bond
4. 1 Certificate of Liability Insurance with endorsements

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K. Contract Documents furnished to Contractor. The number of original of the Contract Documents to be provided under Article 3 of the General Conditions is as follows:

1. _1_ fully executed Agreement
2. _1_ each Addendum
3. _1_ State Coastal Conservancy Grant Agreement 22-085
4. _1_ Appendix PD-3, Project-Specific Analysis/Addendum for the Garland Ranch Regional Park Fuel Management Project, CalVTP Project ID 2023-24
5. _1_Exhibit D, Mitigation Monitoring and Reporting Program for the Garland Ranch Regional Park Fuel Management Project, CalVTP Project ID 2023-24
6. _1_Project Aerial Map
7. _1_Project Slope Map
8. _1_Project Topo Map

L. Supervision. Article 7(E) of the General Conditions require that Contractor employ a competent, qualified superintendent to provide full time, on-site supervision of all aspects of the work and further require that such superintendent and project manager be satisfactory to the Owner.

M. Owner's Representative. Article 5 and 7. All coordination must be made with the Project Manager. All communication with the Project Manager must be made by the Contractor's Superintendent or Project Manager to maintain control and to prevent misunderstandings. All communication with the Contractor and the Owner will be in writing.

N. Material Safety Data Sheets (MSDS). Article 14 and 17. MSDS sheets are required on-site for all materials used in the job.

O. Audit rights. With respect to any Change in the Work, other than one based on an agreed lump sum price, resulting in an increase in the contract sum or extension of the contract time, the Contractor shall cause its subcontractors and sub-subcontractors to afford access to the Owner at all reasonable times to any books, correspondence, instructions, receipts, vouchers, memoranda, and records of any kind relating thereto, all of which each of them shall maintain for a period of at least three (3) years from and after the date the Owner makes payment on account of such Change in the Work. The Contractor and its subcontractors and sub-subcontractors shall make the same available within three (3) calendar days following notification to the Contractor of the Owner’s intent to audit, failing which the Contractor’s claim for an increase in the contract sum and/or extension of the contract time, as applicable, shall be disallowed, and the Contractor shall have no recourse on account of such disallowance. The Contractor authorizes the Owner, and shall cause its subcontractors and sub-subcontractors to authorize the Owner, to check directly with any suppliers of labor and material with respect to

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any item chargeable to the Owner under this article, to confirm balances due and to obtain sworn statements and waivers of lien, all if the Owner so elects.

P. Partnering. This contract imposes an obligation of good faith and fair dealing in its performance and enforcement. The Owner intends to encourage the foundation of a cohesive partnership with the Contractor and its principal subcontractors and suppliers. The objectives are effective and efficient contract performance and completion within budget, on schedule, and in accordance with the Contract Documents.

Q. Prevailing Wages – Payment and Posting Requirements. The Department of Industrial Relations has determined the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which this work is to be performed for each craft or type of worker needed to execute the contract. It shall be mandatory upon the General Contractor, and upon any subcontractor hired by the General Contractor, to pay not less than said specified rates to all workers employed by them in the execution of the contract. The General Contractor is also required to post a copy of the determination of the director of the prevailing rate of per diem wages at the job site (Lab. Code § 1773.2). Pursuant to Labor Code Section 1771.1, subdivision (a), "a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 or the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

R. Meetings. Contractor will be responsible for attending brief weekly meetings Monday mornings during this contract. The meetings shall be attended by the Contractor's project superintendent and/or project manager and will be located on-site at the project. The Contractor shall bear the administrative costs of their attendance.

S. Submittal Schedule. Upon receipt of the Intent to Award, the Contractor will begin to organize a submittal schedule which will be due to the Engineer and Owner Project Manager no later than the Owner's projected Notice to Proceed date as listed in the Owner's overall Project Schedule.

T. Permits. Any additional required permits to start and complete this project will be obtained by the Contractor.

U. Time Extension. No extension of time will be allowed for a schedule delay caused by the Contractor's failure or neglect to construct and maintain all weather approaches. No extension of time will be allowed for "normal" weather conditions for the particular time of the year.

V. Codes and Standards. This project shall conform to applicable requirements prescribed by governmental bodies having jurisdiction over the project outlined in the specifications produced

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by the District for this project. Should any part of the project specifications to comply with such requirements, the discrepancy shall be called to the attention of District's Project Manager as quickly as possible. Should there be any direct conflict between the specifications and the above rules and regulations, the rules and regulations shall take precedence. However, when the indicated materials, workmanship, arrangement, or construction is of a superior quality or capacity to that required by the listed rules and regulations, the specifications shall take precedence. The rulings and interpretations of enforcing agencies shall be considered as part of the regulations

W. Weather Related Activity. Some aspects of the work are weather and sensitive species activity dependent. "The work schedule may vary depending on sensitive species activity, weather conditions, and other factors identified in the RFBs General Project Design Standards, Mitigation Measures, Treatment Requirements, and the Project-Specific Analysis/Addendum and Mitigation Monitoring and Reporting Program for the Garland Ranch Regional Park Fuel Management Project CalVTP Project ID is 2023-24."

X. Compliance with Grant Terms and Conditions. The District is the recipient of grant funds from the State Coastal Conservancy Pursuant to section 31113 of Division 21 of the California Public Resources Code and subject to the terms and conditions of Grant Agreement 22-085. Contractor acknowledges receipt and confirms that Contractor has reviewed the terms and conditions of this State Grant and agrees to comply with those terms and conditions.

11.3. ARTICLE 35- EXECUTIVE ORDER N-6-22 - RUSSIA SANCTIONS

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (“the EO”) regarding Economic Sanctions against Russia and Russian entities and individuals. “Economic Sanctions” refers to sanctions imposed by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the Owner or Grantor determine the contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this Agreement. The Owner shall provide the Contractor advance written notice of such termination, allowing the contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the Owner or Grantor.

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12. Vendor Questionnaire

12.1. Contractor License Number*

By execution of this bid, the bidder declares that they are a contractor licensed in accordance with the California State License Board (CSLB).

Please provide your Contractor License Number below.

*Response required

12.2. DIR Registration *

By execution of this bid, the bidder declares that they are a contractor licensed in accordance with the DIR and that all subcontractors used on this project will also be registered with the DIR.

If you work or bid on a public works project, then you are considered a public works contractor. The term "public works contractor" includes subcontractors.

Enter your DIR number below. Responses will be verified.

*Response required

12.3. Errors and Omissions*

The bidder is responsible for checking the submission of all required documents and pricing carefully and understands that Monterey Peninsula Regional Park District (also referred to herein as “Owner”) will not be responsible for any errors and omissions on the part of the bidder in making this bid.

☐ Please confirm

*Response required

12.4. Bid Form*

Pursuant to and in compliance with your Notice to Bidders Inviting Form Bids and with the other documents relating thereto, the bidder, on behalf of their organization, having become familiar with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is to be done, the project plans and specifications, and the other contract documents, hereby proposes and agrees to perform within the time hereinafter set forth the said Specifications and shown on the plans accompanying them, and to provide and furnish any and all labor, materials, equipment, transportation, utilities, and services necessary to perform the contract and complete in a workmanlike manner all of the work required in connection with the following project: Garland Ranch Regional Park Fuel Mitigation Project, all in strict conformity with the specifications and other contract documents, including all addenda for the sum hereinafter provided with this solicitation document.

Please Download, Complete and Upload the attached Bid Form as part of your response.

- Bid_Form.pdf

*Response required

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12.5. Contractor's Certificate as to Workers' Compensation (labor Code section 1861)*

Labor Code section 3700 provides, in relevant part:

"Every employer except the state shall secure the payment of compensation in one or more of the following ways:

A. By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.

B. By securing from the Director of Industrial Relations a certificate of consent to self-insure, either as an individual employer, or as one employer in a group of employers, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his or her employees."

I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract.

Note: The above Certification is part of the Bid. Submitting a response to this Bid shall also constitute confirmation of this Certification. Providing false information may result in criminal prosecution or administrative sanctions.

☐ Please confirm

*Response required

12.6. Required Documents *

By submitting a response to this solicitation, the bidder has read, understands, acknowledges and provided the required documents:

A. **List of Subcontractors**

B. **Non-collusion Declaration**

C. **Contractor's Certificate as to Worker's Compensation**

D. **Bidder's Bond**

E. **Iran Contracting Act of 2010 Form**

☐ Please confirm

*Response required

12.7. Bid Security*

If this bid is accepted by the Owner, then the undersigned shall, within ten (10) business days after receipt of the Letter of Intent to Award, execute and deliver to the Owner (a) a contract in the form set forth in the contract documents on which this bid is based, (b) a payment bond for public works, as

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required by the contract documents, (c) a performance bond, as similarly required, and (d) insurance certificates showing all required insurance coverage. The undersigned will thereafter commence and complete the work within the time required by the contract documents.

In the event the bidder to whom the Letter of Intent to Award Contract is given fails or refuses to contract as required, including to post the required bonds, provide the insurance certificates, and return the executed copies of the agreement form within (10) business days from the date of receiving the Letter of Intent to Award Contract, the Owner may, at its option, determine that the bidder has abandoned the contract, reject the bid, and declare the bidder's security forfeited as damages and same shall become the property of the Owner.

☐ Please confirm

*Response required

12.8. Authorized Person(s)*

Please provide the name and title of all persons interested in the foregoing proposal as principal.

(IMPORTANT NOTICE: If the bidder or other interested person is a corporation, state the legal name of the corporation, and the names of the president, secretary, treasurer, and manager thereof; if a partnership, state the name of the firm and the names of all the individual partners composing the firm; if the bidder or other interested person is an individual, state the first and last names in full and give all fictitious names under which the individual does business.)

*Response required

12.9. Bid Confirmation*

By submitting a response to this solicitation, the bidder, as an authorized representative of the organization, certifies, under penalty of perjury under the laws of the State of California, that the Contractor's Certification as to Worker's Compensation, and all other representations made with this bid, are true and correct.

☐ Please confirm

*Response required

12.10. Non-Collusion Declaration*

Please download the below documents, complete, and upload.

- Non-Collusion_Declaration.pdf

*Response required

12.11. Bidder's Bond*

Please download the below documents, complete, and upload.

- Bid_Bond.pdf

*Response required

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12.12. List of Subcontractors*

Please download the below documents, complete, and upload.

Sub-contractor's must be registered with the DIR.

- List_of_Subcontractors.pdf

*Response required

12.13. Payment Bond*

Please download the below documents, complete, and upload.

- PAYMENT_BOND.pdf

*Response required

12.14. Performance Bond*

Please download the below documents, complete, and upload.

- PERFORMANCE_BOND.pdf

*Response required

12.15. Sole Proprietor Declaration

Please download the below documents, complete, and upload, if applicable to your organization.

- SoleProprietorDeclaration.pdf

12.16. Iran Contracting Act of 2010 Form

Please download the below documents, complete, and upload.

- Iran_Contracting_Act_of_201...

12.17. Agreement

Please download the below documents to review prior to submitting your proposal. This form must be signed and returned if you are deemed the lowest responsive responsible bidder.

12.17.1. Sample Contract

Please download and review the below Agreement document.

- Blank_Agreement.pdf

*12.17.2. Did you read the Agreement form and agree to be bound by the terms of the Agreement and all contractual documents? **

☐ Please confirm

*Response required

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EXHIBIT A

Appendix PD-3

Project-Specific Analysis/Addendum

for the

Garland Ranch Regional Park Fuel Management Project

CalVTP Project ID is 2023-24

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PD-3: PROJECT-SPECIFIC ANALYSIS

PD-3.1: INTRODUCTION

The California Vegetation Treatment Program (CalVTP) directs implementation of vegetation treatments within the California Department of Forestry and Fire Protection's (CAL FIRE's) State Responsibility Area (SRA) to serve as one component of the state's range of actions to reduce wildfire risk, reduce fire suppression efforts and costs, and protect natural resources as well as other assets from wildfire. The Program Environmental Impact Report (PEIR) for the CalVTP evaluates the environmental impacts of the CalVTP. The CalVTP is described in Chapter 2, "Program Description" of the PEIR. The PEIR has been prepared under the direction of CEQA lead agency, California Board of Forestry and Fire Protection (Board), in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines. The document functions as a Program EIR in accordance with State CEQA Guidelines Section 15168 for streamlining of CEQA review of later activities consistent with the CalVTP.

Using the Project-specific Analysis (PSA) in reliance on the PEIR, CAL FIRE or other project proponents will evaluate each vegetation treatment project intended to implement the CalVTP as a later activity addressed by the PEIR to determine whether the later activity qualifies as within the scope of this PEIR or requires additional environmental documentation or its own independent environmental review. Such evaluations will ascertain whether a later vegetation treatment project is consistent with the description of activities contained in the CalVTP and whether the effects on the environment were covered in the PEIR. Also, a project proponent will evaluate whether the later vegetation treatment project would (1) cause any new impact, (2) cause any substantially more severe significant impact than was addressed in the PEIR, or (3) reveal a mitigation measure or alternative that is substantially different from those in the PEIR or found infeasible in the PEIR, but that is now is feasible, and that the project proponent declines to implement. If none of those outcomes are determined, and the effects on the environment were covered in the PEIR, the impacts of the later vegetation treatment project can be found to be within the scope of this PEIR, and no additional environmental documentation would be required (State CEQA Guidelines Section 15168[c][1], [2] and [4]). The determination that a project is within the scope of the PEIR is a factual determination that should be supported by substantial evidence. The substantial evidence underpinning the finding is developed using the PSA checklist provided in this section. If a project is within the scope of this PEIR, the project proponent may act on the project using the PSA and PEIR without public circulation of any additional environmental document. If the project is approved, the project proponent would file a Notice of Determination.

Under this CEQA compliance approach, a project proponent must incorporate from the PEIR into the later vegetation treatment project all standard project requirements (SPRs) relevant to the proposed project and all feasible mitigation measures in response to significant impacts caused by the later project. A "within the scope" finding for later vegetation treatment projects would facilitate an increase in the pace and scale of project approvals in a manner that includes environmental protections.

If a later vegetation treatment project would have impacts that were not covered by the PEIR (and therefore would not qualify for a within the scope finding), then additional documentation may need to be prepared that accompanies the PEIR to demonstrate the project's CEQA compliance (State CEQA Guidelines Section 15168(c)(1)). If additional documentation is needed, it may be a Negative Declaration, Mitigated Negative Declaration, or an EIR, depending on the environmental impact differences encountered. In this situation, the PSA serves the same function as an initial study to identify which impacts were not covered by (and are therefore not within the scope of) the PEIR and, therefore, must be addressed in a Negative Declaration, Mitigated Negative Declaration, or an EIR, as well as documenting those impacts that are within the scope of the PEIR. Refer to Section PD-3.2.4 (under Checklist Answers) for additional explanation regarding the function of the PSA checklist.

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PD-3.1.1: Project Proponents – Lead and Responsible Agency Roles

CAL FIRE is in charge of preventing and extinguishing wildfires within the SRA (PRC Sections 4113 and 4125). The treatable landscape within the SRA primarily encompasses private land (approximately 92 percent) on which CAL FIRE or counties under contract with CAL FIRE would implement vegetation treatments in coordination with the landowner. Additionally, there are many local, regional, and state agencies with land ownership or land management roles in the remainder of the treatable landscape (i.e., on public land) that will seek to implement vegetation treatments consistent with the CalVTP to reduce wildfire risks.

For the purposes of this PEIR and PSA, a project proponent is a public agency that provides funding for vegetation treatment or has land ownership, land management, or other regulatory responsibility in the treatable landscape and is seeking to fund, authorize, or implement vegetation treatments consistent with the CalVTP. If through the PSA a project proponent determines that a proposed project is within the scope of the CalVTP PEIR, then the project proponent would act as a responsible agency pursuant to CEQA. A regulatory agency seeking to use the CalVTP PEIR to issue any secondary approval or permit for vegetation treatments would also be a responsible agency. If the PSA determines that one or more impacts of a proposed later vegetation treatment project is not within the scope of the CalVTP PEIR, then the project proponent may serve as a lead agency in the preparation of additional environmental documentation that accompanies the PEIR for CEQA compliance.

PD-3.1.2: Treatments Addressed in the PEIR

Proposed treatment projects qualifying as within the scope of the PEIR must be consistent with the treatments covered in the CalVTP, which are summarized in this section, and the geographic extent of the CalVTP, which is encompassed in the boundaries of the treatable landscape. Refer to PEIR Chapter 2, "Program Description" for a detailed description of the CalVTP.

TREATMENT TYPES

The CalVTP treatment types are:

- Wildland-Urban Interface Fuel Reduction: Located in WUI-designated areas, fuel reduction would generally consist of strategic removal of vegetation to prevent or slow the spread of non-wind driven wildfire between structures and wildlands, and vice versa.
- Fuel Breaks: In strategic locations, fuel breaks create zones of vegetation removal and ongoing maintenance, often in a linear layout, that support fire suppression by providing responders with a staging area or access to a remote landscape for fire control actions. While fuel breaks can passively interrupt the path of a fire or halt or slow its progress, this is not the primary goal of constructing fuel breaks.
- Ecological Restoration: Generally, outside of the WUI in areas that have departed from the natural fire regime as a result of fire exclusion, ecological restoration would focus on restoring ecosystem processes, conditions, and resiliency by moderating uncharacteristic wildland fuel conditions to reflect historic vegetative composition, structure, and habitat values.

TREATMENT ACTIVITIES

The WUI fuel reduction, fuel break, and ecological restoration treatment types would be implemented using various treatment "activities" that may be applied singularly or in combination. The CalVTP treatment activities are:

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

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- Mechanical Treatment: Use of motorized equipment to cut, uproot, crush/compact, or chop existing vegetation.
- Manual Treatment: Use of hand tools and hand-operated power tools to cut, clear, or prune herbaceous or woody species.
- Prescribed Herbivory: Use of domestic livestock to reduce a target plant population thereby reducing fire fuels or competition of desired plant species.
- Herbicides: Chemical application designed to inhibit growth of target plant species.

TREATABLE LANDSCAPE

Approximately 20.3 million acres within the 31 million-acre SRA were identified that may be appropriate for vegetation treatments. This area is called the "treatable landscape." CAL FIRE's Fire and Resource Assessment Program (FRAP) modeled the areas where each of the three proposed treatment types could be implemented within the treatable landscape. Multiple treatment types can be implemented where modeled treatment areas for treatment types overlap. Qualifying treatments under the CalVTP would occur within the 20.3 million acres of treatable landscape. The boundaries of the treatable landscape are available on the Board's website.

PD-3.2: EVALUATION OF ENVIRONMENTAL IMPACTS

The PSA provided herein is to be used to determine whether later vegetation treatment projects in the treatable landscape have been covered in the PEIR to allow for approval without further environmental review and documentation (beyond what is needed to complete the PSA), or whether additional CEQA documentation is required (i.e., a Negative Declaration, Mitigated Negative Declaration or EIR). Environmental effects are not necessarily limited to those identified in the PSA checklist, which encompass all effects disclosed in the PEIR. For this reason, the checklist includes a row for "Other Impacts" under each resource area.

The determination as to whether an ND, MND, or EIR is required for impacts that are not within the scope of the PEIR is subject to the "fair argument" standard, which requires preparation of an EIR when there is a fair argument, based on substantial evidence in the record, that the proposed treatment project may have a significant effect on the environment.

Geographic area is one of the factors identified in CEQA Guidelines Section 15168(c) that agencies may consider when determining whether a project is within the scope of a program EIR. The geographic area analyzed in the CalVTP PEIR is the treatable landscape. Therefore, areas of projects that are outside the treatable landscape are not within the scope of the CalVTP Program EIR. However, in these circumstances, an addendum to the PEIR may be prepared to provide streamlined CEQA compliance for the treatment project if the project areas outside of the CalVTP treatable landscape have essentially the same, or at least substantially similar, landscape conditions as the treatable landscape.

An addendum to an EIR is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in new or substantially more severe significant environmental impacts, consistent with CEQA Section 21166 and CEQA Guidelines Sections 15162, 15163, 15164, and 15168. In this case, there are no changed circumstances. There is a proposed revision to or change in the project, compared to the PEIR, which is the inclusion of areas outside of the CalVTP treatable landscape (see Project Location description in the Environmental Checklist in Section PD-3.2.4). This PSA includes the criteria to support an Addendum to the CalVTP PEIR for the inclusion of proposed treatment areas outside the CalVTP treatable landscape. The checklist (see Section PD-3.3) evaluates each resource in terms of whether the later treatment project, including the "changed condition" of additional geographic area, would result in significant impacts that would be substantially more severe than those covered in the CalVTP PEIR and/or would result in any new impacts that were not covered in the PEIR.

In addition, MPRPD is proposing use of an air curtain burner or carbonator (pyrolysis) to process biomass in place of pile burning if feasible, pursuant to Mitigation Measure GHG-2. Evaluation of criteria air pollutant emissions from

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these biomass processing technologies conducted by Ascent (2022) indicates that smoke and criteria air pollutant emissions can be substantially reduced, compared to open pile burning. Based on available information about emissions from biomass processing technologies, these technologies offer the opportunity to substantially reduce local exposure to PM from smoke, a potentially beneficial difference compared to pile burning. While the CalVTP PEIR does not explicitly address air curtain burning, the methodology falls within and is less impactful than pile burning, which is covered under the CalVTP PEIR. Use of an air curtain burner would be consistent with the discussion in the PEIR and would not constitute a new or substantially more severe significant impact than what was included in the PEIR. On this account, air curtain burning is being added as a biomass processing tool through the addendum.

PD-3.2.1: Determining Whether a Proposed Treatment is Within the Scope of the PEIR

The purpose of the PSA is to guide CAL FIRE and other project proponents in their determination of whether a proposed vegetation treatment project is within the scope of the CalVTP PEIR. A proposed vegetation treatment project is within the scope of the PEIR when it meets all of the following qualifications:

- Treatment Methods. The proposed treatment methods are consistent with the treatment types and activities described in Chapter 2, "Program Description" of the PEIR.
- Geographic Area. The proposed treatment site is within the geographic limits of the CalVTP's treatable landscape.
- Environmental Impacts. The environmental effects of the proposed treatment have been covered in the PEIR and none of the criteria for preparation of subsequent CEQA documentation are met (State CEQA Guidelines Sections 15168(c)(2), 15162).

PD-3.2.2: Documenting Whether Impacts of a Proposed Treatment Projects are Within the Scope of the PEIR

For the PSA to adequately document the impacts that are within the scope of this PEIR and do not require additional CEQA review and documentation, the PSA must identify the following:

- Relevant PEIR analysis. Identify the specific sections, impact numbers, and page numbers from this PEIR that contain information relevant to the proposed treatment project.
- Additional Studies Prepared and References Cited. Attach to the PSA site-specific studies, reports, and survey results used in support of the within-the-scope finding or impact significance determination, if less severe than that identified in the PEIR. Include copies of references cited in the PSA, which will be made available to the public by the project proponent upon request.
- Standard Project Requirements. Identify each standard project requirement (SPR) that is relevant to the treatment, which will demonstrate that the SPR will be integrated into treatment design. Some SPRs allow for deviation from requirements (e.g., minimum buffer distances), identification of parameters (e.g., tree size for retention), and determinations of feasibility with the provision of a site- and/or treatment activity-specific explanation for the planned deviation, identified parameter, or feasibility determination in the PSA.
- Environmental Impacts. Identify which impacts in the PEIR would occur from implementation of the proposed vegetation treatment project. Because the intent of the PEIR is to disclose potentially significant impacts that are reasonably foreseeable to occur from any of the treatments within the extent of the treatable landscape, it is expected that, due to site-specific conditions, proposed vegetation treatment projects may result in impacts less severe than those identified in the PEIR. A project proponent may rely on the impact significance determination in the PEIR, and for significant impacts, apply the relevant mitigation measures. Alternatively, if an impact identified as significant in the PEIR

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would be less than significant for the later treatment project, the project proponent may demonstrate with substantial evidence in the PSA that the project impact is less than significant and mitigation measure(s) are not needed. Similarly, potentially significant environmental effects identified in the PEIR may be minimized or found to be less than significant without mitigation in the future due to technological advances, further research, or industry response (e.g., air quality, greenhouse gas emissions, utilities and service systems); these effects and the reasons they are less severe than those identified in the PEIR will be documented in the PSA.

- Mitigation Measures. Identify each mitigation measure from the PEIR that is relevant to the proposed treatment project. In the PSA, explain any components of the mitigation measures that are not applicable to the treatment, and for any significance determination that is different than the PEIR, describe how each measure will address site-specific conditions and reduce the impact of the proposed vegetation treatment project. Some mitigation measures allow for deviation from requirements (e.g., minimum buffer distances), identification of parameters (e.g., tree size for retention), and determinations of feasibility with the provision of a site- and/or treatment activity-specific explanation for the planned deviation, identified parameter, or feasibility determination in the PSA.

PD-3.2.3: Providing Substantial Evidence

The impact determinations and within-the-scope findings in the PSA, as well as any explanation for planned deviations, identified parameters, or feasibility determinations associated with SPR and mitigation measures, must be based on substantial evidence (defined in the CEQA Guidelines as "facts, reasonable assumptions predicted upon facts, and expert opinion supported by facts"). Therefore, the PSA will include analytical discussions of the conclusions reached. Portions of the PEIR relied on for conclusions should be identified by section number and page number. Ancillary information (e.g., site-specific surveys) not included in the PEIR but relied on for conclusions or required by PEIR measures will be attached to the PSA. A list of references cited in the PSA will be included with the PSA and copies of such references made available to the public by the proponent agency upon request.

PD-3.2.4: Project-Specific Analysis

STANDARD PROJECT REQUIREMENTS, MITIGATION MEASURES, AND MONITORING AND REPORTING

The analysis must consider the measures identified in the PEIR that will avoid, reduce, or otherwise mitigate potential impacts of the project. These measures take the form of SPRs and mitigation measures. Some SPRs and mitigation measures apply to all projects, while others only apply to projects that include specific treatment types, treatment activities, or locations. Attachment A to this checklist provides a comprehensive list of SPRs and mitigation measures applicable to each project type. The project proponent should complete Attachment A and verify that all applicable SPRs and mitigation measures will be implemented, the timing of implementation, and identify the entity responsible for implementing and verifying or enforcing each measure. In effect, a completed Attachment A to the PSA will function as the Mitigation Monitoring and Reporting Program for the vegetation treatment project.

RESOURCE AREAS

The environmental resource areas in the PSA checklist are the same as those analyzed in Chapter 3, "Environmental Setting, Impacts, and Mitigation Measures", of the PEIR. The project proponent will review the environmental analysis in the PEIR for each corresponding resource area in the PSA checklist. The project proponent will consider whether required SPRs and mitigation measures would be effective in avoiding, reducing, or mitigating environmental impacts of the project considering the proposed activities and site-specific characteristics. SPRs are intended to be integrated into treatment design and implementation; therefore, project proponents should determine if it is necessary to

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implement the SPR during preparation of the PSA, prior to treatment, or during treatment implementation. For example, implementation of SPR BIO-1 is intended to be carried out during PSA preparation; it will identify potentially affected biological resources and assess whether they can be avoided, which will determine whether other SPRs and mitigation measures must be implemented prior to or during treatments.

Written explanations supporting all conclusions should be provided in the discussion following the checklist questions for each resource area.

CHECKLIST ANSWERS

After verifying that the proposed treatment activities, treatment types, and geographic location of the treatment project are consistent with the PEIR, the primary functions of the checklist are to determine:

- whether any of the significant impacts of the later treatment project would be substantially more severe than those covered in the PEIR;
- whether the later treatment project would result in any new impacts that were not covered in the PEIR; and
- the type of CEQA document, if any, that is appropriate to examine impacts that are not within the scope of the PEIR.

Accordingly, the checklist questions presented for each resource area identify, for each impact addressed in the PEIR, whether the impact applies to the treatment project and if so, identify the SPRs and mitigation measures that are applicable to the treatment project. The checklist is also intended to identify whether the impact significance determination for the treatment project is different than the impact significance determination in the PEIR; if it is different, the checklist will identify whether the difference constitutes a substantially more severe significant impact and is therefore not within the scope of the PEIR. If it is determined that a substantially more severe significant impact that cannot be mitigated down to the same level as, or lower level than, identified in the PEIR would result from a later treatment project, an EIR must be prepared, unless one or more mitigation measures incorporated into the project would mitigate the effects to a point where clearly no significant effect on the environment would occur, in which case an MND would be appropriate The MND or EIR may be limited to examining the impacts that are not within the scope of the PEIR.

"New" impacts are effects on the environment that were not addressed in the CalVTP PEIR.

For each new impact listed in the checklist, the project proponent should indicate whether the impact would be one of the following:

- New Impact that is Less Than Significant: The project would result in a new adverse impact that is not analyzed in the CalVTP PEIR; however, the impact would not be significant. In this case, the impact is not "within the scope" of the CalVTP PEIR and preparation of a Negative Declaration could be prepared. Pursuant to CEQA Guidelines Section 15168(d), a subsequent negative declaration could be prepared to document the new impact and substantial evidence supporting the less-than-significant conclusion, along with the PSA checklist documenting the rest of the "within-the-scope" impacts.
- New Impact that is Less Than Significant with Mitigation Incorporated: The project would result in a new significant impact that is not analyzed in the CalVTP PEIR, but due to the project proponent's willingness to incorporate new mitigation into the proposed project, the impact is clearly less than significant with feasible mitigation. In this case, the impact is not "within the scope" of the CalVTP PEIR and a Mitigated Negative Declaration could be prepared, consistent with CEQA Guidelines Section 15168(d), which allows for use of a subsequent negative declaration to document the new impact and substantial evidence supporting the less-than-significant conclusion, along with the PSA checklist documenting the rest of the "within-the-scope" impacts.

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- New Impact that is Potentially Significant: The project would result in a new significant impact that is not analyzed in the CalVTP PEIR (which would be subject to the "fair argument" standard as a new impact), the impact cannot be clearly mitigated to less than significant. In this circumstance, the impact is not "within the scope" of the CalVTP PEIR and preparation of an Environmental Impact Report (EIR) is required. The EIR will cover the new potentially significant or significant impact(s) and need not further evaluate significant impacts already covered in the PEIR, which are documented in the PSA.

In summary, when additional environmental documentation is needed to augment the PEIR for CEQA compliance, the PSA checklist and accompanying analysis would serve the same function as an initial study that defines the topics to be addressed in the EIR, MND, or ND to cover the impacts that are not within the scope of the PEIR, as directed by State CEQA Guidelines Section 15168(d)(1). Pursuant to State CEQA Guidelines Section 15168(d), a later ND could be prepared, if the new impact would be less than significant, or MND, if the new impact or substantially more severe significant impact could be clearly mitigated to less than significant. The analysis of any new impact to support adoption of an ND or MND, along with the analysis of impacts that are within the scope, would be documented in the PSA checklist. If a later EIR is prepared, it could be limited in its scope to the new significant impact(s) or substantially more severe significant impact(s), with the remainder of the impacts that are within the scope of the PEIR being documented in the PSA checklist. Refer to the CalVTP PSA Process flowchart presented in Figure 1.

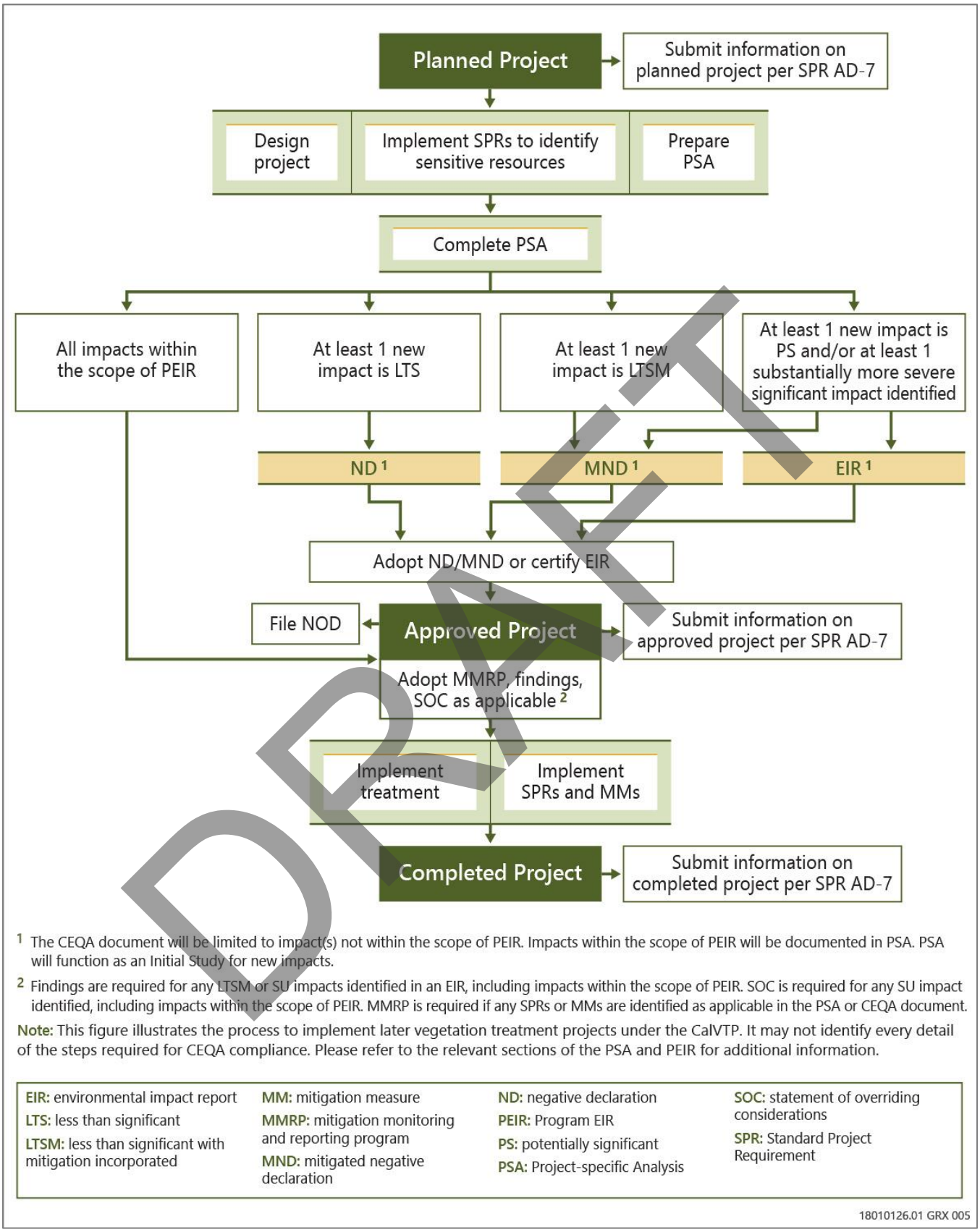
AGENCY-SPECIFIC CEQA IMPLEMENTATION PROCEDURES

This PSA may be used by CAL FIRE, another public agency funded by grants from CAL FIRE or other state agencies, or a public agency with land ownership, land management, or other regulatory responsibilities in the treatable landscape that is proposing to implement, fund, or issue any approval for vegetation treatments consistent with the CalVTP PEIR. Each project proponent should follow their agency's CEQA implementation procedures, including filing of a Notice of Determination through the State Clearinghouse and/or applicable County Clerk's office.

PROJECT-SPECIFIC CEQA FINDINGS AND OVERRIDING CONSIDERATIONS

When a responsible agency approves a vegetation treatment project using a within the scope finding for all environmental impacts, it must still adopt CEQA findings pursuant to Section 15091 of the State CEQA Guidelines, and if needed, a statement of overriding considerations, pursuant to Section 15093 of the State CEQA Guidelines. Although each responsible agency must adopt its own findings (see CEQA Guidelines section 15096(h)), such agencies have the option of reusing, incorporating, or adapting all or part of the findings adopted by the Board for the CalVTP PEIR to meet the agency's own requirements to the extent the findings are applicable to the proposed vegetation treatment project. A findings template intended to assist responsible agencies to formulate their own findings is attached to this PSA as Attachment B.

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Source: Ascent Environmental Inc. 2019

Figure 1 CalVTP PSA Process

REPORTING REQUIREMENTS

Planned Projects

To assist with tracking actions under the CalVTP, project proponents will submit information to CAL FIRE on planned projects when beginning preparation of this PSA. The submittal will include the following:

- GIS data that include project location (as a point);
- project size (typically acres);
- treatment types and activities; and
- contact information for a representative of the project proponent.

Approved Projects

To assist with tracking, reporting, and adaptively managing actions under the CalVTP, project proponents will submit this completed PSA and associated geospatial data to CAL FIRE at the time a Notice of Determination is filed. The submittal will include the following:

- A completed PSA Environmental Checklist;
- A completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist);
- GIS data that include:
  - a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction)

Completed Projects

To assist with tracking, reporting, and adaptively managing actions under the CalVTP, project proponents will submit the following information to CAL FIRE after implementation of the treatment:

- GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction)
- A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes
  - Size of treated area (typically acres);
  - Treatment types and activities;
  - Dates of work;
  - A list of the SPRs and mitigation measures that were implemented
  - Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b).

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ENVIRONMENTAL CHECKLIST

VEGETATION TREATMENT PROJECT INFORMATION

1. Project Title: Garland Ranch Regional Park Fuel Management Project

2. Project Proponent Name and Address: Monterey Peninsula Regional Park District
4860 Carmel Valley Road, Carmel CA 93923

3. Contact Person Information and Phone Number: Jake Smith
Planning and Conservation Program Manager
(831) 372-3196 ext. 116

4. Project Location: Garland Ranch Regional Park
700 W Carmel Valley Road, Carmel Valley, CA 93924
Unincorporated Monterey County

USGS – Seaside Quadrangle, California
Latitude (Y): 36.511494°
Longitude (X): -121.775516°

Treatment areas are in the northwestern portion of the park, along the Rancho Loop Trail.

See Project Location Map (Figure 2) and Treatment Area Map (Figure 3)

5. Total Area to be Treated (acres): 12.2 acres

6. Description of Project:

   a. Initial Treatment
   PROJECT GOALS:

   Garland Ranch Regional Park (Park), managed by the Monterey Peninsula Regional Park District (MPRPD), and the surrounding community are located within the Wildland Urban Interface (WUI) area. There are three stands of invasive Eucalyptus trees in the northwestern portion of the Park, comprised primarily of blue gum (*Eucalyptus globulus*), that present a fire hazard condition due to the volume, combustibility, and continuous arrangement of plant material. Vertical continuity of fuels due to accumulation of vegetative debris at ground level (more than two feet thick in some locations) presents the opportunity for fire to travel upwards into the mid-canopy of trees, dense and multi-stemmed growth patterns of blue gum increase horizontal continuity of fuels with high canopy contact between trees, and aromatic oils in blue gum are highly flammable, even vaporizing on hot days. These factors in combination result in the high likelihood of conflagration in the event of a fire. If these stands were to ignite, they would produce long flames which could torch adjacent vegetation, producing and distributing embers far afield. Removal of the two smaller Eucalyptus stands, thinning of the larger main stand, and management of these areas would reduce fire risks within the WUI. In addition, these actions would promote resilience and recovery of native habitats and species, including adjacent sensitive riparian habitat, and maintain wildlife habitat and aesthetic values within the Park, such as providing a pleasing visual backdrop, aroma, shade, and a wind break for recreationalists.

   PROJECT LOCATION:

   The Park is located on the south side of Carmel Valley Road, within the Carmel Valley area of unincorporated Monterey County (Figure 2). The three project treatment areas encompass approximately 11.7 acres of the approximately 3,670-acre Park and are located in the northwestern section of the park along the Rancho

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Loop Trail (Figure 3). A small portion of the proposed treatment area, approximately 0.5 acre, is also located on the adjacent parcel; work within this area would require an agreement with the landowner. The Main Stand is approximately 10.5 acres and is located on the northwest side of the Rancho Loop Trail. The Northeast Stand (0.4-acre) is located approximately 400 feet to the east of the Main Stand and the Southeast Stand (1.3-acres) is located approximately 715 feet to the southeast on the opposite side of the Rancho Loop Trail.

The project area is located within the State Responsibility Area (SRA) and the majority of the project area is located within the treatable landscape as described in the PEIR (CalVTP Final PEIR Volume II Section 2.4 page 4). However, approximately 3.2 acres of the project area is not within the treatable landscape because the boundary of the CalVTP treatable landscape was digitally developed using the California Department of Fish and Wildlife's (CDFW's) California Wildlife Habitat Relationships (CWHR) system, (as described in CalVTP Final PEIR Volume II Section 2.4 page 4), which identifies this area as "urban." The CWHR system was generated at a large scale that did not allow high mapping resolution, which resulted in exclusion of some suitable habitat areas from the treatable landscape. The CWHR system mapped "urban" areas within the project site; however, these areas are in actuality contiguous with the surrounding habitat and are therefore classified as Hardwood Woodland as described in the CWHR system. An additional 0.09 acre is also not within the treatable landscape because it extends into a Local Responsibility Area (LRA).

PROJECT DESCRIPTION:

The MPRPD strives to balance priorities for fire hazard reduction, native ecosystem preservation, natural and cultural resource protection, and public access and recreation. The following treatments for the three Eucalyptus stands have been developed to represent these values.

TREATMENT AREAS

Main Stand

Approximately 4.0 acres of the Main Stand of Eucalyptus would be thinned; selecting the largest and healthiest trees for retention. The Main Stand is a significant visual feature of the park on the Rancho Loop Trail. Eucalyptus stands of this type may be held in high regard by hikers who appreciate the shade, aesthetic value, and wind break these trees provide, and they may support seasonal raptor nests. Therefore, thinning, limbing up, and understory fuel reduction to allow for shade and visual attribute preservation, including maintaining wildlife habitat, while simultaneously reducing a substantial fire hazard risk will be implemented and is consistent with the thinning MPRPD has already conducted with inmate crews from the Gabilan Conservation Camp.

Within this stand, dead material would be removed (including 'jackpots' of large logs and bark/leaf litter accumulations) and tree branches limbed up to 15 feet to minimize fire ladders. Decreasing the ground fuel load and lifting the canopy will reduce the vertical continuity of fuels. Thinning the stand to remove unhealthy trees and minimize crown overlap will reduce the horizontal continuity of fuels. Both techniques will help prevent or slow the spread of future fire events to allow effective firefighting when necessary.

Approximately 5.1 acres within the Main Stand, located near the south-side of the Carmel river, intergrades with the adjacent riparian habitat. This portion of the Main Stand is not a significant visual feature of the park and while a hazard reduction treatment may be possible, removal of the Eucalyptus trees within this area will provide significant benefit to the riparian corridor by eliminating the spread of an invasive species within the native riparian corridor and reducing water consumption from the Carmel River. In addition, the western section of the Main Stand (approximately 1.4 acres) is located at the base of the steep, densely vegetated Snivley's Ridge, a fire within this portion of the stand could easily propel fire up the hill, especially with prevailing north winds. Difficult terrain and lack of access higher on the slope and the presence of residences immediately south of the Park make this treatment site a high priority for fire risk reduction and control.

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Figure 2 Project Location Map

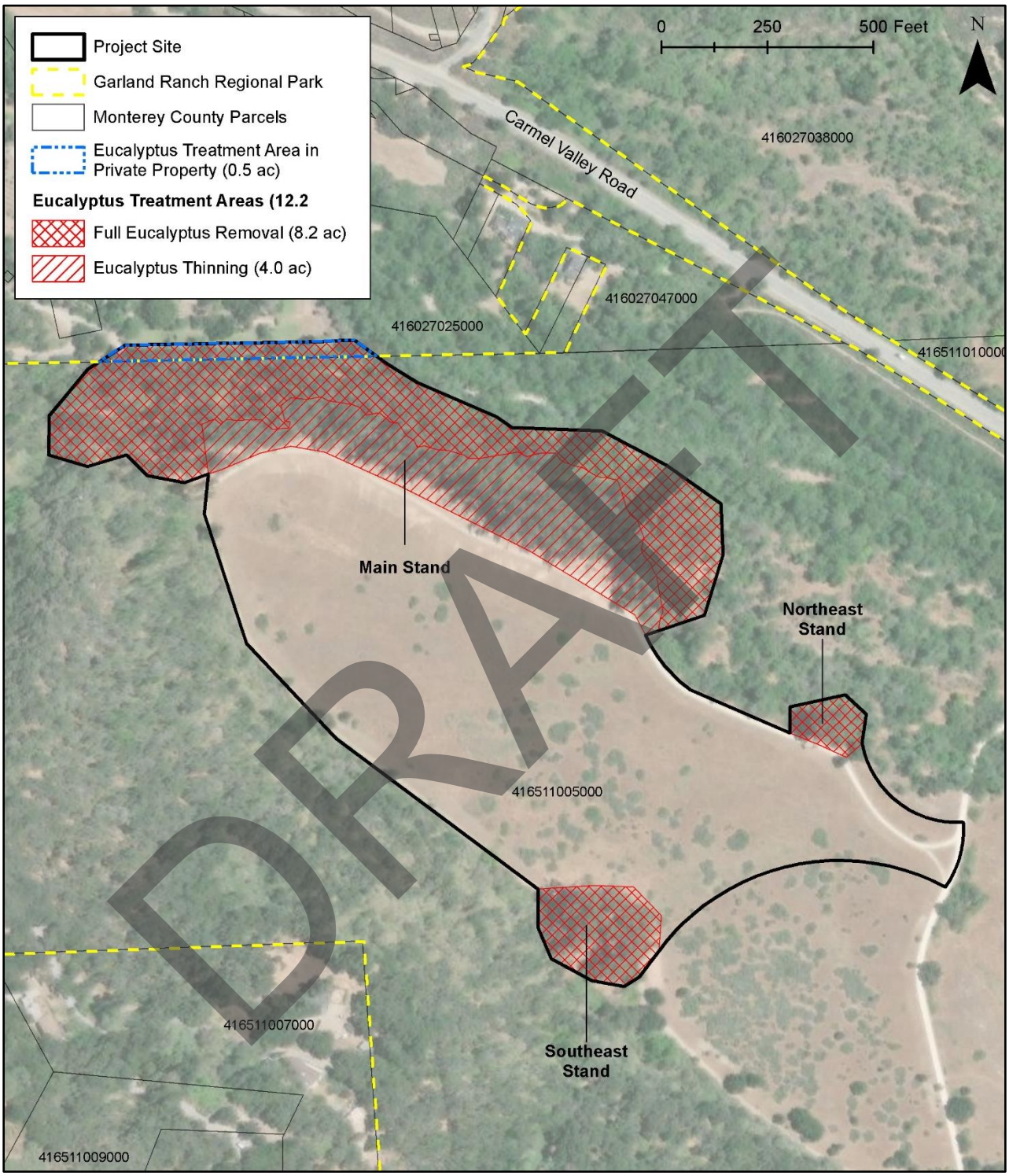


Figure 3 Treatment Area Map

Southeast Stand

The 1.3 acre Southeast Stand is also located at the northern base of Snively's Ridge. Similar to the portion of the main stand discussed above, this location presents a high fire hazard potential leading into difficult terrain as it could easily propel fire up the hill towards residences immediately south of the Park. As such, this treatment site is also a high priority for fire risk reduction and control. This stand is not a significant visual feature of the park and is an outlier stand which may provide further proliferation of blue gum Eucalyptus trees outside of the Main Stand. Therefore, the entire Southeast Stand would be removed.

Northeast Stand

The 0.4 acre Northeast Stand is located near the northern intersection of the Rancho Loop and Cooper Trail. Approximately 0.2 acre of this area occurs within the riparian corridor on the north side, similar to the main stand described above. The Northeast Stand is not a significant visual feature of the park and is an outlier stand that may provide further proliferation of blue gum Eucalyptus trees outside of the Main Stand. The location of these trees does not present a high fire hazard as it is positioned on flat terrain, and adjacent to riparian vegetation which is usually high in moisture content and not extremely flammable. However, non-native species trees located within or immediately adjacent to riparian areas can cause degradation to the healthy function of a riparian system. Therefore, all eucalyptus trees within the Northeast Stand would be removed.

TREATMENT TYPES

The proposed treatment type is WUI Fuels Reduction. Proposed treatment areas are natural areas that are adjacent to homes and structures, indicating that the project areas make up a WUI as defined in the PEIR (CalVTP Final PEIR Volume II Section 2.5.1 page 7 and page 8-10). Fuel reductions in the WUI will directly impact communities and assets at risk, serving as emergency access points along or near evacuation routes for the nearby communities and as an opportunity to slow or stop wildfires. WUI treatments would remove understory vegetation including dead, dying, hazard, and diseased trees of any diameter, ladder fuels, and live Eucalyptus or other non-native trees up to eight inches DBH to promote a healthier residual stand following treatments. Habitat quality will be enhanced through WUI fuel reductions where existing habitat has been degraded due to invasive species encroachment or the accumulation of fuels. As such, the project incorporates ecological goals as defined under Ecological Treatments in the CalVTP PEIR; however, the project is not considered an Ecological Treatment under CalVTP because it is located in the WUI (see CalVTP PEIR Section 2.5.1 Pages 15-16).

FUEL TYPES

Proposed treatments would occur in tree fuel types as described in the CalVTP PEIR Section 2.4.1 Page 4. A portion of the treatment area within the main stand and the northeast stand is mapped as "urban;" however, as described above in the Project Location discussion, this classification is an error due to mapping scale, and the habitat within these areas are contiguous with the surrounding habitats and are also tree fuel types. The tree fuel types are dominated by Eucalyptus stands; however, a portion of the Main Stand is also mixed with willow riparian forest. These Eucalyptus stands have generally closed canopies with moderate to dense understory fuels. The removal of understory vegetation and ladder fuels in the tree fuel types would reduce the risk of ground or surface fires spreading into the canopy. In addition, staging, access, and pile burning would occur within adjacent grass fuel types; however, grass fuel types would not be treated.

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TREATMENT ACTIVITIES

Mechanical Vegetation Treatment

Mechanical treatments would primarily include masticating target vegetation and chipping biomass from manual and mechanical treatment activities. Equipment would include tractors/skidders/backhoe[1], chippers, masticators, and stump grinders. A water truck or other water containers may also be onsite during mechanical treatments as a precaution. Due to the limited size of the project site, it is likely that only one crew would operate at a time; however, no more than two crews would operate at the same time during treatment. In addition, mechanical and manual treatment are expected to occur at the same time and total crew size would be approximately 20 crew members for both treatment activities. Initial mechanical vegetation treatment would require three to four months to complete. Mechanical treatment activities may occur immediately adjacent to the top of bank of the Carmel River (a Class I watercourse as described in SPR-HYD-4 in the CalVTP PEIR Section 3.11.3 Page 22) to improve habitat and reduce undesirable wildfire hazards.

Small-diameter trees and downed woody debris would be removed to increase tree spacing and reduce fire fuel loads in targeted areas. The biomass would be disposed of via the process of mastication (which essentially mulches the vegetation) or chipping. Generally, mechanical treatments would:

- masticate or chip target live Eucalyptus trees and other non-native trees up to 10 inches dbh, downed Eucalyptus bark/woody debris, and woody shrubs;
- limit masticated or chipped material left on site to a depth no greater than six inches;
- fell trees in riparian areas away from the adjacent Carmel River;
- grind eucalyptus stumps in non-riparian areas;
- remove limbs of large trees up to 15 feet high;
- retain isolated large logs, but spread out to increase soil contact and natural breakdown speed;
- retain native oak and riparian trees and, to the extent feasible, native shrubs and other desirable species as determined by MPRPD;
- retain at least 75% of the overstory and 50% of the understory canopy of native riparian vegetation within the limits of riparian habitat.

Manual Vegetation Treatment

To implement manual treatments, crews would use hand tools and hand-operated power tools, including chainsaws, hand saws, brush cutters, and loppers, to cut, clear, and/or prune trees. Initial manual treatment would require three to four months to complete and would likely be completed at the same time as mechanical activities during the first year. As identified above, mechanical and manual treatment activities are expected to occur at the same time and total crew size would be approximately 20 crew members, with one to two crews operating at a time. Manual treatment activities may occur immediately adjacent to the top of bank of the Carmel River (a Class I watercourse as described in SPR-HYD-4 in the CalVTP PEIR Section 3.11.3 Page 22) to improve habitat and reduce undesirable wildfire hazards.

The same general guidelines for tree and vegetation removal and retention would be followed as described above for mechanical treatments; however, manual methods will include removing eucalyptus trees larger than 10 inches dbh. As described above, all eucalyptus trees will be removed within the southeast and

[1] Please note that these equipment types would be used to remove vegetation only. No excavation is proposed as part of the project.

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northeast stands. In the main stand, all eucalyptus trees will be removed from the approximately 5.1 acre riparian area on the north side of the stand nearest to the Carmel River and the approximately 1.4 acre western section at the base of Snivley's Ridge; selected trees will be removed in the remainder of the stand to remove unhealthy trees, minimize crown overlap, and reduce the horizontal continuity of fuels. Some cut vegetation may be left on site by lopping or chipping with scattering on the landscape, while some vegetation may be pile burned, as described below. In addition, some of the larger diameter material may be off-hauled to a wood product processing facility or composting facility in accordance with the requirements of SPR UTIL-1 if processing on-site is not feasible.

Prescribed Burning

Biomass from manual and mechanical treatment that would be burned would be piled using equipment (e.g., skid steer, tractor, bulldozer or excavator[2]) or hand crews. Typically, dozers are equipped with a brush rake to reduce soil displacement and create "clean" piles. The piles would be located as close as safely possible to the burning location. Biomass would be burned in piles or, preferably, using an air curtain burner or carbonator. Burning would occur in the adjacent open field, 100 feet or more from tree and shrub vegetation. All grasses and other herbaceous vegetation would be removed or burned to bare soil within 30-40 feet of the burn location. The prescribed burn crew size will be determined based on the amount of material to be burned and the number of crew members necessary for safety purposes; however, due to the small size of the project it is expected that the crew size necessary for pile burning and/or use of an air curtain burner or carbonator would be much less than the average crew size of 45 workers identified in the CalVTP PEIR (Section 2.5.2 Page 21)

Herbicide Application

The blue gum Eucalyptus tree is identified as invasive by the California Invasive Plant Council (Cal-IPC). This species sprouts prolifically from wounds and cut stumps. Herbicide will be used to control re-growth and limit the necessity of maintenance treatments. Only ground-level application would occur; no aerial spraying of herbicides would occur. Herbicide treatments would typically use a one-to two-person crew, a transport vehicle, and herbicide application equipment. Several herbicide application methods are available for use by on-the-ground personnel, including paint-on stems/stumps, using backpack hand-applicators, hypo-hatchet tree injection, or hand placement of pellets. Herbicide application would comply with the U.S. Environmental Protection Agency label directions, as well as California Environmental Protection Agency and California Department of Pesticide Regulation label standards. All herbicide application would be performed by certified and licensed pesticide applicators in accordance with all local, state, and federal regulations. Only herbicides identified in the CalVTP PEIR (Section 2.5.2 Page 27) would be applied. Imazapyr, Glyphosate, and Triclopyr (all herbicides identified in the CalVTP PEIR) are effective on Eucalyptus; however, the certified and licensed applicator would choose the best approved herbicide for treatment. In addition, only herbicides approved for use in aquatic environments would be used in riparian areas.

Treatment Types *[see description in CalVTP PEIR Section 2.5.1, check every applicable category; provide detail in description of Initial Treatment*]

☒ Wildland-Urban Interface Fuel Reduction

☐ Fuel Break

☐ Ecological Restoration

[2] Please note that these equipment types would be used to move biomass (i.e., the cut vegetation) only. No excavation is proposed as part of the project.

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Treatment Activities [*see description in CalVTP PEIR Section 2.5.2, check every applicable category; include number of acres subject to each treatment activity, provide detail in description of Initial Treatment*]

☐ Prescribed Burning (Broadcast), _____ acres

☒ Prescribed Burning (Pile Burning)

☒ Mechanical Treatment, _12.2__ acres

☒ Manual Treatment, _12.2__ acres

☐ Prescribed Herbivory, _____ acres

☒ Herbicide Application, _12.2__ acres

Fuel Type [*see description in CalVTP PEIR Section 2.4.1, check every applicable category; provide detail in description of Initial Treatment*]

☐ Grass Fuel Type

☐ Shrub Fuel Type

☒ Tree Fuel Type

b. Treatment Maintenance

As described above, blue gum Eucalyptus sprouts prolifically from wounds and cut stumps. In addition, new trees may emerge from seeds and Eucalyptus trees retained within the main stand would continue to shed bark and leaves. Native trees, shrubs and herbaceous species may begin to grow within the removal areas and between retained trees in the main stand. While native species are desirable for habitat health, they may be undesirable within the main stand if they result in vertical continuity of fuels. Undesirable non-native or invasive species may also begin to grow in these areas, which would require maintenance to prevent or slow spread into adjacent native communities.

Maintenance would occur approximately every one to three years, depending on the amount of sprouting from wounds and stumps, growth of new Eucalyptus trees or other vegetation, bark/woody debris accumulation, and infestation by other invasive species. The treatments applied would also depend on these factors. It is likely that the use of mechanical treatments and pile burning will be reduced during the maintenance period; however, these treatments would be used when necessary. Manual treatment and herbicide application are the most likely treatments to be used to maintain the Eucalyptus stands. All maintenance treatments would be implemented using the same methods and equipment as described above for the initial treatment.

In addition, prescribed herbivory may be used for maintenance, as described below:

Prescribed Herbivory

Prescribed herbivory using goats may be used for maintenance treatment within the Main Stand and/or Southeast Stand after the initial thinning treatments have been conducted. Prescribed herbivory would not be used in sensitive habitat areas (i.e., riparian areas) or within a 50-foot buffer, as required by SPR-HYD-3 in the PEIR. The use of prescribed herbivory can limit regrowth and assist with breaking down ground fuels through intensive hoof action as well as herbivory of leaves. As described in the CalVTP PEIR Section 2.5.2 Page 26, prescribed herbivory would occur when the target plant species is palatable and when feeding on the plants can damage them or reduce viable seeds. A herder, electric or non-electric fencing, mineral block, and/or a watering site may be used.

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Treatment Types *[see description in CalVTP PEIR Section 2.5.1, check every applicable category; provide detail in description of Treatment Maintenance*]

☒ Wildland-Urban Interface Fuel Reduction

☐ Fuel Break

☐ Ecological Restoration

Treatment Activities [*see description in CalVTP PEIR Section 2.5.2, check every applicable category; include number of acres subject to each treatment activity, provide detail in description of Treatment Maintenance*]

☐ Prescribed Burning (Broadcast), _____ acres

☒ Prescribed Burning (Pile Burning)

☒ Mechanical Treatment, _12.2__ acres

☒ Manual Treatment, _12.2__ acres

☒ Prescribed Herbivory, _4.7__ acres

☒ Herbicide Application, _12.2__ acres

Fuel Type [*see description in CalVTP PEIR Section 2.4.1, check every applicable category; provide detail in description of Treatment Maintenance*]

☐ Grass Fuel Type

☐ Shrub Fuel Type

☒ Tree Fuel Type

Use of the PSA for Treatment Maintenance

Prior to implementing a maintenance treatment, the project proponent will verify that the expected site conditions as described in the PSA are present in the treatment area. As time passes, the continued relevance of the PSA will be considered by the project proponent in light of potentially changed conditions or circumstances. Where the project proponent determines the PSA is no longer sufficiently relevant, the project proponent will determine whether a new PSA or other environmental analysis is warranted.

In addition to verifying that the PSA continues to provide relevant CEQA coverage for treatment maintenance, the project proponent will update the PSA at the time a maintenance treatment is needed when more than 10 years have passed since the approval of the PSA or the latest PSA update. For example, the project proponent may conduct a reconnaissance survey to verify conditions are substantially similar to those anticipated in the PSA. Updated information should be documented.

7. Regional Setting and Surrounding Land Uses: (Briefly describe the project's surroundings)
The Park is located within the Carmel Valley area of unincorporated Monterey County. The Park extends from Carmel Valley Road and the Carmel River at an elevation of approximately 200 feet at the base of the valley, south into the Santa Lucia Mountain Range with a maximum elevation of approximately 2,000 feet.

   The project area is located within the valley, immediately adjacent to the Carmel River on the north. Carmel Valley Road is on the opposite side of the Carmel River and low density residential and open space is present north of the road. To south of the project area are open areas of the Park and historic ranching buildings. Further to the south, beyond the Park boundaries lies the Santa Lucia Preserve, a low-density housing development and open space preserve. To the east and west of the project area are open areas of the park, as well as residential and commercial development. The nearest residence is located within 100 feet of the Main Stand to the west.

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8. Other Public Agencies Whose Approval is Required: (e.g., permits)

   California Department of Fish and Wildlife – Lake and Streambed Alteration Agreement

   California Department of Fish and Wildlife – take authorization for candidate bumble bees (potential)

   State Water Resources Control Board – General Order

   Monterey Bay Air Resources District – Prescribed Burn Permit or other authorization

   Monterey Peninsula Water Management District – River Work Permit (potential)

   County of Monterey – Tree Removal permit (potential only if protected trees are removed on private property)

   Coastal Act Compliance

   ☒ The proposed project is NOT within the Coastal Zone

   ☐ The proposed project is within the Coastal Zone (*check one of the following boxes*)

   ☐ A coastal development permit been applied for or obtained from the local Coastal Commission district office or local government with a certified Local Coastal Plan, as applicable

   ☐ The local Coastal Commission district office or local government with a certified Local Coastal Plan (in consultation with the local Coastal Commission district office) has determined that a coastal development permit is not required

9. Native American Consultation. *For treatment projects that are within the scope of the CalVTP PEIR, AB 52 consultation for AB 52 compliance has been completed. The Board of Forestry and Fire Protection conducted consultation pursuant to Public Resources Code section 21080.3.1 during preparation of the PEIR. For treatment projects with impacts not within the scope of the PEIR, pursuant to PRC Sections 21080.3.1, 21080.3.2, and 21082.3, project proponents preparing a new negative declaration, mitigated negative declaration, or EIR must notify any California Native American tribe who has submitted written request for notification of a project in the area of the treatment site. Upon written request for consultation by a tribe, the project proponent must begin consultation before the release of the environmental document and must follow the requirements of the cited PRC sections.*

   Pursuant to CalVTP SPR BIO-2, geographically affiliated Native American tribes were sent letters of notification of the project via certified mail on July 7, 2023 and August 14, 2023. Tribal contacts included:

   - Ed Ketchum and Valentin Lopez of the Amah Mutsun Tribal Band;
   - Irene Zwierlein of the Amah Mutsun Tribal Band of Mission San Juan Bautista;
   - Jana Nason, Lorraine Escobar, Susan Morley, Tom Little Bear Nason, and Cari Herthel of the Esselen Tribe of Monterey County,
   - Carla Marie Munoz and Tony Cerda of the Costanoan Rumsen Carmel Tribe;
   - Ann Marie Sayers and Kanyon Sayers-Roods of the Indian Canyon Band of Costanoan Ohlone People;
   - Lydia Bojorquez and Isaac Bojorquez of the KaKoon Ta Ruk Band of Ohlone-Coastanoan Indians of the Big Sur Rancheria;
   - Louise Miranda-Ramirez and Christanne Najera of the Ohlone/Coastanoan-Esselen Nation;
   - Dee Dee Ybarra of the Rumsen Am:a Tur:ataj Ohlone; and
   - Kenneth Woodrow of the Wuksachi Indian Tribe/Eshom Valley Band.

A response was received from the Indian Canyon Band of Costanoan Ohlone People on July 21, 2023 and MPRPD and the Monterey County RCD met with tribal representatives on August 10, 2023. A response was received from the Costanoan Rumsen Carmel Tribe on July 10, 2023 and MPRPD and the Monterey County RCD met with tribal representatives on August 15, 2023. A response was received from the Esselen Tribe of Monterey County on August 14, 2023.

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DETERMINATION

On the basis of this PSA and the substantial evidence supporting it:

☒ I find that all of the effects of the proposed project (a) have been covered in the CalVTP PEIR, and (b) all applicable Standard Project Requirements and mitigation measures identified in the CalVTP PEIR will be implemented. The proposed project is, therefore, WITHIN THE SCOPE of the CalVTP PEIR. **NO ADDITIONAL CEQA DOCUMENTATION** is required.

☐ I find that the proposed project will have effects that were not covered in the CalVTP PEIR. These effects are less than significant without any mitigation beyond what is already required pursuant to the CalVTP PEIR. A **NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project will have effects that were not covered in the CalVTP PEIR or will have effects that are substantially more severe than those covered in the CalVTP PEIR. Although these effects may be significant in the absence of additional mitigation beyond the CalVTP PEIR's measures, revisions to the proposed project or additional mitigation measures have been agreed to by the project proponent that would avoid or reduce the effects so that clearly no significant effects would occur. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project will have significant environmental effects that are (a) new and were not covered in the CalVTP PEIR and/or (b) substantially more severe than those covered in the CalVTP PEIR. Because one or more effects may be significant and cannot be clearly mitigated to less than significant, an **ENVIRONMENTAL IMPACT REPORT** will be prepared.

Jacob Smith — Signature

10/4/23 — Date

Jacob Smith — Printed Name

Planning & Conservation Program Manager — Title

MPRPD — Agency

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EVALUATION OF ENVIRONMENTAL IMPACTS

1. Refer to the applicable resource analysis section in the CalVTP PEIR for relevant information on each environmental topic.
2. A brief explanation is required for each impact, including impacts that have been identified in the PEIR as well as any "new impacts."
3. The discussion of each impact identified in the PEIR that is also applicable to the proposed treatment project should generally include the following information:
   - Briefly describe the impact of the proposed vegetation treatment project.
   - Summarize the impact as it was presented in the PEIR, including a statement that the impact is covered in PEIR.
   - Provide evidence that (explain why) the project impact is covered in PEIR, considering whether the proposed treatment is consistent with the treatment types and activities addressed in the PEIR as well as the associated intensity (i.e., duration).
   - Identify SPRs and MMs applicable to the treatment project.
   - (If applicable) Explain which components of the MM or SPR would be applied. This circumstance exists if the MM or SPR allows for deviation from requirements (e.g., minimum buffer distances), identification of parameters (e.g., tree size for retention), and determinations of feasibility. A site- and/or treatment activity-specific explanation for the planned deviation, identified parameter, or feasibility determination must be provided in the PSA.
   - (If applicable) Explain why the impact significance in the PSA is different than that found in the PEIR; substantiate the different (new) significance conclusion.
   - (If applicable) Explain why MM or SPRs identified for this impact in PEIR do not apply to this project. This circumstance may exist where a PS impact was identified in the PEIR, but the impact severity would be less for the treatment project or the MM does not otherwise apply.
4. If the project proponent has determined that a new impact would occur, then the checklist answers for the new impact must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant without the need for mitigation.
5. "Potentially Significant" is appropriate if there is substantial evidence that a new impact may be significant. If there are one or more "Potentially Significant" new impacts identified, or if any impact would constitute a substantially more severe significant impact than was covered in the PEIR, an EIR is required unless one or more mitigation measures incorporated into the project would mitigate the effects to a point where clearly no significant effect on the environment would occur, in which case an MND would be appropriate. AND could be prepared, if the new impact would be less than significant, or MND, if the new impact could be clearly mitigated to less than significant. The analysis of any new impact to support adoption of an ND or MND, along with the analysis of impacts that are within the scope, would be documented in the PSA checklist. If a later EIR is prepared, it could be limited in its scope to the new significant impact(s) or substantially more severe significant impact(s), with the remainder of the impacts that are within the scope of the PEIR being documented in the PSA checklist and attached to the EIR as an appendix. When preparing any environmental document, the environmental analysis should incorporate by reference pertinent portions of the analysis from the CalVTP PEIR and focus the environmental analysis solely on issues that were not addressed in the CalVTP PEIR.
6. Project proponents should incorporate into the PSA checklist references to information sources for potential impacts. Include a list of references cited in the PSA and make copies of such references available to the public upon request.

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PD-3.3: AESTHETICS AND VISUAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact AES-1: Result in Short-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Treatment Activities	LTS	Impact AES-1, pp. 3.2-16 – 3.2-19	Yes	AD-3 AD-5 AD-6 AES-2 AQ-2 AQ-3 REC-1	N/A	LTS	No	Yes
Impact AES-2: Result in Long-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from WUI Fuel Reduction, Ecological Restoration, or Shaded Fuel Break Treatment Types	LTS	Impact AES-2, pp. 3.2-20 – 3.2-25	Yes	AES-1 AES-3	N/A	LTS	No	Yes
Impact AES-3: Result in Long-Term Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from the Non-Shaded Fuel Break Treatment Type	SU	Impact AES-3, pp. 3.2-25 – 3.2-27	No	None	N/A	N/A	N/A	N/A

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Aesthetic and Visual Resource Impacts: Would the treatment result in other impacts to aesthetics and visual resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

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Discussion

Impact AES-1

Initial and maintenance treatments would include mechanical treatment, manual treatment, prescribed (pile) burning, and targeted ground application of herbicides. In addition, the maintenance treatment would include prescribed herbivory. The potential for these treatment activities to result in short-term degradation of the visual character of a treatment area was examined in the PEIR (CalVTP Final PEIR Section 3.2.3, pages 16-19). Laureles Grade is the nearest designated County Scenic Highway (California Department of Transportation [Caltrans], 2019). The project site is visible for a short duration along the Carmel Valley side of Laureles Grade Road and smoke from prescribed burning may be visible from the road. The majority of the proposed treatments would occur on public land managed by MPRPD. The treatment areas are located immediately adjacent to the Rancho Loop Trail. The treatment areas are also visible from other trails within the Park and all treatment activities have the potential to be viewed from various trails and vista points within the Park.

The potential for the project to result in short-term substantial degradation of the visual character of the project area is within the scope of the PEIR because the proposed treatment activities are consistent with those analyzed in the PEIR. SPRs applicable to the proposed treatments are AD-3, AD-5, AD-6, AES-2, AQ-2, AQ-3, and REC-1. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact AES-2

Initial and maintenance treatments would include the WUI Fuel Reduction treatment type. The potential for this treatment type to result in long-term degradation of the visual character of an area was examined in the PEIR (CalVTP Final PEIR Section 3.2.3, pages 20-25). Public viewpoints of the treatment areas include trails within the Park and from Carmel Valley Road. In addition, the treatment areas are visible for a short duration from the Carmel Valley side of Laureles Grade Road, a designated County Scenic Highways (Caltrans, 2019). Removal of the Southeast and Northeast Stands would be an improvement to the visual environment because the trees are currently in stark contrast to the surrounding natural landscape and removal of the trees would open space for regrowth of native species. However, the Main Stand is a significant visual feature of the park on the Rancho Loop trail that may be held in high regard by hikers who appreciate the shade, aesthetic value, and wind break these trees provide. Therefore, as described in the Project Description above, a portion of Eucalyptus trees within the Main Stand will be maintained and thinning, limbing up, and understory fuel reduction will be implemented to allow for shade and visual attribute preservation, while simultaneously reducing a substantial fire hazard risk. In addition, the Main Stand currently provides a visual screen of the adjacent residences from the public viewpoints, which will be maintained pursuant to SPR AES-3. All Eucalyptus trees within the riparian habitat areas of the Main Stand will be removed; however, most of these trees are outside of the public viewshed and retention of native riparian trees will ensure that the area blends with the adjacent riparian areas and does not degrade the visual character of the area. Additionally, edge feathering would be implemented pursuant to SPR AES-1, as reasonable and appropriate, to break up or screen linear edge of cleared areas.

The potential for the project to result in long-term substantial degradation of the visual character of the project area is within the scope of the PEIR because the proposed treatment activities are consistent with those analyzed in the PEIR. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact AES-3

This impact does not apply to the proposed project because no non-shaded fuel breaks are proposed.

New Aesthetic and Visual Resource Impacts

The proposed treatments are consistent with the treatment types and activities covered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.2.1, "Environmental

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Setting," and Section 3.2.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental conditions pertinent to aesthetics and visual resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape. Therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impact. Therefore, no new impact related to aesthetics and visual resources would occur as a result of the project.

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PD-3.4: AGRICULTURE AND FORESTRY RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact AG-1: Directly Result in the Loss of Forest Land or Conversion of Forest Land to a Non-Forest Use or Involve Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Forest Land to Non-Forest Use	LTS	Impact AG-1, pp. 3.3-7 – 3.3-8	Yes	N/A	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Agriculture and Forestry Resource Impacts: Would the treatment result in other impacts to agriculture and forestry resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact AG-1

Initial and maintenance treatments would include mechanical treatment, manual treatment, prescribed (pile) burning, and targeted ground application of herbicides. In addition, the maintenance treatment would include prescribed herbivory. The majority of the treatment area is blue gum Eucalyptus forest surrounded by riparian forest and coast live oak woodland. Riparian and oak trees are present along the margin of the Main Stand adjacent to the Carmel River. Treatment areas within the treatable landscape are mapped as Hardwood Woodland, a tree fuel type, by the CWHR system. Treatment areas outside the treatable landscape are mapped as "urban" by the CWHR system; however, this is an error due to the scale of the mapping and these areas are in actuality contiguous with the surrounding habitat. Treatments would include full removal of the invasive Eucalyptus trees within the southeast and northeast stands and high priority areas of the Main Stand, and thinning of Eucalyptus trees within the remainder of the Main Stand, as described in the Project Description above. Treatment within the retained portion of the Main Stand would focus on removing smaller diameter and unhealthy Eucalyptus trees, while maintaining native trees and larger, healthy Eucalyptus trees. In addition, treatment will include mastication, chipping, or removal of dense woody debris and bark. These treatments would improve forest stand conditions and would not result in conversion to a non-forest use. Vegetation management would improve forest stand conditions by removing invasive species, reducing competitive vegetation, and opening up ground space for natural seeding of native tree species, such as arroyo willow (*Salix lasiolepis*) and coast live oak (*Quercus agrifolia*).

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The potential for proposed treatment activities to result in loss or conversion of forest land was examined in the PEIR (CalVTP Final PEIR Section 3.3.3, pages 7-8). This impact is within the scope of the PEIR because the treatment activities and intensity are consistent with those analyzed in the PEIR. Consistent with the PEIR, the vegetation remaining after treatments would meet the definition of forestland as defined in Public Resources Code Section 12220(g), which defines "forest land" as land that can support 10-percent native tree cover of any species under natural conditions. No SPRs are applicable to this impact. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

New Agriculture and Forestry Resource Impacts

The proposed project is consistent with the treatment types and activities covered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.3.1, "Environmental Setting," and Section 3.3.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to agriculture and forestry resources would occur.

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PD-3.5: AIR QUALITY

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact AQ-1: Generate Emissions of Criteria Air Pollutants and Precursors During Treatment Activities that would exceed CAAQS or NAAQS	SU	Table 3.4-1; Impact AQ-1, pp. 3.4-26 – 3.4-32; Appendix AQ-1	Yes	AD-4 AQ-1 AQ-2 AQ-3 AQ-4 AQ-6	AQ-1 GHG-2	PSU	No	Yes
Impact AQ-2: Expose People to Diesel Particulate Matter Emissions and Related Health Risk	LTS	Table 3.4-6; Impact AQ-2 pp. 3.4-33 – 3.4-34; Appendix AQ-1	Yes	HAZ-1 NOI-4 NOI-5	N/A	LTS	No	Yes
Impact AQ-3: Expose People to Fugitive Dust Emissions Containing Naturally Occurring Asbestos and Related Health Risk	LTS	Section 3.4.2; Impact AQ-3, pp. 3.4-34 – 3.4-35	No	None	N/A	N/A	N/A	N/A
Impact AQ-4: Expose People to Toxic Air Contaminants Emitted by Prescribed Burns and Related Health Risk	SU	Section 3.4.2; Impact AQ-4, pp. 3.4-35 – 3.4-37	Yes	AD-4 AQ-1 AQ-2 AQ-3 AQ-6	N/A	PSU	No	Yes
Impact AQ-5: Expose People to Objectionable Odors from Diesel Exhaust	LTS	Impact AQ-5, pp. 3.4-37 – 3.4-38	Yes	HAZ-1 NOI-4 NOI-5	N/A	LTS	No	Yes
Impact AQ-6: Expose People to Objectionable Odors from Smoke During Prescribed Burning	SU	Section 2.5.2; Impact AQ-6; pp. 3.4-38	Yes	AD-4 AQ-2 AQ-3 AQ-6	N/A	PSU	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Air Quality Impacts: Would the treatment result in other impacts to air quality that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

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Discussion

The proposed project is within the jurisdiction of the Monterey Bay Air Resources District (MBARD)[3].

Impact AQ-1

This project would require the use of vehicles, mechanical equipment, mechanized hand tools, herbicide application, and prescribed herbivory during initial and maintenance treatments, which would result in emissions of criteria pollutants that could exceed California ambient air quality standards (CAAQS) or the national ambient air quality standards (NAAQS) thresholds. The potential for emissions of criteria to exceed CAAQS or NAAQS thresholds was analyzed in the PEIR (refer to Section 3.4.3, pages 26-33 in the Final PEIR). These proposed treatments, treatment equipment, and equipment use duration are consistent with the scope of the PEIR.

In addition, MPRPD is proposing the use of an air curtain burner or carbonator (pyrolysis) to process biomass in place of pile burning, if feasible, pursuant to Mitigation Measure GHG-2. Evaluation of criteria air pollutant emissions from these biomass processing technologies conducted by Ascent (2022) indicates that smoke and criteria air pollutant emissions can be substantially reduced compared to open pile burning. Use of an air curtain burner substantially reduces reactive organic gas (ROG) and particulate matter (PM) emissions by approximately 96 percent when compared to open pile burning, while on-site pyrolysis reduces ROG emissions by 98 percent and PM emissions by 100 percent. For nitrogen dioxide (NOx), air curtain burners are estimated to reduce NOx emissions by at least 73 percent and on-site pyrolysis is estimated to reduce NOx by 94 percent (Ascent 2022). Based on available information about emissions from biomass processing technologies, these technologies offer the opportunity to substantially reduce local exposure to PM from smoke, a potentially beneficial difference compared to pile burning. Use of an air curtain burner would be consistent with the discussion in the PEIR and would not constitute a new or substantially more severe significant impact than what was included in the PEIR.

The SPRs applicable to the project are AD-4, which requires public notification prior to prescribed burning operations, and AQ-1 through AQ-4 and AQ-6, which require compliance with air quality regulations, dust minimization, following all safety procedures required of a CAL FIRE crew, and preparation of a smoke management plan and burn plan if the pile burning triggers the threshold (17 CCR Section 80160). SPR AQ-5 would not apply because no naturally occurring asbestos is mapped within the project area. An air curtain burner or carbonator (pyrolysis) would be used, when feasible, to process biomass in place of off-hauling or open pile burning to reduce greenhouse gas (GHG) emissions, pursuant to Mitigation Measure GHG-2, which would also reduce emissions of criteria air pollutants, as described above. Mitigation Measure AQ-1 is also applicable to the project and would reduce the mass emissions of criteria air pollutants by implementing vehicle and equipment exhaust emission reduction techniques. The project proponent has determined the following components of mitigation measure AQ-1 to be feasible for reducing emissions: encouraging contractors to carpool, substituting gasoline-powered equipment or renewable diesel fuel equipment where feasible, and utilizing equipment with Best Available Control Technology. Equipment that meets the EPA's Tier 4 emission standards will be utilized if available. However, the impact would remain potentially significant and unavoidable due to the infeasibility of implementing specific emission reduction techniques, as stated in the PEIR (refer to Section 3.4.3 page 33 in the Final PEIR), and because of uncertainty in the extent of use of biomass producing technologies.

Impact AQ-2

The use of vehicles and mechanical equipment during initial and maintenance treatments could expose people, such as hikers and recreationists within the Park, to diesel particulate matter emissions. There are no schools or hospitals within 1,500 feet of the treatment areas. Several rural residences are present in the area; however, the nearest sensitive receptor is greater than 100 feet from the treatment area. The proposed treatments will occur over a short

[3] Table 3.4-2 California Air District Mass Emissions Thresholds for Criteria Air Pollutants lists the "Monterey Bay Unified APCD" as the air district for Santa Cruz, Monterey, and San Benito Counties; however, the Monterey Bay Unified APCD changed their name to Monterey Bay Air Resources District (MBARD).

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duration and would not occur next to the same people for an extended period of time, and exposure concentrations would decline with distance from activities because diesel PM dissipates rapidly from the source. The potential to expose people to diesel particulate matter was examined in the PEIR (CalVTP Final PEIR Section 3.4.3, pages 33-34). Diesel particulate matter emissions from the proposed treatments are within the scope of the PEIR because the exposure potential is the same as analyzed in the PEIR, and the types and amount of equipment that would be used, as well as the duration of use, during proposed treatments are consistent with those analyzed in the PEIR. Applicable SPRs are HAZ-1, which requires that all diesel and gasoline-powered equipment be properly maintained to comply with all state and federal emissions requirements, and NOI-4 and NOI-5, which require vegetation treatment activities and staging areas be located as far as possible from human receptors and restrict equipment idling time. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact AQ-3

This impact does not apply to the treatment project because no naturally occurring asbestos is mapped in the treatment area (USGS, 2011).

Impact AQ-4

Prescribed burning during initial and maintenance treatments could expose people to toxic air contaminants (TACs), which was examined in the PEIR (CalVTP Final PEIR Section 3.4.3, pages 35-37). The duration and parameters of the prescribed burns are within the scope of the activities addressed in the PEIR, and would maintain consistency with the rules and regulation set for the North Central Coast Air Basin, including the most recent Air Quality Management Plan developed by MBARD. Therefore, the potential for exposure to TACs is within the scope of the PEIR. In addition, an air curtain burner or carbonator would be used to burn biomass, if feasible, to reduce smoke emissions and associated TACs in comparison to pile burning. TACs resulting from the combustion of biomass are generally organic in nature and are, therefore, a subset of ROG emissions. Based on the evaluation conducted by Ascent (2022), the proposed use of air curtain burners or carbonators (pyrolysis) would reduce ROG emissions by at least 96 and 98 percent, respectively, when compared to pile burning of equivalent areas. Therefore, the exposure of persons to TACs and related health risks would likely be substantially lower with the use of air curtain burners as compared with pile burning.

The SPRs applicable to the project are AD-4, which requires public notification prior to prescribed burning operations, and AQ-1 through AQ-3, and AQ-6, which requires compliance with air quality regulations, following all safety procedures required of a CAL FIRE crew, and preparation of a smoke management plan and burn plan if the pile burning triggers the threshold (17 CCR Section 80160). All feasible measures to prevent and minimize smoke emissions, as well as exposure to smoke, are included in SPRs. No mitigation measures are feasible, and this impact would remain significant and unavoidable, as explained in the PEIR. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact AQ-5

Use of vehicles and mechanical equipment during initial and maintenance treatments could expose people, such as hikers and recreationists within the Park, to objectionable odors from diesel exhaust. However, treatment activities would not take place near the same people for an extended period of time. The potential to expose people to objectionable odors from diesel exhaust was examined in the PEIR (CalVTP Final PEIR Section 3.4.3, pages 37-38). This impact is within the scope of the PEIR because the exposure potential and the proposed activities, as well as the associated equipment and duration of use, are consistent with those analyzed in the PEIR. SPRs are HAZ-1, which requires that all diesel and gasoline-powered equipment be properly maintained to comply with all state and federal emissions requirements, and NOI-4, and NOI-5, which require vegetation treatment activities and staging areas be located as far as possible from human receptors and restricts equipment idling time, are applicable to the treatments. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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Impact AQ-6

Prescribed burning, including pile burning and use of an air curtain burner or carbonator, during initial and maintenance treatments could expose people to objectionable odors. The potential to expose people to objectionable odors from prescribed burning was examined in the PEIR (CalVTP Final PEIR Section 3.4.3, page 38). The duration and parameters of the prescribed burn and the exposure potential are consistent with the activities addressed in the PEIR. Therefore, the resultant potential for exposure to objectionable odors from smoke is also within the scope of impacts covered in the PEIR.

SPRs that are applicable to this treatment project are AD-4, AQ-2, AQ-3, and AQ-6. The use of an air curtain burner or carbonator for biomass processing would have much lower smoke emissions due to the increased combustion efficiency (Ascent, 2022). Impacts of emissions of smoke from the use of the air curtain burner would likely be less than significant, but would fall within the analysis of the PEIR, which identified the impacts of prescribed burning (including pile burning) as significant and unavoidable. All feasible measures to prevent and minimize smoke odors, as well as exposure to smoke odors, are included in SPRs. No mitigation measures are feasible, and this impact would remain significant and unavoidable, as explained in the PEIR.

New Air Quality Impacts

The proposed treatments are consistent with the treatment types and activities covered in the CalVTP PEIR. Emissions associated with an air curtain burner are the same type as those associated with pile burning; however, criteria air pollutant emissions are lower due to the high combustion efficiency. Including land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. The site-specific characteristics of the proposed treatments are consistent with the applicable regulatory and environmental conditions presented in Section 3.4.1, "Regulatory Setting," and Section 3.4.2, "Environmental Setting," of the CalVTP Final PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to air quality that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape. Therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impact. Therefore, no new impact related to air quality would occur.

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PD-3.6: ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact CUL-1: Cause a Substantial Adverse Change in the Significance of Built Historical Resources	LTS	Impact CUL-1, pp. 3.5-14 – 3.5-15	Yes	CUL-1 CUL-3 CUL-4 CUL-8	N/A	LTS	No	Yes
Impact CUL-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Subsurface Historical Resources	SU	Impact CUL-2, pp. 3.5-15 – 3.5-16	Yes	CUL-1 to CUL-4 CUL-8	CUL-2	LTSM	No	Yes
Impact CUL-3: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource	LTS	Impact CUL-3, p. 3.5-17	Yes	CUL-2 CUL-6 CUL-8	N/A	LTS	No	Yes
Impact CUL-4: Disturb Human Remains	LTS	Impact CUL-4, p. 3.5-18	Yes	N/A	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Archaeological, Historical, and Tribal Cultural Resource Impacts: Would the treatment result in other impacts to archaeological, historical, and tribal cultural resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

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Discussion

Pursuant to SPR CUL-1, MPRPD contracted with Albion Environmental, Inc. (Albion; as a subconsultant to Denise Duffy & Associates, Inc. [DD&A]) to prepare a Phase I Cultural Resource Inventory for the Project. A records search from the California Historical Resources Information System's Northwest Information Center (NWIC) for a 1/4-mile radius of the project site, including areas within and outside of the treatable landscape, was provided to Albion on May 18, 2023 (NWIC File No. 22-1724). In addition to official maps and records, the following sources of information were consulted as part of the records search:

- National Register of Historic Places
- California Register of Historical Resources—Determined Eligible Properties
- California State Historic Property Data Files

- California Points of Historical Interest
- California Historical Landmarks
- Caltrans State and Local Bridge Survey
- Office of Historic Preservation Archaeological Determinations of Eligibility
- Special Research Collections at the UCSB Library (Aerial Images and Historic Maps)

On June 1, 2023, Albion archaeologists also conducted an intensive surface survey of the project site. The surveyed area consisted of the three treatment areas, the adjacent hiking trail (i.e., Rancho Loop Trail), and the entirety of open space inside the hiking trail (i.e., the annual grassland area proposed for stockpile of removed material and pile burning), as it was the best available view of unobstructed ground surface.

The NWIC records search identified no cultural resources within the boundary of the project site, and identified two previously recorded cultural resources within a 1/4-mile radius of the project site. Albion's background research did not identify any historic-era buildings or other built environment resources within the project area and no cultural materials were located during the pedestrian survey. In addition, results of a search of Native American Heritage Commission's (NAHC's) sacred lands were received on August 2, 2023, conducted pursuant to CalVTP SPR CUL-2, which returned negative results.

Also pursuant to CalVTP SPR CUL-2, an updated Native American contact list was received from the NAHC on August 2, 2023. On July 7, 2023 and August 14, 2023, letters inviting geographically affiliated tribes to consult were mailed by the Monterey County Resource Conservation District (RCD; in coordination with MPRPD) to the 17 tribal representatives indicated by NAHC and one tribal representative not indicated by the NAHC. Tribal contacts included:

- Ed Ketchum and Valentin Lopez of the Amah Mutsun Tribal Band;
- Irene Zwierlein of the Amah Mutsun Tribal Band of Mission San Juan Bautista;
- Jana Nason, Lorraine Escobar, Susan Morley, Tom Little Bear Nason, and Cari Herthel of the Esselen Tribe of Monterey County,
- Carla Marie Munoz and Tony Cerda of the Costanoan Rumsen Carmel Tribe;
- Ann Marie Sayers and Kanyon Sayers-Roods of the Indian Canyon Band of Costanoan Ohlone People;
- Lydia Bojorquez and Isaac Bojorquez of the KaKoon Ta Ruk Band of Ohlone-Coastanoan Indians of the Big Sur Rancheria;
- Louise Miranda-Ramirez and Christanne Najera of the Ohlone/Coastanoan-Esselen Nation;
- Dee Dee Ybarra of the Rumsen Am:a Tur:ataj Ohlone; and
- Kenneth Woodrow of the Wuksachi Indian Tribe/Eshom Valley Band.

A response was received from the Indian Canyon Band of Costanoan Ohlone People on July 21, 2023 and MPRPD and the Monterey County RCD met with tribal representatives on August 10, 2023. A response was received from the Costanoan Rumsen Carmel Tribe on July 10, 2023 and MPRPD and the Monterey County RCD met with tribal representatives on August 15, 2023. A response was received from the Esselen Tribe of Monterey County on August 14, 2023.

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Impact CUL-1

Vegetation treatment activities include manual, mechanical, and prescribed burn treatments, which could damage historical resources if present within a treatment area. The potential for these treatments to cause a substantial adverse change in significance to built historical resources was analyzed in the PEIR (CalVTP Final PEIR Section 3.5.3, pages 14-15). According to the NWIC records search and Albion's background research and pedestrian survey, conducted in accordance with SPRs CUL-1, CUL-3, and CUL-4, no built historical resources are present within or immediately adjacent to the project site. All crew members and contractors will be trained on the protection of

sensitive archaeological, historical, or tribal cultural resources and avoidance measures for any archaeological resources encountered or discovered during treatment in accordance with SPR CUL-8. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact CUL-2

Vegetation treatments would include mechanical treatments using heavy equipment that could disturb the ground surface during treatment as vegetation is removed; this may result in damage to unknown archaeological resources. According to the NWIC records search and Albion's background research and pedestrian survey, conducted in accordance with SPRs CUL-1, CUL-3, and CUL-4, no historical resources or cultural materials are known within the project site. The potential for treatment activities to result in inadvertent discovery and subsequent damage of unique archaeological resources or subsurface historical resources was examined in the PEIR (CalVTP Final PEIR Section 3.5.3, pages 15-16). This impact was identified as significant and unavoidable in the PEIR because of the large geographic extent of the treatable landscape and the possibility that there could be some rare instances where inadvertent damage of unknown resources may be extensive. However, for the proposed project, SPRs and Mitigation Measure CUL-2 would require every reasonable effort to identify and protect resources. Therefore, this impact would be less than significant. This impact is within the scope of the PEIR because the intensity of ground disturbance of the treatment project is consistent with that analyzed in the PEIR. SPRs applicable to this treatment include SPRs CUL-1 through CUL-4. SPRs CUL-5 and 7 are not applicable because no built historic or archeological resources are known within the project site based on the project-specific cultural analysis prepared by Albion. Mitigation Measure CUL-2 will also be implemented to further minimize impacts on unknown unique archaeological or subsurface historical resources by ceasing all activities within 100 feet of the discovered resource(s) until a qualified archaeologist is contacted and determines the significance of the find. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact CUL-3

Vegetation treatment activities include manual, mechanical, and prescribed burn treatments, which could damage tribal cultural resources if present within a treatment area. As summarized above, geographically affiliated Native American tribes were notified of the project on July 7, 2023 and August 14, 2023 in accordance with SPR CUL-2. Responses were received from the Costanoan Rumsen Carmel Tribe, the Indian Canyon Band of Costanoan Ohlone People, and the Esselen Tribe of Monterey County. The potential for treatment activities to cause a substantial adverse change in the significance of a tribal cultural resource was examined in the PEIR (CalVTP Final PEIR Section 3.5.3, page 17). As explained in the PEIR, while tribal cultural resources may be identified within the treatable landscape during development of later treatment projects, implementation of SPRs would avoid any substantial adverse change to any tribal cultural resource. Specifically, SPR-6 requires that the project proponent, in consultation with the culturally affiliated tribe(s), develop effective protection measures for important tribal cultural resources located within treatment areas. Accordingly, the Tribe's recommendations have been integrated into SPR CUL-6, SPR CUL-8, and Mitigation Measure CUL-2. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact CUL-4

Vegetation treatments would include mechanical treatments using heavy equipment that could disturb the ground surface during treatment as vegetation is removed; this could uncover human remains if present within the treatment area. The potential for treatment activities to uncover human remains was examined in the PEIR (CalVTP Final PEIR Section 3.5.3, page 18). The potential for human remains to be uncovered during the implementation of the treatment project is within the scope of the activities and impacts addressed in the PEIR because the treatment activities and the level of ground disturbance are consistent with those analyzed in the PEIR. As stated in the PEIR, this project would comply with the California Health and Safety Code Sections 7050.5 and 7052 and PRC Section 5097in the event of a discovery. No SPRs are applicable to this impact. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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New Archaeological, Historical, and Tribal Cultural Resource Impacts

The proposed treatment is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.5.1, "Environmental Setting," and Section 3.5.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a changed circumstance to the geographic extent presented in the PEIR. However, within the boundary of the treatment area, the existing environmental and regulatory conditions pertinent to archaeological, historical, or tribal cultural resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to archaeological, historical, or tribal cultural resources or human remains would occur.

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PD-3.7: BIOLOGICAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact BIO-1: Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications	LTS	Impact BIO-1, pp 3.6-131–3.6.138	Yes	AQ-4 BIO-1 BIO-7 BIO-6 BIO-9 HAZ-1	None	LTS	No	Yes
Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications	LTS (all wildlife species except bumble bees) S&U (bumble bees)	Impact BIO-2, pp 3.6-138–3.6-184	Yes	AD-2 AD-5 BIO-1 BIO-2 BIO-4 BIO-6 BIO-9 to BIO-11 GEO-1 GEO-6 HAZ-5 HAZ-6 HYD-1 HYD-3 to HYD-5	BIO-2a BIO-2b BIO-2c BIO-2g	LTS (all wildlife species except bumble bees) S&U (bumble bees)	No	Yes
Impact BIO-3: Substantially Affect Riparian Habitat or Other Sensitive Natural Community Through Direct Loss or Degradation that Leads to Loss of Habitat Function	LTS	Impact BIO-3, pp 3.6-186–3.6-191	Yes	AD-2 BIO-1 to BIO-4 BIO-6 BIO-9 BIO-11 GEO-1 to GEO-4 GEO-6 HAZ-5 HAZ-6 HYD-1 HYD-3 to HYD-5	BIO-4	LTS	No	Yes

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Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact BIO-4: Substantially Affect State or Federally Protected Wetlands	LTS	Impact BIO-4, pp 3.6-191–3.6-192	Yes	AD-2 BIO-1 BIO-2 BIO-6 BIO-9 GEO-1 to GEO-4 GEO-6 HAZ-5 HAZ-6 HYD-1 HYD-3 to HYD-5	None	LTS	No	Yes
Impact BIO-5: Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries	LTS	Impact BIO-5, pp 3.6-192–3.6-196	Yes	AD-2 BIO-1 to BIO-4 BIO-6 BIO-9 BIO-11 BIO-12 GEO-1 to GEO-4 GEO-6 HAZ-5 HAZ-6 HYD-1 to HYD-5	None	LTS	No	Yes
Impact BIO-6: Substantially Reduce Habitat or Abundance of Common Wildlife	LTS	Impact BIO-6, pp 3.6-197–3.6-198	Yes	BIO-1 to BIO-4 BIO-6 BIO-9 BIO-11 BIO-12 GEO-1 GEO-3 GEO-4 HAZ-5 HAZ-6 HYD-1 HYD-3 to HYD-5	None	LTS	No	Yes
Impact BIO-7: Conflict with Local Policies or Ordinances Protecting Biological Resources	No Impact	Impact BIO-7, pp 3.6-198–3.6-199	Yes	AD-3	N/A	No Impact	No	Yes

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Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact BIO-8: Conflict with the Provisions of an Adopted Natural Community Conservation Plan, Habitat Conservation Plan, or Other Approved Habitat Plan	No Impact	Impact BIO-8, pp 3.6-199–3.6-200	No	N/A	N/A	N/A	N/A	N/A

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Biological Resources Impacts: Would the treatment result in other impacts to biological resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

The project is located in the Central California Coast Ecoregion, as shown on Figure 3.6-1 of the CalVTP PEIR (Section 3.6.1, page 2). Pursuant to SPR BIO-1 and SPR BIO-3, MPRPD contracted with DD&A to conduct a review of project-specific biological resources and a reconnaissance-level survey of the treatment areas to identify and document sensitive biological resources, including common habitat and vegetation types, presence of and/or habitat for special-status plants and wildlife, and sensitive habitats (i.e., sensitive natural communities, wetlands). Habitat and vegetation types in the treatment areas were identified in the field during the reconnaissance-level survey, conducted on June 5, 2023, and included the three treatment areas (12.2 acres) as well as the adjacent area where stockpile of removed material and pile burning would be conducted (21.0 acres). Pursuant to SPR BIO-3, survey methods followed CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW, 2018) and sensitive habitat was mapped using a Global Positioning System (GPS).

The treatment areas are comprised of Eucalyptus groves (6.9 acres) and riparian forest (5.3 acres), while the adjacent area that will be used for stockpile and pile burning is annual grassland (21.0 acres) (Figure 4). A complete description of these habitat types is provided in the Garland Ranch Regional Park Fuel Management Project Biological Resources Report (DD&A, 2023; Attachment B). Vegetation types identified in *A Manual of California Vegetation* (Sawyer et al., 2009) were utilized to determine if vegetation types identified as sensitive on CDFW's *California Natural Communities List* (CDFW, 2023a) are present within the project site; the black cottonwood and arroyo willow floristic alliance occurring within riparian areas is identified as sensitive. In addition, riparian areas are subject to the jurisdiction of CDFW under Section 1602 of the Fish and Game Code. The project was designed to avoid jurisdictional wetlands and/or waters of the U.S. and state; however, the Carmel River is located immediately adjacent to the Main Stand (Figure 5).

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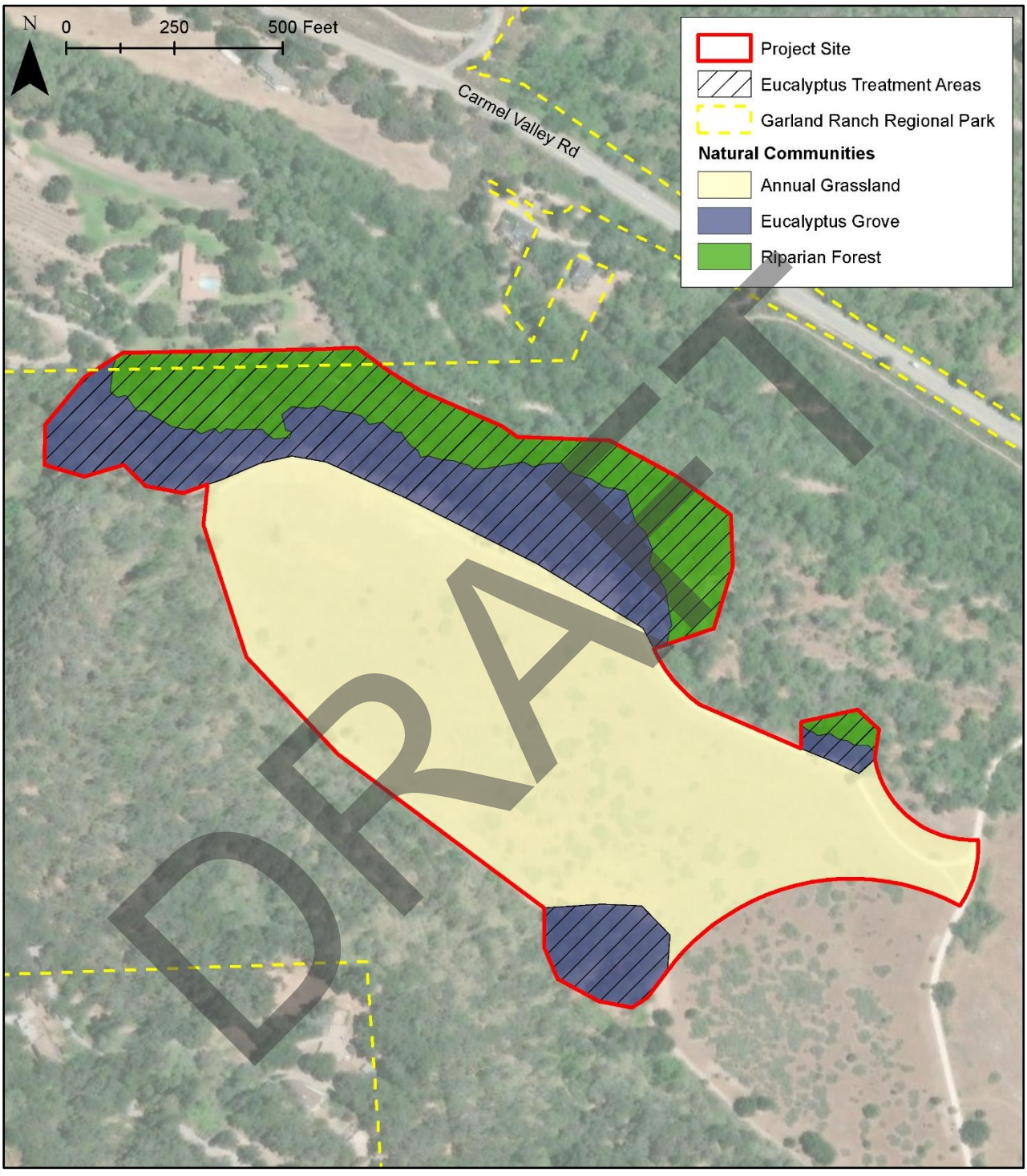


Figure 4 Natural Communities Map

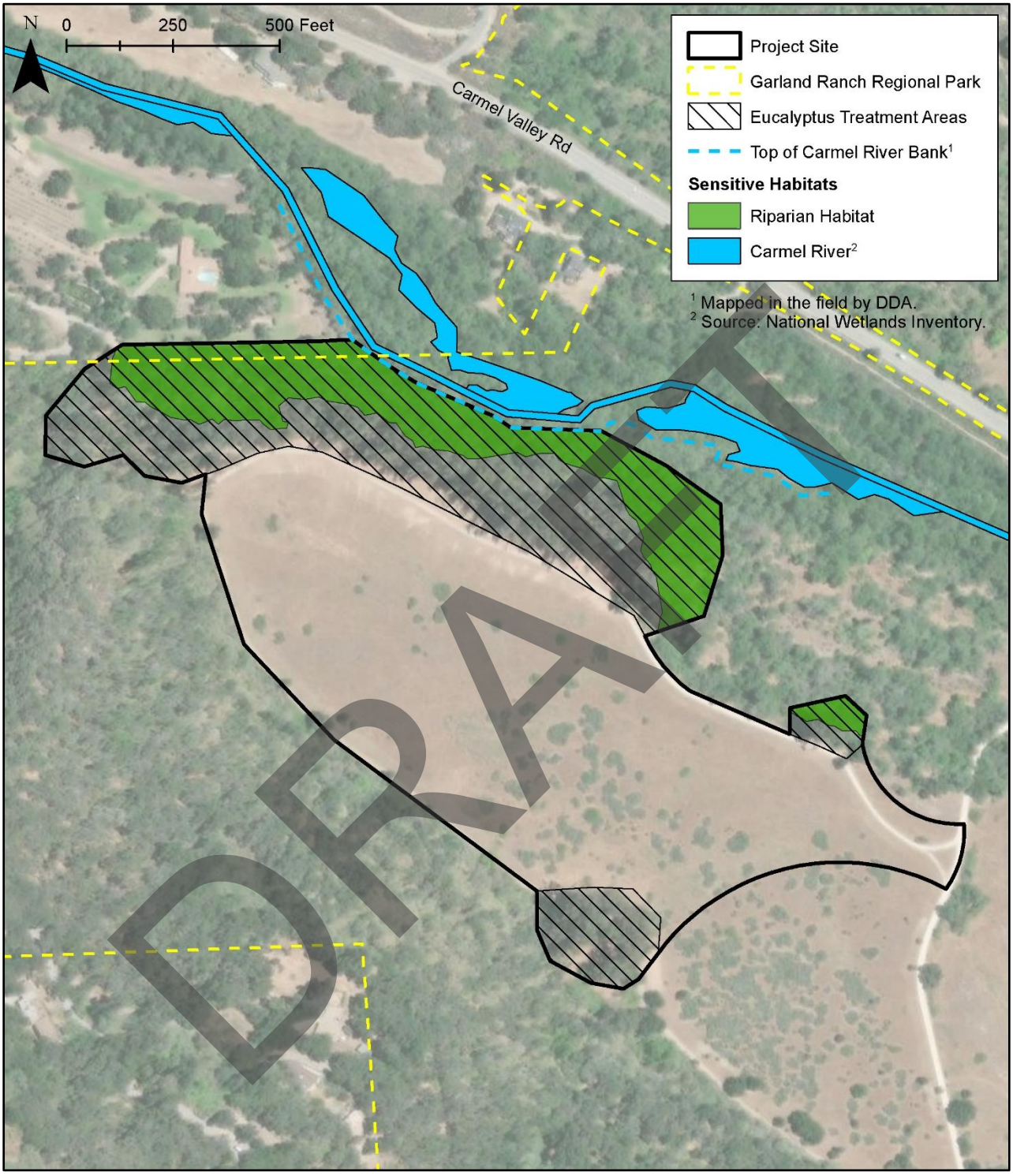


Figure 5 Sensitive Habitats Map

Table 3.7-1, below, includes a list of special-status plant and wildlife species with potential to occur within the treatment area. It was compiled by conducting a search of the California Natural Diversity Database (CNDDB) occurrences for the Seaside quadrangle and the seven surrounding U.S. Geological Survey quadrangles (CDFW, 2023b), the U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation website (USFWS, 2023), and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS, 2023), and by reviewing Appendix BIO-3 Tables 1a, 1b, and 19 in the PEIR for special-status plants and wildlife that could occur in the Central California Coast Ecoregion.

Based on implementation of SPR BIO-1, including review of occurrence data, species ranges, habitat requirements for each species, and habitat present within the treatment areas as assessed during reconnaissance surveys, a complete list of all species with potential to occur in the vicinity of the project was assembled (Attachment B). Nine of the special-status wildlife species from the complete list of species were determined to have a moderate or high potential to occur within the treatment area or adjacent grassland (where stockpile of removed material and pile burning would be conducted) based on the presence of suitable habitat and/or known occurrence in the vicinity (Table 3.7-1). One special-status fish species (south-central California coast steelhead [*Oncorhynchus mykiss irideus*]) is also known to occur in the Carmel River, located outside of, but immediately adjacent to the treatment area. In addition, raptors and other avian species protected under Fish and Game code may nest in trees and shrubs within the treatment areas.

DD&A conducted protocol-level surveys for special-status plants on June 5, 2023, with a focus on the four special-status plants that could occur within the treatment area based on the presence of suitable habitat (DD&A, 2023). Pursuant to SPR BIO-7, surveys followed CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW, 2018), as well as USFWS's *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (USFWS, 2000) and CNPS's *Botanical Survey Guidelines* (CNPS, 2001). No special-status plants were observed during protocol-level surveys. Three of the special-status plant species with the potential to occur bloom during June and were determined to be not present during the protocol-level survey. One of the special-status plant species identified as having potential to occur in the treatment area (Santa Cruz microseris [*Stebbinsoseris decipiens*]) is not known to bloom in June (blooms April-May); however, climatic conditions in 2023 extended the blooming period for many local species, and it is very likely this species would have been observed during the survey conducted in early June of 2023 if present. Therefore, Santa Cruz microseris has a low potential to occur. All other special-status plant species were determined to be not present or unlikely to occur based on the reasons presented in Attachment B and are not discussed further in Table 3.7-1.

Table 3.7-1 Special-Status Wildlife Species That May Occur in or Immediately Adjacent to the Project Site

Species	Status (USFWS/ CDFW/ CNPS)	General Habitat	Potential Occurrence in Project Site
MAMMALS			
Corynorhinus townsendii Townsend's big-eared bat	-- / CSC / --	Found primarily in rural settings from inland deserts to coastal redwoods, oak woodland of the inner Coast Ranges and Sierra foothills, and low to mid-elevation mixed coniferous-deciduous forests. Typically roost during the day in limestone caves, lava tubes, and mines, but can roost in buildings that offer suitable conditions. Night roosts are in more open settings and include bridges, rock crevices, and trees.	Moderate Suitable foraging and night roost habitat are present in the project site. No day or maternity roosting habitat present within the project site. The CNDDB reports one occurrence of this species within the quadrangles reviewed, located approximately nine miles west of the project site.

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Species	Status (USFWS/ CDFW/ CNPS)	General Habitat	Potential Occurrence in Project Site
Neotoma macrotis luciana Monterey dusky-footed woodrat	-- / CSC / --	Forest and oak woodland habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	Moderate Suitable habitat is present within the project site. The CNDDB reports one occurrence of this species within the quadrangles reviewed, located approximately ten miles northeast of the project site. No woodrat nests were observed within the project site; however, this species is known to occur throughout the region.
Taxidea taxus American badger	-- / CSC / --	Dry, open grasslands, fields, pastures savannas, and mountain meadows near timberline are preferred. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds.	Moderate Suitable habitat is present within the project site. No burrows of sufficient den size were observed during the June 2023 survey. The CNDDB reports nine occurrences of this species within the quadrangles reviewed, the nearest located approximately 4.8 miles north of the project site. This species has also been observed along Carmel Valley Road approximately nine miles east of the project site.
REPTILES AND AMPHIBIANS			
Anniella pulchra Northern California legless lizard	-- / CSC / --	Requires moist, warm habitats with loose soil for burrowing and prostrate plant cover, often forages in leaf litter at plant bases; may be found on beaches, sandy washes, and in woodland, chaparral, and riparian areas.	Moderate Suitable habitat is present within the project site. The CNDDB reports 47 occurrences of this species within the quadrangles reviewed, the nearest located 0.3 mile west of the project site and this species is known to occur within riparian habitat along the Carmel River.
Emys marmorata Western pond turtle	-- / CSC / --	Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks.	Moderate Suitable upland habitat is present within the project site. The CNDDB reports 13 occurrences of this species within the quadrangles reviewed, including a 2002 non-specific occurrence mapped to the Carmel River which overlaps a portion of the project site. In addition, MPRPD has observed western pond turtles in the treatment area.
Rana draytonii California red-legged frog	FT / CSC / --	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	High Suitable upland habitat is present within the project site. Suitable breeding habitat is present adjacent to the project site within the Carmel River. The CNDDB reports 57 occurrences of this species within the quadrangles reviewed, many mapped to the Carmel River and one which overlaps a portion of the project site.

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Species	Status (USFWS/ CDFW/ CNPS)	General Habitat	Potential Occurrence in Project Site
Taricha torosa Coast Range newt (Monterey County south only)	-- / CSC / --	Occurs mainly in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral but is known to occur in grasslands and mixed conifer types. Seek cover under rocks and logs, in mammal burrows, rock fissures, or man-made structures such as wells. Breed in intermittent ponds, streams, lakes, and reservoirs.	Moderate Suitable upland habitat is present within the project site. The nearest CNDDB occurrence is located approximately 5.5 miles west of the project site.
FISH			
Oncorhynchus mykiss irideus Steelhead (south-central California coast DPS)	FT / -- / --	Cold headwaters, creeks, and small to large rivers and lakes; anadromous in coastal streams.	Present Adjacent No suitable habitat is present within the project site. However, this species is known to occur within the segment of the Carmel River located directly adjacent to the project site.
INVERTEBRATES			
Bombus crotchii Crotch bumble bee	-- / SC / --	Occurs in open grassland and scrub at relatively warm and dry sites. Requires plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, which is from early February to late October. Generally nests underground, often in abandoned mammal burrows. Within California this species is known to occur in the Mediterranean, Pacific Coast, Western Desert, as well as Great Valley and adjacent foothill regions.	Moderate Suitable habitat is present within the project site. The CNDDB does not report any occurrences of this species within the quadrangles reviewed; however, this species has been observed at the Hastings Reserve, located approximately 14 miles from the project site. Mammal burrows and a variety of flowering annual plants were observed within grassland areas during the June 2023 survey.
Bombus occidentalis Western bumble bee	-- / SC / --	Found in a range of habitats, including mixed woodlands, farmlands, urban parks and gardens, montane meadows, and prairie grasslands. Requires plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, which is from early February to late November. Generally nests underground, often in abandoned mammal burrows.	Moderate Suitable habitat is present within the project site. The CNDDB reports six occurrences of this species within the quadrangles reviewed, the nearest located approximately seven miles northwest of the project site. Mammal burrows and a variety of flowering annual plants were observed within grassland areas during the June 2023 survey.
Note: FT = listed as Threatened under the federal Endangered Species Act; SC = Candidate for listing under California Endangered Species Act; CSC = CDFW Species of Concern			

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Impact BIO-1

As identified above, MPRPD contracted with DD&A to conduct a review of project-specific biological resources and a reconnaissance-level survey of the project site to identify and document sensitive biological resources pursuant to SPR BIO-1, and to conduct protocol-level surveys for special-status plants pursuant to SPR BIO-7. The survey was conducted on June 5, 2023 and focused on the four special-status plants that could occur within the treatment area based on the presence of suitable habitat (Attachment B; DD&A, 2023). No special-status plants were observed during protocol-level surveys. Three of the special-status plant species with the potential to occur bloom during June and were determined to be not present during the protocol-level survey. One of the special-status plant species identified as having potential to occur in the treatment area (Santa Cruz microseris) is not known to bloom in June

(blooms April-May); however, climatic conditions in 2023 extended the blooming period for many local species, and it is very likely this species would have been observed during the survey conducted in early June of 2023 if present. Therefore, Santa Cruz microseris has a low potential to occur. All other special-status plant species were determined to be not present based on the results of the protocol-level survey or unlikely to occur due to lack of suitable habitat.

Several additional SPRs would reduce potential indirect impacts to special-status plants that may occur outside of the project site. SPR BIO-6 would prevent the spread of plant pathogens in areas with sensitive biological resources, while SPR BIO-9 would prescribe measures to prevent the spread of invasive plants. SPR AQ-4 includes dust control measures such as speed limits and use of water trucks if road use creates excessive dust. Additionally, SPR HAZ-1 would require regular maintenance of equipment, which would reduce the potential fuel leaks and other spills from equipment. With implementation of the SPRs described above, impacts to special-status plants from the treatment project would be less than significant. No mitigation measures are applicable to this impact. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-2

As identified above, MPRPD contracted with DD&A to conduct a review of project-specific biological resources and a reconnaissance-level survey of the treatment areas to identify and document sensitive biological resources pursuant to SPR BIO-1. Nine of the special-status wildlife species from the complete list of species were determined to have a moderate or high potential to occur within the treatment area or adjacent grassland (where stockpile of removed material and pile burning would be conducted) based on the presence of suitable habitat and/or known occurrence in the vicinity (Table 3.7-1). In addition, one fish species (south-central California coast steelhead) is known to occur in the Carmel River, located outside of, but immediately adjacent to the treatment area. Initial and maintenance treatments could result in direct or indirect adverse effects on special-status wildlife species, as detailed below. The CalVTP PEIR groups species into life history categories that would respond similarly to the range of proposed treatment activities, which allows for the discussion of specific species added to special-status species lists subsequent to the release of the Final PEIR. The discussion of special-status species that may occur within the project site is categorized in the same manner as the PEIR.

GROUND-NESTING WILDLIFE

MONTEREY DUSKY-FOOTED WOODRAT

Suitable habitat for Monterey dusky-footed woodrat (MDFW) is present within the project site in the Eucalyptus grove and riparian habitats. The CNDDB reports only one occurrence of MDFW within the quadrangles reviewed, located approximately ten miles northeast of the project site; however, this species is known to occur throughout the region. Nests of this species were not observed within the project site during the June 2023 biological survey however, this species may move into the site prior to treatment activities. Therefore, MDFW has a moderate potential to occur within the project site.

Mechanical treatment activities would include cutting and masticating existing vegetation and manual treatment activities would include the use of hand tools (e.g., loppers) and hand-operated power tools (e.g., chainsaws) to prune, thin, or remove vegetation. Prescribed herbivory would include the use of domestic livestock (e.g., cows, goats, sheep) to reduce the target plant population and understory biomass. If mechanical, manual, and/or prescribed herbivory treatments occur during the breeding season, ground nests could be accidentally crushed by equipment or foot traffic from crews, by livestock, or otherwise damaged. This could result in the direct mortality of adults or young, if present. Additionally, MDFW could be alarmed by the presence of heavy equipment, personnel, and/or livestock which could result in nest abandonment, and potential mortality of young. In addition to breeding-season impacts, MDFW use their middens year-round; thus, potential adverse effects on this species as a result of mechanical, manual, and prescribed herbivory treatment activities would not be limited to the breeding season. The potential for treatment activities to result in adverse effects on special-status ground-nesting wildlife, including MDFW, was examined in the CalVTP PEIR (Section 3.6.3, pages 164-171).

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SPR BIO-10 would be implemented, which requires focused surveys for MDFW nests within suitable habitats in treatment areas to be conducted by a qualified biologist within 14 days prior to implementation of all mechanical and manual treatments to determine whether MDFW nests are present or not. If an active nest is identified by a qualified biologist, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, a no-disturbance buffer would be established around woodrat nests to the extent feasible to complete the work. If avoidance is not feasible, woodrat nests that cannot be avoided during treatments would be dismantled by a qualified biologist. If a litter of young is found or suspected, nest material would be replaced and the nest monitored by the qualified biologist until the young are capable of independent survival before proceeding with nest dismantling. In addition, the boundaries of the treatment areas would be flagged or fenced to avoid impacts to woodrat nests located outside of the treatment areas and treatment activities would be monitored by a qualified biologist and an individual of the crew designated to act as an on-site monitor. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-6, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

BURROWING OR DENNING WILDLIFE

AMERICAN BADGER

Suitable habitat for American badger is present within grassland areas of the project site where stockpile of removed material and pile burning would be conducted. The CNDDB reports nine occurrences of American badger within the quadrangles reviewed, the nearest located approximately 4.8 miles north of the project site on the former Fort Ord. This species has also been observed along Carmel Valley Road approximately nine miles east of the project site. No suitable badger burrows were observed within the site during the June 2023 biological survey; however, badgers may move into the area prior to treatment activities. Therefore, American badger has a moderate potential to occur within the project site.

Treatment activities will not include ground-disturbing activities (e.g., grading or excavating) and the project would not result in permanent loss of habitat for American badger (i.e., habitat function would be maintained). However, treatment activities such as stockpile of removed vegetation in the grassland area and burning of biomass via pile burning or use of an air curtain burner or carbonator could result in injury, den abandonment, and/or mortality of individuals, if individuals are present within or directly adjacent to the project site during treatment activities. The potential for treatment activities to result in adverse effects on special-status burrowing and denning wildlife, including American badger, was examined in the CalVTP PEIR (Section 3.6.3, pages 161-164).

SPR BIO-10 would be implemented, which requires focused surveys for American badger dens within suitable habitats in treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 14 days prior to implementation of all mechanical and manual treatments to determine whether American badger dens are present or not. If American badger dens are detected during focused surveys, then additional surveys would be required to determine if the den is active or not. If an active den is identified by a qualified biologist, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, a no-disturbance buffer would be established around the den to the extent feasible to complete the work. If avoidance is not feasible, American badger dens that cannot be avoided during treatments a qualified biologist would block the den entrance with soil, sticks, and debris to an incrementally greater degree over a three- to five-day period to discourage the use of the den. After the qualified biologist determines that badgers have stopped using active dens within the treatment area, the dens would be hand-excavated with a shovel to prevent re-use during treatment activities. In addition, prescribed burning would be implemented outside of the sensitive period of the species' life history (e.g., outside the breeding season), the boundaries of the treatment areas would be flagged or fenced to avoid impacts to American badger dens located outside of the treatment areas, and treatment activities would be monitored by a qualified biologist and an individual of the crew designated to act as an on-site monitor. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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INSECTS AND OTHER TERRESTRIAL INVERTEBRATES

CROTCH BUMBLE BEE AND WESTERN BUMBLE BEE

The CNDDB reports six occurrences of western bumble bee (WBB) within the quadrangles reviewed, the nearest located approximately seven miles northwest of the project site. Leif Richardson of the Xerces Society for Invertebrate Conservation identifies that WBB formerly ranged along the coast as far south as Monterey County; however, the last recorded observation was made in 1983 (pers. comm. 2023). The CNDDB does not report any occurrences of crotch bumble bee (CBB) within the quadrangles reviewed; however, this species was observed in 2022 at the Hastings Reserve (located approximately 14 miles from the project site) and near the Monterey County-San Luis Obispo County line in the Santa Lucia Mountain Range (pers. comm. Leif Richardson of the Xerces Society for Invertebrate Conservation, 2023). Suitable habitat for the CBB and WBB is present within the project site in annual grassland areas where stockpile of biomass and pile burning would occur. Mammal burrows and a variety of flowering annual plants which could provide nectar for these species, including bicolor lupine, rose clover, purple clarkia, and vetch, were observed within grassland habitat during the June 2023 biological survey. The abundance of coyote brush, which flowers from August to November, suggests that sufficient nectar and pollen for the entire flight season of a CBB and WBB colony if present within the project site. Therefore, the CBB and WBB have a moderate potential to occur within the project site.

No grading or development is proposed within annual grassland habitat. Therefore, no permanent impacts to potential CBB and/or WBB nesting and foraging habitat would occur and habitat function for these species would be maintained. However, temporary impacts would occur as this area would be used for stockpiling of vegetation removed from the treatment areas and pile burning, including removing vegetation within a buffer surrounding the pile burn for safety purposes. If present within the site, project activities could result in mortality of CBB and/or WBB individuals or impacts to nests or overwintering colonies. This would be considered take of a candidate species for listing under CESA and a significant impact under CEQA. The potential for treatment activities to result in adverse effects on special-status insects, including CBB and WBB, was examined in the CalVTP PEIR (Section 3.6.3, pages 164-171).

Pursuant to its objectives, implementation of the CalVTP is intended to reduce the occurrence of high-intensity wildfire, which could beneficially decrease an existing threat to special-status bumble bees. SPR BIO-10 would be implemented, which requires focused surveys for special-status bumble bees within suitable grassland habitat areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist in accordance with CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (2023c) or the most current CDFW protocol. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-9, GEO-6, HAZ-5, HAZ-6, and HYD-5.

Although the SPRs will avoid or reduce impacts to CBB and WBB and their habitat, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2g would be implemented, which would restrict prescribed burning within occupied or suitable habitat during the flight season and require consultation with CDFW. If consultation determines that mortality, injury, or disturbance of these Candidate-listed bumble bees or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c, which requires compensation for impacts. Mitigation Measure BIO-2c identifies that "compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified" in the measure. As such, MPRPD may pursue take authorization from CDFW for CBB and WBB.

The CalVTP PEIR identifies that "although Mitigation Measure BIO-2g would reduce impacts to foraging special-status bumble bees and their floral resources, substantial adverse effects could still occur to special-status bumble bee species during nesting and overwintering, because vegetation treatment activities, such as prescribed burning, soil disturbance, or use of heavy equipment, could kill individuals or crush or disturb overwintering or nesting colonies. Additionally, there is no established methodology for detecting overwintering or nesting colonies of these species. Because these species have not yet been well studied and colonies are likely difficult to detect, there is little evidence

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to guide effective impact avoidance or minimization strategies to protect nesting or overwintering colonies. Mitigation Measure BIO-2g presents feasible impact avoidance and minimization measures that are based on emerging, early understanding of species protection; as their candidacy for listing is reviewed by CDFW, additional guidance may emerge and could be implemented by project proponents to reduce impacts. Project proponents can and should stay abreast of new information, as research and scientific understanding evolve. However, with the current state of the science and species knowledge, if underground colonies cannot be detected, they cannot be avoided and, in this case, the extent and severity of impacts to special-status bumble bees from vegetation treatment cannot be predicted with meaningful certainty. Therefore, given the rarity of these candidate species, if colonies were to be destroyed, it is possible that populations of these species would be reduced below self-sustaining levels, and treatment activities could substantially reduce the number or restrict the range of species. Over time, as avoidance strategies are developed with research and improved scientific understanding, adequate protection of the species may become feasible. However, at this time, recognizing the difficulty in detecting overwintering and nesting bumble bees and determining the occurrence and severity of impacts, for purposes of good faith, full disclosure under CEQA, this impact is designated in the PEIR to be potentially significant and unavoidable." Therefore, for the same reasons described in the PEIR, this impact for the proposed project is potentially significant and unavoidable and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

BATS

TOWNSEND'S BIG-EARED BAT

The CNDDB reports one occurrence of Townsend's big-eared bat within the quadrangles reviewed, located approximately nine miles west of the project site. This species may utilize any of the large trees within the project site for night roosts and may forage within the site; however, no suitable day or maternity roosting habitat is present within the project site. Therefore, Townsend's big-eared bat has a moderate potential to occur within the project site.

The potential for treatment activities to result in adverse effects on special-status bats was examined in the CalVTP PEIR (Section 3.6.3, pages 172-175). Mechanical and manual treatments would remove trees that may be used for night roosts. However, because all vegetation removal will be conducted during daylight hours and no daytime roosting habitat for this species is present within the project site, project activities would not directly impact Townsend's big-eared bat. Although trees that may be used by this species would be removed during treatment activities, the treatments will remove only non-native and invasive tree species and habitat conditions will be improved. Implementation of SPRs BIO-4, BIO-6, BIO-9, HAZ-5, HAZ-6, and HYD-5 would further avoid impacts to habitat for this species. No mitigation measures are necessary. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

FISH AND AQUATIC INVERTEBRATES

SOUTH-CENTRAL CALIFORNIA COAST STEELHEAD

No suitable habitat for the south-central California coast (S-CCC) steelhead is present within the treatment area; however, this species is known to occur within the adjacent Carmel River. The project will not include work within the Carmel River (i.e., no work will occur below top of bank); however, the project may include the removal of riparian understory vegetation and would require the use of heavy equipment in riparian habitat, which could result in hazardous material spills and introduction and spread of non-native, invasive species. The potential for treatment activities to result in adverse effects on fish, including S-CCC steelhead, was examined in the CalVTP PEIR (Section 3.6.3, pages 178-182).

A Watercourse and Lake Protection Zone (WLPZ) of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75%

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surface cover[4] to act as a filter strip for raindrop energy dissipation for wildlife habitat. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5. Habitat function for S-CCC steelhead would be maintained and improved because initial and maintenance treatment activities would not occur within aquatic habitat and would remove non-native, invasive species from the riparian habitat. No mitigation measures are necessary. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

AMPHIBIANS AND REPTILES

NORTHERN CALIFORNIA LEGLESS LIZARD

Suitable habitat and soils for Northern California legless lizard are present throughout the entire project site where appropriate cover conditions occur, particularly in the riparian and eucalyptus habitats; in annual grassland areas, habitat would be limited to areas underneath shrubs. The CNDDB reports 47 occurrences of this species within the quadrangles reviewed, the nearest located 0.3 mile west of the project site. In addition, this species is known to occur within riparian habitat along the Carmel River. Therefore, Northern California legless lizard has a moderate potential to occur within the project site.

The project would not result in permanent loss of habitat for Northern California legless lizard (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. No grading or excavation is proposed as part of the project; however, mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. The potential for treatment activities to result in adverse effects on special-status reptiles, including Northen California legless lizard, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

Focused surveys for this species would not be feasible within the project site as protocols require multiple rounds of raking the soils to find individuals. The amount of eucalyptus duff within the project site precludes use of this protocol. As such, this species is assumed present and Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, MPRPD will require biological monitoring by a qualified biologist during treatment activities, relocation of individuals, flagging of areas for avoidance, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-6, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

WESTERN POND TURTLE

The CNDDB reports 13 occurrences of western pond turtle within the quadrangles reviewed, including a 2002 non-specific occurrence mapped to the Carmel River which overlaps a portion of the project site. As such, this species is known to occur immediately adjacent to the project site. In addition, although this species is not typically found in Eucalyptus groves or areas with dense duff cover; MPRPD indicates that this species has been observed within the eucalyptus grove and riparian areas within the project site. Therefore, the western pond turtle has a moderate potential to occur within the project site, particularly where the site directly abuts the Carmel River. Portions of the annual grassland are also within 100 meters of the Carmel River; however, the annual grasses are likely too tall and dense to provide nesting habitat and western pond turtle presence within these areas is low. Eucalyptus and riparian habitats do not provide suitable nesting habitat for this species.

[4] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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The project would not result in permanent loss of habitat for western pond turtle (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if individuals are present above ground within the treatment areas. However, these treatment activities are unlikely to disturb below ground nests in the unlikely event they are present. The potential for treatment activities to result in adverse effects on special-status reptiles was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[5] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of western pond turtle as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for western pond turtle within treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether western pond turtles are present or not. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to western pond turtles, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b MPRPD will require biological monitoring by a qualified biologist during treatment activities, additional training of a designated member of the treatment crew to act as a biological monitor, relocation of individuals, flagging of areas for avoidance, limiting work within riparian areas to daylight hours, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species. In addition, in the unlikely event that a nest is encountered prior to or during treatment, a no-disturbance buffer (the size of which would be determined by a qualified biologist) would be established within which no treatment activities would occur. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

CALIFORNIA RED-LEGGED FROG

The CNDDB reports 57 occurrences of California red-legged frog (CRLF) within the quadrangles evaluated, many mapped to the Carmel River and one which overlaps a portion of the project site. CRLF may use the Carmel River for breeding and non-breeding aquatic habitat. Radiotelemetry data indicates that adult CRLF engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites (Bulger et al., 2003).Therefore, the entire project site has the potential to be used as dispersal habitat by CRLF. During the non-breeding season, a wider variety of aquatic habitats are used including small pools in coastal streams, springs, water traps, and other ephemeral water bodies (USFWS, 1996). CRLF may also move up to 300 feet from aquatic habitats into surrounding uplands, especially following rains, where individuals may spend days or weeks (Bulger et al., 2003). Therefore, the 5.3 acres of riparian forest may provide suitable upland habitat. Although not a typical habitat for this species, the Eucalyptus groves in the Main Stand and Northeast Stand may also provide marginal upland habitat for this species. Therefore, CRLF has a high potential to occur within the project site, particularly where the site directly abuts the Carmel River.

Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. Additionally, due to the proximity of the Main Stand and Northeast Stand to the Carmel River and because this species could be present throughout the treatment areas while dispersing, there is no feasible way to avoid all potentially suitable habitat for these species. The potential for treatment activities to result in

[5] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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adverse effects on special-status amphibians, including CRLF, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[6] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of CRLF as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for CRLF within upland habitats in treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether CRLF are present or not. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to CRLF and their habitat, these measures may not avoid all impacts to the species. As such, pursuant to Mitigation Measure BIO-2a, MPRPD has consulted with Chad Mitcham of the USFWS to confirm that treatment activities will maintain habitat function and that there is no time period within which treatment could occur that would avoid mortality, injury, or disturbance of the species. Project-specific avoidance measures recommended by USFWS have been incorporated into Mitigation Measure BIO-2a and include biological monitoring during treatment activities, placement of flagging or exclusionary fencing to protect habitat areas outside of the treatment area, allowing animals to move outside of project areas on their own volition is present, and limiting work within the riparian areas to daylight hours.

Habitat function for CRLF would be maintained and improved because initial and maintenance treatment activities would not occur within aquatic habitat and would remove non-native and invasive species from the riparian habitat. Additionally, restoring the Carmel River watershed has been identified by USFWS as a recovery action for CRLF (USFWS, 2002). This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

COAST RANGE NEWT

The CNDDB reports three occurrences of the Coast Range newt within the quadrangles reviewed, the nearest located approximately 5.5 miles west of the project site. Suitable breeding habitat for the Coast Range newt is present adjacent to, but not within, the project site in the Carmel River. Suitable upland habitat for this species is present within the project site in riparian habitat and Eucalyptus groves. Therefore, the Coast Range newt has a moderate potential to occur within the project site, particularly where the site directly abuts the Carmel River.

The project would not result in permanent loss of habitat for coast range newt (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. The potential for treatment activities to result in adverse effects on special-status amphibians, including coast range newt, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[7] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of coast range newt as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for coast range newt within suitable habitat areas (including all access routes, parking

[6] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).
[7] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether coast range newts are present or not. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to coast range newt, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b MPRPD will require biological monitoring by a qualified biologist during treatment activities, relocation of individuals, flagging of areas for avoidance, limiting work within riparian areas to daylight hours, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

CONCLUSION

The potential for treatment activities and maintenance treatments to result in adverse effects on special-status wildlife was examined in the PEIR. This impact on special-status wildlife is within the scope of the PEIR because the affected life history categories of special-status wildlife species that would respond similarly to the range of proposed treatment activities were analyzed in the PEIR, and the proposed treatment activities and intensity of disturbance as a result of implementing vegetation treatments are consistent with those analyzed in the PEIR.

Impact BIO-3

As discussed above, a focused survey of vegetation types in the treatment areas as well as the adjacent area where stockpile of removed material and pile burning would be conducted was conducted pursuant to SPR BIO-1 and SPR BIO-3. The survey identified that one vegetation type occurring within the project site is identified as sensitive on CDFW's *California Natural Communities List*; the black cottonwood and arroyo willow floristic alliance occurring within riparian areas (5.3 acres). This vegetation type is also present immediately adjacent to the Main and Northeast Stands. Riparian areas are also subject to the jurisdiction of CDFW under Section 1602 of the Fish and Game Code.

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on sensitive habitats, including designated sensitive natural communities. Potential impacts resulting from maintenance activities would be similar to those resulting from initial vegetation treatments because the same treatment activities are proposed within the riparian areas; however, retreatment at too great a frequency could result in additional adverse effects. Treatment activities in riparian areas have been designed to return vegetation composition and structure to their natural condition to maintain and improve riparian habitat function per SPR BIO-4. The project will remove non-native invasive trees, but does not propose to remove any healthy native riparian trees. Some native riparian understory species may be disturbed or removed during mastication of the duff or removal of ladder fuels or by trampling by equipment or crews; however, native plants would be retained to the extent feasible and roots would not be removed. Riparian understory plants are very resilient and are expected to quickly regrow following treatment activities. Therefore, these actions will not result in loss of habitat function or viability. However, the project would include use of heavy equipment in riparian habitat, which could result in soil compaction, hazardous material spills, and introduction and spread of non-native, invasive species within riparian areas. The potential for treatment activities, including maintenance treatments, to result in adverse effects on sensitive habitats was examined in the CalVTP PEIR (Section 3.6.3, pages 187-191).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[8] to act as a filter strip for raindrop energy dissipation for wildlife habitat. In addition, if prescribed herbivory is used during maintenance

[8] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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treatment, these activities would be excluded from riparian areas and a buffer of 50 feet, pursuant to SPR HYD-3, using wildlife-friendly fencing (as required by SPR BIO-11). Additional SPRs relevant to this impact include AD-2, BIO-2, BIO-6, BIO-9, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-5. No mitigation measures are necessary to further reduce impacts. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-4

As discussed above, vegetation types in the treatment areas were identified in the field during the reconnaissance-level survey (conducted pursuant to SPR BIO-1 and BIO-3) and included the three treatment areas as well as the adjacent area where stockpile of removed material and pile burning would be conducted. No potentially jurisdictional state or federal wetlands were identified within the project site. However, the Carmel River is located immediately adjacent to the Main Stand. The reconnaissance survey did not include areas below the top of bank of the river; however, it is assumed that jurisdictional wetlands are present within the river in the vicinity of the project.

No project activities will occur below the top of bank of the Carmel River and therefore no direct impacts to jurisdictional wetlands would occur. In addition, the project will leave masticated or chipped mulch up to 6 inches deep, which will avoid or reduce potential erosion and sedimentation to the river and associated wetlands. However, the project could still result in indirect impacts to this sensitive resource due to erosion, sedimentation, or introduction of hazardous materials into the Carmel River. The potential for treatment activities, including maintenance treatments, to result in adverse effects on state and federally protected wetlands was examined in the CalVTP PEIR (Section 3.6.3, pages 192-193).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[9] to act as a filter strip for raindrop energy dissipation for wildlife habitat. In addition, if prescribed herbivory is used during maintenance treatment, these activities would be excluded from riparian areas and a buffer of 50 feet, pursuant to SPR HYD-3, using wildlife-friendly fencing (as required by SPR BIO-11). In turn, this would also exclude prescribed herbivory from any wetland areas within the Carmel River by greater than 50 feet. Additional SPRs relevant to this impact include AD-2, BIO-2, BIO-6, BIO-9, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-5. Implementation of Mitigation Measure BIO-4 would further ensure no impacts to state or federal wetlands occur as a result of the project. No mitigation measures are necessary to further reduce impacts. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-5

The literature review and survey of biological resources within the project site, conducted pursuant to SPR BIO-1, identified that the treatment areas contain a modeled essential connectivity area characterized as "more permeable" and therefore likely functions as a wildlife movement corridor and provides connectivity with other natural habitats surrounding the treatment areas (Caltrans and CDFW, 2020). In addition, riparian areas, such as those occurring within the project site along the Carmel River, are known to provide important wildlife corridors. No known wildlife nursery sites or indications of nursery sites were identified within any treatment areas.

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on wildlife movement corridors because suitable habitat is present in treatment areas. However, due to the nature of the proposed treatment activities, implementation of these actions would not result in a substantial change in the existing conditions that facilitate wildlife movement in the project site. Through removal of non-native, invasive plant species, habitat would be improved and the project site would function better for wildlife movement post-treatment. The

[9] HYD-4 allows for a reduced surface cover in non-riparian percentage if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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potential for treatment activities to result in adverse effects on wildlife movement corridors and nurseries was examined in the CalVTP PEIR (Section 3.6.3, pages 193-197).

SPRs that apply to project impacts are SPRs AD-2, BIO-1 through BIO-4, BIO-6, BIO-9, BIO-11, BIO-12, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, and HYD-1 through HYD-5. No mitigation measures are necessary. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-6

Pursuant to its objectives, implementation of the CalVTP is intended to reduce the occurrence of high-intensity wildfire, which could beneficially decrease an existing threat to common wildlife species. In addition, habitat function for common wildlife species would be maintained and improved because initial and maintenance treatment activities would remove non-native, invasive species. However, initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects resulting in reduction of habitat or abundance of common wildlife, including nesting birds, because suitable habitat for these species is present throughout treatment areas. Treatment activities conducted during the nesting bird season (February 1–August 31) could result in direct loss of active nests during tree and understory brush removal, or disturbance to active nests from auditory and visual stimuli (e.g., heavy equipment, chainsaws, vehicles, personnel, livestock), potentially resulting in abandonment and loss of eggs or chicks. The potential for treatment activities to result in adverse effects on common wildlife species, including nesting avian species, was examined in the CalVTP PEIR (Section 3.6.3, pages 197-199).

Per SPR BIO-1 and BIO-12, if it is determined that adverse effects on habitat suitable for nesting birds can be clearly avoided by conducting treatments outside of the season of sensitivity (i.e., nesting season), then further mitigation would not be required. To avoid impacts on raptors and other nesting birds, treatment activities will be implemented outside of the nesting season (February 15–August 31) when feasible. If treatment implementation outside of the nesting season is determined to be infeasible, then protocol-level surveys would be conducted by a qualified biologist no more than 14 days prior to initiation of treatment activities pursuant to SPR BIO-12. If an active nest is identified by a qualified biologist, a no-disturbance buffer would be established around the nest, treatment would be modified to avoid disturbance, treatment would be deferred in portions of the site that could disturb the active nest until the young have fledged or the nest becomes inactive, and/or other strategies to avoid or reduce impacts identified in SPR BIO-12.

SPRs designed to identify special-status species habitat (SPR BIO-1) and sensitive natural communities (SPR BIO-3), retain the habitat function and value of riparian habitat (SPR AD-2, BIO-4, BIO-6, BIO-9, BIO-11, HAZ-5, HAZ-6, HYD-1 and HYD-3 through HYD-5), as well as compliance with protective statutes (e.g., California Fish and Game Code sections 3503 and 3503.5 and the federal MBTA), would reduce the likelihood of impacts to other common species within the project site.

This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-7

The potential for treatment activities to result in conflicts with local policies or ordinances was examined in the CalVTP PEIR (Section 3.6.3, page 199). The only applicable local ordinance relevant to biological resources is the Monterey County Preservation of Oak and Other Protected Trees Ordinance for the Carmel Valley Planning Area (Chapter 16.60). Removal or damage to a protected oak, madrone, or redwood tree as defined in the Code requires a tree removal permit from the County. The removal of more than three protected trees requires the preparation and implementation of a forest management plan.

Based upon the *Save Lafayette Trees v. East Bay Regional Park District (2021) 66 Cal.App.5th 21* case and the analysis therein, the local tree ordinance permitting requirement would not apply on MPRPD land. Public Resources Code Section 5541 allows a district to adopt, operate and maintain a system of public parks. Further Section 5558 provides that "The board shall, in general, do all acts necessary to the property execution of powers and duties granted to, and

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imposed upon, it by this article, and to manage and control the business and affairs of the district." Section 5595 states that the article should be liberally construed to allow the district to carry out its purpose. The Court in this case considered these provisions when looking at whether a local tree ordinance was enforceable within a regional park owned and operated by such a district. The Court determined that the authority given to park districts was not subordinate to local regulatory authority except where the land is owned or controlled by the local regulatory authority, and that the district's park land was not subject to local tree ordinance permitting requirements. The only exception to this would be where the district board agreed to such regulatory authority. The MPRPD Master Plan, dated April 6, 1998 identifies under the Management Plan Policy, Section 7.4, that MPRPD shall obtain all required land use or coastal development permits prior to authorizing public use, dedication, or improvements to any MPRPD lands. However, this project is not an improvement project, but rather maintenance activities and therefore would not fall within this provision. Therefore, the Monterey County Tree ordinance is not applicable to treatment activities conducted on MPRPD property.

However, the Monterey County tree ordinance would apply to treatment activities conducted on private property within the project site (0.5 acre). Several coast live oak trees occur within the project site; however, a tree survey was not conducted to determine if oak trees occur on the private property. In addition, treatment activities are not anticipated to remove oak trees unless they are dead, dying, hazardous, or diseased. However, in the unlikely event that removal of a coast live oak tree is required on the private property, MPRPD may need to acquire a tree removal permit from the County prior to project activities pursuant to SPR AD-3. If removal of more than three coast live oak trees from the private property is required, a forest management plan may also need to be prepared and submitted to the County prior to oak tree removal activities. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact BIO-8

This impact does not apply to the proposed project because the treatment areas are not within the plan area of any adopted habitat conservation plan or natural community conservation plan. Therefore, this impact does not apply to the proposed project.

New Biological Resource Impacts

The proposed treatment is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined that they are consistent with the applicable environmental and regulatory conditions presented in Section 3.6.1, "Environmental Setting," and Section 3.6.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the treatment area, the existing environmental and regulatory conditions pertinent to biological resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those considered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to biological resources would occur.

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PD-3.8: GEOLOGY, SOILS, PALEONTOLOGY, AND MINERAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact GEO-1: Result in Substantial Erosion or Loss of Topsoil	LTS	Impact GEO-1, pp. 3.7-26 – 3.7-29	Yes	AD-3 AQ-4 GEO-1 to GEO-6	N/A	LTS	No	Yes
Impact GEO-2: Increase Risk of Landslide	LTS	Impact GEO-2, pp. 3.7-29 – 3.7-30	No	None	N/A	None	N/A	N/A

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Geology, Soils, Paleontology, and Mineral Resource Impacts: Would the treatment result in other impacts to geology, soils, paleontology, and mineral resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Soil types within the Main Stand and Northeast Stand consist mostly of Fluvents, Stony, while the Southeast Stand consists mostly of the Junipero-Sur Complex (Natural Resources Conservation Service [NRCS], 2019). Small areas of Tujunga Fine Sand (0-5% slopes) are also present along the southern margin of the Main Stand and Northeast Stand, and the northern margin of the Southeast Stand. Fluvents and Tujunga fine sand are entisols found on floodplains, while the Junipero-Sur Complex are mollisols found on mountain slopes. These soils are well-drained to excessively well-drained. The treatment areas are located within the Carmel Valley at the base of the adjacent mountains and are relatively flat and under 30% slope. As such, the project site has very little to no susceptibility for landslides. The Northeast Stand and the majority of the Main Stand are located within the 100-year floodplain.

Impact GEO-1

Initial and maintenance treatments would include mechanical treatment, manual treatment, prescribed (pile) burning, and targeted ground application of herbicides. In addition, the maintenance treatment would include prescribed herbivory. These treatments could result in varying levels of soil disturbance and have the potential to increase rates of erosion and loss of topsoil. The potential for these treatment activities to cause substantial erosion or loss of topsoil was examined in the PEIR (CalVTP Final PEIR Section 3.7.3, pages 26-29). Mechanical treatments using heavy machinery are the most likely to cause soil disturbance that could lead to erosion or loss of topsoil. Equipment used to create piles for burning may also increase the risk of soil disturbance. Prescribed herbivory may result in soil compaction that could reduce infiltration rate and an increase in overland flow, soil disturbance from hooves with a greater impact when soils have a high moisture content, and/or increased runoff and loss of topsoil as a result of vegetation removal. However, stumps and roots of Eucalyptus trees and other vegetation would be left in place to maintain soil stability, including within the Northeast and Southeast stands where the trees would be completely

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removed. In addition, mechanical and manual treatments would masticate/chip material that would be left on site at a depth of six inches or less, which would significantly reduce potential for erosion on the site.

This impact is within the scope of the PEIR because the use of and type of equipment, extent of vegetation removal, and intensity of prescribed burning are consistent with those analyzed in the PEIR. SPRs applicable to this treatment project are AD-3, AQ-4, GEO-1 through GEO-6, HYD-3, and HYD-4. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact GEO-2

This impact does not apply to the proposed project because the relatively flat slopes within the project site have very little to no susceptibility to landslides.

New Geology, Soils, Paleontology, and Mineral Resource Impacts

The proposed treatment is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.7.1, "Environmental Setting," and Section 3.7.2, "Regulatory Setting, of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to geology and soils that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to geology and soils would occur.

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PD-3.9: GREENHOUSE GAS EMISSIONS

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact GHG-1: Conflict with Applicable Plan, Policy, or Regulation of an Agency Adopted for the Purpose of Reducing the Emissions of GHGs	LTS	Impact GHG-1, pp. 3.8-10 – 3.8-11	Yes	AD-3	N/A	LTS	No	Yes
Impact GHG-2: Generate GHG Emissions through Treatment Activities	PSU	Impact GHG-2, pp. 3.8-11 – 3.8-17	Yes	AQ-3	GHG-2	PSU	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New GHG Emissions Impacts: Would the treatment result in other impacts to GHG emissions that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact GHG-1

The proposed project is in the North Central Coast Air Basin (NCCAB), where air quality is regulated by MBARD. MBARD has not yet adopted a threshold for construction-related[10] GHG emissions but recommends utilizing thresholds set by neighboring districts (e.g., Sacramento Metropolitan Air Quality Management District [SMAQMD]). SMAQMD adopted an updated threshold based on the 2030 target year in April 2020, which identifies that proposed projects would result in a significant GHG related impact if the project emits more than 1,100 metric tons of CO_2e per year. Consistency of treatments under the CalVTP with applicable plans, policies, and regulations aimed at reducing GHG emissions was examined in the PEIR (CalVTP Final PEIR Section 3.8.3, pages 10-11).

Consistent with the PEIR, GHG emissions would occur from equipment and vehicles used to implement treatments, as well as biomass processing (i.e., chipping, off-hauling, prescribed burning). However, due to the limited worker trips and the minor, short-term, and intermittent use of mechanical equipment, initial and maintenance treatment would not generate greenhouse gases that would exceed the threshold identified in the SMAQMD. This impact is within the

[10] Although this is not a "construction" project, vehicles and equipment used for treatments are the same as or similar to vehicles and equipment used for construction projects.

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scope of the PEIR because the proposed activities, as well as the associated equipment, duration of use, and resultant GHG emissions, are consistent with those analyzed in the PEIR. An air curtain burner or carbonator may instead be used for debris disposal, which would also emit GHGs, although less than open pile burning. Use of an air curtain burner or carbonator, when feasible, would also reduce the carbon emissions associated with chipping and avoid carbon emissions associated with off-hauling. Use of an air curtain burner or carbonator would not conflict with any of the existing plans and policies related to GHG emissions reductions. In addition, the purpose of the proposed project is to reduce wildfire risk, which could reduce GHG emissions and increase carbon sequestration over the long term. Therefore, the proposed project is consistent with all applicable plans, policies, and regulations related to the purpose of reducing GHG emissions and treatment activities area consistent with those analyzed in the PEIR. SPR AD-3 is applicable to this treatment. SPR GHG-1 is not applicable to the proposed project because this project is not a registered offset project under the Board's Assembly Bill 1504 Carbon Inventory Process. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact GHG-2

Use of vehicles and mechanical equipment and prescribed burning during initial and maintenance treatments would result in GHG emissions. The potential for treatments under the CalVTP to generate GHG emissions was examined in the PEIR (CalVTP Final PEIR Section 3.8.3, pages 11-17). This impact is within the scope of the PEIR because the proposed activities, as well as the associated equipment and duration of use, and the intent of the treatments to reduce wildfire risk and GHG emissions related to wildfire are consistent with those analyzed in the PEIR.

MPRPD is proposing to use an air curtain burner or carbonator (pyrolysis) to process biomass in place of pile burning, if feasible, pursuant to Mitigation Measure GHG-2. Evaluation of these biomass processing technologies conducted by Ascent (2022) indicates that CO_2 emissions from the combustion of biomass can be substantially reduced, compared to open pile burning. Use of an air curtain burner substantially reduces reactive CO_2 emissions by approximately 54 percent when compared to pile burning, and although a percent reduction compared to open pile burning is not provided for pyrolysis in the study, the study does state that CO_2 emissions would also be reduced using this process. This is likely because both technologies combust biomass at high temperatures and produce larger quantities of ash and biochar than pile burning. Instead of being released into the atmosphere as emissions, ash and biochar retain some of the carbon from the original biomass fuel. Thus, the operation of an air curtain burner or carbonator would reduce GHG emissions, resulting in an environmental advantage compared to pile burning. Use of an air curtain burner or carbonator would be consistent with the discussion in the PEIR and would not constitute a new or substantially more severe significant impact than what was included in the PEIR.

As identified above, Mitigation Measure GHG-2 would be implemented and would reduce GHG emissions associated with the prescribed burning. SPR AQ-3 is also applicable to this treatment and will contain the description of feasible GHG reduction techniques implemented per Mitigation Measure GHG-2. However, emissions generated by the treatments would still contribute to the annual emissions generated by the CalVTP, and this impact would remain significant and unavoidable, consistent with, and for the same reasons described in, the PEIR. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

New Impacts Related to GHG Emissions

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. GHG emissions associated with an air curtain burner or carbonator are the same type as those associated with pile burning; however, GHG emissions are lower due to the increased retention of carbon in the ash and biochar. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable regulatory and environmental conditions presented in Section 3.8.1, "Regulatory Setting," and Section 3.8.2, "Environmental Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental conditions pertinent to the climate conditions that are present in the areas outside

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the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to GHG emissions would occur.

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PD-3.10: ENERGY RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact ENG-1: Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy	LTS	Impact ENG-1, pp. 3.9-7 – 3.9-8	Yes	N/A	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Energy Resource Impacts: Would the treatment result in other impacts to energy resources that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact ENG-1

Use of vehicles and mechanical equipment during initial treatment and treatment maintenance activities would result in the consumption of energy through the use of fossil fuels. The use of fossil fuels for equipment and vehicles was examined in the PEIR (CalVTP Final PEIR Section 3.9.3, pages 7-8). The consumption of energy during implementation of the treatment project is within the scope of the PEIR because the types of activities, as well as the associated equipment and duration of proposed use, are consistent with those analyzed in the PEIR. No SPRs are applicable to this impact. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than covered in the PEIR.

New Energy Resource Impacts

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable regulatory and environmental conditions presented in Section 3.9.1, "Regulatory Setting," and Section 3.9.2, "Environmental Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those considered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to energy resources would occur.

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PD-3.11: HAZARDOUS MATERIALS, PUBLIC HEALTH AND SAFETY

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact HAZ-1: Create a Significant Health Hazard from the Use of Hazardous Materials	LTS	Impact HAZ-1, pp. 3.10-14 – 3.10-15	Yes	HAZ-1	N/A	LTS	No	Yes
Impact HAZ-2: Create a Significant Health Hazard from the Use of Herbicides	LTS	Impact HAZ-2, pp. 3.10-15 – 3.10-18	Yes	BIO-4 HAZ-5 to HAZ-9	N/A	LTS	No	Yes
Impact HAZ-3: Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Material Sites	PS	Impact HAZ-3, pp. 3.10-18 – 3.10-19	Yes	N/A	HAZ-3	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Hazardous Materials, Public Health and Safety Impacts: Would the treatment result in other impacts related to hazardous materials, public health and safety that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact HAZ-1

Initial and maintenance treatments would include mechanical treatment, manual treatment, prescribed (pile) burning, and targeted ground application of herbicides. In addition, the maintenance treatment would include prescribed herbivory. These treatment activities may require the use of fuels and related accelerants, which are hazardous materials. The potential for treatment activities to cause a significant health hazard from the use of hazardous materials was examined in the PEIR (CalVTP Final PEIR Section 3.10.3, pages 14-15). SPR HAZ-1 is applicable to this treatment. This impact is within the scope of the PEIR because the types of treatments and associated equipment and types of hazardous materials that would be used are consistent with those analyzed in the PEIR.

Impact HAZ-2

Initial and maintenance treatments would include herbicide application to target plant species using ground-based methods, such as using a backpack sprayer or painting herbicide onto cut stumps. No aerial spraying of herbicides would occur. The potential for treatment activities to cause a significant health hazard from the use of herbicides was

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examined in the PEIR (CalVTP Final PEIR Section 3.10.3, pages 15-18). This impact is within the scope of the PEIR because the types of herbicides (e.g., Imazapyr, Glyphosate, and Triclopyr) and application methods that would be used, which are limited to ground-based applications, are consistent with those analyzed in the PEIR. In addition, herbicides would be applied by licensed applicators in compliance with all laws, regulations, and herbicide label instructions, consistent with herbicide use described in the PEIR. SPRs HAZ-5 through HAZ-9 are applicable to this treatment. In addition, only herbicides approved for use in aquatic environments would be used in riparian areas pursuant to SPR BIO-4. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact HAZ-3

Initial and maintenance treatments would include soil disturbance which could expose workers or the environment to hazardous materials if a contaminated site is present within the project area. The potential for workers participating in treatment activities to encounter contamination that could expose them or the environment to hazardous materials was examined in the PEIR (CalVTP Final PEIR Section 3.10.3, pages 18-19). This impact was identified as potentially significant in the PEIR because hazardous materials sites could be present within treatment sites and soil disturbance or burning in those areas could expose people or the environment to hazards. As directed by Mitigation Measure HAZ-3, database searches for hazardous materials sites within the project area have been conducted, and no hazardous materials sites were identified within 0.25 mile of the treatment areas (California Department of Toxic Substances Control 2023; California Environmental Protection Agency 2023; State Water Resources Control Board 2023) (Attachment C). Therefore, this impact is less than significant. No SPRs are applicable to this impact, and no additional mitigation is required. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

New Hazardous Materials, Public Health and Safety Impacts

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.10.1, "Environmental Setting," and Section 3.10.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to hazardous materials that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to hazardous materials, public health, or safety would occur.

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PD-3.12: HYDROLOGY AND WATER QUALITY

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact HYD-1: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Prescribed Burning	LTS	Impact HYD-1, pp. 3.11-25 – 3.11-27	Yes	AQ-3 HYD-1 HYD-4 GEO-4 GEO-6	N/A	LTS	No	Yes
Impact HYD-2: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Manual or Mechanical Treatment Activities	LTS	Impact HYD-2, pp. 3.11-27 – 3.11-29	Yes	AD-2 BIO-1 BIO-4 GEO-1 to GEO-5 HAZ-1 HAZ-5 HYD-1 HYD-2 HYD-4	N/A	LTS	No	Yes
Impact HYD-3: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through Prescribed Herbivory	LTS	Impact HYD-3, p. 3.11-29	Yes	AD-2 BIO-1 BIO-4 GEO-3 GEO-4 HYD-1 HYD-3 HYD-4	N/A	LTS	No	Yes
Impact HYD-4: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Ground Application of Herbicides	LTS	Impact HYD-4, pp. 3.11-30 – 3.11-31	Yes	BIO-4 HAZ-5 to HAZ-7 HYD-1 HYD-4 HYD-5	N/A	LTS	No	Yes

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Impact HYD-5: Substantially Alter the Existing Drainage Pattern of a Treatment Site or Area	LTS	Impact HYD-5, p. 3.11-31		AD-2 GEO-1 to GEO-6 HYD-1 to HYD-4	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Hydrology and Water Quality Impacts: Would the treatment result in other impacts to hydrology and water quality that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

The project site is located in the Carmel River Watershed, which is within the Central Coast Hydrologic Region, as shown on Figure 3.11-1 of the PEIR (CalVTP Final PEIR Section 3.11.3, page 4). The northern boundary of the Main Stand treatment area directly abuts the Carmel River on its southern side; however, no work is proposed within the river (i.e., no work would occur below the ordinary high water mark). The Northeast Stand is located approximately 500 feet from the Carmel River.

Several of the impacts below (i.e., HYD-1 through 4) evaluate compliance with water quality standards or waste discharge requirements. All include implementation of SPR HYD-1, which requires compliance with such water quality regulations. The State Water Resources Control Board is requiring all projects utilizing the CalVTP PEIR to follow the requirements of their Vegetation Treatment General Order, which would meet the requirements of SPR HYD-1. Users of the CalVTP PSA process are automatically enrolled in the General Order and are required to implement all applicable SPRs and mitigation measures from the PEIR. In addition, the General Order requires project proponents to comply with any applicable Basin Plan prohibitions.

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Impact HYD-1

Initial and maintenance treatments would include prescribed burning (pile burning). Ash and debris from pile burning treatment areas could be washed by runoff into the adjacent Carmel River. However, pile burning is proposed within the open grassland area adjacent to the treatment areas in order to avoid impacts to the river; the grassland is located approximately 240 feet from the Carmel River. This is consistent with SPR HYD-4 and GEO-6 which require a WLPZ of 75 feet for Class I streams (streams used for domestic water supply or providing fish habitat) located on slopes less than 30%. The potential for prescribed burning activities to cause runoff and violate water quality regulations or degrade water quality was examined in the PEIR (CalVTP Final PEIR Section 3.11.3, pages 25-27). This impact is within the scope of the PEIR because the use of low-intensity prescribed burns and associated impacts to water quality are consistent with those analyzed in the PEIR. In addition, the project proposes to use an air-curtain burner or carbonator, if possible, which would reduce the amount of ash and debris and would allow for the placement of ash or carbon in areas where they would not be washed into watercourses or lakes. If the material is disposed of outside of the project site, the MPRPD will prepare an Organic Waste Disposition Plan prior to initiating treatment activities pursuant to SPR UTIL-1. SPRs applicable to this treatment are HYD-1, HYD-4, GEO-4, GEO-6, and AQ-3. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact HYD-2

Initial and maintenance treatments would include manual and mechanical treatments. The potential for mechanical treatments to violate water quality regulations or degrade water quality was evaluated in the PEIR (CalVTP Final PEIR Section 3.11.3, pages 27-29). This impact is within the scope of the PEIR because the use of heavy equipment and

hand-held tools to remove vegetation and associated impacts to water quality are consistent with those analyzed in the PEIR. The treatment areas have been designed to avoid the Carmel River, as described above, and a WLPZ of 75 feet would be implemented pursuant to SPR HYD-4. Additional SPRs applicable to this treatment are AD-2, BIO-1, BIO-4, GEO-1 through GEO-5, HAZ-1, HAZ-5, HYD-1, and HYD-2. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact HYD-3

Maintenance treatments may include prescribed herbivory. The potential for mechanical treatments to violate water quality regulations or degrade water quality was evaluated in the PEIR (CalVTP Final PEIR Section 3.11.3, page 29). This impact is within the scope of the PEIR because the use of prescribed herbivory, including use of goats, to remove vegetation and associated impacts to water quality are consistent with those analyzed in the PEIR. The treatment areas have been designed to avoid the Carmel River, as described above, and a WLPZ of 75 feet would be implemented pursuant to SPR HYD-4. In addition, a buffer of 50 feet from sensitive habitats (i.e., the Carmel River and associated riparian habitat) would be implemented pursuant to SPR HYD-3. Additional SPRs applicable to this treatment are AD-2, BIO-1, BIO-4, GEO-3, GEO-4, HYD-1. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact HYD-4

Initial and maintenance treatments would include herbicide application, which can affect water quality through runoff, leaching, drift, and misapplication or spills. The potential for herbicide treatment activities to violate water quality standards or waste discharge requirements, substantially degrade surface or ground water quality, or conflict with or obstruct the implementation of a water quality control plan through the ground application of herbicides was evaluated in the PEIR (CalVTP Final PEIR Section 3.11.3, pages 29-31). Potential impacts are within the scope of the activities and impacts addressed in the PEIR because the methods of herbicide application, transportation, storage, and disposal are consistent with those analyzed in the PEIR. Under the CalVTP, herbicide treatment activities are limited to ground-level application by hand, only herbicides approved for use in aquatic environments would be used in riparian areas (SPR BIO-4), and compliance to EPA labels is required (SPR HAZ-6). A portion of the proposed project treatment area is located within a WLPZ's and SPR HYD-5 prohibits non-aquatic herbicide formulations from being applied within 50 feet of a waterbody or riparian area and prohibits application during precipitation or within 24 hours of forecasted precipitation. In addition, a Spill Prevention and Response Plan will be prepared prior to herbicide treatment activities (SPR HAZ-5) and all herbicide containers must be triple rinsed and hazardous waste materials must be disposed of at an approved site (SPR HAZ-7).

Based on the compliance to EPA labels and SPR limitations, the potential for this project to result in a violation of water quality standards or waste discharge requirements, substantially degrade surface or ground water quality, or conflict with or obstruct the implementation of a water quality control plan through the ground application of herbicides is less than significant. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact HYD-5

Initial and maintenance treatments could cause ground disturbance and erosion, which could directly or indirectly modify existing drainage patterns. The potential for treatment activities to substantially alter the existing drainage pattern of a project site was examined in the PEIR (CalVTP Final PEIR Section 3.11.3, page 31). The potential impacts are within the scope of the activities and impacts addressed in the PEIR because the use of equipment, types of treatments, and treatment intensity are consistent with those analyzed in the PEIR. SPRs applicable to this treatment are AD-2, GEO-1 through GEO-6, HYD-1 through HYD-4. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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New Hydrology and Water Quality Impacts

The proposed treatment is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.11.1, "Environmental Setting," and Section 3.11.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to hydrology and water quality that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to hydrology and water quality would occur.

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PD-3.13: LAND USE AND PLANNING, POPULATION AND HOUSING

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact LU-1: Cause a Significant Environmental Impact Due to a Conflict with a Land Use Plan, Policy, or Regulation	LTS	Impact LU-1, pp. 3.12-13 – 3.12-14	Yes	AD-3	N/A	LTS	No	Yes
Impact LU-2: Induce Substantial Unplanned Population Growth	LTS	Impact LU-2, pp. 3.12-14 – 3.12-15	Yes	N/A	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Land Use and Planning, Population and Housing Impacts: Would the treatment result in other impacts to land use and planning, population and housing that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Section 3.12.2, pages 8-9 of CalVTP Final PEIR identifies that when state agencies, including CAL FIRE, are conducting governmental activities under the authority of state law or the State Constitution (in this case treatments implemented under the proposed CalVTP), they are exempt from local government plans, policies, and ordinances (unless a constitutional provision or statute directs otherwise). Nonetheless, CAL FIRE voluntarily seeks to operate consistently with local governance to the extent feasible. The CalVTP PEIR identifies that general plans and local coastal programs are relevant to land use and planning (CalVTP Final PEIR Section 3.12.2, pages 8-10).

The Park is located within unincorporated Monterey County. The area of the project site within the Park is designated Public/Quasi-Public in the 2010 Monterey County General Plan and Carmel Valley Master Plan (amended in 2013), which is Chapter 9B of the General Plan. The area of the project site on private property (0.5 acre) is designated as Permanent Grazing in the General Plan and Carmel Valley Master Plan. Title 21 – Zoning of the Monterey County Code identifies the entire project area as Permanent Grazing, with a minimum building site of 40-acres, and design control, site plan review, and residential allocation zoning overlays (PG/40-D-S-RAZ). Public parks are an allowed use within this zoning designation. The entire project site is located within an area designated as "highly sensitive" in Policy GMP-3.3, as shown on the Greater Monterey Peninsula Scenic Highway Corridors and Visual Sensitivity Map. In addition, Sections 16.16.050 (K) and 20.66.020 require setbacks from the top of bank of a river and environmentally sensitive habitat (e.g., riparian). However, all of these policies are specific to development, which is not part of the project and are therefore not applicable.

The Carmel Valley Master Plan regulates the removal of native oak, madrone, and redwood trees, and Monterey County Code Title 16 – Environment (Section 16.60.030- Regulations) references the Carmel Valley Master Plan's tree

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removal policy and also identifies policies for landmark oak trees. Based upon the *Save Lafayette Trees v. East Bay Regional Park District (2021) 66 Cal.App.5th 21* case and the analysis therein, the local tree ordinance permitting requirement would not apply on MPRPD land. Public Resources Code Section 5541 allows a district to adopt, operate and maintain a system of public parks. Further Section 5558 provides that "The board shall, in general, do all acts necessary to the property execution of powers and duties granted to, and imposed upon, it by this article, and to manage and control the business and affairs of the district." Section 5595 states that the article should be liberally construed to allow the district to carry out its purpose. The Court in this case considered these provisions when looking at whether a local tree ordinance was enforceable within a regional park owned and operated by such a district. The Court determined that the authority given to park districts was not subordinate to local regulatory authority except where the land is owned or controlled by the local regulatory authority, and that the district's park land was not subject to local tree ordinance permitting requirements. The only exception to this would be where the district board agreed to such regulatory authority. The MPRPD Master Plan, dated April 6, 1998 identifies under the Management Plan Policy, Section 7.4, that MPRPD shall obtain all required land use or coastal development permits prior to authorizing public use, dedication, or improvements to any MPRPD lands. However, this project is not within the coastal zone and is not an improvement project, but rather maintenance activities, and therefore would not fall within this provision. Therefore, the Monterey County Tree ordinance is not applicable to treatment activities on MPRPD land. The MPRPD Master Plan does not include any other policies relevant to reducing wildfire risk or vegetation management within the Park. The Monterey County tree ordinance would, however, apply to any treatment activities conducted on private property within the project site.

The Monterey County Community Wildfire Protection Plan (MCCWPP) designates Garland Ranch Regional Park and the surrounding community as within the Wildland Urban Interface (WUI) area (Monterey Fire Safe Council, 2010). Section 6.3 'Hazardous Fuel Treatments' includes Eucalyptus as a listed exotic or invasive plant and broadly outlines acceptable treatment activities to include the following:

- Vegetation Thinning (Section 6.3.2),
- Tree Removal (Section 6.3.3)
- Vertical Separation (Section 6.3.4.1) (i.e., pruning of vegetation off the ground to provide vertical clearance),
- Horizontal Separation (Section 6.3.4.2) (i.e., pruning of vegetation that results in horizontal clearance between shrubs and trees),
- Dead/Dying Plant Removal (Section 6.3.5),
- Exotic/Invasive Plant Removal (Section 6.3.6),
- Chipping and Mastication (Section 6.3.8),
- Grazing (Section 6.3.9), and
- Prescribed Burning (Section 6.3.10),
- Lopping and Scattering (Section 6.3.13), and
- Herbicides (Section 6.3.15).

The MCCWPP also identifies that the "cooperative and coordinated utilization of the CAL FIRE VTP is important to the success of [the] MCCWPP."

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Impact LU-1

Vegetation treatment activities would occur within the boundaries of the Park, which is owned and operated by MPRPD. In addition, if agreed upon by the landowner, treatment activities may occur on the parcel adjacent to the Main Stand. The potential for vegetation treatment activities to cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation was examined in the PEIR (CalVTP Final PEIR Section 3.12.3, pages 12-13). This impact is within the scope of the PEIR because the treatment locations, types, and activities are consistent with those analyzed in the PEIR. No conflicts with a land use plan or policy would occur because MPRPD would adhere to SPR AD-3. The proposed treatments have been designed to be consistent with the Monterey County General Plan, as applicable as described above, and MPRPD would acquire a tree removal permit or prepare a forest management plan if coast live oak trees would be removed (please refer to Impact BIO-7 in Section PD-3.7 above). This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact LU-2

As identified in the project description, the initial manual and mechanical treatments would require approximately 20 crew members to implement; maintenance manual and mechanical treatments would likely require fewer crew members. The prescribed burn crew size will be determined based on the amount of material to be burned and the number of crew members necessary for safety purposes; however, due to the small size of the project it is expected that the crew size necessary for pile burning and/or use of an air curtain burner or carbonator would be fewer the average crew size of 45 workers identified in the CalVTP PEIR (Section 2.5.2 Page 21). Herbicide application would be completed with a one- to two-person crew and prescribed herbivory would likely include a single herder.

The potential for treatments to result in substantial population growth as a result of increases in demand for employees was analyzed in the PEIR (CalVTP Final PEIR Section 3.12.3, page 14-15). Impacts associated with short-term increases in the demand for workers during implementation of the treatment project are within the scope of the PEIR because the number of workers required for implementation of the treatments is consistent with or less than the crew size analyzed in the PEIR for the types of treatments proposed. Employing local contractors will be encouraged where feasible to minimize the risk of impacting population and housing resources. There are no applicable SPR's for this impact. Based on the minimal crew size, the short duration of the initial and maintenance treatments, and attempting to hire local contractors, it is expected that any impact to population and housing as a result of this project would be less than significant. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than covered in the PEIR.

New Land Use and Planning, Population and Housing Impacts

The proposed project is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.12.1, "Environmental Setting," and Section 3.12.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing conditions that are pertinent to land use and planning, population and housing that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to land use and planning, population and housing would occur.

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PD-3.14: NOISE

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact NOI-1: Result in a Substantial Short-Term Increase in Exterior Ambient Noise Levels During Treatment Implementation	LTS	Impact NOI-1, pp. 3.13-9 – 3.13-12; Appendix NOI-1	Yes	AD-3 NOI-1 to NOI-6	N/A	LTS	No	Yes
Impact NOI-2: Result in a Substantial Short-Term Increase in Truck-Generated SENL's During Treatment Activities	LTS	Impact NOI-2, p. 3.13-12	Yes	NOI-1	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Noise Impacts: Would the treatment result in other noise-related impacts that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact NOI-1

Initial and maintenance treatments would require noise-generating equipment, such as masticators and other heavy equipment, chippers, and chainsaws. The potential for a substantial short-term increase in ambient noise levels from use of heavy equipment was examined in the PEIR (CalVTP Final PEIR Section 3.13.3, pages 9-12). This impact is within the scope of the PEIR because the number and types of equipment proposed and the duration of equipment use are consistent with those analyzed in the PEIR. The proposed treatments would not require the use of helicopters, which was the loudest type of equipment evaluated in the PEIR.

Treatment activities would be required to comply with the Monterey County Code Noise Ordinance, as described in Monterey County Code Chapter 10.60. The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet from the noise sources. Noise-generating treatment activities would be limited to the hours between 7 a.m. and 7 p.m., Monday through Saturday and no treatment-generated noise would be allowed on Sunday or national holidays, in compliance with the County ordinance and SPR NOI-1. Limiting noise-generating treatment activities to daytime hours Monday through Friday, would avoid the potential to cause sleep disturbance to residents during the more noise-sensitive evening, nighttime, and weekend hours. There are no schools or hospitals within 1,500 feet of the treatment areas; however, there are several rural residences. The PEIR identifies that combined noise levels from mechanical and manual treatments would be approximately 87 dBA at 50 feet, which exceeds the Monterey County

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Code Noise Ordinance. However, the nearest sensitive receptor is greater than 100 feet from the treatment area and sound levels would attenuate to below the threshold at this distance (refer to Section 3.13.1, "Environmental Setting," page 4 in the Final PEIR).

In addition, several SPRs would be implemented, including AD-3, NOI-1 to NOI-5. SPR NOI-6 would also apply for any properties where residences are within 1,500 feet of the treatment area. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact NOI-2

Treatments would involve large trucks hauling heavy equipment to and from the treatment areas. Vehicle traffic on area highways is not expected to generate a noticeable increase in traffic-related noise. Haul truck trips on the local roadways would pass by residential receptors and the event of each truck passing by could increase the single event noise levels (SENL). The potential for a substantial short-term increase in SENL was examined in the PEIR (CalVTP Final PEIR Section 3.13.3, page 12). This impact is within the scope of the PEIR because the number and types of equipment proposed are consistent with those analyzed in the PEIR. In accordance with SPR NOI-1, the haul trips associated with the treatments would occur during daytime hours, which would avoid the potential to cause sleep disturbance to residents during the more noise-sensitive evening and nighttime hours. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

New Noise Impacts

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.13.1, "Environmental Setting," and Section 3.13.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to noise that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to noise would occur.

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PD-3.15: RECREATION

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact REC-1: Directly or Indirectly Disrupt Recreational Activities within Designated Recreation Areas	LTS	Impact REC-1 pp. 3.14-6 – 3.14-7	Yes	REC-1	N/A	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Recreation Impacts: Would the treatment result in other impacts to recreation that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact REC-1

The Park is open to the public for hiking, equestrian use, fishing, and other recreational and leisure activities. MPRPD also provides outdoor education and other outdoor programs for the public within the Park. Treatment activities would occur immediately adjacent to the Rancho Loop Trail, which would result in temporary closure of or limited access to the trail during active treatments and disruption of the experience of recreationists through the creation of noise, dust, degradation of scenic views, or increased traffic. Initial and maintenance treatments would not restrict access to or otherwise affect the other adjacent recreation sites or facilities. The potential for vegetation treatment and maintenance activities to disrupt recreation activities is within the scope of the PEIR because the treatment activities and intensity are consistent with those analyzed in the PEIR (CalVTP Final PEIR Section 3.14.3, pages 6-7). SPR REC-1 is applicable to the treatments. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than covered in the PEIR.

New Recreation Impacts

The proposed project is consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.14.1, "Environmental Setting," and Section 3.14.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental conditions pertinent to recreation that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to recreation would occur.

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PD-3.16: TRANSPORTATION

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact TRAN-1: Result in Temporary Traffic Operations Impacts by Conflicting with a Program, Plan, Ordinance, or Policy Addressing Roadway Facilities or Prolonged Road Closures	LTS	Section 3.15.2; Impact TRAN-1 pp. 3.15-9 – 3.15-10	Yes	AD-3 TRAN-1	N/A	LTS	No	Yes
Impact TRAN-2: Substantially Increase Hazards due to a Design Feature or Incompatible Uses	LTS	Impact TRAN-2 pp. 3.15-10 – 3.15-11	Yes	AD-3 HYD-2 TRAN-1	GHG-2	LTS	No	Yes
Impact TRAN-3: Result in a Net Increase in VMT for the Proposed CalVTP	PSU	Impact TRAN-3 pp. 3.15-11 – 3.15-13	Yes	N/A	AQ-1	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Transportation Impacts: Would the treatment result in other impacts to transportation that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact TRAN-1

Initial and maintenance treatments would temporarily increase vehicular traffic along State Route 1 and Carmel Valley Road. The potential for a temporary increase in traffic to conflict with a program, plan, ordinance, or policy addressing roadway facilities or prolonged road closures was examined in the PEIR (CalVTP Final PEIR Section 3.15.3, pages 9-10). The proposed treatments would be short term and temporary increases in traffic related to treatments are within the scope of the PEIR because the treatment duration and limited number of vehicles (i.e., heavy equipment transport, crew vehicles for crew members) associated with the proposed treatments are consistent with those analyzed in the PEIR. In addition, the proposed treatments would not all occur concurrently and vehicle trips would be dispersed over time. SPRs applicable to this treatment are AD-3 and TRAN-1. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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Impact TRAN-2

Initial and maintenance treatments would not require the construction or alteration of any roadways. The proposed treatments would include prescribed burning and smoke that could potentially affect visibility along nearby roadways such that a transportation hazard could occur. However, use of an air curtain burner or carbonator, if feasible pursuant to Mitigation Measure GHG-2, would reduce smoke emissions due to the increased combustion efficiency (Ascent, 2022). The potential for smoke to affect visibility along roadways during implementation of the treatment project was examined in the PEIR (CalVTP Final PEIR Section 3.15.3, pages 10-11). This impact is within the scope of the activities and impacts addressed in the PEIR because the burn duration is consistent with that analyzed in the PEIR. SPRs applicable to this treatment are AD-3, HYD-2, and TRAN-1. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact TRAN-3

Treatments could temporarily increase vehicle miles traveled (VMT) above baseline conditions because the proposed project would require vehicle trips to transport crew members and equipment to and from the treatment areas, and some material may be off-hauled. This impact was identified as potentially significant and unavoidable in the PEIR because implementation of the CalVTP would result in a net increase in VMT (CalVTP Final PEIR Section 3.15.3, pages 11-13). However, as noted under Impact TRAN-3 in the PEIR, individual vegetation treatment projects under the CalVTP are reasonably expected to generate fewer than 110 trips per day, which would cause a less-than-significant transportation impact for specific later activities, as described in the *Technical Advisory on Evaluating Transportation Impacts* published by the Governor's Office of Planning and Research (Governor's Office of Planning and Research, 2018). Manual and mechanical treatments under the proposed project would, combined, require approximately 20 personnel and prescribed burning is expected to require crew sizes less than the average size (45 workers) identified in the PEIR due to the small size of the project and expected use of an air curtain burner or carbonator. Further, the project site is limited to approximately 12 acres, which will require limited equipment and off-hauling of only a portion of the removed material when on-site biomass processing is not feasible. Therefore, the crew sizes and project site are sufficiently small such that the total increase in VMT would not exceed 110 trips per day. In addition, the increase in vehicle trips would be temporary. A temporary increase in VMT is within the scope of the activities and impacts addressed in the PEIR because the number and duration of increased vehicle trips are consistent with that analyzed in the PEIR. No SPRs are applicable to this impact. Mitigation Measure AQ-1 would encourage workers to carpool to work sites, and/or use public transportation for their commutes which could result in the reduction of vehicular trips associated with vegetation treatments; and thus, could potentially reduce VMT. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

New Transportation Impacts

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.15.1, "Environmental Setting," and Section 3.15.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to transportation that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to transportation would occur.

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PD-3.17: PUBLIC SERVICES, UTILITIES AND SERVICE SYSTEMS

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact UTIL-1: Result in Physical Impacts Associated with Provision of Sufficient Water Supplies, Including Related Infrastructure Needs	LTS	Section 3.16.1 pp. 3.16-2 – 3.16-3; Impact UTIL-1 p. 3.16-9	Yes	N/A	N/A	LTS	No	Yes
Impact UTIL-2: Generate Solid Waste in Excess of State Standards or Exceed Local Infrastructure Capacity	PSU	Section 3.16.1 pp. 3.16-3 - 3.16-5; Impact UTIL-2 pp. 3.16-10 – 3.16-12	Yes	UTIL-1	GHG-2	PSU	No	Yes
Impact UTIL-3: Comply with Federal, State, and Local Management and Reduction Goals, Statutes, and Regulations Related to Solid Waste	LTS	Section 3.16.2 pp. 3.16-6 – 3.16-7; Impact UTIL-2 p. 3.16-12	Yes	UTIL-1	GHG-2	LTS	No	Yes

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Public Services, Utilities and Service System Impacts: Would the treatment result in other impacts to public services, utilities and service systems that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact UTIL-1

Initial treatment would include prescribed burning (pile burning), which would require an on-site water supply if the burn goes out of prescription. If needed, water would be supplied from water trucks or other water containers. The potential increased demand for water was examined in the PEIR (CalVTP Final PEIR Section 3.16.3, page 9). This impact is within the scope of the activities and impacts addressed in the PEIR because the size of the area proposed for prescribed burn treatments, amount of water required for prescribed burning, and water source type are consistent with those analyzed in the PEIR. No SPRs are applicable to this impact. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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Impact UTIL-2

Initial and maintenance treatments would generate biomass as a result of vegetation removal within the treatment areas. Biomass generated by mechanical and manual treatments would be disposed of either with pile burning, burning in an air curtain burner or carbonator, by lopping and scattering or masticating/chipping biomass in areas where material cannot safely be burned, or by off-hauling of larger material if on-site disposal is not feasible. Use of an air-curtain burner or carbonator per Mitigation Measure GHG-2 would reduce the amount of ash and debris and would allow for the placement of ash or carbon in areas where they would not be washed into watercourses or lakes. If material is disposed of outside of the project site, the MPRPD will prepare an Organic Waste Disposition Plan prior to initiating treatment activities pursuant to SPR UTIL-1. Implementation of SPR UTIL-1 would also require that disposition of solid organic waste is adequately managed and is not transported to a facility that lacks the processing capacity. This impact was identified as potentially significant and unavoidable in the PEIR because biomass hauled off-site could exceed the capacity of existing infrastructure for handling biomass (CalVTP Final PEIR Section 3.16.3, pages 10-12). Although the size of the project is relatively small and biomass would be processed on site whenever feasible, the impact would remain potentially significant and unavoidable due to the uncertainty in the extent of use of biomass producing technologies, as stated in the PEIR (refer to Section 3.16.3 page 12 in the Final PEIR). This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact UTIL-3

As discussed above, initial and maintenance treatments would generate biomass as a result of vegetation removal within the treatment areas. Biomass generated by mechanical and manual treatments would be disposed of either with pile burning, burning in an air curtain burner or carbonator, by lopping and scattering or masticating/chipping biomass in areas where material cannot safely be burned, or off-hauling. Use of an air-curtain burner or carbonator per Mitigation Measure GHG-2 would reduce the amount of ash and debris and would allow for the placement of ash or carbon in areas where they would not be washed into watercourses or lakes. If the material is disposed of outside of the project site, MPRPD would comply with all federal, state, and local management and reduction goals, statutes, and regulations related to solid waste In addition, pursuant to SPR UTIL-1, MPRPD would prepare an Organic Waste Disposition Plan prior to initiating treatment activities that identifies the amount of solid organic waste to be transported offsite to a biomass power plant, wood product processing facility, and/or composting for processing and that biomass would not be disposed of in a landfill. Compliance with reduction goals, statutes, and regulations related to solid waste was examined in the PEIR (CalVTP Final PEIR Section 3.16.3, page 12). This impact is within the scope of the activities and impacts addressed in the PEIR because the type and amount of biomass that may need to be hauled off-site are consistent with those analyzed in the PEIR.

New Impacts to Public Services, Utilities and Service Systems

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP PEIR. The project proponent has considered the site-specific characteristics of the proposed treatments and determined they are consistent with the applicable environmental and regulatory conditions presented in Section 3.16.1, "Environmental Setting," and Section 3.16.2, "Regulatory Setting," of the CalVTP Final PEIR. The project proponent has also determined that including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to public services and utilities that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape. Therefore, the impacts are the same and, for the reasons described above, impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to public services, utilities, or service systems would occur.

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PD-3.18: WILDFIRE

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered In the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project[1]	List MMs Applicable to the Treatment Project[1]	Identify Impact Significance for Treatment Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact WIL-1: Substantially Exacerbate Fire Risk and Expose People to Uncontrolled Spread of a Wildfire	LTS	Section 3.17.1; Impact WIL-1 pp. 3.17-14 – 3.17-15	Yes	AQ-3 HAZ-2 to HAZ-4	GHG-2	LTS	No	Yes
Impact WIL-2: Expose People or Structures to Substantial Risks Related to Post-Fire Flooding or Landslides	LTS	Section 3.17.1; Impact WIL-2 pp. 3.17-15 – 3.17-16	No	None	N/A	N/A	N/A	N/A

[1]NA: not applicable; there are no SPRs and/or MMs identified in the PEIR for this impact. None: there are SPRs and/or MMs identified in the PEIR for this impact, but none are applicable to the treatment project.

New Wildfire Impacts: Would the treatment result in other impacts related to wildfire that are not evaluated in the CalVTP PEIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion

	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
[identify new impact here, if applicable; add rows as needed]	☐	☐	☐

Discussion

Impact WIL-1

Vegetation treatment activities proposed would include mechanical, manual, and prescribed burn (pile burn) treatments. Vegetation treatment involving motorized equipment could pose a risk of accidental ignition. Temporary increases in risk associated with uncontrolled fire from prescribed burnings could also occur. As discussed under "Prescribed Burn Planning and Implementation" in Section 3.17.1, "Environmental Setting of the Final PEIR, implementing a prescribed burn requires extensive planning, including the preparation of a prescription burn plan, a smoke management plan, site-specific weather forecasting, public notification, safety considerations, and ultimately favorable weather conditions so a burn can occur on a given day. Prior to implementing a prescribed burn (pile burn), fire containment lines would be established by clearing vegetation surrounding the designated burn area to help prevent the accidental escape of fire, and fire suppression (i.e., water trucks or other water containers) and safety equipment would be staged on site, as necessary. In addition, if feasible, the project proposes to use an air curtain burner or carbonator pursuant to Mitigation Measure GHG-2 in place of pile burning, which will provide additional containment of the prescribed burn and further reduce potential risks.

The potential increase in exposure to wildfire during implementation of treatments was examined in the PEIR (CalVTP Final PEIR Section 3.17.3, pages 14-15). Increased wildfire risk associated with the use of heavy equipment in vegetated areas and with prescribed burns is within the scope of the PEIR because the types of equipment and treatment duration and the types of prescribed burn methods proposed as part of the project are consistent with those analyzed in the PEIR. SPRs AQ-3, HAZ-2, HAZ-3, and HAZ-4, which include preparation of a burn plan in accordance with CAL FIRE requirements, equipment safety requirements, keeping fire extinguishers and other manual tools on

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site, and prohibiting smoking in vegetated areas, apply to the proposed treatments. This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Impact WIL-2

The project would not expose people or structures to substantial risks related to post-fire landslides or flooding because the project would only implement pile burning and broadcast burning would not be implemented. In addition, the relatively flat slopes within the project site have very little to no susceptibility to landslide, mastication/chipping would leave material on the ground that would reduce stormwater runoff, and retained vegetation and roots would stabilize soils. Furthermore, because the treatments reduce wildfire risk, they would also decrease post wildfire landslide and flooding risk in areas that could otherwise burn in a high-severity wildfire without treatment. Therefore, this impact does not apply to the project.

New Impacts to Wildfire

The project proponent has considered the site-specific characteristics of the proposed treatment project and determined they are consistent with the applicable regulatory and environmental conditions presented in Section 3.17.1, "Regulatory Setting," and Section 3.17.2, "Environmental Setting," of the CalVTP Final PEIR. The project proponent has also determined that the inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to wildfire that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed treatment project are also consistent with those covered in the PEIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to wildfire risk would occur.

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PD-3.19: LIST OF PREPARERS

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ATTACHMENT A – STANDARD PROJECT REQUIREMENTS AND MITIGATION MEASURES CHECKLIST

- Applicable (Yes/No). Document whether the SPR or mitigation measure is applicable to the initial treatment and/or treatment maintenance (Yes or No), and whether it is applicable to initial treatment and/or treatment maintenance. The applicability should be substantiated in the Environmental Checklist Discussion.
- Timing. This column identifies the time frame in which the SPR or mitigation measure will be implemented (e.g., prior to treatment, during treatment, etc.).
- Implementing Entity. The implementing entity is the agency or organization responsible for carrying out the requirement. This could include the project proponent's project manager, a technical specialist (e.g., archeologist or biologist), a vegetation management contractor, a partner agency or organization, or other entities that are primarily responsible for carrying out each project requirement.
- Verifying/Monitoring Entity. The verifying/monitoring entity is the agency or organization responsible for ensuring that the requirement is implemented. The verifying/monitoring entity may be different from the implementing entity.

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Administrative Standard Project Requirements				
SPR AD-2 Delineate Protected Resources: The project proponent will clearly define the boundaries of the treatment area and protected resources on maps for the treatment area and with highly-visible flagging or clear, existing landscape demarcations (e.g., edge of a roadway) prior to beginning any treatment to avoid disturbing the resource. "Protected Resources" refers to environmentally sensitive places within or adjacent to the treatment areas that would be avoided or protected to the extent feasible during planned treatment activities to sustain their natural qualities and processes. This work will be performed by a qualified person, as defined for the specific resource (e.g., qualified Registered Professional Forester or biologist). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-3 Consistency with Local Plans, Policies, and Ordinances: The project proponent will design and implement the treatment in a manner that is consistent with applicable local plans (e.g., general plans, Community Wildfire Protection Plans, CAL FIRE Unit Fire Plans), policies, and ordinances to the extent the project is subject to them. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-4 Public Notifications for Prescribed Burning: At three least days prior to the commencement of prescribed burning operations, the project proponent will: 1) post signs along the closest public roadway to the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or smoke concerns; 2) publish a public interest notification in a local newspapers or other widely distributed media source describing the activity, timing, and contact information; 3) send the local county supervisor and county administrative officer (or equivalent official responsible for distribution of public information) a notification letter describing the activity, its necessity, timing, and measures being taken to protect the environment and prevent prescribed burn escape. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	At least three days prior to prescribed burning operations	MPRPD	MPRPD
SPR AD-5 Maintain Site Cleanliness: If trash receptacles are used on-site, the project proponent will use fully covered trash receptacles with secure lids (wildlife proof) to contain all food, food scraps, food wrappers, beverages, and other worker generated miscellaneous trash. Remove all temporary non-biodegradable flagging, trash, debris, and barriers from the project site upon completion of project activities. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AD-6 Public Notifications for Treatment Projects. One to three days prior to the commencement of a treatment activity, the project proponent will post signs in a conspicuous location near the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or concerns. This SPR applies to all treatment activities and all treatment types, including treatment maintenance. Prescribed burning is subject to the additional notification requirements of SPR AD-4.	Initial Treatment: Yes Treatment Maintenance: Yes	One to three days prior to treatment activities	MPRPD	MPRPD
SPR AD-7 Provide Information on Proposed, Approved, and Completed Treatment Projects. For any vegetation treatment project using the CalVTP PEIR for CEQA compliance, the project proponent will provide the information listed below to the Board or CAL FIRE during the proposed, approved, and completed stages of the project. The Board or CAL FIRE will make this information available to the public via an online database or other mechanism. Information on proposed projects (PSA in progress): ▶ GIS data that include project location (as a point); ▶ project size (typically acres); ▶ treatment types and activities; and ▶ contact information for a representative of the project proponent. The project proponent will provide information on the proposed project to the Board or CAL FIRE as early as feasible in the planning phase. The project proponent will provide this information to the Board or CAL FIRE with sufficient lead time to allow those agencies to make the information available to the public no later than two weeks prior to project approval. The project proponent may also make information available to the public via other mechanisms (e.g., the proponent's own website). Information on approved projects (PSA complete): ▶ A completed PSA Environmental Checklist; ▶ A completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist); ▶ GIS data that include a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction). Information on completed projects: ▶ GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction)	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to, during, and following treatment Information has been submitted for the proposed project phase	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes ▪ Size of treated area (typically acres); ▪ Treatment types and activities; ▪ Dates of work; ▪ A list of the SPRs and mitigation measures that were implemented ▪ Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b). This SPR applies to all treatment activities and all treatment types, including treatment maintenance.				
Aesthetic and Visual Resource Standard Project Requirements				
SPR AES-1 Vegetation Thinning and Edge Feathering: The project proponent will thin and feather adjacent vegetation to break up or screen linear edges of the clearing and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance. The contrast of a distinct clearing edge will be faded into this transitional band. This SPR only applies to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Mechanical and Manual Treatment	MPRPD	MPRPD
SPR AES-2 Avoid Staging within Viewsheds: The project proponent will store all treatment-related materials, including vehicles, vegetation treatment debris, and equipment, outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. The project proponent will also locate materials staging and storage areas outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD
SPR AES-3 Provide Vegetation Screening: The project proponent will preserve sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from public trails, parks, recreation areas, and roadways as reasonable or appropriate for vegetation conditions. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Air Quality Standard Project Requirements				
SPR AQ-1 Comply with Air Quality Regulations: The project proponent will comply with the applicable air quality requirements of air districts within whose jurisdiction the project is located. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD
SPR AQ-2 Submit Smoke Management Plan: The project proponent will submit a smoke management plan for all prescribed burns to the applicable air district, in accordance with 17 CCR Section 80160. Pursuant to this regulation a smoke management plan will not be required for burns less than 10 acres that also will not be conducted near smoke sensitive areas, unless otherwise directed by the air district. Burning will only be conducted in compliance with the burn authorization program of the applicable air district(s) having jurisdiction over the treatment area. Example of a smoke management plan is in Appendix PD-2. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to prescribed burning operations	MPRPD	MPRPD
SPR AQ-3 Create Burn Plan: The project proponent will create a burn plan using the CAL FIRE burn plan template for all prescribed burns. The burn plan will include a fire behavior model output of First Order Fire Effects Model and BEHAVE or other fire behavior modeling simulation and that is performed by a qualified fire behavior technical specialist that predicts fire behavior, calculates consumption of fuels, tree mortality, predicted emissions, greenhouse gas emissions, and soil heating. The project proponent will minimize soil burn severity from broadcast burning to reduce the potential for runoff and soil erosion. The burn plan will be created with input from a qualified technician or certified State burn boss. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to prescribed burning operations	MPRPD	MPRPD
SPR AQ-4 Minimize Dust: To minimize dust during treatment activities, the project proponent will implement the following measures: ▶ Limit the speed of vehicles and equipment traveling on unpaved areas to 15 miles per hour to reduce fugitive dust emissions, in accordance with the California Air Resources Board (CARB) Fugitive Dust protocol. ▶ If road use creates excessive dust, the project proponent will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant (e.g., emulsion polymers, organic material) during dry, dusty conditions. Any dust suppressant product used will be environmentally benign (i.e., non-toxic to plants and will not negatively impact water quality) and its use will not be prohibited by ARB, EPA, or the State Water Resources Control Board (SWRCB). The project proponent will not over-water exposed areas such that the water	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
results in runoff. The type of dust suppression method will be selected by the project proponent based on soil, traffic, site-specific conditions, and air quality regulations. ▶ Remove visible dust, silt, or mud tracked-out on to public paved roadways where sufficient water supplies and access to water is available. The project proponent will remove dust, silt, and mud from vehicles at the conclusion of each workday, or at a minimum of every 24 hours for continuous treatment activities, in accordance with Vehicle Code Section 23113. ▶ Suspend ground-disturbing treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary, if the particulate emissions may "cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property," per Health and Safety Code Section 41700. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR AQ-6: Prescribed Burn Safety Procedures. Prescribed burns planned and managed by non-CAL FIRE crews will follow all safety procedures required of CAL FIRE crew, including the implementation of an approved Incident Action Plan (IAP). The IAP will include the burn dates; burn hours; weather limitations; the specific burn prescription; a communications plan; a medical plan; a traffic plan; and special instructions such as minimizing smoke impacts to specific local roadways. The IAP will also assign responsibilities for coordination with the appropriate air district, such as conducting onsite briefings, posting notifications, weather monitoring during burning, and other burn related preparations. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during prescribed burning operations	MPRPD	MPRPD
Archaeological, Historical, and Tribal Cultural Resources Standard Project Requirements				
SPR CUL-1 Conduct Record Search: An archaeological and historical resource record search will be conducted per the applicable state or local agency procedures. Instead of conducting a new search, the project proponent may use recent record searches containing the treatment area requested by a landowner or other public agency in accordance applicable agency guidance. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Record search of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA for a summary of results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-2 Contact Geographically Affiliated Native American Tribes: The project proponent will obtain the latest Native American Heritage Commission (NAHC) provided Native Americans Contact List. Using the appropriate Native Americans Contact List, the project proponent will notify the California Native American Tribes in the counties where the treatment activity is located. The notification will contain the following: ▶ A written description of the treatment location and boundaries. ▶ Brief narrative of the treatment objectives. ▶ A description of the activities used (e.g., prescribed burning, mastication) and associated acreages. ▶ A map of the treatment area at a sufficient scale to indicate the spatial extent of activities. ▶ A request for information regarding potential impacts to cultural resources from the proposed treatment. ▶ A detailed description of the depth of excavation, if ground disturbance is expected. In addition, the project proponent will contact the NAHC for a review of their Sacred Lands File. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Tribes have been contacted and SLF query completed; see PSA for a summary of consultation and SLF results.	MPRPD	MPRPD
SPR-CUL-3 Pre-field Research: The project proponent will conduct research prior to implementing treatments as part of the cultural resource investigation. The purpose of this research is to properly inform survey design, based on the types of resources likely to be encountered within the treatment area, and to be prepared to interpret, record, and evaluate these findings within the context of local history and prehistory. The qualified archaeologist and/or archaeologically-trained resource professional will review records, study maps, read pertinent ethnographic, archaeological, and historical literature specific to the area being studied, and conduct other tasks to maximize the effectiveness of the survey. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Record review of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA for a summary of results.	MPRPD	MPRPD
SPR CUL-4 Archaeological Surveys: The project proponent will coordinate with an archaeologically-trained resource professional and/or qualified archaeologist to conduct a site-specific survey of the treatment area. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search, pre-field research, and/or Native American consultation identifies archaeological or historical resources near or within the treatment area. A survey report will be completed for every cultural resource survey completed. The specific requirements will comply with the applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Site-specific survey of project has been conducted; see PSA for a summary of results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-6 Treatment of Tribal Cultural Resources: The project proponent, in consultation with the culturally affiliated tribe(s), will develop effective protection measures for important tribal cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. The project proponent will provide the tribe(s) the opportunity to submit comments and participate in consultation to resolve issues of concern. The project proponent will defer implementing the treatment until the tribe approves protection measures, or if agreement cannot be reached after a good-faith effort, the proponent determines that any or all feasible measures have been implemented, where feasible, and the resource is either avoided or protected. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Project-Specific Implementation ▶ MPRPD shall invite up to one Native American monitor to be on site during treatment activities. Each Native American group will monitor for half of the projected work days of monitoring or as equitable as possible. The goal is equitable distribution of monitoring days in an effort to afford each Native American group the opportunity to participate in construction monitoring; however, the ever-changing treatment environment can pose a challenge to scheduling. MPRPD will strive to achieve equitable distribution of monitoring when coordinating the staffing and scheduling monitoring to support Project implementation as practicable. ▶ MPRPD, in coordination with the local Native American community, will develop and place signage near the treatment areas acknowledging the indigenous history/community of the land. At a minimum, the signage would include a website address(es) where the public can access digital resources created by the Native American community. ▶ MPRPD shall continue to communicate and coordinate with the Esselen Tribe of Monterey County to develop protection measures for resources important to the tribe, as described above in this SPR.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD/Monterey County RCD (Monterey County RCD, in coordination with MPRPD, has initiated consultation with culturally affiliated tribes. Protection measures for important tribal cultural resources are incorporated into this MMRP.)	MPRPD/Monterey County RCD
SPR CUL-8 Cultural Resource Training: The project proponent will train all crew members and contractors implementing treatment activities on the protection of sensitive archaeological, historical, or tribal cultural resources. Workers will be trained to halt work if archaeological resources are encountered on a treatment site and the treatment method consists of physical disturbance of land surfaces (e.g., soil disturbance). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment	MPRPD (Monterey County RCD, in coordination with MPRPD, has initiated consultation with culturally affiliated tribes. specific measures	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Project-Specific Implementation ▶ MPRPD shall invite representatives from the local Native American community to participate in the cultural resources training prior to implementation of treatment activities to aid those involved in the project with becoming more familiar with the indigenous history of the peoples of the land that is being worked on, as well as to share information about the treatment areas that acknowledges the Indigenous history/community of the land and are welcome to provide the crew brochures or access to digital resources created by the Native American community.			for tribal cultural resources education are incorporated into this MMRP.)	
Biological Resources Standard Project Requirements				
SPR BIO-1: Review and Survey Project-Specific Biological Resources. The project proponent will require a qualified RPF or biologist to conduct a data review and reconnaissance-level survey prior to treatment, no more than one year prior to the submittal of the PSA, and no more than one year between completion of the PSA and implementation of the treatment project. The data reviewed will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this PEIR for the ecoregion(s) where the treatment will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, and relevant general and regional plans. Reconnaissance-level biological surveys will be general surveys that include visual and auditory inspection for biological resources to help determine the environmental setting of a project site. The qualified surveyor will 1.) identify and document sensitive resources, such as riparian or other sensitive habitats, sensitive natural community, wetlands, or wildlife nursery site or habitat (including bird nests), and 2.) assess the suitability of habitat for special-status plant and animal species. The surveyor will also record any incidental wildlife observations. For each treatment project, habitat assessments will be completed at a time of year that is appropriate for identifying habitat and no more than one year prior to the submittal of the PSA, unless it can be demonstrated in the PSA that habitat assessments older than one year remain valid (e.g., site conditions are unchanged and no treatment activity has occurred since the assessment). If more than one year passes between completion of the PSA and initiation of the treatment project, the project proponent will verify the continued accuracy of the PSA prior to beginning the treatment project by reviewing for any data updates and/or visiting the site to verify conditions. Based on the results of the data review and reconnaissance-level survey, the project proponent, in consultation with a qualified RPF or biologist, will determine which one of the following best characterizes the treatment:	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Initial data review and reconnaissance-level survey have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
1. Suitable Habitat Is Present but Adverse Effects Can Be Clearly Avoided. If, based on the data review and reconnaissance-level survey, the qualified RPF or biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating treatment and will remain in effect throughout the treatment: a. by physically avoiding the suitable habitat, or b. by conducting treatment outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, during dormant season of sensitive annual or geophytic plant species, or outside of maternity and rearing season at wildlife nursery sites). Physical avoidance will include flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified RPF or biologist. 2. Suitable Habitat is Present and Adverse Effects Cannot Be Clearly Avoided. Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the SPRs below. Further review may include contacting USFWS, NOAA Fisheries, CDFW, CNPS, or local resource agencies as necessary to determine the potential for special-status species or other sensitive biological resources to be affected by the treatment activity. Focused or protocol-level surveys will be conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the CDFW webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. Specific survey requirements are addressed for each resource type in relevant SPRs (e.g., additional survey requirements are presented for special-status plants in SPR BIO-7). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR BIO-2: Require Biological Resource Training for Workers. The project proponent will require crew members and contractors to receive training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological SPRs and mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the treatment area; impact minimization procedures; and reporting requirements. The training will instruct workers when it is appropriate to stop work and allow wildlife encountered during treatment activities to leave the area unharmed and when it is necessary to report encounters to a qualified RPF, biologist, or biological technician. The qualified RPF, biologist, or biological technician will immediately contact CDFW or USFWS, as appropriate, if any wildlife protected by the California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own (without being handled). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Sensitive Natural Communities and Other Sensitive Habitats				
SPR BIO-3: Survey Sensitive Natural Communities and Other Sensitive Habitats. If SPR BIO-1 determines that sensitive natural communities or sensitive habitats may be present and adverse effects cannot be avoided, the project proponent will: ▶ require a qualified RPF or biologist to perform a protocol-level survey following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018) of the treatment area prior to the start of treatment activities for sensitive natural communities and sensitive habitats. Sensitive natural communities will be identified using the best means possible, including keying them out using the most current edition of *A Manual of California Vegetation* (including updated natural communities data at http://vegetation.cnps.org/), or referring to relevant reports (e.g., reports found on the VegCAMP website). ▶ map and digitally record, using a Global Positioning System (GPS), the limits of any potential sensitive habitat and sensitive natural community identified in the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Sensitive habitat survey and mapping have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD
SPR BIO-4: Design Treatment to Avoid Loss or Degradation of Riparian Habitat Function. Project proponents, in consultation with a qualified RPF or qualified biologist, will design treatments in riparian habitats to retain or improve habitat functions by implementing the following within riparian habitats: ▶ Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped during surveys conducted pursuant to SPR BIO-3. Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment MPRPD has consulted with DD&A qualified biologists to design treatments to retain and improve riparian habitat functions.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant removal, selective thinning, and removal of encroaching upland species. ▶ Removal of large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) will be minimized to the extent feasible and 75 percent of the pretreatment native riparian hardwood tree canopy will be retained. Because tree size varies depending on vegetation type present and site conditions, the tree size retention parameter will be determined on a site-specific basis depending on vegetation type present and setting; however, live, healthy, native trees that are considered large for that type of tree and large relative to other trees in that location will be retained. A scientifically-based, project-specific explanation substantiating the retention size parameter for native riparian hardwood tree removal will be provided in the Biological Resources Discussion of the PSA. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, presence of sufficient seed trees, light availability, and changes in stream shading may inform the tree size retention requirements. ▶ Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat, e.g., see Accelerated Wood Recruitment and Timber Operations: Process Guidance from the California Timber Harvest Review Team Agencies and National Marine Fisheries Service). ▶ Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided. ▶ Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments. This will consist of the minimum disturbance area necessary to reduce hazardous fuels and return the riparian community to a natural fire regime (i.e., Condition Class 1) considering historic fire return intervals, climate change, and land use constraints. ▶ Only hand application of herbicides approved for use in aquatic environments will be allowed and only during low-flow periods or when seasonal streams are dry. ▶ The project proponent will notify CDFW when required by California Fish and Game Code Section 1602 prior to implementing any treatment activities in riparian				

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
habitats. Notification will identify the treatment activities, map the vegetation to be removed, identify the impact avoidance identification methods to be used (e.g., flagging), and appropriate protections for the retention of shaded riverine habitat, including buffers and other applicable measures to prevent erosion into the waterway. ▶ In consideration of spatial variability of riparian vegetation types and condition and consistent with California Forest Practice Rules Section 916.9(v) (February 2019 version), a different set of vegetation retention standards and protection measures from those specified in the above bullets may be implemented on a site-specific basis if the qualified RPF and the project proponent demonstrate through substantial evidence that alternative design measures provide a more effective means of achieving the treatment goals objectives and would result in effects to the Beneficial Functions of Riparian Zones equal or more favorable than those expected to result from application of the above measures. Deviation from the above design specifications, different protection measures and design standards will only be approved when the treatment plan incorporates an evaluation of beneficial functions of the riparian habitat and with written concurrence from CDFW. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR BIO-6: Prevent Spread of Plant Pathogens. When working in sensitive natural communities, riparian habitats, or oak woodlands that are at risk from plant pathogens (e.g., lone chaparral, blue oak woodland), the project proponent will implement the following best management practices to prevent the spread of *Phytopthora* and other plant pathogens (e.g., pitch canker (*Fusarium*), goldspotted oak borer, shot hole borer, bark beetle): ▶ clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a treatment site and when leaving a contaminated site, or a site in a county where contamination is a risk; ▶ include training on *Phytopthora* diseases and other plant pathogens in the worker awareness training; ▶ minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment; ▶ minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination;	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ clean soil and debris from equipment and sanitize hand tools, buckets, gloves, and footwear when moving from high risk to low risk areas or between widely separated portions of a treatment area; and ▶ follow the procedures listed in Guidance for plant pathogen prevention when working at contaminated restoration sites or with rare plants and sensitive habitat (Working Group for *Phytoptheras* in Native Habitats 2016). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Special-Status Plants				
SPR BIO-7: Survey for Special-Status Plants. If SPR BIO-1 determines that suitable habitat for special-status plant species is present and cannot be avoided, the project proponent will require a qualified RPF or botanist to conduct protocol-level surveys for special-status plant species with the potential to be affected by a treatment prior to initiation of the treatment. The survey will follow the methods in the current version of CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities." Surveys to determine the presence or absence of special-status plant species will be conducted in suitable habitat that could be affected by the treatment and timed to coincide with the blooming or other appropriate phenological period of the target species (as determined by a qualified RPF or botanist), or all species in the same genus as the target species will be assumed to be special-status. If potentially occurring special-status plants are listed under CESA or ESA, protocol-level surveys to determine presence/absence of the listed species will be conducted in all circumstances, unless determined otherwise by CDFW or USFWS. For other special-status plants not listed under CESA or ESA, as defined in Section 3.6.1 of this PEIR, surveys will not be required under the following circumstances: ▶ If protocol-level surveys, consisting of at least two survey visits (e.g., early blooming season and later blooming season) during a normal weather year, have been completed in the 5 years before implementation of the treatment project and no special-status plants were found, and no treatment activity has occurred following the protocol-level survey, treatment may proceed without additional plant surveys. ▶ If the target special-status plant species is an herbaceous annual, stump-sprouting, or geophyte species, the treatment may be carried out during the dormant season for that species or when the species has completed its annual lifecycle without conducting presence/absence surveys provided the treatment will not alter habitat or destroy seeds, stumps, or roots, rhizomes, bulbs and other underground parts in a	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Protocol-level survey for special-status plants has been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
way that would make it unsuitable for the target species to reestablish following treatment. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Invasive Plants and Wildlife				
SPR BIO-9: Prevent Spread of Invasive Plants, Noxious Weeds, and Invasive Wildlife. The project proponent will take the following actions to prevent the spread of invasive plants, noxious weeds, and invasive wildlife (e.g., New Zealand mudsnail): ▶ clean clothing, footwear, and equipment used during treatments of soil, seeds, vegetative matter, other debris or seed-bearing material, or water (e.g., rivers, streams, creeks, lakes) before entering the treatment area or when leaving an area with infestations of invasive plants, noxious weeds, or invasive wildlife; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas; ▶ stage equipment in areas free of invasive plant infestations unless there are no uninfested areas present within a reasonable proximity to the treatment area; ▶ identify significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys and target them for removal during treatment activities. Treatment methods will be selected based on the invasive species present and may include herbicide application, manual or mechanical treatments, prescribed burning, and/or herbivory, and will be designed to maximize success in killing or removing the invasive plants and preventing reestablishment based on the life history characteristics of the invasive plant species present. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles; ▶ treat invasive plant biomass onsite to eliminate seeds and propagules and prevent reestablishment or dispose of invasive plant biomass offsite at an appropriate	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
waste collection facility (if not kept on site); transport invasive plant materials in a closed container or bag to prevent the spread of propagules during transport; and ▶ implement Fire and Fuel Management BMPs outlined in the "Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers" (Cal-IPC 2012, or current version). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Wildlife				
SPR BIO-10: Survey for Special-Status Wildlife and Nursery Sites. If SPR BIO-1 determines that suitable habitat for special-status wildlife species or nurseries of any wildlife species is present and cannot be avoided, the project proponent will require a qualified RPF or biologist to conduct focused or protocol-level surveys for special-status wildlife species or nursery sites (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries, monarch overwintering sites) with potential to be directly or indirectly affected by a treatment activity. The survey area will be determined by a qualified RPF or biologist based on the species and habitats and any recommended buffer distances in agency protocols. The qualified RPF or biologist will determine if following an established protocol is required, and the project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate survey protocols. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of treatment activities. Focused or protocol surveys for a special-status species with potential to occur in the treatment area may not be required if presence of the species is assumed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Project-Specific Implementation ▶ A qualified biologist shall survey the project site for California red-legged frog, Coast Range newt, and western pond turtle no more than 48 hours prior to the commencement of treatment activities. If any Coast Range newt individuals are encountered Mitigation Measures BIO-2a and/or BIO-2b shall be implemented. ▶ Not more than 14 days prior to the start of treatment activities that, a qualified biologist shall conduct a survey of suitable habitat within the project site to locate existing Monterey dusky-footed woodrat nests and American badger dens. If any Monterey dusky-footed woodrat nests or American badger dens are encountered Mitigation Measure BIO-2b shall be implemented.	Initial Treatment: Yes Treatment Maintenance: Yes	No more than 48 hours prior to treatment for California red-legged frog, Coast Range newt, and western pond turtle. No more than 14 days prior to treatment for American badger and Monterey dusky-footed woodrat. During the flight season for special-status bumble bees according to the CDFW protocol.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ If treatment activities are scheduled within the CBB and WBB flight season, MPRPD shall contract a qualified biologist to conduct a survey for an active CBB and WBB colony within grassland areas to be impacted by the project and an approximate 50-foot buffer. Surveys shall be conducted in accordance with CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (2023) or the most current CDFW protocol. If protected bumble bee nests are found Mitigation Measure BIO-2g shall be implemented.				
SPR BIO-11. Install Wildlife-Friendly Fencing (Prescribed Herbivory). If temporary fencing is required for prescribed herbivory treatment, a wildlife-friendly fencing design will be used. The project proponent will require a qualified RPF or biologist to review and approve the design before installation to minimize the risk of wildlife entanglement. The fencing design will meet the following standards: ▶ Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale or snag a leaping animal; and, if feasible, keeping electric netting-type fencing electrified at all times or laid down while not in use. ▶ Charge temporary electric fencing with intermittent pulse energizers; continuous output fence chargers will not be permitted. ▶ Allow wildlife to jump over easily without injury by installing fencing that can flex as animals pass over it and installing the top wire low enough (no more than approximately 40 inches high on flat ground) to allow adult ungulates to jump over it. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. ▶ Be highly visible to birds and mammals by using high-visibility tape or wire, flagging, or other markers. This SPR applies only to prescribed herbivory and all treatment types, including treatment maintenance.	Initial Treatment: No Treatment Maintenance: Yes	Prior to and during prescribed herbivory treatment	MPRPD	MPRPD
SPR BIO-12. Protect Common Nesting Birds, Including Raptors. The project proponent will schedule treatment activities to avoid the active nesting season of common native bird species, including raptors, that could be present within or adjacent to the treatment site, if feasible. Common native birds are species not otherwise treated as special status in the CalVTP PEIR. The active nesting season will be defined by the qualified RPF or biologist. If active nesting season avoidance is not feasible, a qualified RPF or biologist will conduct a survey for common nesting birds, including raptors. Existing records (e.g., CNDDB, eBird database, State Wildlife Action Plan) should be reviewed in advance of the survey to identity the common nesting birds, including raptors, that are known to occur	Initial Treatment: Yes Treatment Maintenance: Yes	Survey no more than 3 weeks prior to treatment during active nesting season (February 1 – August 31) Avoidance and minimization measures to be implemented	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
in the vicinity of the treatment site. The survey area will encompass reasonably accessible areas of the treatment site and the immediately surrounding vicinity viewable from the treatment site. The survey area will be determined by a qualified RPF or biologist, based on the potential species in the area, location of suitable nesting habitat, and type of treatment. For vegetation removal or project activities that would occur during the nesting season, the survey will be conducted at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies. Typically, this timeframe would be up to 3 weeks before treatment. The survey will occur in a single survey period of sufficient duration to reasonably detect nesting birds, including raptors, typically one day for most treatment projects (depending on the size, configuration, and vegetation density in the treatment site), and conducted during the active time of day for target species, typically close to dawn and/or dusk. The survey may be conducted concurrently with other biological surveys, if they are required by other SPRs. Survey methods will be tailored by the qualified RPF or biologist to site and habitat conditions, typically involving walking throughout the survey area, visually searching for nests and birds exhibiting behavior that is typical of breeding (e.g., delivering food). If an active nest is observed (i.e., presence of eggs and/or chicks) or determined to likely be present based on nesting bird behavior, the project proponent will implement a feasible strategy to avoid disturbance of active nests, which may include, but is not limited to, one or more of the following: ▶ Establish Buffer. The project proponent will establish a temporary, species-appropriate buffer around the nest sufficient to reasonably expect that breeding would not be disrupted. Treatment activities will be implemented outside of the buffer. The buffer location will be determined by a qualified RPF or biologist. Factors to be considered for determining buffer location will include: presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Nests of common birds within the buffer need not be monitored during treatment. However, buffers will be maintained until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. ▶ Modify Treatment. The project proponent will modify the treatment in the vicinity of an active nest to avoid disturbance of active nests (e.g., by implementing manual treatment methods, rather than mechanical treatment methods). Treatment modifications will be determined by the project proponent in coordination with the qualified RPF or biologist.		prior to and during treatment if active nests are identified		

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Defer Treatment. The project proponent will defer the timing of treatment in the portion(s) of the treatment site that could disturb the active nest. If this avoidance strategy is implemented, treatment activity will not commence until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. Feasible actions will be taken by the project proponent to avoid loss of common native bird nests. The feasibility of implementing the avoidance strategies will be determined by the project proponent based on whether implementation of this SPR will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. Considerations may include limitations on the presence of environmental and atmospheric conditions necessary to execute treatment prescriptions (e.g., the limited seasonal windows during which prescribed burning can occur when vegetation moisture, weather, wind, and other physical conditions are suitable). If it is infeasible to avoid loss of common bird nests (not including raptor nests), the project proponent will document the reasons implementation of the avoidance strategies is infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). The following avoidance strategies may also be considered together with or in lieu of other actions for implementation by a project proponent to avoid disturbance to raptor nests: ▶ Monitor Active Raptor Nest During Treatment. A qualified RPF, biologist, or biological technician will monitor an active raptor nest during treatment activities to identify signs of agitation, nest defense, or other behaviors that signal disturbance of the active nest is likely (e.g., standing up from a brooding position, flying off the nest). If breeding raptors are showing signs of nest disturbance, one of the other avoidance strategies (establish buffer, modify treatment or defer treatment) will be implemented or a pause in the treatment activity will occur until the disturbance behavior ceases. ▶ Retention of Raptor Nest Trees. Trees with visible raptor nests, whether occupied or not, will be retained. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Geology, Soils, and Mineral Resource Standard Project Requirements				
SPR GEO-1 Suspend Disturbance during Heavy Precipitation: The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National	Initial Treatment: Yes	During treatment if there is a 30 percent or	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance.	Treatment Maintenance: Yes	more chance of rain within the next 24 hours		
SPR GEO-2 Limit High Ground Pressure Vehicles: The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure. Saturated soil means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. If use of heavy equipment is required in saturated areas, other measures such as operating on organic debris, using low ground pressure vehicles, or operating on frozen soils/snow covered soils will be implemented to minimize soil compaction. Existing compacted road surfaces are exempted as they are already compacted from use. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR GEO-3 Stabilize Disturbed Soil Areas: The project proponent will stabilize soil disturbed during mechanical, prescribed herbivory treatments, and prescribed burns that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical, prescribed herbivory, or prescribed burn treatment activities could result in substantial sediment discharge from soil disturbed by machinery, animal hooves, or being bare, organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface. This SPR only applies to mechanical, prescribed herbivory, and prescribed burns that result in exposure of bare soil over 50 percent of the project area treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During mechanical activities that result in exposure of bare soil over 50% or more of the treatment area	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR GEO-4 Erosion Monitoring: The project proponent will inspect treatment areas for the proper implementation of erosion control SPRs and mitigations prior to the rainy season. If erosion control measures are not properly implemented, they will be remediated prior to the first rainfall event per SPR GEO-3 and GEO-8. Additionally, the project proponent will inspect for evidence of erosion after the first large storm or rainfall event (i.e., ≥ 1.5 inches in 24 hours) as soon as is feasible after the event. Any area of erosion that will result in substantial sediment discharge will be remediated within 48 hours per the methods stated in SPRs GEO-3 and GEO-8. This SPR applies only to mechanical, prescribed herbivory, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During and immediately following treatment	MPRPD	MPRPD
SPR GEO-5 Drain Stormwater via Water Breaks: The project proponent will drain compacted and/or bare linear treatment areas capable of generating storm runoff via water breaks using the spacing and erosion control guidelines contained in Sections 914.6, 934.6, and 954.6(c) of the California Forest Practice Rules (February 2019 version). Where waterbreaks cannot effectively disperse surface runoff, including where waterbreaks cause surface run-off to be concentrated on downslopes, other erosion controls will be installed as needed to maintain site productivity by minimizing soil loss. This SPR applies only to mechanical, manual, and prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During and immediately following treatment	MPRPD	MPRPD
SPR GEO-6 Minimize Burn Pile Size: The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area (Busse et al. 2014). The project proponent will not locate burn piles in a Watercourse and Lake Protection Zone as defined in SPR HYD-4. This SPR applies to mechanical, manual, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During prescribed burning treatment activities	MPRPD	MPRPD
Hazardous Material and Public Health and Safety Standard Project Requirements				
SPR HAZ-1 Maintain All Equipment: The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR HAZ-2 Require Spark Arrestors: The project proponent will require mechanized hand tools to have federal- or state-approved spark arrestors. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes	During manual treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
	Treatment Maintenance: Yes			
SPR HAZ-3 Require Fire Extinguishers: The project proponent will require tree cutting crews to carry one fire extinguisher per chainsaw. Each vehicle would be equipped with one long-handled shovel and one axe or Pulaski consistent with PRC Section 4428. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During manual treatment activities	MPRPD	MPRPD
SPR HAZ-4 Prohibit Smoking in Vegetated Areas: The project proponent will require that smoking is only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR HAZ-5 Spill Prevention and Response Plan: The project proponent or licensed Pest Control Advisor (PCA) will prepare a Spill Prevention and Response Plan (SPRP) prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants. The SPRP will include (but not be limited to): ▶ a map that delineates staging areas, and storage, loading, and mixing areas for herbicides; ▶ a list of items required in an onsite spill kit that will be maintained throughout the life of the activity; ▶ procedures for the proper storage, use, and disposal of any herbicides, adjuvants, or other chemicals used in vegetation treatment. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-6 Comply with Herbicide Application Regulations: The project proponent will coordinate pesticide use with the applicable County Agricultural Commissioner(s), and all required licenses and permits will be obtained prior to herbicide application. The project proponent will prepare all herbicide applications to do the following: ▶ Be implemented consistent with recommendations prepared annually by a licensed PCA. ▶ Comply with all appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the EPA, DPR, and applicable local jurisdictions.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Adhere to label directions for application rates and methods, storage, transportation, mixing, container disposal, and weather limitations to application such as wind speed, humidity, temperature, and precipitation. ▶ Be applied by an applicator appropriately licensed by the State. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.				
SPR HAZ-7 Triple Rinse Herbicide Containers: The project proponent will triple rinse all herbicide and adjuvant containers with clean water at an approved site, and dispose of rinsate by placing it in the batch tank for application per 3 CCR Section 6684. The project proponent will puncture used containers on the top and bottom to render them unusable, unless said containers are part of a manufacturer's container recycling program, in which case the manufacturer's instructions will be followed. Disposal of non-recyclable containers will be at legal dumpsites. Equipment will not be cleaned, and personnel will not be washed in a manner that would allow contaminated water to directly enter any body of water within the treatment area or adjacent watersheds. Disposal of all herbicides will follow label requirements and waste disposal regulations. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-8 Minimize Herbicide Drift to Public Areas: The project proponent will employ the following herbicide application parameters during herbicide application to minimize drift into public areas: ▶ application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ spray nozzles will be configured to produce the largest appropriate droplet size to minimize drift; ▶ low nozzle pressures (30-70 pounds per square inch) will be utilized to minimize drift; and ▶ spray nozzles will be kept within 24 inches of vegetation during spraying. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-9 Notification of Herbicide Use in the Vicinity of Public Areas: For herbicide applications occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet, the project proponent will post signs at each end of herbicide treatment areas and any intersecting trails notifying the public of the use of herbicides. The signs will include the signal word (i.e., Danger, Warning or Caution), product name, and manufacturer; active ingredient; EPA registration number; target pest; treatment location; date and time of application; restricted entry interval, if	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to, during, and for at least 72 hours after herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
applicable per the label requirements; date which notification sign may be removed; and a contact person with a telephone number. Signs will be posted prior to the start of treatment and notification will remain in place for at least 72 hours after treatment ceases. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.				
Hydrology and Water Quality Standard Project Requirements				
SPR HYD-1 Comply with Water Quality Regulations: Project proponents must also conduct proposed vegetation treatments in conformance with appropriate RWQCB timber, vegetation and land disturbance related Waste Discharge Requirements (WDRs) and/or related Conditional Waivers of Waste Discharge Requirements (Waivers), and appropriate Basin Plan Prohibitions. Where these regulatory requirements differ, the most restrictive will apply. If applicable, this includes compliance with the conditions of general waste discharge requirements (WDR) and waste discharge requirement waivers for timber or silviculture activities where these waivers are designed to apply to non-commercial fuel reduction and forest health projects. In general, WDR and Waivers of waste discharge requirements for fuel reduction and forest health activities require that wastes, including but not limited to petroleum products, soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, ash, and pesticides must not be discharged to surface waters or placed where it may be carried into surface waters; and that Water Board staff must be allowed reasonable access to the property in order to determine compliance with the waiver conditions. The specifications for each WDR and Waiver vary by region. Regions 2 (San Francisco Bay), 4 (Los Angeles), 8 (Santa Ana), and 7 (Colorado River) are highly urban or minimally forested and do not offer WDRs or Waivers for fuel reduction or vegetation management activities. The current applicable WDRs and Waivers for timber and vegetation management activities are included in Appendix HYD-1. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR HYD-2 Avoid Construction of New Roads: The project proponent will not construct or reconstruct (i.e., cutting or filling involving less than 50 cubic yards/0.25 linear road miles) any new roads (including temporary roads). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR HYD-3 Water Quality Protections for Prescribed Herbivory: The project proponent will include the following water quality protections for all prescribed herbivory treatments: ▶ Environmentally sensitive areas such as waterbodies, wetlands, or riparian areas will be identified in the treatment prescription and excluded from prescribed herbivory project areas using temporary fencing or active herding. A buffer of approximately 50 feet will be maintained between sensitive and actively grazed areas.	Initial Treatment: No Treatment Maintenance: Yes	Prior to and during prescribed herbivory treatment	MPRPD	MPRPD

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<table>
<tr><th>Standard Project Requirements</th><th>Applicable? (Y/N)</th><th>Timing</th><th>Implementing Entity</th><th>Verifying/Monitoring Entity</th></tr>
<tr><td>

Water will be provided for grazing animals in the form of an on-site stock pond or a portable water source located outside of environmentally sensitive areas.
Treatment prescriptions will be designed to protect soil stability. Grazing animals will be herded out of an area if accelerated soil erosion is observed.

This SPR applies to prescribed herbivory treatment activities and all treatment types, including treatment maintenance.
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SPR HYD-4 Identify and Protect Watercourse and Lake Protection Zones: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZ's are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.

Procedures for Determining Watercourse and Lake Protection Zone (WLPZ) widths
<table>
<tr><th>Water Class</th><th>Class I</th><th>Class II</th><th>Class III</th><th>Class IV</th></tr>
<tr><td>Water Class Characteristics or Key Indicator Beneficial Use</td><td>1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or
2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.</td><td>1) Fish always or seasonally present offsite within 1000 feet downstream and/or
2) Aquatic habitat for nonfish aquatic species.
3) Excludes Class III waters that are tributary to Class I waters.</td><td>No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of timber operations.</td><td>Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.</td></tr>
<tr><td colspan="5">WLPZ Width (ft) – Distance from top of bank to the edge of WLPZ</td></tr>
<tr><td>< 30 % Slope</td><td>75</td><td>50</td><td rowspan="2">Sufficient to prevent the</td><td></td></tr>
<tr><td>30-50 % Slope</td><td>100</td><td>75</td><td></td></tr>
</table>
</td><td>Initial Treatment: Yes

Treatment Maintenance: Yes</td><td>Establish WLPZs prior to treatment (adjacent Carmel River is a Class I waterway)

Implement WLPZ protections during treatments (adjacent Carmel River is a Class I waterway)</td><td>MPRPD</td><td>MPRPD</td></tr>
</table>

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Standard Project Requirements				Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
>50 % Slope	150	100	degradation of downstream beneficial uses of water. Determined on a site-specific basis.				

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

The following WLPZ protections will be applied for all treatments:

- Treatment activities with WLPZs will retain at least 75 percent surface cover and undisturbed area to act as a filter strip for raindrop energy dissipation and for wildlife habitat. If this percentage is reduced a qualified RPF will provide the project proponent with a site- and/or treatment activity-specific explanation for the percent surface cover reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced percent as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). This requirement is based on 14 CCR Section 916.4 [936.4, 956.4] Subsection (b)(6) (February 2019 version) and 14 CCR Section 916.5 (February 2019 version).
- Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry.
- Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas.
- WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water. Accidental deposits will be removed immediately.
- Burn piles will be located outside of WLPZs.
- No fire ignition (nor use of associated accelerants) will occur within WLPZs however low intensity backing fires may be allowed to enter or spread into WLPZs.
- Within Class I and Class II WLPZs, locations where project operations expose a continuous area of mineral soil 800 square feet or larger shall be treated for reduction of soil loss. Treatment shall occur prior to October 15th and disturbances that are created after October 15th shall be treated within 10 days. Stabilization measures shall be selected that will prevent significant movement of soil into water

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
bodies and may include but are not limited to mulching, rip-rap, grass seeding, or chemical soil stabilizers. ▶ Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts that would adversely affect the quality and beneficial uses of the watercourse. ▶ Where necessary to protect beneficial uses of water from project operations, protection measures such as seeding, mulching, or replanting shall be used to retain and improve the natural ability of the ground cover within the WLPZ to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes. ▶ Equipment limitation zones (ELZs) will be designated adjacent to Class III and Class IV watercourses with minimum widths of 25 feet where side-slope is less than 30 percent and 50 feet where side-slope is 30 percent or greater. An RPF will describe the limitations of heavy equipment within the ELZ and, where appropriate, will include additional measures to protect the beneficial uses of water. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR HYD-5 Protect Non-Target Vegetation and Special-status Species from Herbicides: The project proponent will implement the following measures when applying herbicides: ▶ Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway. ▶ Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry. ▶ No terrestrial or aquatic herbicides will be applied within WLPZs of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application. The feasibility of avoiding herbicide application within WLPZ of Class I and II watercourses will be determined by the project proponent and may be based on whether doing so will preclude achieving CalVTP program objectives, including, but not limited to, protection of vulnerable communities. The reasons for infeasibility will be documented in the PSA.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools. ▶ For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray. ▶ Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ No herbicide will be applied during precipitation events or if precipitation is forecast 24 hours before or after project activities. This SPR applies to herbicide treatment activities and all treatment types, including treatment maintenance.				
Noise Standard Project Requirements				
SPR NOI-1 Limit Heavy Equipment Use to Daytime Hours: The project proponent will require that operation of heavy equipment associated with treatment activities (heavy off-road equipment, tools, and delivery of equipment and materials) will occur during daytime hours if such noise would be audible to receptors (e.g., residential land uses, schools, hospitals, places of worship). Cities and counties in the treatable landscape typically restrict construction-noise (which would apply to vegetation treatment noise) to particular daytime hours. If the project proponent is subject to local noise ordinance, it will adhere to those to the extent the project is subject to them. If the applicable jurisdiction does not have a noise ordinance or policy restricting the time-of-day when noise-generating activity can occur noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays. If the project proponent is not subject to local ordinances (e.g., CAL FIRE), it will adhere to the restrictions stated above or may elect to adhere to the restrictions identified by the local ordinance encompassing the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-2 Equipment Maintenance: The project proponent will require that all powered treatment equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered treatment equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. This SPR applies to all activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR NOI-3 Engine Shroud Closure: The project proponent will require that engine shrouds be closed during equipment operation. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-4 Locate Staging Areas Away from Noise-Sensitive Land Uses: The project proponent will locate treatment activities, equipment, and equipment staging areas away from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship), to the extent feasible, to minimize noise exposure. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-5 Restrict Equipment Idle Time: The project proponent will require that all motorized equipment be shut down when not in use. Idling of equipment and haul trucks will be limited to 5 minutes. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-6 Notify Nearby Off-Site Noise-Sensitive Receptors: For treatment activities utilizing heavy equipment, the project proponent will notify noise-sensitive receptors (e.g., residential land uses, schools, hospitals, places of worship) located within 1,500 feet of the treatment activity. Notification will include anticipated dates and hours during which treatment activities are anticipated to occur and contact information, including a daytime telephone number, of the project representative. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) will also be included in the notification. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to mechanical treatment activities within 1,500 feet of noise-sensitive receptors	MPRPD	MPRPD
Recreation Standard Project Requirements				
SPR REC-1 Notify Recreational Users of Temporary Closures. If a treatment activity would require temporary closure of a public recreation area or facility, the project proponent to will coordinate with the owner/manager of that recreation area or facility. If temporary closure of a recreation area or facility is required, the project proponent will work with the owner/manager to post notifications of the closure at least 2 weeks prior to the commencement of the treatment activities. Additionally, notification of the treatment activity will be provided to the Administrative Officer (or equivalent official responsible for distribution of public information) of the county(ies) in which the affected recreation area or facility is located. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	At least 2 weeks prior to treatments that require temporary closures of public recreation areas	MPRPD	MPRPD
Transportation Standard Project Requirements				

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR TRAN-1 Implement Traffic Control during Treatments: Prior to initiating vegetation treatment activities the project proponent will work with the agency(ies) with jurisdiction over affected roadways to determine if a Traffic Management Plan (TMP) is needed. A TMP will be needed if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments. If needed, a TMP will be prepared to provide measures to reduce potential traffic obstructions, hazards, and service level degradation along affected roadway facilities. The scope of the TMP will depend on the type, intensity, and duration of the specific treatment activities under the CalVTP. Measures included in the TMP could include (but are not be limited to) construction signage to provide motorists with notification and information when approaching or traveling along the affected roadway facilities, flaggers for lane closures to provide temporary traffic control along affected roadway facilities, treatment schedule restrictions to avoid seasons or time periods of peak vehicle traffic, haul-trip, delivery, and/or commute time restrictions that would be implemented to avoid peak traffic days and times along affected roadway facilities. If the TMP identifies impacts on transportation facilities outside of the jurisdiction of the project proponent, the TMP will be submitted to the agency with jurisdiction over the affected roadways prior to commencement of vegetation treatment projects. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Smoke generated during prescribed burn operations could potentially affect driver visibility and traffic operations along nearby roadways. Direct smoke impacts to roadway visibility and indirect impacts related to driver distraction will be considered during the planning phase of burning operations. Smoke impacts and smoke management practices specific to traffic operations during prescribed fire operations will be identified and addressed within the TMP. The TMP will include measures to monitor smoke dispersion onto public roadways, and traffic control operations will be initiated in the event burning operations could affect traffic safety along any roadways. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Coordinate with agencies with jurisdiction over affected roadways prior to treatment to determine if a TMP is needed. Prepare TMP prior to treatment if needed. Implement TMP during treatments if needed.	MPRPD	MPRPD
Public Services and Utilities Standard Project Requirements				
SPR UTIL-1: Solid Organic Waste Disposition Plan. For projects requiring the disposal of material outside of the treatment area, the project proponent will prepare an Organic Waste Disposition Plan prior to initiating treatment activities. The Solid Organic Waste Disposition Plan will include the amount (e.g., tons) of solid organic waste to be managed onsite (i.e., scattering of wood materials, generating unburned piles, and pile burning) and transported offsite for processing (i.e., biomass power plant, wood product processing	Initial Treatment: Yes Treatment Maintenance: Yes	Develop Organic Waste Disposition Plan prior to treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
facility, composting). If the project proponent intends to transport solid organic waste offsite, the Solid Organic Waste Disposition Plan will clearly identify the location and capacity of the intended processing facility, consistent with local and state regulations to demonstrate that adequate capacity exists to accept the treated materials. This SPR applies only to mechanical and manual treatment activities and all treatment types, including treatment maintenance.		Implement Organic Waste Disposition Plan during treatment		

Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Air Quality				
Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques Where feasible, project proponents will implement emission reduction techniques to reduce exhaust emissions from off-road equipment. It is acknowledged that due to cost, availability, and the limits of current technology, there may be circumstances where implementation of certain emission reduction techniques will not feasible. The project proponent will document the emission reduction techniques that will be applied and will explain the reasons other techniques that could reduce emissions are infeasible. Techniques for reducing emissions may include, but are not limited to, the following: ▶ Diesel-powered off-road equipment used in construction will meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Prior to implementation of treatment activities, the project proponent will demonstrate the ability to supply the compliant equipment. A copy of each unit's certified tier specification or model year specification and operating permit (if applicable) will be available upon request at the time of mobilization of each unit of equipment. ▶ Use renewable diesel fuel in diesel-powered construction equipment. Renewable diesel fuel must meet the following criteria: ▪ meet California's Low Carbon Fuel Standards and be certified by CARB Executive Officer; ▪ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables;	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment if feasible	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ contain no fatty acids or functionalized fatty acid esters; and ▪ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines. ▶ Electric- and gasoline-powered equipment will be substituted for diesel-powered equipment. ▶ Workers will be encouraged to carpool to work sites, and/or use public transportation for their commutes. ▶ Off-road equipment, diesel trucks, and generators will be equipped with Best Available Control Technology for emission reductions of NO_X and PM.				
Archaeological, Historical, and Tribal Cultural Resources				
Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources If any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during ground-disturbing activities, all ground-disturbing activity within 100 feet of the resources will be halted and a qualified archaeologist will assess the significance of the find. The qualified archaeologist will work with the project proponent to develop a primary records report that will comply with applicable state or local agency procedures. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan will be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find constitutes a unique archaeological resource, subsurface historical resource, or tribal cultural resource), the archaeologist will work with the project proponent to develop appropriate procedures to protect the integrity of the resource. Procedures could include preservation in place (which is the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or recovery of scientifically consequential information from and about the resource. Any find will be recorded standard DPR Primary Record forms (Form DPR 523) will be submitted to the appropriate regional information center. Project-Specific Implementation The Project Archeologist shall communicate and coordinate with the Native American monitor(s) in regard to all data collection and the evaluation of all artifacts.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
Biological Resources				
Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities)	Initial Treatment: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
If California Fully Protected Species or species listed under ESA or CESA are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid adverse effects to the species by implementing the following. Avoid Mortality, Injury, or Disturbance of Individuals The project proponent will implement one of the following 2 measures to avoid mortality, injury, or disturbance of individuals: 1. Treatment will not be implemented within the occupied habitat. Any treatment activities outside occupied habitat will be a sufficient distance from the occupied habitat such that mortality, injury, or disturbance of the species will not occur, as determined by a qualified RPF or biologist using the most current and commonly-accepted science and considering published agency guidance; OR 2. Treatment will be implemented outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, CDFW and/or USFWS/NOAA Fisheries will be consulted to determine if there is a period of time within which treatment could occur that would avoid mortality, injury, or disturbance of the species. ▶ For species listed under ESA or CESA, if the project proponent cannot avoid mortality, injury or disturbance by implementing one of the two options listed above, the project proponent will implement Mitigation Measure BIO-2c. ▶ Injury or mortality of California Fully Protected Species is prohibited pursuant to Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code and will be avoided. Maintain Habitat Function ▶ The project proponent will design treatment activities to maintain the habitat function, by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and	Treatment Maintenance: Yes			

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
habitat requirements of the affected species and the most current, commonly accepted science. ▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that listed or fully protected wildlife with specific requirements for high canopy cover (e.g., Humboldt marten, fisher, spotted owl, coastal California gnatcatcher, riparian woodrat) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted [e.g., 50 percent for coastal California gnatcatcher]) such that habitat function is maintained. ▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. Because this measure pertains to species listed under CESA or ESA or are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS/NOAA Fisheries regarding the determination that habitat function is maintained. If consultation determines that the treatment will not maintain habitat function for the special-status species, the project proponent will implement Mitigation Measure BIO-2c. Project-Specific Implementation ▶ If any life stage of California red-legged frog (CRLF) is observed during the pre-treatment survey, treatment activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. ▶ A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of California red-legged frog (CRLF). The designated monitor will be the contact for any CRLF encounters and will conduct daily inspections of equipment and materials stored on site, and will actively look for CRLF during treatment activities. The qualified biologist shall remain available to come to the site if a CRLF is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
being followed. If any CRLF are found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all project activities within riparian areas should cease one half hour before sunset and should not begin prior to one half hour after sunrise.				
Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities) If other special-status wildlife species (i.e., species not listed under CESA or ESA or California Fully Protected, but meeting the definition of special status as stated in Section 3.6.1 of the Program EIR) are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid or minimize adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> ▶ The project proponent will implement the following to avoid mortality, injury, or disturbance of individuals: For all treatment activities except prescribed burning, the project proponent will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed. Factors to be considered in determining buffer size will include, but not be limited to, the species' tolerance to disturbance; the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; baseline levels of noise and human activity; and treatment activity. Buffer size may be adjusted if the qualified RPF or biologist determines that such an adjustment would not be likely to adversely affect (i.e., cause mortality, injury, or disturbance to) the species within the nest, den, burrow, or other occupied site. If a no-disturbance buffer is reduced below 100 feet from an occupied site, a qualified RPF or biologist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
the post-project implementation report (referred to by CAL FIRE as a Completion Report). ▶ No-disturbance buffers will be marked with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). No activity will occur within the buffer areas until the qualified RPF or biologist has determined that the young have fledged or dispersed; the nest, den, or other occurrence is no longer active; or reducing the buffer would not likely result in disturbance, mortality, or injury. A qualified RPF, biologist, or biological technician will be required to monitor the effectiveness of the no-disturbance buffer around the nest, den, burrow, or other occurrence during treatment. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species. ▶ For prescribed burning, the project proponent will implement the treatment outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, the qualified RPF or biologist will determine the period of time within which prescribed burning could occur that will avoid or minimize mortality, injury, or disturbance of the species. The project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate limited operating periods. <u>Maintain Habitat Function</u> ▶ For all treatment activities, the project proponent will design treatment activities to maintain the habitat function by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; tree snags; large raptor nests [including inactive nests]; downed woody debris). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science.				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that special-status wildlife with specific requirements for high canopy cover (e.g., northern goshawk, Sierra Nevada snowshoe hare) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted) such that the habitat function is maintained. ▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding habitat function. A qualified RPF or biologist with knowledge of the special-status wildlife species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status wildlife species' habitat or because the loss of special-status wildlife would substantially reduce the number or restrict the range of a special-status wildlife species. If the project proponent determines the impact on special-status wildlife would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status wildlife or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the non-listed special-status wildlife would benefit from treatment in the occupied habitat area even though some of the non-listed special-status wildlife may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to non-listed special-status wildlife, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status wildlife, no compensatory mitigation will be required. The qualified RPF or biologist may				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
consult with CDFW and/or USFWS for technical information regarding the determination that a non-listed special-status species would benefit from the treatment. Project-Specific Implementation ▶ If any Coast Range newt or western pond turtle individuals are encountered during pre-treatment surveys or during treatment activities, they shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet from the project site. ▶ Any Monterey dusky-footed woodrat nests identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all Monterey dusky-footed woodrat nests shall be provided to the vegetation removal contractor. Any Monterey dusky-footed woodrat nests that cannot be avoided shall be dismantled according to the following procedures: ▪ Each active nest shall be dismantled by the qualified biologist to the degree that the woodrats leave the nest and seek refuge elsewhere. ▪ Nests shall be dismantled during the non-breeding season (between October 1 and December 31), if possible. ▪ If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks; after this time, the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling. ▶ Any potential American badger dens identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all American badger dens shall be provided to the vegetation removal contractor. If avoidance of American badger dens is not feasible, the following measures shall be implemented: ▪ If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction. ▪ If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage the use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three- to five-day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during treatment activities.				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of all special-status wildlife species potentially occurring within the treatment areas. The designated monitor will be the contact for any special-status wildlife species encounters and will conduct daily inspections of equipment and materials stored on site. The qualified biologist shall remain available to come to the site if a special-status wildlife species is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed.				
Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities) If the provisions of Mitigation Measure BIO-2a, BIO-2b, BIO-2d, BIO-2e, BIO-2f, or BIO-2g cannot be implemented and the project proponent determines that additional mitigation is necessary to reduce significant impacts, the project proponent will compensate for such impacts to species or habitat by acquiring and/or protecting land that provides (or will provide in the case of restoration) habitat function for affected species that is at least equivalent to the habitat function removed or degraded as a result of the treatment. Compensation may include: 1. Preserving existing habitat outside of the treatment area in perpetuity; this may entail purchasing mitigation credits and/or lands from a CDFW- or USFWS-approved entity in sufficient quantity to offset the residual significant impacts, generally at a ratio of 1:1 for habitat; and 2. Restoring or enhancing existing habitat within the treatment area or outside of the treatment area (including decommissioning roads, adding perching structures, removing existing perching structures, or removing existing movement barriers or other existing features that are adversely affecting the species). The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and/or following treatment if necessary	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanisms for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. Review requirements are as follows: ▶ The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. ▶ For species listed under ESA or CESA or a California Fully Protected Species, the project proponent will submit the mitigation plan to CDFW and/or USFWS/NOAA Fisheries for review and comment. ▶ For other special-status wildlife species the project proponent may consult with CDFW and/or USFWS regarding the availability and applicability of compensatory mitigation and other related technical information. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified above.				
Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities) If special-status bumble bees are identified as occurring during review and surveys under SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, or if suitable habitat for special-status bumble bees is identified during review and surveys under SPR BIO-1 (e.g., wet meadow, forest meadow, riparian, grassland, or coastal scrub habitat containing sufficient floral resources within the range of the species), then the project proponent will implement the following measures, as feasible: ▶ Prescribed burning within occupied or suitable habitat for special-status bumble bees will occur from October through February to avoid the bumble bee flight season.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year; the objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in occupied or suitable habitat, such that the entirety of the habitat is not burned or removed and untreated portions of occupied or suitable habitat are retained (e.g., fire breaks will be aligned to allow for areas of unburned floral resources for special-status bumble bees within the treatment area). ▶ Herbicides will not be applied to flowering native plants within occupied or suitable habitat to the extent feasible during the flight season (March through September). CESA and ESA Listed Species. A qualified RPF or biologist will determine if, after implementation of feasible avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance to the species, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed bumble bees (in the event the Candidate listing is confirmed) or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c. Other Special-status Species. A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status bumble bees would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status bumble bees or degradation of occupied (or assumed to be occupied) habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status bumble bee species would benefit from treatment in the occupied (or assumed to be occupied) habitat area even though some of the non-listed special-status bumble bees may be killed, injured, or disturbed during				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
treatment activities. For a treatment to be considered beneficial to special-status bumble bee species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status bumble bees, no compensatory mitigation will be required. Project-Specific Implementation ▶ Project activities within the grassland habitat shall be limited to the minimum area necessary to complete the prescribed burning (i.e., pile burning) activities. Stockpile areas and an access route to the stockpile shall be clearly designated with fencing or flagging prior to treatment activities. Vegetation clearance and access routes shall be clearly designated with fencing or flagging prior to vegetation removal for pile burning activities. ▶ If protected bumble bee nests cannot be avoided, Mitigation Measure BIO-2c would be implemented.				
Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands Impacts to wetlands will be avoided using the following measures: ▶ The qualified RPF or biologist will delineate the boundaries of federally protected wetlands according to methods established in the USACE wetlands delineation manual (Environmental Laboratory 1987) and the appropriate regional supplement for the ecoregion in which the treatment is being implemented. ▶ The qualified RPF or biologist will delineate the boundaries of wetlands that may not meet the definition of waters of the United States, but would qualify as waters of the state, according to the state wetland procedures (California Water Boards 2019 or current procedures). ▶ A qualified RPF or biologist will establish a buffer around wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of wetland present (e.g., seasonal wetland, wet meadow, freshwater marsh, vernal pool), the timing of treatment (e.g., wet or dry time of year), whether any special-status species may occupy the wetland and the species' vulnerability to the treatment activities, environmental conditions and terrain, and the treatment activity being implemented.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A qualified RPF or biological technician will periodically inspect the materials demarcating the buffer to confirm that they are intact and visible, and wetland impacts are being avoided. ▶ Within this buffer, herbicide application is prohibited. ▶ Within this buffer, soil disturbance is prohibited. Accordingly, the following activities are not allowed within the buffer zone: mechanical treatments, prescribed herbivory, equipment and vehicle access or staging. ▶ Only prescribed (broadcast) burning may be implemented in wetland habitats if it is determined by a qualified RPF or biologist that: ▪ No special-status species are present in the wetland habitat ▪ The wetland habitat function would be maintained. ▪ The prescribed burn is within the normal fire return interval for the wetland vegetation types present ▪ Fire containment lines and pile burning are prohibited within the buffer ▪ No fire ignition (nor use of associated accelerants) will occur within the wetland buffer				
Greenhouse Gas Emissions				
Mitigation Measure GHG-2. Implement GHG Emission Reduction Techniques During Prescribed Burns When planning for and conducting a prescribed burn, project proponents implementing a prescribed burn will incorporate feasible methods for reducing GHG emissions, including the following, which are identified in the National Wildfire Coordinating Group Smoke Management Guide for Prescribed Fire (NWCG 2018): ▶ reduce the total area burned by isolating and leaving large fuels (e.g., large logs, snags) unburned; ▶ reduce the total area burned through mosaic burning; ▶ burn when fuels have a higher fuel moisture content; ▶ reduce fuel loading by removing fuels before ignition. Methods to remove fuels include mechanical treatments, manual treatments, prescribed herbivory, and biomass utilization; and ▶ schedule burns before new fuels appear. As the science evolves, other feasible methods or technologies to sequester carbon could be incorporated, such as conservation burning, a technique for burning woody material that reduces the production of smoke particulates and carbon released into the atmosphere and generates more biochar. Biochar is produced from the material left over after the burn and spread with compost to increase soil organic matter and soil carbon sequestration. Technologies to reduce greenhouse gas emissions may also	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during prescribed burn treatment activities	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
include portable units that perform gasification to produce electricity or pyrolysis that produces biooil that can be used as liquid fuel and/or syngas that can be used to generate electricity. The project proponent will document in the Burn Plan required pursuant to SPR AQ-3 which methods for reducing GHG emissions can feasibly be integrated into the treatment design.				
Hazardous Materials, Public Health and Safety				
Mitigation Measure HAZ-3: Identify and Avoid Known Hazardous Waste Sites Prior to the start of vegetation treatment activities requiring soil disturbance (i.e., mechanical treatments) or prescribed burning, CAL FIRE and other project proponents will make reasonable efforts to check with the landowner or other entity with jurisdiction (e.g., California Department of Parks and Recreation) to determine if there are any sites known to have previously used, stored, or disposed of hazardous materials. If it is determined that hazardous materials sites could be located within the boundary of a treatment site, the project proponent will conduct a DTSC EnviroStor web search (https://www.envirostor.dtsc.ca.gov/public/) and consult DTSC's Cortese List to identify any known contamination sites within the project site. If a proposed mechanical treatment or prescribed burn is located on a site included on the DTSC Cortese List as containing potential soil contamination that has not been cleaned up and deemed closed by DTSC, the area will be marked and no prescribed burning or soil disturbing treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with landowners or after review of the Cortese List that no potential or known contamination is located on a project site, the project may proceed as planned.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Database searches are complete; see results in the PSA	MPRPD	MPRPD

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ATTACHMENT B – BIOLOGICAL RESOURCES REPORT

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Garland Ranch Regional Park
Fuel Management Project
Biological Resources Report

August 2023

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Prepared for

Monterey Peninsula Regional Park District
4860 Carmel Valley Road
Carmel, California 93923

Prepared by

Denise Duffy & Associates, Inc.
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1.0 INTRODUCTION

Monterey Peninsula Regional Park District (MPRPD) is proposing the Garland Ranch Regional Park (Park) Fuel Management Project (project or proposed project), located in Carmel Valley, California on County of Monterey (County) Assessor's Parcel Nos. 416-511-005-000 and 416-027-025-000 (**Figures 1** and **2**). The proposed project consists of the removal or thinning of three invasive blue gum Eucalyptus (*Eucalyptus globulus*) stands to promote the resilience and recovery of native habitats and species within the Park and to reduce wildfire risk in the area. The project is being proposed under the statewide California Vegetation Treatment Program (CalVTP).

The Park and the surrounding community are located within the Wildland Urban Interface (WUI) area. There are three stands of invasive Eucalyptus trees in the northwestern portion of the Park that present a fire hazard condition due to the volume, combustibility, and continuous arrangement of plant material. Vertical continuity of fuels due to accumulation of vegetative debris at ground level (more than two feet thick in some locations) presents the opportunity for fire to travel upwards into the mid-canopy of trees, dense and multi-stemmed growth patterns of blue gum increase horizontal continuity of fuels with high canopy contact between trees, and aromatic oils in blue gum are highly flammable, even vaporizing on hot days. These factors in combination result in the high likelihood of conflagration in the event of a fire. If these stands were to ignite, they would produce long flames which could torch adjacent vegetation, producing and distributing embers far afield. Removal of the two smaller Eucalyptus stands, thinning of the larger main stand, and management of these areas would reduce fire risks within the WUI. In addition, these actions would promote resilience and recovery of native habitats and species, including adjacent sensitive riparian habitat, and maintain wildlife habitat and aesthetic values within the Park, such as providing a pleasing visual backdrop, aroma, shade, and a wind break for recreationalists.

The CalVTP includes three treatment types: WUI Fuel Reduction, Fuel Breaks, and Ecological Restoration. Based on the information provided above, the project is a WUI Fuel Reduction treatment. The project incorporates ecological goals as defined under Ecological Restoration treatments as it will re-establish "the composition, structure, pattern, integrity, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health currently and in the future;" however, Ecological Restoration treatments under the CalVTP are located in areas outside of the WUI and the project is therefore not considered "Ecological Restoration" under the CalVTP (California Board of Forestry and Fire Protection, 2019).

To satisfy the reporting criteria of the CalVTP and other regulatory agencies, Denise Duffy & Associates, Inc. (DD&A) completed a biological assessment of the project site to determine if sensitive biological resources are present or have the potential to occur within and in the vicinity of the site. This report describes the existing biological resources within and adjacent to the project site, including any special-status species or sensitive habitats which occur or have the potential to occur in the area. This report also assesses the potential impacts to biological resources that may result from the project, and recommends appropriate avoidance, minimization, and mitigation measures, if necessary, to reduce those impacts to a less than significant level in accordance with the California Environmental Quality Act (CEQA) and the Program Environmental Impact Report (PEIR) for the CalVTP (California Board of Forestry and Fire Protection, 2019).

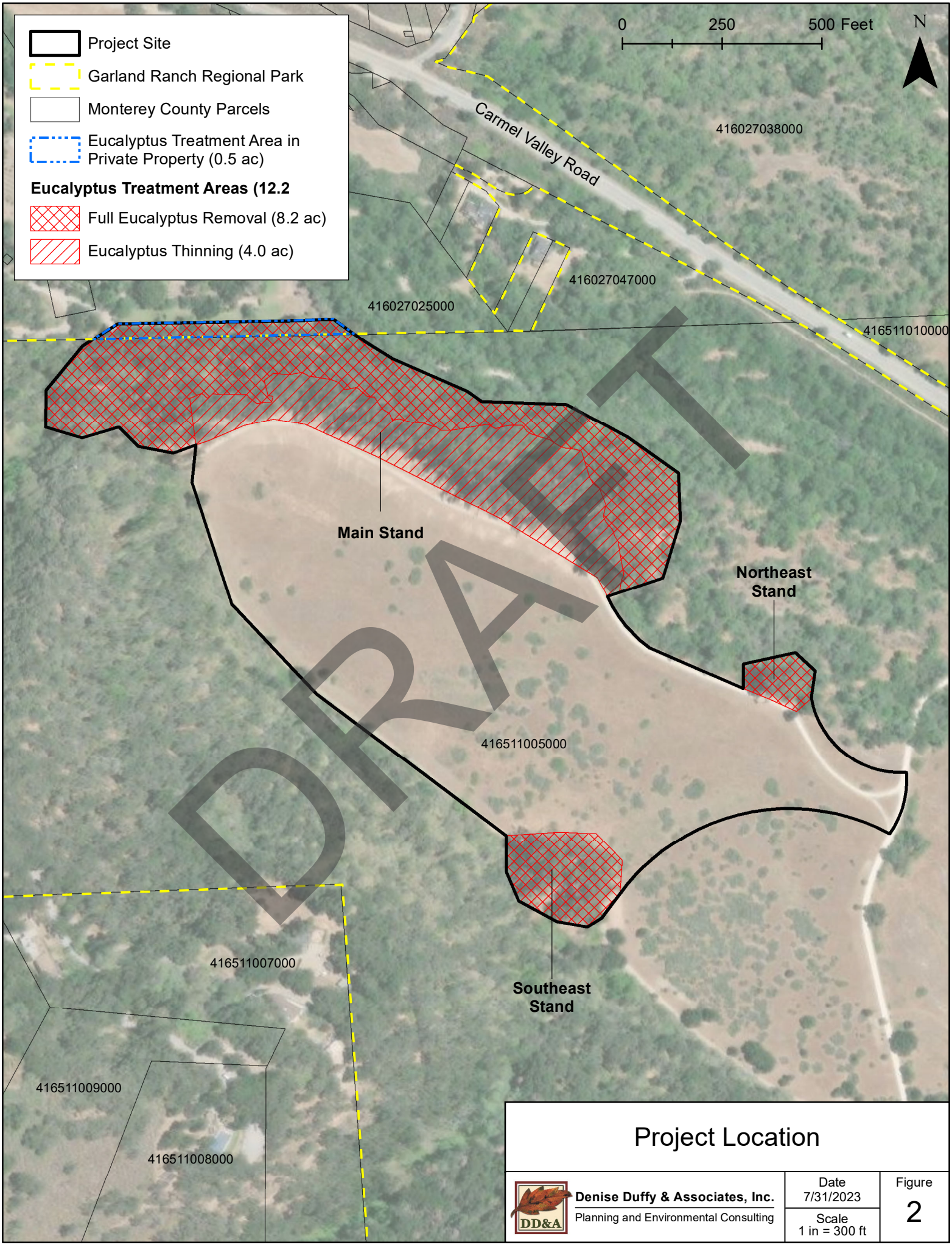
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Project Vicinity

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 6/7/2023 Scale 1 in = 20,000 ft	Figure 1

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Project Location

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Date
7/31/2023

Scale
1 in = 300 ft

Figure
2

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1.1 Project Description

The project consists of the removal or thinning of three Eucalyptus stands and their understories to reduce wildfire fuel loads and increase habitat quality in the Park. Vegetation proposed for removal includes dead, dying, hazardous, and diseased trees of any diameter, ladder fuels, and live Eucalyptus or other non-native trees up to eight inches diameter at breast height (dbh). In addition, staging, access, and pile burning would occur within the adjacent grassland area; however, grass fuels would not be treated. The three project treatment areas encompass approximately 11.7 acres of the approximately 3,670-acre Park. A small portion of the proposed treatment area, approximately 0.5 acre, is also located on the adjacent parcel, and work in that area would require an agreement with the landowner. In addition, the adjacent grassland area will be utilized to stockpile removed material and for pile burning; approximately 21.0 acres of grassland was evaluated in this document; however, it is unlikely that the entire area would be impacted (**Figure 2**). No ground disturbing activities (e.g., stump removal, excavation, or trenching) are proposed for this project.

1.1.1 Treatment Areas

Main Stand

Approximately 4.0 acres of the Main Stand of Eucalyptus would be thinned; selecting the largest and healthiest trees for retention. The Main Stand is a significant visual feature of the park on the Rancho Loop Trail. Eucalyptus stands of this type may be held in high regard by hikers who appreciate the shade, aesthetic value, and wind break these trees provide, and they may support seasonal raptor nests. Therefore, thinning, limbing up, and understory fuel reduction to allow for shade and visual attribute preservation, including maintaining wildlife habitat, while simultaneously reducing a substantial fire hazard risk would be implemented.

Within this stand, dead material would be removed (including 'jackpots' of large logs and bark/leaf litter accumulations) and tree branches limbed up to 15 feet to minimize fire ladders. Decreasing the ground fuel load and lifting the canopy will reduce the vertical continuity of fuels. Thinning the stand to remove nonnative and unhealthy trees and minimize crown overlap will reduce the horizontal continuity of fuels. Both techniques will help prevent or slow the spread of future fire events and promote regeneration of native species within the stand.

Approximately 5.1 acres within the Main Stand, located near the south-side of the Carmel river, intergrades with the adjacent riparian habitat. This portion of the Main Stand is not a significant visual feature of the park and while a hazard reduction treatment may be possible, removal of all of the Eucalyptus trees within this area will provide significant benefit to the riparian corridor by eliminating the spread of an invasive species within the native riparian corridor and reducing water consumption from the Carmel River. In addition, the western section of the Main Stand (approximately 1.4 acres) is located at the base of the steep, densely vegetated Snivley's Ridge. A fire within this portion of the stand could easily propel fire up the hill, especially with prevailing north winds. Difficult terrain, lack of access higher on the slope, and the presence of residences immediately south of the Park make this treatment site a high priority for fire risk reduction and control. Therefore, all Eucalyptus trees within this portion of the Main Stand will also be removed.

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Southeast Stand

The 1.3 acre Southeast Stand is also located at the northern base of Snively's Ridge. Similar to the portion of the main stand discussed above, this location presents a high fire hazard potential leading into difficult terrain and it could easily propel fire up the hill towards residences immediately south of the Park. As such, this treatment site is a high priority for fire risk reduction and control. This stand is not a significant visual feature of the park and is an outlier stand which may provide further proliferation of blue gum Eucalyptus trees outside of the Main Stand. Therefore, the entire Southeast Stand would be removed.

Northeast Stand

The 0.4 acre Northeast Stand is located near the northern intersection of the Rancho Loop and Copper Trail. Approximately 0.2 acre of this area occurs within the riparian corridor on the north side, similar to the main stand described above. The Northeast Stand is not a significant visual feature of the park and is an outlier stand that may provide further proliferation of blue gum Eucalyptus trees outside of the Main Stand. The location of these trees does not present a high fire hazard as it is positioned on flat terrain and adjacent to riparian vegetation which is usually high in moisture content and not extremely flammable. However, non-native species trees located within or immediately adjacent to riparian areas can cause degradation to the healthy function of a riparian system. Therefore, all Eucalyptus trees within the Northeast Stand would be removed.

1.1.2 Treatment Activities

The following treatment activities would be implemented to reduce wildfire risk and promote the resilience and recovery of native habitats and species within the treatment areas. These treatment activities are consistent with the treatment activities described in the CalVTP PEIR.

Mechanical Vegetation Treatment

Mechanical treatments would primarily include masticating target vegetation and chipping biomass from manual and mechanical treatment activities. Equipment would include tractors/skidders/backhoe, chippers, masticators, and stump grinders. Initial mechanical vegetation treatment would require three to four months to complete. Small-diameter trees and downed woody debris would be masticated to increase tree spacing and reduce fire fuel loads in targeted areas. The biomass would be disposed of via the process of mastication (which essentially mulches the vegetation) or chipping. Generally, mechanical treatments would:

- masticate or chip target live Eucalyptus trees and other non-native trees up to 10 inches dbh, downed Eucalyptus bark/woody debris, and woody shrubs;
- limit masticated or chipped material left on site to a depth no greater than six inches;
- grind Eucalyptus stumps in non-riparian areas;
- remove limbs of large trees up to 15 feet high;
- retain isolated large logs, but spread out to increase soil contact and natural breakdown speed; and
- retain native oak and riparian trees and, to the extent feasible, native shrubs and other desirable species as determined by MPRPD.

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Manual Vegetation Treatment

To implement manual treatments, crews would use hand tools and hand-operated power tools, including chainsaws, hand saws, brush cutters, and loppers, to cut, clear, and/or prune trees. Initial manual treatment would require three to four months to complete and would likely be completed at the same time as mechanical activities during the first year.

The same general guidelines for tree and vegetation removal and retention would be followed as described above for mechanical treatments; however, manual methods would include removing Eucalyptus trees larger than 10 inches dbh. As described above, all Eucalyptus trees would be removed within the southeast and northeast stands. In the main stand, all Eucalyptus trees would be removed from the approximately 5.1 acre riparian area on the north side of the stand nearest to the Carmel River and the approximately 1.4 acre western section at the base of Snivley's Ridge; selected trees would be removed in the remainder of the stand to remove unhealthy trees, minimize crown overlap, and reduce the horizontal continuity of fuels. Some cut vegetation may be left on site by lopping or chipping with scattering on the landscape, while some vegetation may be pile burned, as described below. In addition, some of the larger diameter material may be off-hauled to a wood product processing facility or composting facility.

Prescribed Burning

Biomass from manual and mechanical treatment that would be burned would be piled using equipment (e.g., skid steer, tractor, bulldozer or excavator) or hand crews. Typically, dozers are equipped with a brush rake to reduce soil displacement and create "clean" piles. The piles would be located as close as safely possible to the burning location. Biomass would be burned in piles or, preferably, using an air curtain burner or carbonator. Burning would occur in the adjacent open field, 100 feet or more from tree and shrub vegetation. All grasses and other herbaceous vegetation would be removed or burned to bare soil within 30-40 feet of the burn location.

Herbicide Application

The blue gum Eucalyptus tree is identified as invasive by the California Invasive Plant Council (Cal-IPC). This species sprouts prolifically from wounds and cut stumps. Herbicide would be used to control re-growth and limit the necessity of maintenance treatments. Only ground-level application would occur; no aerial spraying of herbicides would occur. Several herbicide application methods are available for use by on-the-ground personnel, including paint-on stems/stumps, using backpack hand-applicators, hypo-hatchet tree injection, or hand placement of pellets. Herbicide application would comply with the U.S. Environmental Protection Agency label directions, as well as California Environmental Protection Agency and California Department of Pesticide Regulation label standards. All herbicide application would be performed by certified and licensed pesticide applicators in accordance with all local, state, and federal regulations. Only herbicides identified in the CalVTP would be applied. Imazapyr, Glyphosate, and Triclopyr (all herbicides identified in the Cal CTP EIR) are effective on Eucalyptus; however, the certified and licensed applicator would choose the best approved herbicide for treatment of Eucalyptus. In addition, only herbicides approved for use in aquatic environments would be used in riparian areas.

1.1.3 Treatment Maintenance

As described above, blue gum Eucalyptus sprouts prolifically from wounds and cut stumps. In addition, new trees may emerge from seeds and Eucalyptus trees retained within the main stand would continue to

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shed bark and leaves. Native trees, shrubs and herbaceous species may begin to grow within the removal areas and between retained trees in the main stand. While native species are desirable for habitat health, they may be undesirable within the main stand if they result in vertical continuity of fuels. Undesirable non-native or invasive species may also begin to grow in these areas, which would require maintenance to prevent or slow spread into adjacent native communities.

Maintenance would occur approximately every one to three years, depending on the amount of sprouting from wounds and stumps, growth of new Eucalyptus trees or other vegetation, bark/woody debris accumulation, and infestation by other invasive species. The treatments applied would also depend on these factors. It is likely that the use of mechanical treatments and pile burning would be reduced during the maintenance period; however, these treatments would be used when necessary. Manual treatment and herbicide application are the most likely treatments to be used to maintain the Eucalyptus stands. All maintenance treatments would be implemented using the same methods and equipment as described above for the initial treatment.

In addition, prescribed herbivory may used for maintenance, as described below.

Prescribed Herbivory

Prescribed herbivory using goats may be used for maintenance treatment within the Main Stand and/or Southeast Stand after the initial thinning treatments have been conducted. Prescribed herbivory would not be used in sensitive habitat areas (i.e., riparian areas) or within a 50-foot buffer. The use of prescribed herbivory can limit regrowth and assist with breaking down ground fuels through intensive hoof action as well as herbivory of leaves. Prescribed herbivory would occur when the target plant species is palatable and when feeding on the plants can damage them or reduce viable seeds. A herder, electric or non-electric fencing, mineral block, and/or a watering site may be used.

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2.0 METHODS

2.1 Personnel and Survey Dates

DD&A Senior Environmental Scientist Josh Harwayne and Associate Environmental Scientist Liz Camilo conducted a survey of the project site on June 5, 2023. The survey included walking the project site to identify general and sensitive habitat types, identifying all plant species to the intraspecific taxon necessary to eliminate them as being special-status species, and identifying potential habitat for special-status plant species. Concurrently, reconnaissance-level wildlife habitat surveys were conducted to identify suitable habitat and observe any special-status wildlife species. In addition, the top of bank of the Carmel River (on its south side within the vicinity of the project) was mapped. Data collected during the surveys were used to assess the environmental conditions of the project site and its surroundings, evaluate environmental constraints at the site and within the local vicinity, and provide a basis for recommendations to minimize and avoid impacts.

The project parcel was evaluated for botanical resources following the applicable guidelines outlined in *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (U.S. Fish and Wildlife Service [Service], 2000), *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018), and California Native Plant Society (CNPS) *Botanical Survey Guidelines* (CNPS, 2001).

2.2 Special-Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened or are candidates for such listing under the ESA or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of rare or endangered under the CEQA Section 15380 are also considered special-status species. Animals on the CDFW's list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. Additionally, the CDFW also includes some animal species that are not assigned any of the other status designations on their "Special Animals" list; however, these species have no legal or protection status.

Plants listed as rare under the California Native Plant Protection Act (CNPPA) or included in CNPS California Rare Plant Ranks (CRPR) 1A, 1B, 2A, and 2B are also treated as special-status species as they meet the definitions of Sections 2062 and 2067 of the CESA and in accordance with CEQA Guidelines Section 15380. In general, the CDFW requires that plant species on CRPR 1A (Plants presumed extirpated in California and Either Rare or Extinct Elsewhere), CRPR 1B (Plants rare, threatened, or endangered in California and elsewhere), CRPR 2A (Plants presumed extirpated in California, but more common elsewhere); and CRPR 2B (Plants rare, threatened, or endangered in California, but more common elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2023) be fully considered during the preparation of environmental documents relating to CEQA. CNPS CRPR 4 species (plants of limited distribution) may, but generally do not, meet the definitions of Sections 2062 and 2067 of the CESA, and are not typically considered in environmental documents relating to CEQA. While other species (i.e., CRPR 3 or 4 species) are sometimes found in database searches or within the literature,

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these were not included within the analysis as they did not meet the definitions of Section 2062 and 2067 of the CESA.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected in California under Fish and Game Code Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto." In addition, fully protected species under the Fish and Game Code Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline may also be considered special-status animal species in some cases, depending on project-specific analysis and relevant, localized conservation needs or precedence.

2.3 Sensitive Habitats

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted vegetation types. Vegetation types considered sensitive include those listed on CDFW's *California Natural Communities List* (i.e., those habitats that are rare or endangered within the borders of California) (CDFW, 2023a), those that are occupied by species listed under the ESA or are critical habitat in accordance with the ESA, and those that are defined as Environmentally Sensitive Habitat Areas under the California Coastal Act. Specific habitats may also be identified as sensitive in city or county general plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act and Executive Order 11990 – Protection of Wetlands), state regulations (such as CEQA and the CDFW Streambed Alteration Program), or local ordinances or policies (such as city or county tree ordinances and general plan policies).

2.4 Data Sources

The primary literature and data sources reviewed in order to determine the occurrence or potential for occurrence of sensitive biological resources within the project site are as follows:

- Current agency status information from the Service and CDFW for species listed, proposed for listing, or candidates for listing as threatened or endangered under the ESA or CESA, and those considered CDFW "species of special concern," including:
    - CNDDB occurrences reports from the Seaside quadrangle and the seven surrounding quadrangles, including Carmel Valley, Mt. Carmel, Marina, Monterey, Salinas, Spreckels, and Soberanes Point (CDFW, 2023b; **Appendix A**); and
    - Service IPaC Resource List (Service, 2023a; **Appendix B**).
- The CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2023);
- The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA-NRCS, 2023);
- The National Wetlands Inventory Wetlands Mapper (Service, 2023b); and
- The National Hydrographic Dataset (USGS, 2022).

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From these resources, a list of special-status plant and wildlife species known or with the potential to occur within or adjacent to the project site was created (**Appendix C**). This list presents these species along with their legal status, habitat requirements, and a brief statement of the likelihood to occur.

2.4.1 Botany

Vegetation types identified in *A Manual of California Vegetation* (Sawyer et al., 2009) were utilized to determine if vegetation types identified as sensitive on CDFW's *California Natural Communities List* (CDFW, 2023a) are present within the project site. Information regarding the distribution and habitats of local and state vascular plants was also reviewed (Howitt and Howell, 1964 and 1973; Munz and Keck, 1973; Baldwin et al., 2012; Matthews and Mitchell, 2015; Jepson Flora Project, 2022). All plants observed within the project site during the evaluation were identified to species or intraspecific taxon necessary to eliminate them as being special-status species using keys and descriptions in *The Jepson Manual: Vascular Plants of California, Edition 2* (Baldwin et al., 2012) and *The Plants of Monterey County an Illustrated Field Key* (Matthews and Mitchell, 2015). Scientific nomenclature for plant species identified within this document follows Baldwin, et. Al, (2012); common names follow Matthews and Mitchell (2015). A full botanical inventory was not recorded for the project site but the dominant species within each habitat were noted. Dominant plant species are those which are more numerous than their competitors in an ecological community or make up more of the biomass; generally, the species that are most abundant. Most ecological communities are defined by their dominant species.

The California Invasive Plant Council (Cal-IPC) Inventory (Cal-IPC, 2023) was reviewed to determine if any invasive plant species are present within the project site.

2.4.2 Wildlife

The following literature and data sources were reviewed: CDFW reports on special-status wildlife (Remsen, 1978; Williams, 1986; Jennings and Hayes, 1994; Thelander, 1994; Thomson et. Al, 2016); California Wildlife Habitat Relationships Program species-habitat models (Zeiner et al., 1988 and 1990); and general wildlife references (Stebbins, 1972, 1985, and 2003).

2.5 Regulatory Setting

The following regulatory discussion describes the laws and ordinances that may be applicable to the project.

2.5.1 Federal Regulations

Federal Endangered Species Act

Provisions of the ESA of 1973 (16 USC 1532 et seq., as amended) protect federally listed threatened or endangered species and their habitats from unlawful take. Listed species include those for which proposed and final rules have been published in the Federal Register. The ESA is administered by the Service or National Oceanic and Atmospheric Administration Marine Fisheries Service (NMFS). In general, the NMFS is responsible for the protection of ESA-listed marine species and anadromous fish, whereas other listed species are under Service jurisdiction.

Section 9 of ESA prohibits the take of any fish or wildlife species listed under ESA as endangered or threatened. Take, as defined by ESA, is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or

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collect, or attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the fish or wildlife…including significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife." In addition, Section 9 prohibits removing, digging up, and maliciously damaging or destroying federally listed plants on sites under federal jurisdiction. Section 9 does not prohibit take of federally listed plants on sites not under federal jurisdiction. If there is the potential for incidental take of a federally listed fish or wildlife species, take of listed species can be authorized through either the Section 7 consultation process for federal actions or a Section 10 incidental take permit process for non-federal actions. Federal agency actions include activities that are on federal land, conducted by a federal agency, funded by a federal agency, or authorized by a federal agency (including issuance of federal permits).

Clean Water Act

The U.S. Army Corps of Engineers (ACOE) and U.S. Environmental Protection Agency (EPA) regulate discharge of dredged and fill material into waters of the U.S. under Section 404 of the CWA. Waters of the U.S. are defined broadly as waters susceptible to use in commerce (including waters subject to tides, interstate waters, and interstate wetlands) and other waters (such as interstate lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds) (33 CFR 328.3). Potential wetland areas are identified as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils conditions."

Under Section 401 of the CWA, any applicant receiving a Section 404 permit from the USACE must also obtain a Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB). A Section 401 Water Quality Certification is issued when a project is demonstrated to comply with state water quality standards and other aquatic resource protection requirements.

2.5.2 State Regulations

California Endangered Species Act

The CESA was enacted in 1984. The California Code of Regulations (Title 14, §670.5) lists animal species considered endangered or threatened by the state. Section 2090 of CESA requires state agencies to comply with endangered species protection and recovery and to promote conservation of these species. Section 2080 of the Fish and Game Code prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." A Section 2081 Incidental Take Permit from the CDFW may be obtained to authorize "take" of any state listed species.

California Native Plant Protection Act

The CNPPA of 1977 directed CDFW to carry out the legislature's intent to "preserve, protect and enhance rare and Endangered plants in the State." The CNPPA prohibits importing rare and Endangered plants into California, taking rare and Endangered plants, and selling rare and Endangered plants. The CESA and CNPPA authorized the Fish and Game Commission to designate endangered, threatened, and rare species and to regulate the taking of these species (§2050-2098, Fish and Game Code). Plants listed as rare under the CNPPA are not protected under CESA; however, these plants may not be taken or possessed at any time

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and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research.

California Fish and Game Code

Birds. Section 3503 of the Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act (MBTA). Section 3800 prohibits take of nongame birds.

Fully Protected Species. The classification of fully protected was the state's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish (§5515), mammals (§4700), amphibians and reptiles (§5050), and birds (§3511). Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Species of Special Concern. As noted above, the CDFW also maintains a list of wildlife "species of special concern." Although these species have no legal status, the CDFW recommends considering these species during analysis of project impacts to protect declining populations and avoid the need to list them as endangered in the future.

Lake or Streambed Alteration. Sections 1600-1607 of the Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify CDFW before beginning construction. If CDFW determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. CDFW's jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider.

2.5.3 Local Regulations

Monterey County Code

The County of Monterey regulates the removal or significant trimming of native oak, madrone, and redwood trees in the County's Carmel Valley Planning Area, per the provisions in County Code Chapter 16.60 (Preservation of Oak and Other Protected Trees). Removal of a protected oak, madrone, or redwood tree as defined in the Code requires a tree removal permit from the County. The removal of more than three protected trees requires the preparation and implementation of a forest management plan.

However, based upon the *Save Lafayette Trees v. East Bay Regional Park District (2021) 66 Cal.App.5th 21* case and the analysis therein, the local tree ordinance permitting requirement would not apply to MPRPD. Public Resources Code Section 5541 allows a district to adopt, operate and maintain a system of public parks. Further Section 5558 provides that "The board shall, in general, do all acts necessary to the property execution of powers and duties granted to, and imposed upon, it by this article, and to manage and

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control the business and affairs of the district." Section 5595 states that the article should be liberally construed to allow the district to carry out its purpose. The Court in this case considered these provisions when looking at whether a local tree ordinance was enforceable within a regional park owned and operated by such a district. The Court determined that the authority given to park districts was not subordinate to local regulatory authority except where the land is owned or controlled by the local regulatory authority, and that the district's park land was not subject to local tree ordinance permitting requirements. The only exception to this would be where the district board agreed to such regulatory authority.

The MPRPD Master Plan, dated April 6, 1998 identifies under the Management Plan Policy, Section 7.4, that MPRPD shall obtain all required land use or coastal development permits prior to authorizing public use, dedication, or improvements to any MPRPD lands. However, this project is not an improvement project, but rather maintenance activities and therefore would not fall within this provision. Therefore, the Monterey County Tree ordinance is not applicable to treatment activities on MPRPD land. The Monterey County tree ordinance would, however, apply to any treatment activities conducted on private property within the project site.

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3.0 RESULTS

3.1 Natural Communities

3.1.1 Eucalyptus Groves

- *A Manual of California Vegetation* classification(s): Eucalyptus - tree of heaven - black locust groves (*Eucalyptus spp. - Ailanthus altissima - Robinia pseudoacacia* woodland semi-natural alliance)
- CDFW *California Natural Communities List*: Not sensitive

Eucalyptus habitats range from single-species thickets with little or no shrubby understory to scattered trees over a well-developed herbaceous and shrubby understory. In most cases, Eucalyptus (*Eucalyptus* spp.) trees form a dense stand with a closed canopy. Three Eucalyptus stands, dominated by a moderate to closed canopy of blue gum Eucalyptus, occur within the project site (**Figure 3**). The understories within the Northeast and Southeast stands are dominated by the same annual grasses and forbs as the adjacent annual grassland habitat (see the *Annual Grassland* discussion below), but poison oak (*Toxicodendron diversilobum*) and Italian thistle (*Carduus pycnocephalus*) are also common. The understory within the main stand is dense and is dominated by poison oak, but Italian thistle, cape ivy (*Delairea odorata*), and wood fern (*Dryopteris arguta*) are also present. Approximately 6.9 acres of Eucalyptus groves occur within the project site.

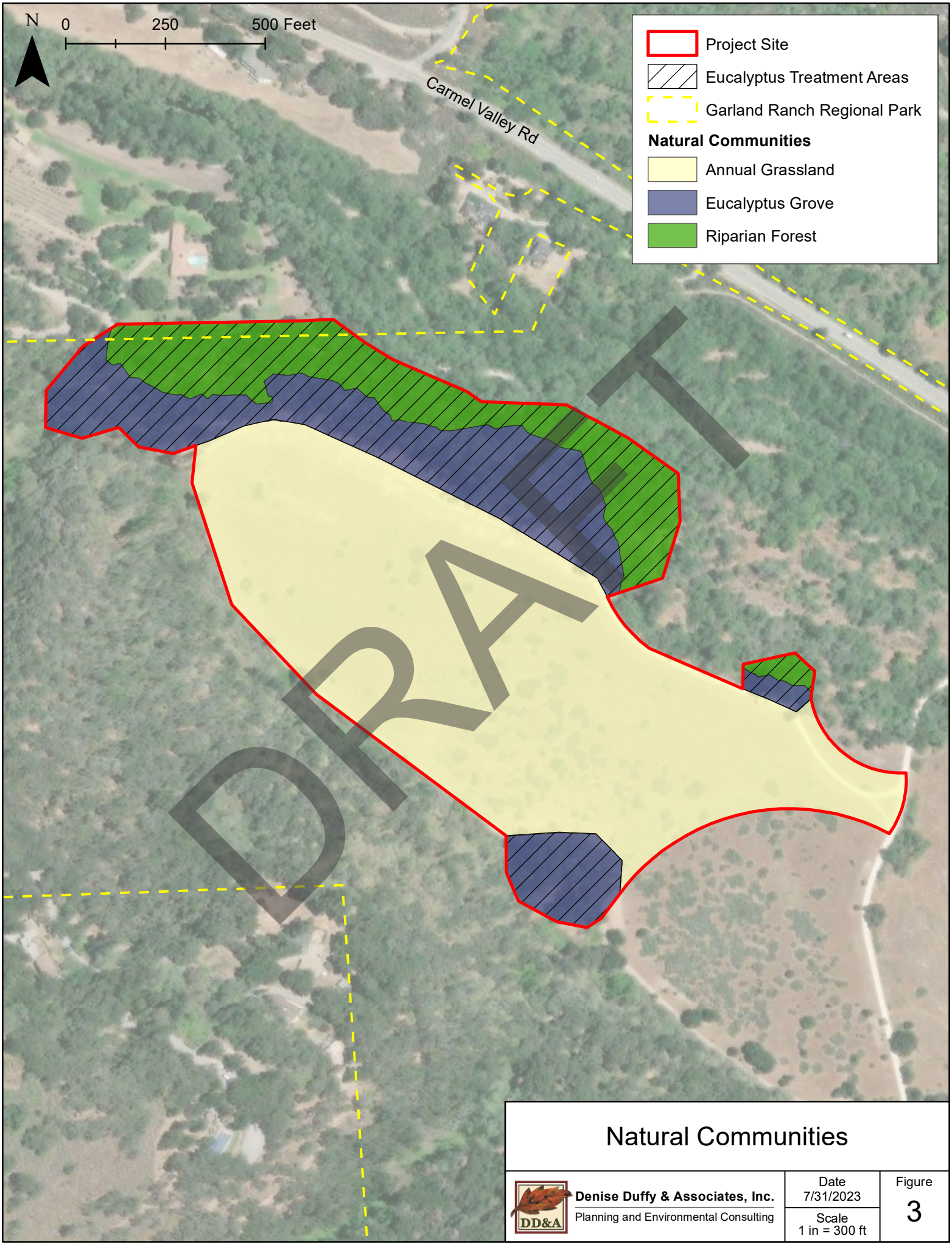
With over 700 species, Eucalyptus is a diverse genus of flowering trees that are native to Australia and were introduced to California during the gold rush (University of California, 2022). The main species planted are the blue gum, red gum (*E. camaldulensis*), red ironbark (*E. tricarpa*), and silver dollar gum (*E. polyanthemos*). These species were introduced worldwide because they can adapt and grow in severely dry regions that have been historically unable to maintain vegetation, and therefore, provide shade, shelter, windbreaks, and a source of timber in areas that otherwise would have been dominated by grasses (University of California, 2022). Although they are not native, Eucalyptus groves provide roosts, perches, and nest sites for a variety of bird species, including American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), barn owl (*Tyto alba*), red-tailed hawk (*Buteo jamaicensis*), and red-shouldered hawk (*Buteo lineatus*). Those Eucalyptus with stringy bark or a tendency for rapid deposition of litter also create micro habitats for a number of small vertebrate species, including lizards, snakes, and woodrats.

3.1.2 Riparian Forest

- *A Manual of California Vegetation* classification(s): Black cottonwood forest and woodland (*Populus trichocarpa - Salix lasiolepis* association)
- CDFW *California Natural Communities List*: Sensitive

Riparian habitats are those plant communities supporting woody vegetation found along rivers, creeks, streams, canyon bottom drainages, and seeps. They can range from a dense thicket of shrubs to a closed canopy of large mature trees. Within the project site, riparian vegetation is associated with the adjacent Carmel River. Black cottonwood (*Populus trichocarpa*) and arroyo willow (*Salix lasiolepis*) are dominant in the riparian tree canopy, but these areas are invaded by blue gum Eucalyptus. Poison oak and other understory species documented in the Eucalyptus groves (see the discussion above) also occur in the riparian

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Natural Communities

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 7/31/2023 Scale 1 in = 300 ft	Figure 3

Path: D:\GIS\GIS_Projects\2023-24 CV Fuelbreaks Bio\Map Products\Fig 3 - Natural Communities.mxd

habitat but the riparian understory is dominated by California blackberry (*Rubus ursinus*) and California mugwort (*Artemisia douglasiana*). The distribution of riparian habitat within the site was confirmed in the field to concur with the Federal Emergency Management Agency (FEMA) 100-year floodplain mapping. Approximately 5.3 acres of riparian habitat occur within the project site (**Figure 3**).

Riparian communities are characterized by unique ecological features that support a wide variety of plant species, stabilize creekbank soils, maintain water quality through filtration, and provide habitat for many resident and migrant wildlife, particularly birds and herpetofauna. These factors include flooding, rich and productive soils, a water table that is within reach of plant roots, and species of plants and wildlife that are adapted to the timing of fluvial events such as flooding and drought. Riparian corridors also function as linear migration routes for many wildlife species. As a result, riparian forests support a greater diversity of wildlife than any other habitat type in California (Griggs, 2009). Common species that may be found within the riparian habitat in the site include Sierran treefrog (*Pseudacris sierra*), Monterey ensatina (*Ensatina eschscholtzii eschscholtzii*), and various avian species.

3.1.3 Annual Grassland

- *A Manual of California Vegetation* classification(s): Wild oats and annual brome grasslands (*Avena* spp. - *Bromus* spp. herbaceous semi-natural alliance) and coyote brush scrub (*Baccharis pilularis* shrubland alliance)
- CDFW *California Natural Communities List*: Not sensitive

Throughout California, annual grasslands typically occur in open areas of valleys and foothills, usually on fine-textured clay or loam soils that are somewhat poorly drained (Holland, 1986). This natural community is often dominated by non-native annual grasses and forbs along with scattered native grasses and wildflowers. Within the project site, densely vegetated annual grasses and forbs intermingle with a sparse to moderate shrub layer of coyote brush (*Baccharis pilularis*) and occasional coast live oak (*Quercus agrifolia*) bushes. Dominant species in the herb layer include slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), black mustard (*Brassica nigra*), bicolor lupine (*Lupinus bicolor*), rose clover (*Trifolium hirtum*), purple clarkia (*Clarkia purpurea*), soft chess (*Bromus hordeaceus*), and vetch (*Vicia sativa*). Approximately 21.0 acres of annual grassland occur within the project site (**Figure 3**).

Annual grassland is an abundant natural community with a statewide distribution. The community protects the soil from erosion and provides the primary source of forage for grazing wildlife and domestic livestock. Common wildlife species which may occur within this habitat include pocket gopher (*Thomomys bottae*), ground squirrel (*Otospermophilus beecheyi*), European starling (*Sturnus vulgaris*), and western fence lizard (*Sceloporus occidentalis*).

3.2 Special-Status Species

Published occurrence data within the project area and surrounding USGS quadrangles were evaluated to compile a table of special-status species known to occur in the vicinity of the project site (see *Section 2.0 Methods*). Each of these species was evaluated for their likelihood to occur within and immediately adjacent to the project site (**Appendix C**). No special-status plant species were observed or have the potential to occur within the project site. Several special-status wildlife species have been determined to have a moderate or high potential to occur within or immediately adjacent to the project site. In addition, raptors

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and other protected avian species have the potential to nest within trees present and adjacent to the site. These species are discussed further below. All other species are assumed unlikely to occur or have a low potential to occur based on the species-specific reasons presented in **Appendix C**, are therefore unlikely to be impacted by the project, and are not discussed further.

Townsend's Big-Eared Bat

The Townsend's big-eared bat (*Corynorhinus townsendii*) is a CDFW species of special concern. The Townsend's big-eared bat is a year-round resident in California occurring from low desert to mid-elevation montane habitats. It is found primarily in rural settings from inland deserts to coastal redwoods, oak woodland of the inner Coast Ranges and Sierra foothills, and low to mid-elevation mixed coniferous-deciduous forests. Townsend's big-eared bats typically roost during the day in caves and mines, but can roost in buildings that offer suitable conditions. Night roosts are in more open settings and include bridges, rock crevices, and trees. It hibernates in mixed sex aggregations of a few to several hundred individuals. Hibernation is more prolonged in colder areas. This species arouses periodically and moves to alternative roosts and actively forages and drinks throughout the winter. A single young is born per year between May and July. Females form maternity colonies of 35 to 200 individuals, while males roost individually. Townsend's big-eared bats feed primarily on small moths that are gleaned from vegetation.

The CNDDB reports one occurrence of this species within the quadrangles reviewed, located approximately nine miles west of the project site. No suitable day or maternity roosting habitat is present within the project site; however, this species may utilize any of the large trees within the project site for night roosts and may forage within the site. Therefore, Townsend's big-eared bat has a moderate potential to occur within the project site.

Monterey Dusky-Footed Woodrat

The Monterey dusky-footed woodrat (*Neotoma macrotis luciana*, MDFW) is a CDFW species of special concern. This is a subspecies of the dusky-footed woodrat *(Neotoma macrotis)*, which is common to oak woodlands and other forest types throughout California. Dusky-footed woodrats are frequently found in forest habitats with moderate canopy cover and a moderate to dense understory, including riparian forests; however, they may also be found in chaparral communities. Relatively large nests are constructed of grass, leaves, sticks, and feathers and are built in protected spots, such as rocky outcrops or dense brambles of blackberry and/or poison oak. Typical food sources for this species include leaves, flowers, nuts, berries, and truffles. Dusky-footed woodrats may be a significant food source for small- to medium-sized predators. Populations of this species may be limited by the availability of nest material. Within suitable habitat, nests are often found in close proximity to each other.

Suitable habitat for MDFW is present within the project site in the Eucalyptus and riparian habitats. The CNDDB reports only one occurrence of MDFW within the quadrangles reviewed, located approximately ten miles northeast of the project site; however, this species is known to occur throughout the region. Nests of this species were not observed within the project site during the June 2023 biological survey, but this species may move into the site prior to project activities. Therefore, MDFW has a moderate potential to occur within the project site.

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American Badger

The American badger (*Taxidea taxus*) is a CDFW species of special concern. Badgers occupy a diversity of habitats within California. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds. Grasslands, savannas, and mountain meadows near timberline are preferred. Badgers feed primarily on burrowing rodents such as gophers, squirrels, mice, and kangaroo rats, as well as some insects and reptiles. Badgers also break open beehives to eat both the brood and honey. They are active all year long and are nocturnal and diurnal. Mating occurs in summer and early fall, and two to five young are born in burrows that are dug in relatively dry, often sandy soil, usually with sparse overstory cover.

Suitable habitat for American badger is present within grassland areas of the project site. The CNDDB reports nine occurrences of American badger within the quadrangles reviewed, the nearest located approximately 4.8 miles north of the project site on the former Fort Ord. This species has also been observed along Carmel Valley Road approximately nine miles east of the project site. No suitable badger burrows were observed within the site during the June 2023 biological survey; however, badgers may move into the area prior to project activities. Therefore, American badger has a moderate potential to occur within the project site.

Northern California Legless Lizard

The Northern California legless lizard is a CDFW species of special concern. This fossorial (burrowing) species typically inhabits sandy or loose (friable) soils. Habitats known to support Northern California legless lizard include, but are not limited to, coastal dunes, valley and foothill grasslands, chaparral, and coastal scrub at elevations from near sea level to approximately 1,800 meters (6,000 feet). The Northern California legless lizard forages on invertebrates beneath the leaf litter or duff layer at the base of bushes and trees or under wood, rocks, and slash in appropriate habitats. The diet of this species likely overlaps to some extent with that of juvenile alligator lizards and perhaps some other salamanders. This species may be preyed upon by alligator lizards, snakes, birds, and small mammals. Little is known about the specific habitat requirements for courtship and breeding; however, the mating season for this species is believed to begin late spring or early summer, with one to four live young born between September and November.

Suitable habitat and soils for Northern California legless lizard is present throughout the entire project site where appropriate cover conditions occur, particularly in the riparian and eucalyptus habitats; in annual grassland areas, habitat would be limited to areas underneath shrubs. The CNDDB reports 47 occurrences of this species within the quadrangles reviewed, the nearest located 0.3 mile west of the project site. In addition, this species is known to occur within riparian habitat along the Carmel River. Therefore, Northern California legless lizard has a moderate potential to occur within the project site.

Western Pond Turtle

The western pond turtle is a CDFW species of special concern. This species is uncommon to common in permanent or nearly permanent aquatic resources in a wide variety of habitats throughout California, and requires basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks. The home range of western pond turtles is typically quite restricted; however, ongoing research indicates that in many areas, turtles may leave the watercourse in late fall and move into upland habitats where they burrow into duff and/or soil and overwinter (Holland, 1994). In the central California coast, mating occurs from April to May and reproductive females lay one or two clutches of three to 11 eggs from

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June to August (Rathbun et al. 1992). Female western pond turtles move overland up to 100 meters to find suitable sites for egg-laying. Nests are typically excavated in compact, dry soils in areas characterized by sparse vegetation, usually in short grasses or forbs (Holland 1994). Eggs hatch in about 10 to 12 weeks. Food sources include aquatic plant material, beetles, and a wide variety of aquatic invertebrates. Fish, frogs, and carrion have also been reported among their food sources (Stebbins, 1972).

The CNDDB reports 13 occurrences of western pond turtle within the quadrangles reviewed, including a 2002 non-specific occurrence mapped to the Carmel River which overlaps a portion of the project site. As such, this species is known to occur immediately adjacent to the project site. In addition, although this species is not typically found in Eucalyptus groves or areas with dense duff cover; MPRPD indicates that this species has been observed within the eucalyptus and riparian areas within the project site. Therefore, the western pond turtle has a moderate potential to occur within the project site, particularly where the site directly abuts the Carmel River. Portions of the annual grassland are also within 100 meters of the Carmel River; however, the annual grasses are likely too tall and dense to provide nesting habitat and western pond turtle presence within these areas is low. Eucalyptus and riparian habitats do not provide suitable nesting habitat for this species.

California Red-Legged Frog

The California red-legged frog (*Rana draytonii*, CRLF) is listed as a federally threatened species and a CDFW species of special concern. The CRLF is the largest native frog in California (44-131 mm snout-vent length) and was historically widely distributed in the central and southern portions of the state (Jennings and Hayes, 1994). Adults generally inhabit aquatic habitats with riparian vegetation, overhanging banks, or plunge pools for cover, especially during the breeding season (Jennings and Hayes, 1988). They may take refuge in small mammal burrows, leaf litter, or other moist areas during periods of inactivity or to avoid desiccation (Rathbun et al., 1993; Jennings and Hayes, 1994). Radiotelemetry data indicates that adults engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites (Bulger et al., 2003). During the non-breeding season, a wider variety of aquatic habitats are used including small pools in coastal streams, springs, water traps, and other ephemeral water bodies (Service, 1996). CRLF may also move up to 300 feet from aquatic habitats into surrounding uplands, especially following rains, where individuals may spend days or weeks (Bulger et al., 2003).

This species requires still or slow-moving water during the breeding season where it can deposit large egg masses, which are most often attached to submergent or emergent vegetation. Breeding typically occurs between December and April depending on annual environmental conditions and locality. Eggs require six to 12 days to hatch, and metamorphosis generally occurs after 3.5 to seven months, although larvae are also capable of over-wintering. Following metamorphosis, generally between July and September, juveniles are 25-35 mm in size. Juvenile CRLF appear to have different habitat needs than adults. Jennings and Hayes (1988) recorded juvenile frogs mostly from sites with shallow water and limited shoreline or emergent vegetation. Additionally, it was important that there be small one-meter breaks in the vegetation or clearings in the dense riparian cover to allow juveniles to sun themselves and forage, but to also have close escape cover from predators. Jennings and Hayes also noted that tadpoles have different habitat needs and that in addition to vegetation cover, tadpoles use mud. It is speculated that CRLF larvae are algae grazers, however, foraging larval ecology remains unknown (Jennings, et al., 1993).

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It has been shown that occurrences of CRLF are negatively correlated with presence of non-native, invasive bullfrogs (Moyle, 1973; Jennings and Hayes, 1986 and 1988), although both species are able to persist at certain locations, particularly in the coastal zone. It is estimated that CRLF has disappeared from approximately 75 percent of its former range and has been nearly extirpated from the Sierra Nevada, Central Valley, and much of southern California (Service, 1996).

The CNDDB reports 57 occurrences of CRLF within the quadrangles evaluated, many mapped to the Carmel River and one which overlaps a portion of the project site. Suitable breeding habitat for CRLF may be present adjacent to, but not within, the project site in the Carmel River. Suitable upland habitat for CRLF is present within the project site in riparian habitat and, although not a typical habitat for this species, the Eucalyptus groves in the Main Stand and Northeast Stand may provide marginal upland habitat for this species. Therefore, CRLF has a high potential to occur within the project site, particularly where the site directly abuts the Carmel River.

Coast Range Newt

The Coast Range newt (*Taricha torosa*) is a CDFW species of special concern. This species occurs commonly in the Coast Ranges from central Mendocino County south to northern San Diego County, primarily in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral, but is also known from annual grassland and mixed conifer habitat types. The elevation range extends from sea level to 6,000 feet. Juveniles and terrestrial adults prey on earthworms, snails, slugs, sowbugs, and insects (Stebbins, 1972). Adults at breeding ponds have been observed to take the eggs of their own species and other amphibians, as well as trout, adult and larval aquatic insects, small crustaceans, snails, and clams. Aquatic larvae eat many small aquatic organisms, especially crustaceans. Terrestrial individuals seek cover under surface objects, such as rocks and logs, or in mammal burrows, rock fissures, or human-made structures, such as wells. Aquatic larvae find cover beneath submerged rocks, logs, debris, and undercut banks. Breeding and egg-laying occur in intermittent streams, rivers, permanent and semi-permanent ponds, lakes, and large reservoirs. Eggs are laid in small clusters on the submerged portion of emergent vegetation, on submerged vegetation, and on the underside of rocks off the bottom. Terrestrial individuals are relatively inactive in subterranean refuges most of the year. Migrations to and from breeding areas usually occur at night during or just following rains.

The CNDDB reports three occurrences of the Coast Range newt within the quadrangles reviewed, the nearest located approximately 5.5 miles west of the project site. Suitable breeding habitat for the Coast Range newt is present adjacent to, but not within, the project site in the Carmel River. Suitable upland habitat for this species is present within the project site in riparian habitat and Eucalyptus groves. Therefore, the Coast Range newt has a moderate potential to occur within the project site, particularly where the site directly abuts the Carmel River.

South-central California Coast Steelhead

The south-central California coast steelhead (*Oncorhynchus mykiss irideus*; S-CCC steelhead) is designated as federally Threatened in all naturally spawned populations (and their progeny) in streams from the Pajaro River (inclusive) located in Santa Cruz County, CA, to (but not including) the Santa Maria River (71 FR 833-862) in San Luis Obispo County. The designation of critical habitat for steelhead became effective on January 2, 2006. Primary constituent elements include freshwater spawning sites, freshwater rearing sites, freshwater migration corridors, estuarine areas, nearshore marine areas, and offshore areas.

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The present distribution and abundance of steelhead in California has been greatly reduced from historical levels. In general, steelhead migrate to sea as two-year-old fish, spend two years in the ocean, and then return to fresh water to spawn. Peak spawning for steelhead occurs from December through April in small streams and tributaries. Unlike Pacific salmon, steelhead do not necessarily die after spawning, although repeat spawning rates are generally low and vary considerably among populations. Steelhead have traditionally been grouped into seasonal runs according to their peak migration period; in California there are well-defined winter, spring, and fall runs.

Although no suitable habitat for S-CCC steelhead is present within the treatment areas, this species is known to occur within the adjacent Carmel River.

Crotch Bumble Bee and Western Bumble Bee

The crotch bumble bee (CBB; *Bombus crotchii*) and western bumble bee (WBB; *Bombus occidentalis*) are a candidate species for listing under CESA. The CBB was historically common in the southern two-thirds of California, but now appears to be absent from most of it, especially in the center of its historic range (Xerces Society for Invertebrate Conservation [The Xerces Society] et, al., 2018). The WBB was formerly common from the Pacific coast to the Colorado Rocky Mountains; however, populations from central California to southern British Columbia, Canada and west of the Sierra-Cascade Ranges have declined sharply since the late 1990s (Koch et. al., 2012; Williams et. al., 2014).

Bumble bees are insects that live in colonies made up of one queen, female workers and, near the end of the season, reproductive members of the colony (new queens, or gynes, and males). Unlike their close relative the honeybee, bumble bee colonies do not persist with the same queen for several years. Instead, bumble bee colonies die at the end of each season, and a new colony is founded each year. Mated, overwintered queens emerge from hibernation in the early spring to found a new colony. Once locating a nest site, the queen will construct a wax honeypot for nectar storage and will lay her first clutch of eggs on a mass of pollen moistened with nectar in a small wax cup. After hatching, the larvae feed on the pollen for approximately two weeks before spinning a silk cocoon and pupating for another two weeks. The adult bees that emerge are female worker bees that forage for resources, tend new clutches of eggs and larvae, regulate nest temperature, and defend the nest. The queen will then remain in the nest and lay more eggs, and at some time in the summer the colony will switch over to production of males and new queens. Adult males do not forage for the colony but will leave the nest to feed at flowers and search for mates. Newly emerged queens leave the nest during the day to feed on pollen and nectar in order to build fat reserves that will carry them through a winter of hibernation. Queens usually mate only once with one male before finding a suitable overwintering site and entering a period of torpor. The new queen having reproduced, the colony declines and the males, workers, and old queen will die before winter (Williams et. al., 2014).

Typical habitat types for CBB and WBB include open grassy areas, urban parks and gardens, chaparral and shrub areas, and mountain meadows where abundant floral resources are present (Williams et. al., 2014; The Xerces Society et. al., 2018). CBB and WBB require plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, which is from early February to late October or November, respectively. Both species are generalist foragers and has been reported to visit a wide variety of flowering plants; however, both have a very short tongue that is best suited to open flowers with short corollas. The plant families most commonly associated with CBB include Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, and Boraginaceae. Select food genera for WBB include, but is not limited to, *Ceanothus, Geranium, Grindelia, Lupinus, Monardella, Rubus, Solidago, Melilotus, Cirsium, Trifolium, Centaurea,*

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Chrysothamnus, *Penstemon*, and *Eriogonum* (Koch et. al., 2012; Williams et. al., 2014; The Xerces Society et. al., 2018).

Like most other species of bumble bees, CBB and WBB typically nest underground. Most reports of nests are from underground cavities, such as old squirrel or other animal nests, and in open west-southwest slopes bordered by trees. A few nests have also been reported from above-ground locations such as in logs among railroad ties or under buildings (Hatfield et. al., 2015; The Xerces Society et, al., 2018; Thorpe et. al., 1983). Very little is known about overwintering sites utilized by most bumble bees, including CBB and WBB; however, they generally overwinter in soft, disturbed soil or under leaf litter of other debris (Goulson, 2010; Williams et. al., 2014; The Xerces Society et. al., 2018). One report identified that hibernacula was two inches deep "in a steep west slope of the mound of earth" and a closely related European species, has been reported to hibernate beneath trees (Hatfield et. al., 2015; The Xerces Society et, al., 2018). Additionally, a recent study at the former Fort Ord on the Monterey Peninsula that studied potential overwintering habitat found individuals of two species (*B. melanopygus* and *B. vosnesenskii*) hibernating in the duff below Monterey cypress trees, while none were observed in areas where the groundcover consisted of pine needle duff, grassy meadow, or the invasive iceplant (*Carpobrotus* sp.) (Williams et. al., 2019).

Suitable habitat for the CBB and WBB is present within the project site in annual grassland areas. Mammal burrows and a variety of flowering annual plants which could provide nectar for these species, including bicolor lupine, rose clover, purple clarkia, and vetch, were observed within grassland habitat during the June 2023 biological survey. The abundance of coyote brush, which flowers from August to November, suggests that sufficient nectar and pollen for the entire flight season of a CBB and WBB colony if present within the project site. The CNDDB reports six occurrences of WBB within the quadrangles reviewed, the nearest located approximately seven miles northwest of the project site. Leif Richardson of the Xerces Society for Invertebrate Conservation identifies that WBB formerly ranged along the coast as far south as Monterey County; however, the last recorded observation was made in 1983 (pers. comm. 2023). The CNDDB does not report any occurrences of CBB within the quadrangles reviewed; however, this species was observed in 2022 at the Hastings Reserve (located approximately 14 miles from the project site) and near the Monterey County-San Luis Obispo County line in the Santa Lucia Mountain Range (pers. comm. Leif Richardson of the Xerces Society for Invertebrate Conservation, 2023). Therefore, the CBB and WBB have a moderate potential to occur within the project site.

Raptors and Other Protected Avian Species

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. While the life histories of these species vary, overlapping nesting and foraging similarities allow for their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently for nesting. Breeding occurs February through mid-August, with peak activity May through July. Prey for these species include small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges.

Various species of raptors and other nesting birds, such as red-tailed hawk, red-shouldered hawk, American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), turkey vulture (*Cathartes aura*), American crow, common raven, barn owl, and tree swallow (*Tachycineta bicolor*), have a potential to nest within any

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of the large trees present within and directly adjacent to the project site. Other common avian species may also nest within the brushy understory of the eucalyptus and riparian habitats.

3.3 Sensitive Habitats

3.3.1 Riparian Habitat

The rich soils and presence of water that make riparian ecosystems so diverse also function as productive land for agriculture and are desirable locations of development. As a result, much of the historic riparian habitat within California has been lost to agricultural conversion, urbanization, and flood control activities. To combat this habitat loss, CDFW supports a policy of minimizing the destruction or degradation of riparian habitat. Riparian areas are subject to the jurisdiction of CDFW under Section 1602 of the Fish and Game Code. Additionally, the black cottonwood and arroyo willow floristic alliance occurring within riparian areas is identified as sensitive on CDFW's *California Natural Communities List* (CDFW, 2023a). As described above, approximately 5.3 acres of riparian habitat occur within the project site (**Figure 4**). Riparian habitat also occurs immediately adjacent to the Main Stand and the Northeast Stand.

3.3.2 Waters of the U.S.

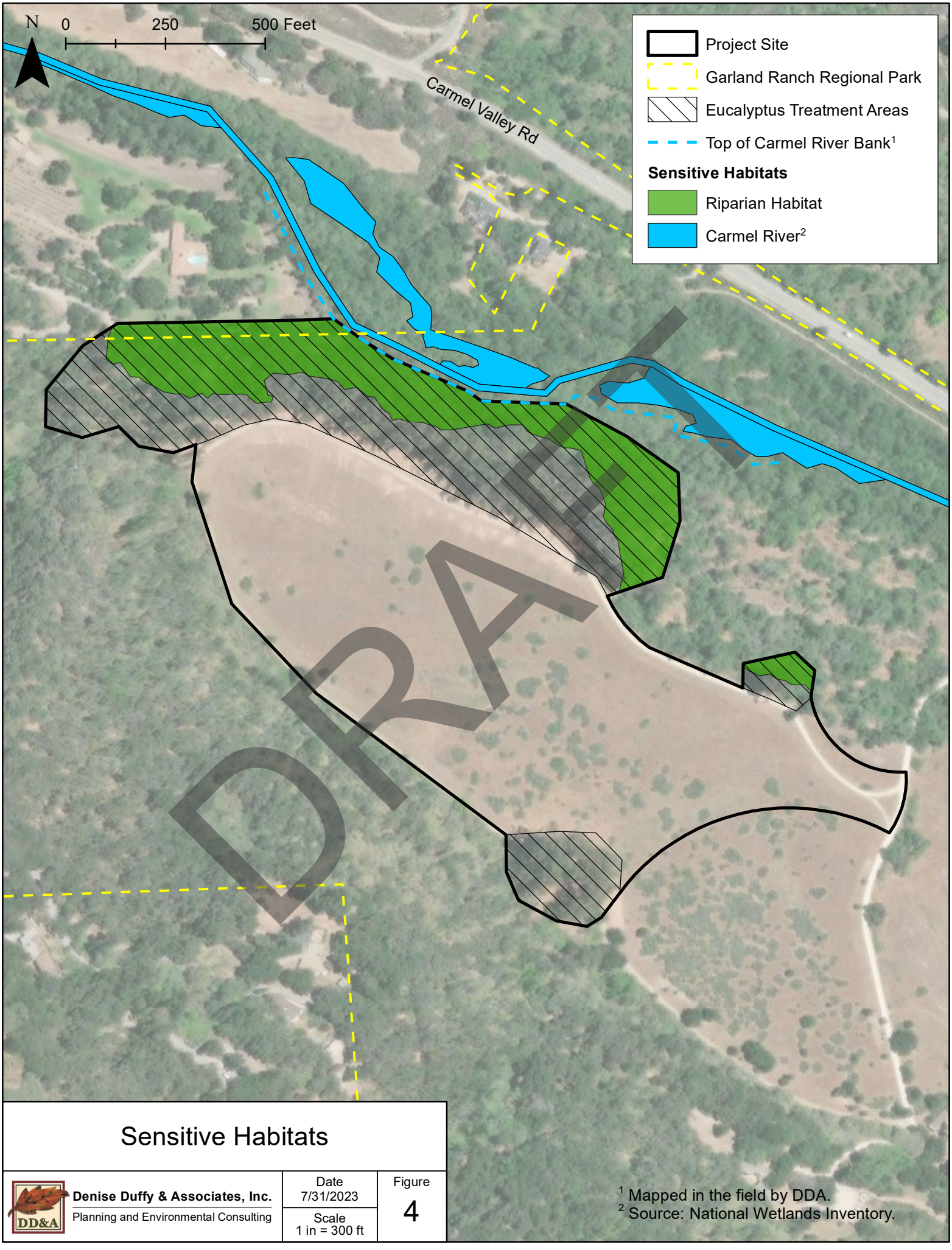
The Carmel River is considered jurisdictional waters of the U.S. and state, and potential wetlands of the U.S. and/or state may be present directly adjacent to river below the ordinary high water mark. As the project site is located outside of ordinary high water, potentially jurisdictional wetlands and other waters are not present within the site.

3.3.3 Critical Habitat

The entire project site lies within Critical Habitat Mapping Unit MNT-2 for the California red-legged frog (*Rana draytonii*, CRLF), which the Service designated on April 13, 2006 (71 FR 19244-19346) and revised on March 17, 2010 (75 FR 12816-12959). The primary physical and biological features of CRLF critical habitat are aquatic breeding habitat, non-breeding aquatic habitat, upland habitat, and dispersal habitat. No aquatic resources are present within the project site; the site provides only critical dispersal and upland habitat for CRLF. Approximately 33.2 acres of critical dispersal habitat for CRLF (the entire project site) and 5.3 acres of critical upland habitat for CRLF (riparian habitat) are present within the project site (**Figure 4**). However, critical habitat requirements do not apply to activities that are not conducted on federal land or that do not involve a federal agency.

Critical habitat for south-central California Coast (S-CCC) steelhead (*Oncorhynchus mykiss iredeus*) occurs directly adjacent to, but not within, the project site in the Carmel River (**Figure 4**). The lateral extent of critical habitat for steelhead is the stream channel's width, defined by the ACOE in 33 CFR 329.11 as the ordinary high-water mark. In areas for which ordinary high water has not been defined pursuant to 33 CFR 329.11, the width of the stream channel is defined by its bank full elevation. As the project site is located outside of ordinary high water, critical habitat for S-CCC steelhead is not present within the project site.

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Sensitive Habitats

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Planning and Environmental Consulting

Date	Figure
7/31/2023	4
Scale: 1 in = 300 ft	

[1] Mapped in the field by DDA.
[2] Source: National Wetlands Inventory.

Path: D:\GIS\GIS_Projects\2023-24 CV Fuelbreaks Bio\Map Products\Fig 4 - Sensitive Habitats.mxd

3.4 Protected Trees

Scattered coast live oak trees are present within the project site. As described in *Section 2. Methods*, coast live oak trees are protected under County Code Chapter 16.60; however, the County tree ordinance would only apply to treatment activities conducted on private property. If the project would result in removal or significant damage to a coast live oak tree located within private property, a tree removal permit from the County would be required prior to construction. Removal of more than three oak trees from the private property would require a forest management plan.

3.5 Habitat Connectivity and Nursery Sites

The California Essential Habitat Connectivity Project (California Department of Transportation [Caltrans] and CDFW, 2020) identifies large remaining blocks of intact habitat or natural landscape and models linkages between them to provide a basis for management of these important areas, particularly as corridors for wildlife. The California Essential Habitat Connectivity Project identifies that the project site contains a modeled essential connectivity area characterized as "more permeable" and therefore likely functions as a wildlife movement corridor and provides connectivity with other natural habitats surrounding the site. In addition, riparian corridors, such as the Carmel River riparian corridor located within and adjacent to the project site, are known to provide important movement corridors for wildlife. No known wildlife nursery sites or indications of nursery sites were identified within any treatment areas.

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4.0 IMPACTS AND MITIGATION MEASURES

The following impact analysis is formatted to be consistent with the Project Specific Analysis (PSA) that will be prepared for the project under the CalVTP PEIR. The relevant Standard Project Requirements (SPRs) and Mitigation Measures from the PEIR are referenced below and provided in Appendix D. Appendix D also includes project-specific measures are to avoid or reduce potential impacts to sensitive biological resources.

Impact BIO-1: Would the Project Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications?

This Biological Resources Report includes a review of project-specific biological resources and a reconnaissance-level survey of the project site conducted pursuant to SPR BIO-1, and to conduct protocol-level surveys for special-status plants conducted pursuant to SPR BIO-7. No special-status plants were observed during protocol-level surveys. All other special-status plant species were determined to be not present based on the results of the protocol-level survey or unlikely to occur due to lack of suitable habitat (Appendix C).

Several additional SPRs would reduce potential indirect impacts to special-status plants that may occur outside of the project site. SPR BIO-6 would prevent the spread of plant pathogens in areas with sensitive biological resources, while SPR BIO-9 would prescribe measures to prevent the spread of invasive plants. SPR AQ-4 includes dust control measures such as speed limits and use of water trucks if road use creates excessive dust. Additionally, SPR HAZ-1 would require regular maintenance of equipment, which would reduce the potential fuel leaks and other spills from equipment. With implementation of the SPRs described above, impacts to special-status plants from the treatment project would be less than significant. No mitigation measures are applicable to this impact.

Impact BIO-2: Would the Project Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications?

This Biological Resources Report includes a review of project-specific biological resources and a reconnaissance-level survey of the treatment areas conducted pursuant to SPR BIO-1. Nine of the special-status wildlife species from the complete list of species were determined to have a moderate or high potential to occur within the treatment area or adjacent grassland (where stockpile of removed material and pile burning would be conducted) based on the presence of suitable habitat and/or known occurrence in the vicinity (Appendix C). In addition, one fish species (south-central California coast steelhead) is known to occur in the Carmel River, located outside of, but immediately adjacent to the treatment area. Initial and maintenance treatments could result in direct or indirect adverse effects on special-status wildlife species, as detailed below. The CalVTP PEIR groups species into life history categories that would respond similarly to the range of proposed treatment activities, which allows for the discussion of specific species added to special-status species lists subsequent to the release of the Final PEIR. The discussion of special-status species that may occur within the project site is categorized in the same manner as the PEIR.

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Ground-nesting Wildlife

Monterey Dusky-Footed Woodrat

Suitable habitat for MDFW is present within the project site in the Eucalyptus grove and riparian habitats. Nests of this species were not observed within the project site during the June 2023 biological survey however, this species may move into the site prior to treatment activities.

Mechanical treatment activities would include cutting and masticating existing vegetation and manual treatment activities would include the use of hand tools (e.g., loppers) and hand-operated power tools (e.g., chainsaws) to prune, thin, or remove vegetation. Prescribed herbivory would include the use of domestic livestock (e.g., cows, goats, sheep) to reduce the target plant population and understory biomass. If mechanical, manual, and/or prescribed herbivory treatments occur during the breeding season, ground nests could be accidentally crushed by equipment or foot traffic from crews, by livestock, or otherwise damaged. This could result in the direct mortality of adults or young, if present. Additionally, MDFW could be alarmed by the presence of heavy equipment, personnel, and/or livestock which could result in nest abandonment, and potential mortality of young. In addition to breeding-season impacts, MDFW use their middens year-round; thus, potential adverse effects on this species as a result of mechanical, manual, and prescribed herbivory treatment activities would not be limited to the breeding season. The potential for treatment activities to result in adverse effects on special-status ground-nesting wildlife, including MDFW, was examined in the CalVTP PEIR (Section 3.6.3, pages 164-171).

SPR BIO-10 would be implemented, which requires focused surveys for MDFW nests within suitable habitats in treatment areas to be conducted by a qualified biologist. If an active nest is identified by a qualified biologist, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, a no-disturbance buffer would be established around woodrat nests to the extent feasible to complete the work. If avoidance is not feasible, woodrat nests that cannot be avoided during treatments would be dismantled by a qualified biologist. If a litter of young is found or suspected, nest material would be replaced and the nest monitored by the qualified biologist until the young are capable of independent survival before proceeding with nest dismantling. In addition, the boundaries of the treatment areas would be flagged or fenced to avoid impacts to woodrat nests located outside of the treatment areas and treatment activities would be monitored by a qualified biologist and an individual of the crew designated to act as an on-site monitor. Project-specific measures for MDFW have been added to SPR BIO-10 and Mitigation Measure BIO-2b. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-6, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5.

Burrowing or Denning Wildlife

American Badger

Suitable habitat for American badger is present within grassland areas of the project site where stockpile of removed material and pile burning would be conducted. No suitable badger burrows were observed within the site during the June 2023 biological survey; however, badgers may move into the area prior to treatment activities.

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Treatment activities will not include ground-disturbing activities (e.g., grading or excavating) and the project would not result in permanent loss of habitat for American badger (i.e., habitat function would be maintained). However, treatment activities such as stockpile of removed vegetation in the grassland area and burning of biomass via pile burning or use of an air curtain burner or carbonator could result in injury, den abandonment, and/or mortality of individuals, if individuals are present within or directly adjacent to the project site during treatment activities. The potential for treatment activities to result in adverse effects on special-status burrowing and denning wildlife, including American badger, was examined in the CalVTP PEIR (Section 3.6.3, pages 161-164).

SPR BIO-10 would be implemented, which requires focused surveys for American badger dens within suitable habitats in treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 14 days prior to implementation of all mechanical and manual treatments to determine whether American badger dens are present or not. If American badger dens are detected during focused surveys, then additional surveys would be required to determine if the den is active or not. If an active den is identified by a qualified biologist, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, a no-disturbance buffer would be established around the den to the extent feasible to complete the work. If avoidance is not feasible, American badger dens that cannot be avoided during treatments a qualified biologist would block the den entrance with soil, sticks, and debris to an incrementally greater degree over a three- to five-day period to discourage the use of the den. After the qualified biologist determines that badgers have stopped using active dens within the treatment area, the dens would be hand-excavated with a shovel to prevent re-use during treatment activities. In addition, prescribed burning would be implemented outside of the sensitive period of the species' life history (e.g., outside the breeding season), the boundaries of the treatment areas would be flagged or fenced to avoid impacts to American badger dens located outside of the treatment areas, and treatment activities would be monitored by a qualified biologist and an individual of the crew designated to act as an on-site monitor. Project-specific measures for American badger have been added to SPR BIO-10 and Mitigation Measure BIO-2b. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5.

Insects and Other Terrestrial Invertebrates

Crotch Bumble Bee and Western Bumble Bee

Suitable habitat for the CBB and WBB is present within the project site in annual grassland areas where stockpile of biomass and pile burning would occur.

No grading or development is proposed within annual grassland habitat. Therefore, no permanent impacts to potential CBB and/or WBB nesting and foraging habitat would occur and habitat function for these species would be maintained. However, temporary impacts would occur as this area would be used for stockpiling of vegetation removed from the treatment areas and pile burning, including removing vegetation within a buffer surrounding the pile burn for safety purposes. If present within the site, project activities could result in mortality of CBB and/or WBB individuals or impacts to nests or overwintering colonies. This would be considered take of a candidate species for listing under CESA and a significant impact under CEQA. The potential for treatment activities to result in adverse effects on special-status insects, including CBB and WBB, was examined in the CalVTP PEIR (Section 3.6.3, pages 164-171).

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Pursuant to its objectives, implementation of the CalVTP is intended to reduce the occurrence of high-intensity wildfire, which could beneficially decrease an existing threat to special-status bumble bees. SPR BIO-10 would be implemented, which requires focused surveys for special-status bumble bees within suitable grassland habitat areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist in accordance with CDFW's Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (2023c) or the most current CDFW protocol. Project-specific measures for WBB and CBB have been added to SPR BIO-10. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-9, GEO-6, HAZ-5, HAZ-6, and HYD-5.

Although the SPRs will avoid or reduce impacts to CBB and WBB and their habitat, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2g would be implemented, which would restrict prescribed burning within occupied or suitable habitat during the flight season and require consultation with CDFW. Project-specific measures for WBB and CBB have been added to Mitigation Measure BIO-2g. If consultation determines that mortality, injury, or disturbance of these Candidate-listed bumble bees or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c, which requires compensation for impacts. Mitigation Measure BIO-2c identifies that "compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified" in the measure. As such, MPRPD may pursue take authorization from CDFW for CBB and WBB.

The CalVTP PEIR identifies that "although Mitigation Measure BIO-2g would reduce impacts to foraging special-status bumble bees and their floral resources, substantial adverse effects could still occur to special-status bumble bee species during nesting and overwintering, because vegetation treatment activities, such as prescribed burning, soil disturbance, or use of heavy equipment, could kill individuals or crush or disturb overwintering or nesting colonies. Additionally, there is no established methodology for detecting overwintering or nesting colonies of these species. Because these species have not yet been well studied and colonies are likely difficult to detect, there is little evidence to guide effective impact avoidance or minimization strategies to protect nesting or overwintering colonies. Mitigation Measure BIO-2g presents feasible impact avoidance and minimization measures that are based on emerging, early understanding of species protection; as their candidacy for listing is reviewed by CDFW, additional guidance may emerge and could be implemented by project proponents to reduce impacts. Project proponents can and should stay abreast of new information, as research and scientific understanding evolve. However, with the current state of the science and species knowledge, if underground colonies cannot be detected, they cannot be avoided and, in this case, the extent and severity of impacts to special-status bumble bees from vegetation treatment cannot be predicted with meaningful certainty. Therefore, given the rarity of these candidate species, if colonies were to be destroyed, it is possible that populations of these species would be reduced below self-sustaining levels, and treatment activities could substantially reduce the number or restrict the range of species. Over time, as avoidance strategies are developed with research and improved scientific understanding, adequate protection of the species may become feasible. However, at this time, recognizing the difficulty in detecting overwintering and nesting bumble bees and determining the occurrence and severity of impacts, for purposes of good faith, full disclosure under CEQA, this impact is designated in the PEIR to be potentially significant and unavoidable."

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Bats

Townsend's Big-Eared Bat

Townsend's big-eared bat may utilize any of the large trees within the project site for night roosts and may forage within the site; however, no suitable day or maternity roosting habitat is present within the project site.

The potential for treatment activities to result in adverse effects on special-status bats was examined in the CalVTP PEIR (Section 3.6.3, pages 172-175). Mechanical and manual treatments would remove trees that may be used for night roosts. However, because all vegetation removal will be conducted during daylight hours and no daytime roosting habitat for this species is present within the project site, project activities would not directly impact Townsend's big-eared bat. Although trees that may be used by this species would be removed during treatment activities, the treatments will remove only non-native and invasive tree species and habitat conditions will be improved. Implementation of SPRs BIO-4, BIO-6, BIO-9, HAZ-5, HAZ-6, and HYD-5 would further avoid impacts to habitat for this species. No mitigation measures are necessary.

Fish and Aquatic Invertebrates

South-Central California Coast Steelhead

No suitable habitat for the south-central California coast (S-CCC) steelhead is present within the treatment area; however, this species is known to occur within the adjacent Carmel River. The project will not include work within the Carmel River (i.e., no work will occur below top of bank); however, the project may include the removal of riparian understory vegetation and would require the use of heavy equipment in riparian habitat, which could result in hazardous material spills and introduction and spread of non-native, invasive species. The potential for treatment activities to result in adverse effects on fish, including S-CCC steelhead, was examined in the CalVTP PEIR (Section 3.6.3, pages 178-182).

A Watercourse and Lake Protection Zone (WLPZ) of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[1] to act as a filter strip for raindrop energy dissipation for wildlife habitat. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5. Habitat function for S-CCC steelhead would be maintained and improved because initial and maintenance treatment activities would not occur within aquatic habitat and would remove non-native, invasive species from the riparian habitat. No mitigation measures are necessary.

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[1] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

Amphibians and Reptiles

Northern California Legless Lizard

Suitable habitat and soils for Northern California legless lizard are present throughout the entire project site where appropriate cover conditions occur, particularly in the riparian and eucalyptus habitats; in annual grassland areas, habitat would be limited to areas underneath shrubs.

The project would not result in permanent loss of habitat for Northern California legless lizard (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. No grading or excavation is proposed as part of the project; however, mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. The potential for treatment activities to result in adverse effects on special-status reptiles, including Northen California legless lizard, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

Focused surveys for this species would not be feasible within the project site as protocols require multiple rounds of raking the soils to find individuals. The amount of eucalyptus duff within the project site precludes use of this protocol. As such, this species is assumed present and Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b, MPRPD will require biological monitoring by a qualified biologist during treatment activities, relocation of individuals, flagging of areas for avoidance, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species. Project-specific measures for Northern California legless lizard have been added to SPR BIO-10 and Mitigation Measure BIO-2b. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-6, BIO-9, BIO-11, GEO-6, HAZ-5, HAZ-6, and HYD-5.

Western Pond Turtle

Western pond turtle is known to occur immediately adjacent to the project site within the Carmel River. In addition, although this species is not typically found in Eucalyptus groves or areas with dense duff cover; MPRPD indicates that this species has been observed within the eucalyptus grove and riparian areas within the project site. Portions of the annual grassland are also within 100 meters of the Carmel River; however, the annual grasses are likely too tall and dense to provide nesting habitat and western pond turtle presence within these areas is low. Eucalyptus and riparian habitats do not provide suitable nesting habitat for this species.

The project would not result in permanent loss of habitat for western pond turtle (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if individuals are present above ground within the treatment areas. However, these treatment activities are unlikely to disturb below ground nests in the unlikely event they are present. The potential for treatment activities to result in adverse effects on special-status reptiles was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface

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cover[2] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of western pond turtle as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for western pond turtle within treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether western pond turtles are present or not. Project-specific measures for western pond turtle have been added to SPR BIO-10. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to western pond turtles, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b MPRPD will require biological monitoring by a qualified biologist during treatment activities, additional training of a designated member of the treatment crew to act as a biological monitor, relocation of individuals, flagging of areas for avoidance, limiting work within riparian areas to daylight hours, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species. In addition, in the unlikely event that a nest is encountered prior to or during treatment, a no-disturbance buffer (the size of which would be determined by a qualified biologist) would be established within which no treatment activities would occur. Project-specific measures for western pond turtle have been added to Mitigation Measure BIO-2b.

California Red-legged Frog

CRLF are known to use the Carmel River, located immediately adjacent to the Main Stand, for breeding and non-breeding habitat. Radiotelemetry data indicates that adult CRLF engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites (Bulger et al., 2003).Therefore, the entire project site has the potential to be used as dispersal habitat by CRLF. During the non-breeding season, a wider variety of aquatic habitats are used including small pools in coastal streams, springs, water traps, and other ephemeral water bodies (USFWS, 1996). CRLF may also move up to 300 feet from aquatic habitats into surrounding uplands, especially following rains, where individuals may spend days or weeks (Bulger et al., 2003). Therefore, the 5.3 acres of riparian forest may provide suitable upland habitat. Although not a typical habitat for this species, the Eucalyptus groves in the Main Stand and Northeast Stand may also provide marginal upland habitat for this species. Therefore, CRLF has a high potential to occur within the project site, particularly where the site directly abuts the Carmel River.

Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. Additionally, due to the proximity of the Main Stand and Northeast Stand to the Carmel River and because this species could be present throughout the treatment areas while dispersing, there is no feasible way to avoid all potentially suitable habitat for these species. The potential for treatment activities to result in adverse effects on special-status amphibians, including CRLF, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

[2] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[3] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of CRLF as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for CRLF within upland habitats in treatment areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether CRLF are present or not. Project-specific measures for CRLF have been added to SPR BIO-10. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to CRLF and their habitat, these measures may not avoid all impacts to the species. As such, pursuant to Mitigation Measure BIO-2a, MPRPD has consulted with Chad Mitcham of the USFWS to confirm that treatment activities will maintain habitat function and that there is no time period within which treatment could occur that would avoid mortality, injury, or disturbance of the species. Project-specific avoidance measures recommended by USFWS have been incorporated into Mitigation Measure BIO-2a and include biological monitoring during treatment activities, placement of flagging or exclusionary fencing to protect habitat areas outside of the treatment area, allowing animals to move outside of project areas on their own volition is present, and limiting work within the riparian areas to daylight hours.

Habitat function for CRLF would be maintained and improved because initial and maintenance treatment activities would not occur within aquatic habitat and would remove non-native and invasive species from the riparian habitat. Additionally, restoring the Carmel River watershed has been identified by USFWS as a recovery action for CRLF (USFWS, 2002). This impact of the proposed project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

Coast Range Newt

Suitable breeding habitat for the Coast Range newt is present adjacent to, but not within, the project site in the Carmel River. Suitable upland habitat for this species is present within the project site in riparian habitat and Eucalyptus groves. Therefore, the Coast Range newt has a moderate potential to occur within the project site, particularly where the site directly abuts the Carmel River.

The project would not result in permanent loss of habitat for coast range newt (i.e., habitat function would be maintained) and habitat would be improved by removing non-native, invasive plant species. Mechanical manual, and prescribed herbivory treatment activities could crush or otherwise disturb this species if present within the treatment areas. The potential for treatment activities to result in adverse effects on special-status amphibians, including coast range newt, was examined in the CalVTP PEIR (Section 3.6.3, pages 182-185).

[3] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[4] to act as a filter strip for raindrop energy dissipation for wildlife habitat. However, this measure would not result in full avoidance of coast range newt as individuals may be present further than 75 feet from the river. SPR BIO-10 would be implemented, which requires focused surveys for coast range newt within suitable habitat areas (including all access routes, parking areas, equipment staging areas, and debris storage areas) to be conducted by a qualified biologist within 48 hours prior to implementation of all mechanical and manual treatments to determine whether coast range newts are present or not. Additional SPRs relevant to this impact include AD-2, AD-5, BIO-1, BIO-2, BIO-4, BIO-6, BIO-9, BIO-11, GEO-1, GEO-3, GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-3 through HYD-5.

Although the SPRs will avoid or reduce impacts to coast range newt, these measures may not avoid all impacts to the species. As such, Mitigation Measure BIO-2b would be implemented. Under Mitigation Measure BIO-2b MPRPD will require biological monitoring by a qualified biologist during treatment activities, relocation of individuals, flagging of areas for avoidance, limiting work within riparian areas to daylight hours, and/or other measures recommended by CDFW as necessary to avoid injury to or mortality of these species.

<u>Impact BIO-3:</u> Would the Project Substantially Affect Riparian Habitat or Other Sensitive Natural Community Through Direct Loss or Degradation that Leads to Loss of Habitat Function?

This Biological Resources Report includes a focused survey of vegetation types in the treatment areas as well as the adjacent area where stockpile of removed material and pile burning would be occur, conducted pursuant to SPR BIO-1 and SPR BIO-3. The survey identified that one vegetation type occurring within the project site is identified as sensitive on CDFW's *California Natural Communities List*; the black cottonwood and arroyo willow floristic alliance occurring within riparian areas. Riparian areas are also subject to the jurisdiction of CDFW under Section 1602 of the Fish and Game Code.

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on sensitive habitats, including designated sensitive natural communities. Potential impacts resulting from maintenance activities would be similar to those resulting from initial vegetation treatments because the same treatment activities are proposed within the riparian areas; however, retreatment at too great a frequency could result in additional adverse effects. Treatment activities in riparian areas have been designed to return vegetation composition and structure to their natural condition to maintain and improve riparian habitat function per SPR BIO-4. The project will remove non-native invasive trees, but does not propose to remove any healthy native riparian trees. Some native riparian understory species may be disturbed or removed during mastication of the duff or removal of ladder fuels or by trampling by equipment or crews; however, native plants would be retained to the extent feasible and roots would not be removed. Riparian understory plants are very resilient and are expected to quickly regrow following treatment activities. Therefore, these actions will not result in loss of habitat function or viability. However, the project would include use of heavy equipment in riparian habitat, which could result in soil compaction, hazardous material spills, and introduction and spread of non-native, invasive species within riparian areas. The

[4] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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potential for treatment activities, including maintenance treatments, to result in adverse effects on sensitive habitats was examined in the CalVTP PEIR (Section 3.6.3, pages 187-191).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[5] to act as a filter strip for raindrop energy dissipation for wildlife habitat. In addition, if prescribed herbivory is used during maintenance treatment, these activities would be excluded from riparian areas and a buffer of 50 feet, pursuant to SPR HYD-3, using wildlife-friendly fencing (as required by SPR BIO-11). Additional SPRs relevant to this impact include AD-2, BIO-2, BIO-6, BIO-9, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-5. No mitigation measures are necessary to further reduce impacts.

Impact BIO-4: Would the Project Substantially Affect State or Federally Protected Wetlands?

This Biological Resources Report identifies vegetation types present in the project site, as identified in the field during the survey conducted pursuant to SPR BIO-1 and BIO-3. No potentially jurisdictional state or federal wetlands were identified within the project site. However, the Carmel River is located immediately adjacent to the Main Stand. The reconnaissance survey did not include areas below the top of bank of the river; however, it is assumed that jurisdictional wetlands are present within the river in the vicinity of the project.

No project activities will occur below the top of bank of the Carmel River and therefore no direct impacts to jurisdictional wetlands would occur. In addition, the project will leave masticated or chipped mulch up to 6 inches deep, which will avoid or reduce potential erosion and sedimentation to the river and associated wetlands. However, the project could still result in indirect impacts to this sensitive resource due to erosion, sedimentation, or introduction of hazardous materials into the Carmel River. The potential for treatment activities, including maintenance treatments, to result in adverse effects on state and federally protected wetlands was examined in the CalVTP PEIR (Section 3.6.3, pages 192-193).

A WLPZ of 75 feet adjacent to the Carmel River would be implemented per SPR HYD-4, which will prevent hazardous materials spills and deposits of slash and debris, and will retain at least 75% surface cover[6] to act as a filter strip for raindrop energy dissipation for wildlife habitat. In addition, if prescribed herbivory is used during maintenance treatment, these activities would be excluded from riparian areas and a buffer of 50 feet, pursuant to SPR HYD-3, using wildlife-friendly fencing (as required by SPR BIO-11). In turn, this would also exclude prescribed herbivory from any wetland areas within the Carmel River by greater than 50 feet. Additional SPRs relevant to this impact include AD-2, BIO-2, BIO-6, BIO-9, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, HYD-1, and HYD-5. Implementation of Mitigation Measure BIO-4 would further ensure no impacts to state or federal wetlands occur as a result of the project. No mitigation measures are necessary to further reduce impacts.

[5] HYD-4 allows for a reduced surface cover percentage in non-riparian areas if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

[6] HYD-4 allows for a reduced surface cover in non-riparian percentage if coordination with a registered professional forester and/or documentation in the post-project implementation report (referred to by CAL FIRE as a Completion Report).

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<u>Impact BIO-5:</u> Would the Project Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries?

Treatment areas contain a modeled essential connectivity area characterized as "more permeable" and therefore likely functions as a wildlife movement corridor and provides connectivity with other natural habitats surrounding the treatment areas. In addition, riparian areas, such as those occurring within the project site along the Carmel River, are known to provide important wildlife corridors. No known wildlife nursery sites or indications of nursery sites were identified within any treatment areas.

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on wildlife movement corridors because suitable habitat is present in treatment areas. However, due to the nature of the proposed treatment activities, implementation of these actions would not result in a substantial change in the existing conditions that facilitate wildlife movement in the project site. Through removal of non-native, invasive plant species, habitat would be improved and the project site would function better for wildlife movement post-treatment. The potential for treatment activities to result in adverse effects on wildlife movement corridors and nurseries was examined in the CalVTP PEIR (Section 3.6.3, pages 193-197).

SPRs that apply to project impacts are SPRs AD-2, BIO-1 through BIO-4, BIO-6, BIO-9, BIO-11, BIO-12, GEO-1 through GEO-4, GEO-6, HAZ-5, HAZ-6, and HYD-1 through HYD-5. No mitigation measures are necessary.

<u>Impact BIO-6:</u> Substantially Reduce Habitat or Abundance of Common Wildlife?

Pursuant to its objectives, implementation of the CalVTP is intended to reduce the occurrence of high-intensity wildfire, which could beneficially decrease an existing threat to common wildlife species. In addition, habitat function for common wildlife species would be maintained and improved because initial and maintenance treatment activities would remove non-native, invasive species. However, initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects resulting in reduction of habitat or abundance of common wildlife, including nesting birds, because suitable habitat for these species is present throughout treatment areas. Treatment activities conducted during the nesting bird season (February 1–August 31) could result in direct loss of active nests during tree and understory brush removal, or disturbance to active nests from auditory and visual stimuli (e.g., heavy equipment, chainsaws, vehicles, personnel, livestock), potentially resulting in abandonment and loss of eggs or chicks. The potential for treatment activities to result in adverse effects on common wildlife species, including nesting avian species, was examined in the CalVTP PEIR (Section 3.6.3, pages 197-199).

Per SPR BIO-1 and BIO-12, if it is determined that adverse effects on habitat suitable for nesting birds can be clearly avoided by conducting treatments outside of the season of sensitivity (i.e., nesting season), then further mitigation would not be required. To avoid impacts on raptors and other nesting birds, treatment activities will be implemented outside of the nesting season (February 15–August 31) when feasible. If treatment implementation outside of the nesting season is determined to be infeasible, then protocol-level surveys would be conducted by a qualified biologist no more than 14 days prior to initiation of treatment activities pursuant to SPR BIO-12. If an active nest is identified by a qualified biologist, a no-disturbance buffer would be established around the nest, treatment would be modified to avoid disturbance, treatment

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would be deferred in portions of the site that could disturb the active nest until the young have fledged or the nest becomes inactive, and/or other strategies to avoid or reduce impacts identified in SPR BIO-12.

SPRs designed to identify special-status species habitat (SPR BIO-1) and sensitive natural communities (SPR BIO-3), retain the habitat function and value of riparian habitat (SPR AD-2, BIO-4, BIO-6, BIO-9, BIO-11, HAZ-5, HAZ-6, HYD-1 and HYD-3 through HYD-5), as well as compliance with protective statutes (e.g., California Fish and Game Code sections 3503 and 3503.5 and the federal MBTA), would reduce the likelihood of impacts to other common species within the project site.

Impact BIO-7: Conflict with Local Policies or Ordinances Protecting Biological Resources?

The potential for treatment activities to result in conflicts with local policies or ordinances was examined in the CalVTP PEIR (Section 3.6.3, page 199). The only applicable local ordinance relevant to biological resources is the Monterey County Preservation of Oak and Other Protected Trees Ordinance for the Carmel Valley Planning Area (Chapter 16.60). As discussed above in Section 2.5, Regulatory Setting, the Monterey County Tree ordinance is not applicable to treatment activities conducted on MPRPD property. However, the Monterey County tree ordinance would apply to treatment activities conducted on private property within the project site (0.5 acre).

Several coast live oak trees occur within the project site; however, a tree survey was not conducted to determine if oak trees occur on the private property. In addition, treatment activities are not anticipated to remove oak trees unless they are dead, dying, hazardous, or diseased. However, in the unlikely event that removal of a coast live oak tree is required on the private property, MPRPD may need to acquire a tree removal permit from the County prior to project activities pursuant to SPR AD-3. If removal of more than three coast live oak trees from the private property is required, a forest management plan may also need to be prepared and submitted to the County prior to oak tree removal activities.

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APPENDIX A

California Natural Diversity Database Report

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Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Seaside (3612157) OR Marina (3612167) OR Salinas (3612166) OR Monterey (3612158) OR Spreckels (3612156) OR Soberanes Point (3612148) OR Carmel Valley (3612146) OR Mt. Carmel (3612147))
 AND Taxonomic Group IS (Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects OR Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes OR Fungi)

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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Agrostis lacuna-vernalis vernal pool bent grass	PMPOA041N0	None	None	G1	S1	1B.1
Allium hickmanii Hickman's onion	PMLIL02140	None	None	G2	S2	1B.2
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Anniella pulchra Northern California legless lizard	ARACC01020	None	None	G3	S2S3	SSC
Arctostaphylos edmundsii Little Sur manzanita	PDERI04260	None	None	G2	S2	1B.2
Arctostaphylos hookeri ssp. hookeri Hooker's manzanita	PDERI040J1	None	None	G3T2	S2	1B.2
Arctostaphylos montereyensis Toro manzanita	PDERI040R0	None	None	G2?	S2?	1B.2
Arctostaphylos pajaroensis Pajaro manzanita	PDERI04100	None	None	G1	S1	1B.1
Arctostaphylos pumila sandmat manzanita	PDERI04180	None	None	G1	S1	1B.2
Astragalus tener var. tener alkali milk-vetch	PDFAB0F8R1	None	None	G2T1	S1	1B.2
Astragalus tener var. titi coastal dunes milk-vetch	PDFAB0F8R2	Endangered	Endangered	G2T1	S1	1B.1
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Bombus caliginosus obscure bumble bee	IIHYM24380	None	None	G2G3	S1S2	
Bombus occidentalis western bumble bee	IIHYM24252	None	Candidate Endangered	G3	S1	
Buteo regalis ferruginous hawk	ABNKC19120	None	None	G4	S3S4	WL
Castilleja ambigua var. insalutata pink Johnny-nip	PDSCR0D403	None	None	G4T2	S2	1B.1

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Centromadia parryi ssp. congdonii Congdon's tarplant	PDAST4R0P1	None	None	G3T2	S2	1B.1
Charadrius nivosus nivosus western snowy plover	ABNNB03031	Threatened	None	G3T3	S3	SSC
Chorizanthe minutiflora Fort Ord spineflower	PDPGN04100	None	None	G1	S1	1B.2
Chorizanthe pungens var. pungens Monterey spineflower	PDPGN040M2	Threatened	None	G2T2	S2	1B.2
Clarkia jolonensis Jolon clarkia	PDONA050L0	None	None	G2	S2	1B.2
Coelus globosus globose dune beetle	IICOL4A010	None	None	G1G2	S1S2	
Collinsia multicolor San Francisco collinsia	PDSCR0H0B0	None	None	G2	S2	1B.2
Cordylanthus rigidus ssp. littoralis seaside bird's-beak	PDSCR0J0P2	None	Endangered	G5T2	S2	1B.1
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G4	S2	SSC
Coturnicops noveboracensis yellow rail	ABNME01010	None	None	G4	S1S2	SSC
Cypseloides niger black swift	ABNUA01010	None	None	G4	S2	SSC
Danaus plexippus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	Candidate	None	G4T1T2Q	S2	
Delphinium californicum ssp. interius Hospital Canyon larkspur	PDRAN0B0A2	None	None	G3T3	S3	1B.2
Delphinium hutchinsoniae Hutchinson's larkspur	PDRAN0B0V0	None	None	G2	S2	1B.2
Delphinium umbraculorum umbrella larkspur	PDRAN0B1W0	None	None	G3	S3	1B.3
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Eremophila alpestris actia California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
Ericameria fasciculata Eastwood's goldenbush	PDAST3L080	None	None	G2	S2	1B.1
Eriogonum nortonii Pinnacles buckwheat	PDPGN08470	None	None	G2	S2	1B.3
Erysimum ammophilum sand-loving wallflower	PDBRA16010	None	None	G2	S2	1B.2
Erysimum menziesii Menzies' wallflower	PDBRA160R0	Endangered	Endangered	G1	S1	1B.1

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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Eucyclogobius newberryi tidewater goby	AFCQN04010	Endangered	None	G3	S3	
Eumetopias jubatus Steller sea lion	AMAJC03010	Delisted	None	G3	S2	
Euphilotes enoptes smithi Smith's blue butterfly	IILEPG2026	Endangered	None	G5T1T2	S2	
Falco mexicanus prairie falcon	ABNKD06090	None	None	G5	S4	WL
Fritillaria liliacea fragrant fritillary	PMLIL0V0C0	None	None	G2	S2	1B.2
Gilia tenuiflora ssp. arenaria Monterey gilia	PDPLM041P2	Endangered	Threatened	G3G4T2	S2	1B.2
Hesperocyparis goveniana Gowen cypress	PGCUP04031	Threatened	None	G1	S1	1B.2
Hesperocyparis macrocarpa Monterey cypress	PGCUP04060	None	None	G1	S1	1B.2
Horkelia cuneata var. sericea Kellogg's horkelia	PDROS0W043	None	None	G4T1?	S1?	1B.1
Horkelia marinensis Point Reyes horkelia	PDROS0W0B0	None	None	G2	S2	1B.2
Hydrobates homochroa ashy storm-petrel	ABNDC04030	None	None	G2	S2	SSC
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Lasthenia conjugens Contra Costa goldfields	PDAST5L040	Endangered	None	G1	S1	1B.1
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3T1	S2	FP
Lavinia exilicauda harengus Monterey hitch	AFCJB19013	None	None	G4T3	S3	SSC
Layia carnosa beach layia	PDAST5N010	Threatened	Endangered	G2	S2	1B.1
Legenere limosa legenere	PDCAM0C010	None	None	G2	S2	1B.1
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Lupinus tidestromii Tidestrom's lupine	PDFAB2B3Y0	Endangered	Endangered	G1	S1	1B.1
Malacothamnus palmeri var. involucratus Carmel Valley bush-mallow	PDMAL0Q0B1	None	None	G3T2Q	S2	1B.2
Malacothrix saxatilis var. arachnoidea Carmel Valley malacothrix	PDAST660C2	None	None	G5T2	S2	1B.2

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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Meconella oregana Oregon meconella	PDPAP0G030	None	None	G2G3	S2	1B.1
Microseris paludosa marsh microseris	PDAST6E0D0	None	None	G2	S2	1B.2
Monardella sinuata ssp. nigrescens northern curly-leaved monardella	PDLAM18162	None	None	G3T2	S2	1B.2
Monolopia gracilens woodland woollythreads	PDAST6G010	None	None	G3	S3	1B.2
Neotoma macrotis luciana Monterey dusky-footed woodrat	AMAFF08083	None	None	G5T3	S3	SSC
Oncorhynchus mykiss irideus pop. 9 steelhead - south-central California coast DPS	AFCHA0209H	Threatened	None	G5T2Q	S2	
Pelecanus occidentalis californicus California brown pelican	ABNFC01021	Delisted	Delisted	G4T3T4	S3	FP
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G4	S4	SSC
Pinus radiata Monterey pine	PGPIN040V0	None	None	G1	S1	1B.1
Piperia yadonii Yadon's rein orchid	PMORC1X070	Endangered	None	G1	S1	1B.1
Plagiobothrys chorisianus var. chorisianus Choris' popcornflower	PDBOR0V061	None	None	G3T1Q	S1	1B.2
Plagiobothrys uncinatus hooked popcornflower	PDBOR0V170	None	None	G2	S2	1B.2
Potentilla hickmanii Hickman's cinquefoil	PDROS1B370	Endangered	Endangered	G1	S1	1B.1
Ramalina thrausta angel's hair lichen	NLLEC3S340	None	None	G5?	S2S3	2B.1
Rana boylii pop. 6 foothill yellow-legged frog - south coast DPS	AAABH01056	Proposed Endangered	Endangered	G3T1	S1	
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Reithrodontomys megalotis distichlis Salinas harvest mouse	AMAFF02032	None	None	G5T1	S2	
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S3	
Rosa pinetorum pine rose	PDROS1J0W0	None	None	G2	S2	1B.2
Sidalcea malachroides maple-leaved checkerbloom	PDMAL110E0	None	None	G3	S3	4.2
Sorex ornatus salarius Monterey shrew	AMABA01105	None	None	G5T1T2	S1S2	SSC

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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Spea hammondii western spadefoot	AAABF02020	None	None	G2G3	S3S4	SSC
Stebbinsoseris decipiens Santa Cruz microseris	PDAST6E050	None	None	G2	S2	1B.2
Sulcaria spiralifera twisted horsehair lichen	NLT0042560	None	None	G3G4	S2	1B.2
Taricha torosa Coast Range newt	AAAAF02032	None	None	G4	S4	SSC
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thamnophis hammondii two-striped gartersnake	ARADB36160	None	None	G4	S3S4	SSC
Tortula californica California screw moss	NBMUS7L090	None	None	G2G3	S2?	1B.2
Trifolium buckwestiorum Santa Cruz clover	PDFAB402W0	None	None	G2	S2	1B.1
Trifolium hydrophilum saline clover	PDFAB400R5	None	None	G2	S2	1B.2
Trifolium polyodon Pacific Grove clover	PDFAB402H0	None	Rare	G1	S1	1B.1
Trifolium trichocalyx Monterey clover	PDFAB402J0	Endangered	Endangered	G1	S1	1B.1

Record Count: 91

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APPENDIX B

IPaC Resource List

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IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

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Location

Monterey County, California



Local office

Ventura Fish And Wildlife Office

(805) 644-1766
(805) 644-3958
FW8VenturaSection7@FWS.Gov

2493 Portola Road, Suite B

2493 Portola Road, Suite B
Ventura, CA 93003-7726

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Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

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2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
California Condor Gymnogyps californianus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8193	Endangered
California Least Tern Sterna antillarum browni Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
Least Bell's Vireo Vireo bellii pusillus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5945	Endangered
Marbled Murrelet Brachyramphus marmoratus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4467	Threatened
Southwestern Willow Flycatcher Empidonax traillii extimus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6749	Endangered
Western Snowy Plover Charadrius nivosus nivosus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened

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Yellow-billed Cuckoo Coccyzus americanus — Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/3911

Amphibians

NAME	STATUS

California Red-legged Frog Rana draytonii — Threatened

Wherever found

There is **final** critical habitat for this species. Your location overlaps the critical habitat.
https://ecos.fws.gov/ecp/species/2891

California Tiger Salamander Ambystoma californiense — Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/2076

Foothill Yellow-legged Frog Rana boylii — Proposed Endangered

No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/5133

Fishes

NAME	STATUS

Tidewater Goby Eucyclogobius newberryi — Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/57

Insects

NAME	STATUS

Monarch Butterfly Danaus plexippus — Candidate

Wherever found

No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/9743

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Smith's Blue Butterfly Euphilotes enoptes smithi — Endangered
Wherever found
There is **proposed** critical habitat for this species.
https://ecos.fws.gov/ecp/species/4418

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp Branchinecta lynchi	Threatened

Wherever found
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/498

Flowering Plants

NAME	STATUS
Clover (tidestrom''s) Lupine Lupinus tidestromii	Endangered

Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/4459

Contra Costa Goldfields Lasthenia conjugens — Endangered
Wherever found
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/7058

Marsh Sandwort Arenaria paludicola — Endangered
Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/2229

Monterey Spineflower Chorizanthe pungens var. pungens — Threatened
Wherever found
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/396

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Yadon's Piperia Piperia yadonii Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4205	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

This location overlaps the critical habitat for the following species:

NAME	TYPE
California Red-legged Frog Rana draytonii https://ecos.fws.gov/ecp/species/2891#crithab	Final

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how

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this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

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NAME	BREEDING SEASON
Allen's Hummingbird *Selasphorus sasin* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9637	Breeds Feb 1 to Jul 15
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Jan 1 to Aug 31
Belding's Savannah Sparrow *Passerculus sandwichensis beldingi* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15
Black Swift *Cypseloides niger* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10
Black-chinned Sparrow *Spizella atrogularis* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9447	Breeds Apr 15 to Jul 31

Bullock's Oriole Icterus bullockii — Breeds Mar 21 to Jul 25
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

California Gull Larus californicus — Breeds Mar 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

California Thrasher Toxostoma redivivum — Breeds Jan 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Common Yellowthroat Geothlypis trichas sinuosa — Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/2084

Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Lawrence's Goldfinch Carduelis lawrencei — Breeds Mar 20 to Sep 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9464

Long-eared Owl asio otus — Breeds Mar 1 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3631

Nuttall's Woodpecker Picoides nuttallii — Breeds Apr 1 to Jul 20
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9410

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Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Wrentit Chamaea fasciata — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-billed Magpie Pica nuttalli — Breeds Apr 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9726

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Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey

effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

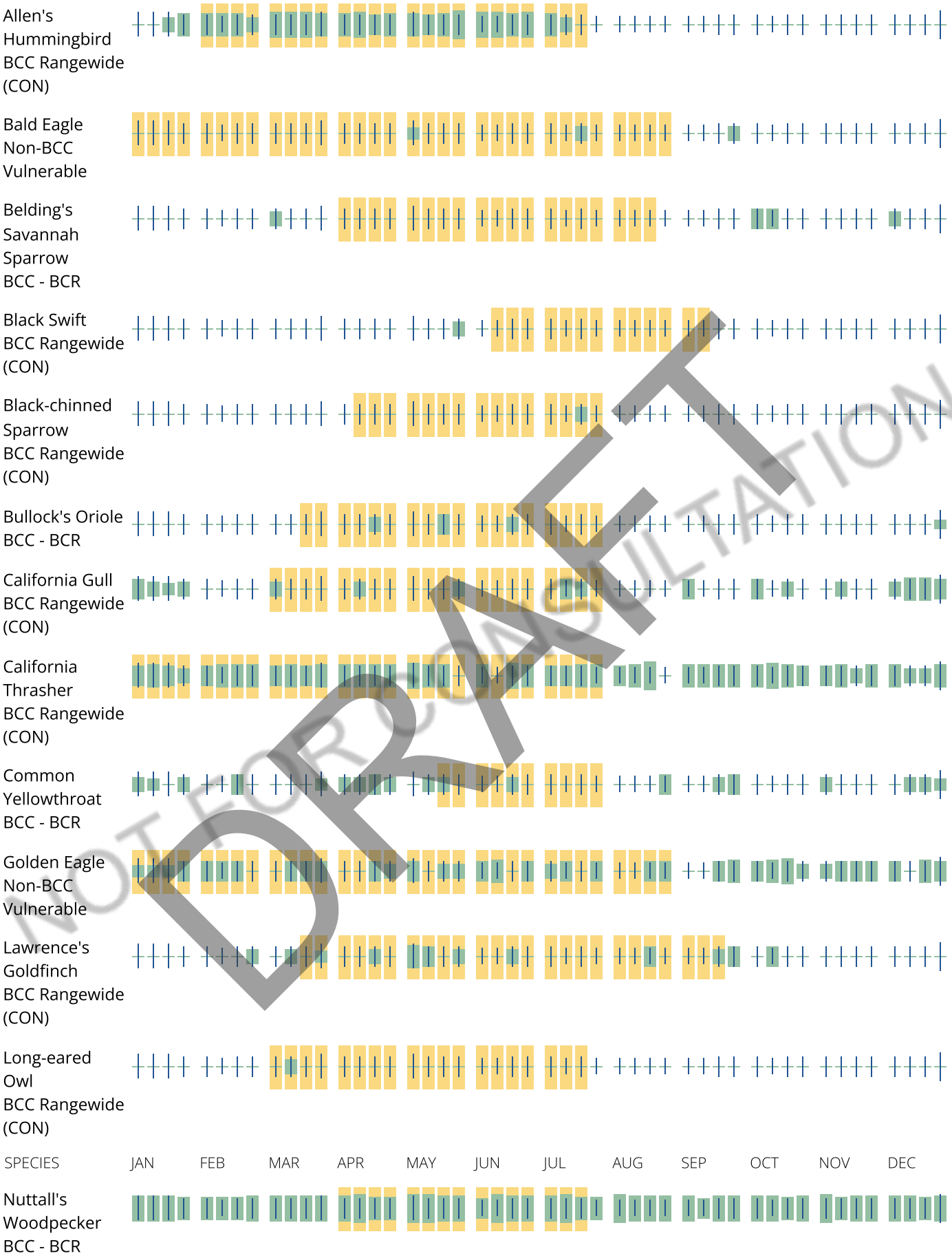
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact

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Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER FORESTED/SHRUB WETLAND

- PFO/SSA
- PFOA
- PSSA

RIVERINE

- R3UBH

A full description for each wetland code can be found at the National Wetlands Inventory website

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

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Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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APPENDIX C

Special-Status Species Table

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Special-Status Species Table

Marina, Salinas, Monterey, Seaside, Spreckels, Soberanes Point, Mt. Carmel, and Carmel Valley Quadrangles

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
MAMMALS			
Corynorhinus townsendii Townsend's big-eared bat	-- / CSC / --	Found primarily in rural settings from inland deserts to coastal redwoods, oak woodland of the inner Coast Ranges and Sierra foothills, and low to mid-elevation mixed coniferous-deciduous forests. Typically roost during the day in limestone caves, lava tubes, and mines, but can roost in buildings that offer suitable conditions. Night roosts are in more open settings and include bridges, rock crevices, and trees.	**Moderate** Suitable foraging and night roost habitat are present in the project site. No day or maternity roosting habitat present within the project site. The CNDDB reports one occurrence of this species within the quadrangles reviewed, located approximately nine miles west of the project site.
Neotoma macrotis luciana Monterey dusky-footed woodrat	-- / CSC / --	Forest and oak woodland habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	**Moderate** Suitable habitat is present within the project site. The CNDDB reports one occurrence of this species within the quadrangles reviewed, located approximately ten miles northeast of the project site. No woodrat nests were observed within the project site; however, this species is known to occur throughout the region and may move into the site prior to project activities.
Sorex ornatus salarius Monterey ornate shrew	-- / CSC / --	Mostly moist or riparian woodland habitats and within chaparral, grassland, and emergent wetland habitats where there is a thick duff or downed logs.	**Low** Suitable habitat is present within the project site. The CNDDB reports five occurrences of this species within the quadrangles reviewed, the nearest located approximately 7.5 miles west of the project site. However, all five occurrences are historical, the latest reported in 1938 and the project site may be outside of the known range for this species.
Taxidea taxus American badger	-- / CSC / --	Dry, open grasslands, fields, pastures savannas, and mountain meadows near timberline are preferred. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds.	**Moderate** Suitable habitat is present within the project site. No burrows of sufficient den size were observed during the June 2023 biological survey; however, this species has the potential to move onto the site prior to project activities. The CNDDB reports nine occurrences of this species within the quadrangles reviewed, the nearest located approximately 4.8 miles north of the project site on the former Fort Ord. This species has also been observed along Carmel Valley Road approximately nine miles east of the project site.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
BIRDS			
Agelaius tricolor Tricolored blackbird (nesting colony)	-- / ST&CSC / --	Nest in colonies in dense riparian vegetation (particularly willow thickets), along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.	**Low** Marginal habitat is present within the project site. The arroyo willow within the project site is likely not dense enough to support this species.
Athene cunicularia Burrowing owl (burrow sites & some wintering sites)	-- / CSC / --	Year-round resident of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Frequent open grasslands and shrublands with perches and burrows. Use rodent burrows (often California ground squirrel) for roosting and nesting cover. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available.	**Low** Marginal habitat is present within the grassland habitat in the project site; however, no burrows of sufficient size or depth to support this species were observed during the June 2023 biological survey. In addition, the presence of trees surrounding the site (habitat for predators) would likely deter burrowing owls. The nearest CNDDB occurrence is located approximately eight miles northwest of the project site.
Brachyramphus marmoratus Marbled murrelet	FT / SE / --	Occur year-round in marine subtidal and pelagic habitats from the Oregon border to Point Sal. Partial to coastlines with stands of mature redwood and Douglas-fir. Requires dense mature forests of redwood and/or Douglas-fir for breeding and nesting.	**Not Present** No suitable habitat is present within the project site.
Charadrius alexandrinus nivosus Western snowy plover	FT / CSC / --	Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting.	**Not Present** No suitable habitat within the project site.
Coccyzus americanus occidentalis Western yellow-billed cuckoo	FT / SE / --	Inhabits extensive deciduous riparian thickets or forests with dense, low-level or understory foliage, slow-moving watercourses, backwaters, or seeps. Willow almost always a dominant component of the vegetation.	**Low** Suitable habitat is present within the project site. However, the CNDDB does not report any occurrences of this species in the quadrangles reviewed. The project site is likely outside of the currently know range for this species.
Coturnicops noveboracensis Yellow rail	-- / CSC / --	Wet meadows and coastal tidal marshes. Occurs year round in California, but in two primary seasonal roles: as a very local breeder in the northeastern interior and as a winter visitor (early Oct to mid-Apr) on the coast and in the Suisun Marsh region	**Not Present** No suitable habitat is present within the project site.
Cypseloides niger Black swift	-- / CSC / --	Regularly nests in moist crevice or cave on sea cliffs above the surf, or on cliffs behind, or adjacent to, waterfalls in deep canyons. Forages widely over many habitats.	**Not Present** No suitable habitat is present within the project site.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Empidonax traillii extimus Southwestern willow flycatcher	FE / SE / --	Breeds in riparian habitat in areas ranging in elevation from sea level to over 2,600 meters. Builds nest in trees in densely vegetated areas. This species establishes nesting territories and builds, and forages in mosaics of relatively dense and expansive areas of trees and shrubs, near or adjacent to surface water or underlain by saturated soils. Not typically found nesting in areas without willows (*Salix sp.*), tamarisk (*Tamarix ramosissima*), or both.	**Low** Suitable habitat is present within the project site. However, the CNDDB does not report any occurrences of this species in the quadrangles reviewed. The project site is likely outside of the currently know range for this species.
Gymnogyps californianus California condor	FE / SE /--	Roosting sites in isolated rocky cliffs, rugged chaparral, and pine covered mountains 2000-6000 feet above sea level. Foraging area removed from nesting/roosting site (includes rangeland and coastal area - up to 19-mile commute one way). Nest sites in cliffs, crevices, potholes.	**Unlikely** No suitable habitat is present within the project site.
Hydrobates homochroa Ashy storm-petrel (nesting colony)	-- / CSC / --	Tied to land only to nest, otherwise remains over open sea. Nests in natural cavities, sea caves, or rock crevices on offshore islands and prominent peninsulas of the mainland.	**Not Present** No suitable habitat is present within the project site.
Laterallus jamaicensis coturniculus California black rail	-- / ST&CFP / --	Inhabits freshwater marshes, wet meadows & shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that does not fluctuate during the year & dense vegetation for nesting habitat.	**Not Present** No suitable habitat is present within the project site.
Pelecanus occidentalis californicus California brown pelican	-- / CFP / --	Found in estuarine, marine subtidal, and marine pelagic waters along the California coast. Usually rests on water or inaccessible rocks, but also uses mudflats, sandy beaches, wharfs, and jetties.	**Not Present** No suitable habitat is present within the project site.
Rallus obsoletus obsoletus California Ridgway's rail	FE / SE&CFP / --	Salt and brackish marshes.	**Not Present** No suitable habitat is present within the project site.
Riparia riparia Bank swallow (nesting)	-- / ST / --	Nest colonially in sand banks. Found near water; fields, marshes, streams, and lakes.	**Unlikely** No suitable habitat is present within the project site.
Sterna antillarum browni California least tern	FE / SE / --	Prefers undisturbed nest sites on open, sandy/gravelly shores near shallow-water feeding areas in estuaries. Sea beaches, bays, large rivers, bars.	**Not Present** No suitable habitat is present within the project site. The CNDDB does not report any occurrences of this species within the quadrangles reviewed.
Vireo bellii pusillus Least Bell's Vireo	FE / SE / --	Riparian areas and drainages. Breed in willow riparian forest supporting a dense, shrubby understory. Oak woodland with a willow riparian understory is also used in some areas, and individuals sometimes enter adjacent chaparral, coastal sage scrub, or desert scrub habitats to forage.	**Low** Suitable habitat is present within the project site. However, the CNDDB does not report any occurrences of this species in the quadrangles reviewed. The project site is likely outside of the currently know range for this species.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
REPTILES AND AMPHIBIANS			
Ambystoma californiense California tiger salamander	FT / ST / --	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources.	**Low** Suitable upland and dispersal habitat is present; however, no suitable breeding is present habitat within or adjacent to the project site. The project site is outside of the 2.2 km dispersal range of any known breeding resources. Although potential breeding ponds are within 2.2 km of the project site, the potential for this species to occur within the project site is low and take of this species as a result of the project is unlikely.
Anniella pulchra Northern California legless lizard	-- / CSC / --	Requires moist, warm habitats with loose soil for burrowing and prostrate plant cover, often forages in leaf litter at plant bases; may be found on beaches, sandy washes, and in woodland, chaparral, and riparian areas.	**Moderate** Suitable habitat is present within the project site. The CNDDB reports 47 occurrences of this species within the quadrangles reviewed, the nearest located 0.3 mile west of the project site and this species is known to occur within riparian habitat along the Carmel River.
Emys marmorata Western pond turtle	-- / CSC / --	Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks.	**Moderate** Suitable upland habitat is present within the project site. The CNDDB reports 13 occurrences of this species within the quadrangles reviewed, including a 2002 non-specific occurrence mapped to the Carmel River which overlaps a portion of the project site. In addition, MPRPD has observed western pond turtles in the area.
Phrynosoma blainvillii Coast horned lizard	-- / CSC / --	Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.	**Unlikely** No suitable habitat is present within the project site.
Rana boylii Foothill yellow-legged frog	FC / SE / --	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats, including hardwood, pine, and riparian forests, scrub, chaparral, and wet meadows. Rarely encountered far from permanent water.	**Low** Suitable habitat is present within the project site. The CNDDB reports eight occurrences of this species within the quadrangles reviewed, the nearest mapped to the Carmel River approximately 1.5 miles upstream of the project site. However, all documented occurrences of this species in the area are historical (1968 and earlier). Therefore, the potential for this species to occur within the project site is low and take of this species as a result of the project is unlikely.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Rana draytonii California red-legged frog	FT / CSC / --	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	**High** Suitable upland habitat is present within the project site. Suitable breeding habitat is present adjacent to the project site within the Carmel River. The CNDDB reports 57 occurrences of this species within the quadrangles reviewed, many mapped to the Carmel River and one which overlaps a portion of the project site. There are multiple CNDDB occurrences within 1.0 mile (1.6 km) of the project site.
Spea hammondii Western spadefoot	-- / CSC / --	Grasslands with shallow temporary pools are optimal habitats for the western spadefoot. Occur primarily in grassland habitats but can be found in valley and foothill woodlands. Vernal pools are essential for breeding and egg laying.	**Unlikely** No suitable habitat is present within the project site.
Taricha torosa Coast Range newt (Monterey County south only)	-- / CSC / --	Occurs mainly in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral but is known to occur in grasslands and mixed conifer types. Seek cover under rocks and logs, in mammal burrows, rock fissures, or man-made structures such as wells. Breed in intermittent ponds, streams, lakes, and reservoirs.	**Moderate** Suitable upland habitat is present within the project site. The nearest CNDDB occurrence is located approximately 5.5 miles west of the project site.
Thamnophis hammondii Two-striped garter snake	-- / CSC / --	Associated with permanent or semi-permanent bodies of water bordered by dense vegetation in a variety of habitats from sea level to 2400m elevation.	**Low** Marginal habitat is present within the project site. The CNDDB reports only one occurrence of this species of this species within the quadrangles reviewed, located approximately nine miles northeast of the project site.
FISH			
Eucyclogobius newberryi Tidewater goby	FE / -- / --	Brackish water habitats, found in shallow lagoons and lower stream reaches. Tidewater gobies appear to be naturally absent (now and historically) from three large stretches of coastline where lagoons or estuaries are absent and steep topography or swift currents may prevent tidewater gobies from dispersing between adjacent localities. The southernmost large, natural gap occurs between the Salinas River in Monterey County and Arroyo del Oso in San Luis Obispo County.	**Not Present** No suitable habitat is present within the project site. The project site is outside the known range of this species.
Lavinia exilicauda harengus Monterey hitch (Pajaro/Salinas hitch)	-- / CSC / --	Found only within the Pajaro and Salinas River systems. Can occupy a wide variety of habitats, however, they are most abundant in lowland areas with large pools or small reservoirs that mimic such conditions. May be found in brackish water conditions within the Salinas River lagoon during the early summer months when the sandbar forms at the mouth of the river.	**Not Present** No suitable habitat is present within the project site. The project site is outside the known range of this species.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Oncorhynchus mykiss irideus Steelhead (south-central California coast DPS)	FT / -- / --	Cold headwaters, creeks, and small to large rivers and lakes; anadromous in coastal streams.	**Present Adjacent** No suitable habitat is present within the project site. However, this species is known to occur within the segment of the Carmel River located directly adjacent to the project site.
Spirinchus thaleichthys Longfin smelt	FC / ST / --	Euryhaline, nektonic & anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefers salinities of 15-30 PPT, but can be found in completely freshwater to almost pure seawater.	**Not Present** No suitable habitat is present within the project site.
INVERTEBRATES			
Bombus crotchii Crotch bumble bee	-- / SC / --	Occurs in open grassland and scrub at relatively warm and dry sites. Requires plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, which is from early February to late October. Generally nests underground, often in abandoned mammal burrows. Within California this species is known to occur in the Mediterranean, Pacific Coast, Western Desert, as well as Great Valley and adjacent foothill regions.	**Moderate** Suitable habitat is present within the project site. The CNDDB does not report any occurrences of this species within the quadrangles reviewed; however, this species has been observed at the Hastings Reserve, located approximately 14 miles from the project site. Mammal burrows and a variety of flowering annual plants were observed within grassland areas during the June 2023 biological surveys.
Bombus occidentalis Western bumble bee	-- / SC / --	Found in a range of habitats, including mixed woodlands, farmlands, urban parks and gardens, montane meadows, and prairie grasslands. Requires plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, which is from early February to late November. Generally nests underground, often in abandoned mammal burrows.	**Moderate** Suitable habitat is present within the project site. The CNDDB reports six occurrences of this species within the quadrangles reviewed, the nearest located approximately seven miles northwest of the project site. Mammal burrows and a variety of flowering annual plants were observed within grassland areas during the June 2023 biological surveys.
Branchinecta lynchi Vernal pool fairy shrimp	FT / -- / --	Require ephemeral pools with no flow. Associated with vernal pool/grasslands from near Red Bluff (Shasta County), through the central valley, and into the South Coast Mountains Region. Require ephemeral pools with no flow.	**Not Present** No suitable habitat is present within the project site.
Danaus plexippus Monarch butterfly	-- / SC / --	Overwinters in coastal California using colonial roosts generally found in Eucalyptus, pine and acacia trees. Overwintering habitat for this species within the Coastal Zone represents ESHA. Local ordinances often protect this species as well.	**Low** Suitable habitat is present within the project site in the large eucalyptus grove. However, overwintering locations for this species are generally known and this species has never been documented within the project site. The nearest CNDDB occurrence is located approximately eight miles west of the project site.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Euphilotes enoptes smithi Smith's blue butterfly	FE / -- / --	Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz Counties. Plant hosts are *Eriogonum latifolium* and *E. parvifolium.*	**Not Present** No suitable habitat is present within the project site. The host plants for these species were not observed within the project site during the June 2023 biological survey.
PLANTS			
Agrostis lacuna-vernalis Vernal pool bent grass	-- / -- / 1B	Vernal pool Mima mounds at elevations of 115-145 meters. Annual herb in the Poaceae family; blooms April-May. Known only from Butterfly Valley and Machine Gun Flats of Ft. Ord National Monument.	**Unlikely** No suitable habitat within the project site. The project site is below the known elevation range for this species.
Allium hickmanii Hickman's onion	-- / -- / 1B	Closed-cone coniferous forests, maritime chaparral, coastal prairie, coastal scrub, and valley and foothill grasslands at elevations of 5-200 meters. Bulbiferous perennial herb in the Alliaceae family; blooms March-May.	**Unlikely** Marginally suitable habitat is present within the project site; however, grassland areas within the project site are not mesic enough to support this species.
Arctostaphylos hookeri ssp. *hookeri* Hooker's manzanita	-- / -- / 1B	Closed-cone coniferous forest, chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 85-536 meters. Evergreen shrub in the Ericaceae family; blooms January-June.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Arctostaphylos montereyensis Toro manzanita	-- / -- / 1B	Maritime chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 30-730 meters. Evergreen shrub in the Ericaceae family; blooms February-March.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Arctostaphylos pajaroensis Pajaro manzanita	-- / -- / 1B	Chaparral on sandy soils at elevations of 30-760 meters. Evergreen shrub in the Ericaceae family; blooms December-March.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Arctostaphylos pumila Sandmat manzanita	-- / -- / 1B	Openings of closed-cone coniferous forests, maritime chaparral, cismontane woodland, coastal dunes, and coastal scrub on sandy soils at elevations of 3-205 meters. Evergreen shrub in the Ericaceae family; blooms February-May.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Arenaria paludicola Marsh sandwort	FE / SE / 1B	Known from only two natural occurrences in Black Lake Canyon and at Oso Flaco Lake. Sandy openings of freshwater of brackish marshes and swamps at elevations of 3-170 meters. Stoloniferous perennial herb in the Caryophyllaceae family; blooms May-August.	**Not Present** No suitable habitat is present within the project site. The project site is outside of the currently known range for this species. Not observed during the June 2023 biological survey.
Astragalus tener var. *tener* Alkali milk-vetch	-- / -- / 1B	Playas, valley and foothill grassland on adobe clay, and vernal pools on alkaline soils at elevations of 1-60 meters. Annual herb in the Fabaceae family; blooms March-June.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Astragalus tener var. *titi* Coastal dunes milk-vetch	FE / SE / 1B	Sandy soils in coastal bluff scrub, coastal dunes, coastal prairie (mesic); elevation 3-164 feet. Annual herb in the Fabaceae family; blooms March-May.	**Unlikely** No suitable habitat is present within the project site.
Castilleja ambigua var. insalutata Pink Johnny-nip	-- / -- / 1B	Coastal prairie and coastal scrub at elevations of 0-100 meters. Annual herb in the Orobanchaceae family; blooms May-August.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Centromadia parryi ssp. *congdonii* Congdon's tarplant	-- / -- / 1B	Valley and foothill grassland on heavy clay, saline, or alkaline soils at elevations of 0-230 meters. Annual herb in the Asteraceae family; blooms May-November.	**Not Present** Soil conditions within the site are unlikely to support this species. Not observed within the project site during the June 2023 biological survey.
Chorizanthe minutiflora Fort Ord spineflower	-- / -- / 1B	Sandy openings of maritime chaparral and coastal scrub at elevations of 55-150 meters. Only known occurrences on Fort Ord National Monument. Annual herb in the Polygonaceae family; blooms April-July.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Chorizanthe pungens var. *pungens* Monterey spineflower	FT / -- / 1B	Maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland on sandy soils at elevations of 3-450 meters. Annual herb in the Polygonaceae family; blooms April-July.	**Not Present** Marginal habitat is present within the project site; however, this species was not observed within the project site during the June 2023 biological survey.
Clarkia jolonensis Jolon clarkia	-- / -- / 1B	Cismontane woodland, chaparral, riparian woodland, and coastal scrub at elevations of 20-660 meters. Annual herb in the Onagraceae family; blooms April-June.	**Not Present** Suitable habitat is present within the project site; however, this species was not observed within the project site during the June 2023 biological survey.
Collinsia multicolor San Francisco collinsia	-- / -- / 1B	Closed-cone coniferous forest and coastal scrub, sometimes on serpentinite soils, at elevations of 30-250 meters. Annual herb in the Plantaginaceae family; blooms March-May.	**Unlikely** No suitable habitat within the project site.
Cordylanthus rigidus ssp. *littoralis* Seaside bird's-beak	-- / SE / 1B	Closed-cone coniferous forests, maritime chaparral, cismontane woodlands, coastal dunes, and coastal scrub on sandy soils, often on disturbed sites, at elevations of 0-425 meters. Annual hemi-parasitic herb in the Orobanchaceae family; blooms April-October.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Delphinium californicum ssp. *interius* Hospital Canyon larkspur	-- / -- / 1B	Openings in chaparral, coastal scrub, and mesic areas of cismontane woodland at elevations of 230-1095 meters. Perennial herb in the Ranunculaceae family; blooms April-June.	**Not Present** No suitable habitat within the project site. The project site is below the known elevation range for this species. Not observed within the project site during the June 2023 biological survey.
Delphinium hutchinsoniae Hutchinson's larkspur	-- / -- / 1B	Broadleaved upland forest, chaparral, coastal scrub, and coastal prairie at elevations of 0-427 meters. Perennial herb in the Ranunculaceae family; blooms March-June.	**Not Present** No suitable habitat within the project site. The project site is below the known elevation range for this species. Not observed within the project site during the June 2023 biological survey.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Delphinium umbraculorum Umbrella larkspur	-- / -- / 1B	Cismontane woodland at elevations of 400-1600 meters. Perennial herb in the Ranunculaceae family; blooms April-June.	**Not Present** No suitable habitat within the project site. The project site is below the known elevation range for this species. Not observed within the project site during the June 2023 biological survey.
Ericameria fasciculata Eastwood's goldenbush	-- / -- / 1B	Openings in closed-cone coniferous forest, maritime chaparral, coastal dunes, and coastal scrub on sandy soils at elevations of 30-275 meters. Evergreen shrub in the Asteraceae family; blooms July-October.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Eriogonum nortonii Pinnacles buckwheat	-- / -- / 1B	Chaparral and valley and foothill grassland on sandy soils, often on recent burns, at elevations of 300-975 meters. Annual herb in the Polygonaceae family; blooms May-September.	**Not Present** Suitable habitat is present; however, the project site is below the known elevation range for this species. Not observed within the project site during the June 2023 biological survey.
Erysimum ammophilum Sand-loving wallflower	-- / -- / 1B	Openings in maritime chaparral, coastal dunes, and coastal scrub on sandy soils at elevations of 0-60 meters. Perennial herb in the Brassicaceae family; blooms February-June.	**Not Present** Not observed within the project site during the June 2023 biological survey.
Erysimum menziesii Menzies' wallflower	FE / SE / 1B	Coastal dunes at elevations of 0-35 meters. Perennial herb in the Brassicaceae family; blooms March-September.	**Not Present** Not observed within the project site during the June 2023 biological survey.
Fritillaria liliacea Fragrant fritillary	-- / -- / 1B	Cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland, often serpentinite, at elevations of 3-410 meters. Bulbiferous perennial herb in the Liliaceae family; blooms February-April.	**Unlikely** Suitable habitat is present within the project site; however, suitable soil conditions are not present.
Gilia tenuiflora ssp. *arenaria* Monterey gilia	FE / ST / 1B	Openings in maritime chaparral, cismontane woodland, coastal dunes, and coastal scrub on sandy soils at elevations of 0-45 meters. Annual herb in the Polemoniaceae family; blooms April-June.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.
Hesperocyparis goveniana Gowen cypress	FT / -- / 1B	Closed-cone coniferous forest and maritime chaparral at elevations of 30-300 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Point Lobos near Gibson Creek and the Huckleberry Hill Nature Preserve near Highway 68.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey. The project site is outside the native range of this species.
Hesperocyparis macrocarpa Monterey cypress	-- / -- / 1B	Closed-cone coniferous forest at elevations of 10-30 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Cypress Point in Pebble Beach and Point Lobos State Park; widely planted and naturalized elsewhere.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey. The project site is outside the native range of this species.
Horkelia cuneata ssp. *sericea* Kellogg's horkelia	-- / -- / 1B	Openings of closed-cone coniferous forests, maritime chaparral, coastal dunes, and coastal scrub on sandy or gravelly soils at elevations of 10-200 meters. Perennial herb in the Rosaceae family; blooms April-September.	**Not Present** No suitable habitat within the project site. Not observed during the June 2023 biological survey.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Horkelia marinensis Point Reyes horkelia	-- / -- / 1B	Coastal dunes, coastal prairie, and coastal scrub on sandy soils at elevations of 5-350 meters. Perennial herb in the Rosaceae family; blooms May-September.	**Not Present** No suitable habitat within the project site. Not observed during the June 2023 biological survey.
Lasthenia conjugens Contra Costa goldfields	FE / -- / 1B	Mesic areas of valley and foothill grassland, alkaline playas, cismontane woodland, and vernal pools at elevations of 0-470 meters. Annual herb in the Asteraceae family; blooms March-June.	**Not Present** Marginally suitable habitat is present within the project site; however, grassland areas within the project site are not mesic enough to support this species. Not observed within the project site during the June 2023 biological survey.
Layia carnosa Beach layia	FT / SE / 1B	Coastal dunes and coastal scrub on sandy soils at elevations of 0-60 meters. Annual herb in the Asteraceae family; blooms March-July.	**Not Present** No suitable habitat within the project site. Not observed during the June 2023 biological survey.
Legenere limosa Legenere	-- / -- / 1B	Vernal pools and wetlands at elevations of 1-880 meters. Annual herb in the Campanulaceae family; blooms April-June.	**Not Present** No suitable habitat within the project site. Not observed during the June 2023 biological survey.
Lupinus tidestromii Tidestrom's lupine	FE / SE / 1B	Coastal dunes at elevations of 0-100 meters. Perennial rhizomatous herb in the Fabaceae family; blooms April-June.	**Not Present** No suitable habitat within the project site. Not observed during the June 2023 biological survey.
Malacothamnus palmeri var. *involucratus* Carmel Valley bush-mallow	-- / -- / 1B	Chaparral, cismontane woodland, and coastal scrub at elevations of 30-1100 meters. Perennial deciduous shrub in the Malvaceae family; blooms May-October.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Malacothrix saxatilis var. *arachnoidea* Carmel Valley malacothrix	-- / -- / 1B	Chaparral and coastal scrub on rocky soils at elevations of 25-1036 meters. Perennial rhizomatous herb in the Asteraceae family; blooms June-December.	**Not Present** No suitable habitat within the project site. Not observed within the project site during the June 2023 biological survey.
Meconella oregana Oregon meconella	-- / -- / 1B	Coastal prairie and coastal scrub at elevations of 250-620 meters. Annual herb in the Papaveraceae Family; blooms March-April.	**Unlikely** No suitable habitat is present within the project site. The project site is outside the elevation range of the species.
Microseris paludosa Marsh microseris	-- / -- / 1B	Closed-cone coniferous forest, cismontane woodland, coastal scrub, and valley and foothill grassland at elevations of 5-300 meters. Perennial herb in the Asteraceae family; blooms April-July.	**Not Present** Marginally suitable habitat is present within the project site; however, grassland areas within the project site are not mesic enough to support this species. Not observed within the project site during the June 2023 biological survey.
Monardella sinuata ssp. *nigrescens* Northern curly-leaved monardella	-- / -- / 1B	Chaparral, coastal dunes, coastal scrub, and lower montane coniferous forest (ponderosa pine sandhills) on sandy soils at elevations of 0-300 meters. Annual herb in the Lamiaceae family; blooms April-September.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Monolopia gracilens Woodland woollythreads	-- / -- / 1B	Openings of broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland on serpentinite soils at elevations of 100-1200 meters. Annual herb in the Asteraceae family; blooms February-July.	**Not Present** Suitable habitat is present within the project site; however, the project site is below the known elevation range and this species was not observed within the project site during the June 2023 biological survey.
Pinus radiata Monterey pine	-- / -- / 1B	Closed-cone coniferous forest and cismontane woodland at elevations of 25-185 meters. Evergreen tree in the Pinaceae family. Only three native stands in CA at Ano Nuevo, Cambria, and the Monterey Peninsula; introduced in many areas.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey. The project site is outside of the native range of this species.
Piperia yadonii Yadon's rein orchid	FE / -- / 1B	Sandy soils in coastal bluff scrub, closed-cone coniferous forest, and maritime chaparral at elevations of 10-510 meters. Annual herb in the Orchidaceae family; blooms February-August.	**Not Present** No suitable habitat is present within the project site. *Piperia* stalks were not observed within the project site during the June 2023 biological survey.
Plagiobothrys chorisianus var. *chorisianus* Choris's popcorn-flower	-- / -- / 1B	Mesic areas of chaparral, coastal prairie, and coastal scrub at elevations of 15-160 meters. Annual herb in the Boraginaceae family; blooms March-June.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.
Potentilla hickmanii Hickman's cinquefoil	FE / SE / 1B	Coastal bluff scrub, closed-cone coniferous forests, vernally mesic meadows and seeps, and freshwater marshes and swamps at elevations of 10-149 meters. Perennial herb in the Rosaceae family; blooms April-August.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.
Ramalina thrausta Angel's hair lichen	-- / -- / 2B	North coast coniferous forest on dead twigs and other lichens. Epiphytic fructose lichen in the Ramalinaceae family. In northern CA it is usually found on dead twigs, and has been found on *Alnus rubra*, *Calocedrus decurrens*, *Pseudotsuga menziesii*, *Quercus garryana*, and *Rubus spectabilis*. In Sonoma County it grows on and among dangling mats of *R. menziesii* and *Usnea* spp.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey. None of the host species are present within the project site.
Rosa pinetorum Pine rose	-- / -- / 1B	Closed-cone coniferous forest at elevations of 2-300 meters. Perennial shrub in the Rosaceae family; blooms May-July. Possible hybrid of *R. spithamea*, *R. gymnocarpa*, or others; further study needed.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.

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Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence in Project Site
Stebbinsoseris decipiens Santa Cruz microseris	-- / -- / 1B	Broadleaved upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, and openings in valley and foothill grassland, sometimes on serpentinite, at elevations of 10-500 meters. Annual herb in the Asteraceae family; blooms April-May.	**Low** Suitable habitat is present within the project site. The CNDDB reports two occurrences of this species within the quadrangles reviewed, the nearest located approximately two miles north of the project site. Although this species typically blooms from April-May, climatic conditions in 2023 have extended the blooming period for many local species. As such, it is very likely this species would have been observed during the survey conducted in early June of 2023 if present.
Sulcaria spiralifera Twisted horsetail lichen	-- / -- / 1B	California North Coast coniferous forest at elevations of 0–30 meters. Often found on conifers, including *Picea sitchensis*, *Pinus contorta* var. *contorta*, *Pseudotsuga menziesii*, *Abies grandis*, and *Tsuga heterophylla*. Fruticose lichen in the Parmeliaceae family.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey. None of the host species are present within the project site.
Tortula californica California screw moss	-- / -- / 1B	Valley and foothill grassland and chenopod scrub on sandy soils at elevations of 10-1460 meters. Moss in the Pottiaceae family.	**Not Present** Suitable habitat is present within the project site; however, this species was not observed within the project site during the June 2023 biological survey.
Trifolium buckwestiorum Santa Cruz clover	-- / -- / 1B	Gravelly margins of broadleaved upland forest, cismontane woodland, and coastal prairie at elevations of 105-610 meters. Annual herb in the Fabaceae family; blooms April-October.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.
Trifolium hydrophilum Saline clover	-- / -- / 1B	Marshes and swamps, mesic and alkaline valley and foothill grassland, and vernal pools at elevations of 0-300 meters. Annual herb in the Fabaceae family; blooms April-June.	**Not Present** Marginally suitable habitat is present within the project site; however, grassland areas within the project site are not mesic enough to support this species. Not observed within the project site during the June 2023 biological survey.
Trifolium polyodon Pacific Grove clover	-- / SR / 1B	Mesic areas of closed-cone coniferous forest, coastal prairie, meadows and seeps, and valley and foothill grassland at elevations of 5-120 meters. Annual herb in the Fabaceae family; blooms April-July.	**Not Present** Marginally suitable habitat is present within the project site; however, grassland areas within the project site are not mesic enough to support this species. Not observed within the project site during the June 2023 biological survey.
Trifolium trichocalyx Monterey clover	FE / SE / 1B	Sandy openings and burned areas of closed-cone coniferous forest at elevations of 30-240 meters. Annual herb in the Fabaceae family; blooms April-June.	**Not Present** No suitable habitat is present within the project site. Not observed within the project site during the June 2023 biological survey.

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STATUS DEFINITIONS

Federal

FE = listed as Endangered under the federal Endangered Species Act
FT = listed as Threatened under the federal Endangered Species Act
FC = Candidate for listing under the federal Endangered Species Act
-- = no listing

State

SE = listed as Endangered under the California Endangered Species Act
ST = listed as Threatened under the California Endangered Species Act
SC = Candidate for listing under California Endangered Species Act
SR = listed as Rare under the California Endangered Species Act
CFP = California Fully Protected Species
CSC = CDFW Species of Concern
-- = no listing

California Native Plant Society

1B = California Rare Plant Rank 1B species; plants rare, threatened, or endangered in California and elsewhere
2B = California Rare Plant Rank 2B species; plants rare, threatened, or endangered in California, but more common elsewhere
-- = no listing

POTENTIAL TO OCCUR

Present = known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys
High = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of suitable habitat conditions
Moderate = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of marginal habitat conditions within the site
Low = species known to occur in the vicinity from the CNDDB or other documentation, lack of suitable habitat or poor quality
Unlikely = species not known to occur in the vicinity from the CNDDB or other documentation, no suitable habitat is present within the site
Not Present = species was not observed during surveys or no obligate habitat is present within the site

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APPENDIX D

CalVTP PEIR Standard Project Requirements (SPRs) and Mitigation Measures Relevant to Biological Resources
(Includes Project-Specific Implementation)

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Standard Project Requirements and Mitigation Measures Checklist

Instructions: Review the standard project requirements and mitigation measures and verify that those that are applicable will be implemented. Provide information for each column as follows:

- **Applicable (Yes/No).** Document whether the SPR or mitigation measure is applicable to the initial treatment and/or treatment maintenance (Yes or No), and whether it is applicable to initial treatment and/or treatment maintenance. The applicability should be substantiated in the Environmental Checklist Discussion.
- **Timing.** This column identifies the time frame in which the SPR or mitigation measure will be implemented (e.g., prior to treatment, during treatment, etc.).
- **Implementing Entity**. The implementing entity is the agency or organization responsible for carrying out the requirement. This could include the project proponent's project manager, a technical specialist (e.g., archeologist or biologist), a vegetation management contractor, a partner agency or organization, or other entities that are primarily responsible for carrying out each project requirement.
- **Verifying/Monitoring Entity**. The verifying/monitoring entity is the agency or organization responsible for ensuring that the requirement is implemented. The verifying/monitoring entity may be different from the implementing entity.

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Administrative Standard Project Requirements				
SPR AD-2 Delineate Protected Resources: The project proponent will clearly define the boundaries of the treatment area and protected resources on maps for the treatment area and with highly-visible flagging or clear, existing landscape demarcations (e.g., edge of a roadway) prior to beginning any treatment to avoid disturbing the resource. "Protected Resources" refers to environmentally sensitive places within or adjacent to the treatment areas that would be avoided or protected to the extent feasible during planned treatment activities to sustain their natural qualities and processes. This work will be performed by a qualified person, as defined for the specific resource (e.g., qualified Registered Professional Forester or biologist). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-3 Consistency with Local Plans, Policies, and Ordinances: The project proponent will design and implement the treatment in a manner that is consistent with applicable local plans (e.g., general plans, Community Wildfire Protection Plans, CAL FIRE Unit Fire Plans), policies, and ordinances to the extent the project is subject to them. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-5 Maintain Site Cleanliness: If trash receptacles are used on-site, the project proponent will use fully covered trash receptacles with secure lids (wildlife proof) to contain all food, food scraps, food wrappers, beverages, and other worker generated miscellaneous trash. Remove all temporary non-biodegradable flagging, trash, debris, and barriers from the project site upon completion of project activities. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD
Air Quality Standard Project Requirements				
SPR AQ-4 Minimize Dust: To minimize dust during treatment activities, the project proponent will implement the following measures: ▶ Limit the speed of vehicles and equipment traveling on unpaved areas to 15 miles per hour to reduce fugitive dust emissions, in accordance with the California Air Resources Board (CARB) Fugitive Dust protocol. ▶ If road use creates excessive dust, the project proponent will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant (e.g., emulsion polymers, organic material) during dry, dusty conditions. Any dust suppressant product used will be environmentally benign (i.e., non-toxic to plants and will not negatively impact water quality) and its use will not be prohibited by ARB, EPA, or the State Water Resources Control Board (SWRCB). The project proponent will not over-water exposed areas such that the water results in runoff. The type of dust suppression method will be selected by the project proponent based on soil, traffic, site-specific conditions, and air quality regulations. ▶ Remove visible dust, silt, or mud tracked-out on to public paved roadways where sufficient water supplies and access to water is available. The project proponent will remove dust, silt, and	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
mud from vehicles at the conclusion of each workday, or at a minimum of every 24 hours for continuous treatment activities, in accordance with Vehicle Code Section 23113. ▶ Suspend ground-disturbing treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary, if the particulate emissions may "cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property," per Health and Safety Code Section 41700. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Biological Resources Standard Project Requirements				
SPR BIO-1: Review and Survey Project-Specific Biological Resources. The project proponent will require a qualified RPF or biologist to conduct a data review and reconnaissance-level survey prior to treatment, no more than one year prior to the submittal of the PSA, and no more than one year between completion of the PSA and implementation of the treatment project. The data reviewed will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this PEIR for the ecoregion(s) where the treatment will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, and relevant general and regional plans. Reconnaissance-level biological surveys will be general surveys that include visual and auditory inspection for biological resources to help determine the environmental setting of a project site. The qualified surveyor will 1.) identify and document sensitive resources, such as riparian or other sensitive habitats, sensitive natural community, wetlands, or wildlife nursery site or habitat (including bird nests), and 2.) assess the suitability of habitat for special-status plant and animal species. The surveyor will also record any incidental wildlife observations. For each treatment project, habitat assessments will be completed at a time of year that is appropriate for identifying habitat and no more than one year prior to the submittal of the PSA, unless it can be demonstrated in the PSA that habitat assessments older than one year remain valid (e.g., site conditions are unchanged and no treatment activity has occurred since the assessment). If more than one year passes between completion of the PSA and initiation of the treatment project, the project proponent will verify the continued accuracy of the PSA prior to beginning the treatment project by reviewing for any data updates and/or visiting the site to verify conditions. Based on the results of the data review and reconnaissance-level survey, the project proponent, in consultation with a qualified RPF or biologist, will determine which one of the following best characterizes the treatment:	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Initial data review and reconnaissance-level survey have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD
1. Suitable Habitat Is Present but Adverse Effects Can Be Clearly Avoided. If, based on the data review and reconnaissance-level survey, the qualified RPF or biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can	Initial Treatment: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating treatment and will remain in effect throughout the treatment: a. by physically avoiding the suitable habitat, or b. by conducting treatment outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, during dormant season of sensitive annual or geophytic plant species, or outside of maternity and rearing season at wildlife nursery sites). Physical avoidance will include flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified RPF or biologist. 2. Suitable Habitat is Present and Adverse Effects Cannot Be Clearly Avoided. Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the SPRs below. Further review may include contacting USFWS, NOAA Fisheries, CDFW, CNPS, or local resource agencies as necessary to determine the potential for special-status species or other sensitive biological resources to be affected by the treatment activity. Focused or protocol-level surveys will be conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the CDFW webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. Specific survey requirements are addressed for each resource type in relevant SPRs (e.g., additional survey requirements are presented for special-status plants in SPR BIO-7). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Treatment Maintenance: Yes			
SPR BIO-2: Require Biological Resource Training for Workers. The project proponent will require crew members and contractors to receive training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological SPRs and mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the treatment area; impact minimization procedures; and reporting requirements. The training will instruct workers when it is appropriate to stop work and allow wildlife encountered during treatment activities to leave the area unharmed and when it is necessary to report encounters to a qualified RPF, biologist, or biological technician. The qualified RPF, biologist, or biological technician will immediately contact CDFW or USFWS, as appropriate, if any wildlife protected by the California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own (without being handled). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Sensitive Natural Communities and Other Sensitive Habitats				
SPR BIO-3: Survey Sensitive Natural Communities and Other Sensitive Habitats. If SPR BIO-1 determines that sensitive natural communities or sensitive habitats may be present and adverse effects cannot be avoided, the project proponent will: ▶ require a qualified RPF or biologist to perform a protocol-level survey following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018) of the treatment area prior to the start of treatment activities for sensitive natural communities and sensitive habitats. Sensitive natural communities will be identified using the best means possible, including keying them out using the most current edition of A Manual of California Vegetation (including updated natural communities data at http://vegetation.cnps.org/), or referring to relevant reports (e.g., reports found on the VegCAMP website). ▶ map and digitally record, using a Global Positioning System (GPS), the limits of any potential sensitive habitat and sensitive natural community identified in the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Sensitive habitat survey and mapping have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD
SPR BIO-4: Design Treatment to Avoid Loss or Degradation of Riparian Habitat Function. Project proponents, in consultation with a qualified RPF or qualified biologist, will design treatments in riparian habitats to retain or improve habitat functions by implementing the following within riparian habitats: ▶ Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped during surveys conducted pursuant to SPR BIO-3. Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities. ▶ Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant removal, selective thinning, and removal of encroaching upland species. ▶ Removal of large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) will be minimized to the extent feasible and 75 percent of the pretreatment native riparian hardwood tree canopy will be retained. Because tree size varies depending on vegetation type present and site conditions, the tree size retention parameter will be determined on a site-specific basis depending on vegetation type present and setting; however, live, healthy, native trees that are considered large for that type of tree and large relative to other trees in that location will be retained. A scientifically-based, project-specific explanation substantiating the retention size parameter for native riparian hardwood tree removal will be	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment MPRPD has consulted with DD&A qualified biologists to design treatments to retain and improve riparian habitat functions.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
provided in the Biological Resources Discussion of the PSA. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, presence of sufficient seed trees, light availability, and changes in stream shading may inform the tree size retention requirements. ▶ Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat, e.g., see Accelerated Wood Recruitment and Timber Operations: Process Guidance from the California Timber Harvest Review Team Agencies and National Marine Fisheries Service). ▶ Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided. ▶ Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments. This will consist of the minimum disturbance area necessary to reduce hazardous fuels and return the riparian community to a natural fire regime (i.e., Condition Class 1) considering historic fire return intervals, climate change, and land use constraints. ▶ Only hand application of herbicides approved for use in aquatic environments will be allowed and only during low-flow periods or when seasonal streams are dry. ▶ The project proponent will notify CDFW when required by California Fish and Game Code Section 1602 prior to implementing any treatment activities in riparian habitats. Notification will identify the treatment activities, map the vegetation to be removed, identify the impact avoidance identification methods to be used (e.g., flagging), and appropriate protections for the retention of shaded riverine habitat, including buffers and other applicable measures to prevent erosion into the waterway. ▶ In consideration of spatial variability of riparian vegetation types and condition and consistent with California Forest Practice Rules Section 916.9(v) (February 2019 version), a different set of vegetation retention standards and protection measures from those specified in the above bullets may be implemented on a site-specific basis if the qualified RPF and the project proponent demonstrate through substantial evidence that alternative design measures provide a more effective means of achieving the treatment goals objectives and would result in effects to the Beneficial Functions of Riparian Zones equal or more favorable than those expected to result from application of the above measures. Deviation from the above design specifications, different protection measures and design standards will only be approved when the treatment plan incorporates an evaluation of beneficial functions of the riparian habitat and with written concurrence from CDFW. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR BIO-6: Prevent Spread of Plant Pathogens. When working in sensitive natural communities, riparian habitats, or oak woodlands that are at risk from plant pathogens (e.g., Ione chaparral, blue	Initial Treatment: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
oak woodland), the project proponent will implement the following best management practices to prevent the spread of *Phytopthora* and other plant pathogens (e.g., pitch canker (*Fusarium*), goldspotted oak borer, shot hole borer, bark beetle): ▶ clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a treatment site and when leaving a contaminated site, or a site in a county where contamination is a risk; ▶ include training on Phytopthora diseases and other plant pathogens in the worker awareness training; ▶ minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment; ▶ minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination; ▶ clean soil and debris from equipment and sanitize hand tools, buckets, gloves, and footwear when moving from high risk to low risk areas or between widely separated portions of a treatment area; and ▶ follow the procedures listed in Guidance for plant pathogen prevention when working at contaminated restoration sites or with rare plants and sensitive habitat (Working Group for *Phytoptheras* in Native Habitats 2016). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Treatment Maintenance: Yes			
Special-Status Plants				
SPR BIO-7: Survey for Special-Status Plants. If SPR BIO-1 determines that suitable habitat for special-status plant species is present and cannot be avoided, the project proponent will require a qualified RPF or botanist to conduct protocol-level surveys for special-status plant species with the potential to be affected by a treatment prior to initiation of the treatment. The survey will follow the methods in the current version of CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities." Surveys to determine the presence or absence of special-status plant species will be conducted in suitable habitat that could be affected by the treatment and timed to coincide with the blooming or other appropriate phenological period of the target species (as determined by a qualified RPF or botanist), or all species in the same genus as the target species will be assumed to be special-status. If potentially occurring special-status plants are listed under CESA or ESA, protocol-level surveys to determine presence/absence of the listed species will be conducted in all circumstances, unless determined otherwise by CDFW or USFWS. For other special-status plants not listed under CESA or ESA, as defined in Section 3.6.1 of this PEIR, surveys will not be required under the following circumstances: ▶ If protocol-level surveys, consisting of at least two survey visits (e.g., early blooming season and later blooming season) during a normal weather year, have been completed in the 5 years	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Protocol-level survey for special-status plants has been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
before implementation of the treatment project and no special-status plants were found, and no treatment activity has occurred following the protocol-level survey, treatment may proceed without additional plant surveys. ▶ If the target special-status plant species is an herbaceous annual, stump-sprouting, or geophyte species, the treatment may be carried out during the dormant season for that species or when the species has completed its annual lifecycle without conducting presence/absence surveys provided the treatment will not alter habitat or destroy seeds, stumps, or roots, rhizomes, bulbs and other underground parts in a way that would make it unsuitable for the target species to reestablish following treatment. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Invasive Plants and Wildlife				
SPR BIO-9: Prevent Spread of Invasive Plants, Noxious Weeds, and Invasive Wildlife. The project proponent will take the following actions to prevent the spread of invasive plants, noxious weeds, and invasive wildlife (e.g., New Zealand mudsnail): ▶ clean clothing, footwear, and equipment used during treatments of soil, seeds, vegetative matter, other debris or seed-bearing material, or water (e.g., rivers, streams, creeks, lakes) before entering the treatment area or when leaving an area with infestations of invasive plants, noxious weeds, or invasive wildlife; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas; ▶ stage equipment in areas free of invasive plant infestations unless there are no uninfested areas present within a reasonable proximity to the treatment area; ▶ identify significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys and target them for removal during treatment activities. Treatment methods will be selected based on the invasive species present and may include herbicide application, manual or mechanical treatments, prescribed burning, and/or herbivory, and will be designed to maximize success in killing or removing the invasive plants and preventing reestablishment based on the life history characteristics of the invasive plant species present. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles;	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ treat invasive plant biomass onsite to eliminate seeds and propagules and prevent reestablishment or dispose of invasive plant biomass offsite at an appropriate waste collection facility (if not kept on site); transport invasive plant materials in a closed container or bag to prevent the spread of propagules during transport; and ▶ implement Fire and Fuel Management BMPs outlined in the "Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers" (Cal-IPC 2012, or current version). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Wildlife				
SPR BIO-10: Survey for Special-Status Wildlife and Nursery Sites. If SPR BIO-1 determines that suitable habitat for special-status wildlife species or nurseries of any wildlife species is present and cannot be avoided, the project proponent will require a qualified RPF or biologist to conduct focused or protocol-level surveys for special-status wildlife species or nursery sites (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries, monarch overwintering sites) with potential to be directly or indirectly affected by a treatment activity. The survey area will be determined by a qualified RPF or biologist based on the species and habitats and any recommended buffer distances in agency protocols. The qualified RPF or biologist will determine if following an established protocol is required, and the project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate survey protocols. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of treatment activities. Focused or protocol surveys for a special-status species with potential to occur in the treatment area may not be required if presence of the species is assumed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Project-Specific Implementation ▶ A qualified biologist shall survey the project site for California red-legged frog, Coast Range newt, and western pond turtle no more than 48 hours prior to the commencement of treatment activities. If any Coast Range newt individuals are encountered Mitigation Measures BIO-2a and/or BIO-2b shall be implemented. ▶ Not more than 14 days prior to the start of treatment activities that, a qualified biologist shall conduct a survey of suitable habitat within the project site to locate existing Monterey dusky-footed woodrat nests and American badger dens. If any Monterey dusky-footed woodrat nests or American badger dens are encountered Mitigation Measure BIO-2b shall be implemented. ▶ If treatment activities are scheduled within the CBB and WBB flight season, MPRPD shall contract a qualified biologist to conduct a survey for an active CBB and WBB colony within grassland areas to be impacted by the project and an approximate 50-foot buffer. Surveys shall be conducted in accordance with CDFW's *Survey Considerations for California Endangered*	Initial Treatment: Yes Treatment Maintenance: Yes	No more than 48 hours prior to treatment for California red-legged frog, Coast Range newt, and western pond turtle. No more than 14 days prior to treatment for American badger and Monterey dusky-footed woodrat. During the flight season for special-status bumble bees according to the CDFW protocol.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Species Act (CESA) Candidate Bumble Bee Species (2023) or the most current CDFW protocol. If protected bumble bee nests are found Mitigation Measure BIO-2g shall be implemented.				
SPR BIO-11. Install Wildlife-Friendly Fencing (Prescribed Herbivory). If temporary fencing is required for prescribed herbivory treatment, a wildlife-friendly fencing design will be used. The project proponent will require a qualified RPF or biologist to review and approve the design before installation to minimize the risk of wildlife entanglement. The fencing design will meet the following standards: ▶ Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale or snag a leaping animal; and, if feasible, keeping electric netting-type fencing electrified at all times or laid down while not in use. ▶ Charge temporary electric fencing with intermittent pulse energizers; continuous output fence chargers will not be permitted. ▶ Allow wildlife to jump over easily without injury by installing fencing that can flex as animals pass over it and installing the top wire low enough (no more than approximately 40 inches high on flat ground) to allow adult ungulates to jump over it. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. ▶ Be highly visible to birds and mammals by using high-visibility tape or wire, flagging, or other markers. This SPR applies only to prescribed herbivory and all treatment types, including treatment maintenance.	Initial Treatment: No Treatment Maintenance: Yes	Prior to and during prescribed herbivory treatment	MPRPD	MPRPD
SPR BIO-12. Protect Common Nesting Birds, Including Raptors. The project proponent will schedule treatment activities to avoid the active nesting season of common native bird species, including raptors, that could be present within or adjacent to the treatment site, if feasible. Common native birds are species not otherwise treated as special status in the CalVTP PEIR. The active nesting season will be defined by the qualified RPF or biologist. If active nesting season avoidance is not feasible, a qualified RPF or biologist will conduct a survey for common nesting birds, including raptors. Existing records (e.g., CNDDB, eBird database, State Wildlife Action Plan) should be reviewed in advance of the survey to identity the common nesting birds, including raptors, that are known to occur in the vicinity of the treatment site. The survey area will encompass reasonably accessible areas of the treatment site and the immediately surrounding vicinity viewable from the treatment site. The survey area will be determined by a qualified RPF or biologist, based on the potential species in the area, location of suitable nesting habitat, and type of treatment. For vegetation removal or project activities that would occur during the nesting season, the survey will be conducted at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies. Typically, this timeframe would be up to 3 weeks before treatment. The survey will occur in a single survey period of sufficient duration to reasonably detect nesting birds, including raptors, typically one day for most treatment projects (depending on the size, configuration, and vegetation density in the treatment site), and conducted	Initial Treatment: Yes Treatment Maintenance: Yes	Survey no more than 3 weeks prior to treatment during active nesting season (February 1 – August 31) Avoidance and minimization measures to be implemented prior to and during treatment if active nests are identified	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
during the active time of day for target species, typically close to dawn and/or dusk. The survey may be conducted concurrently with other biological surveys, if they are required by other SPRs. Survey methods will be tailored by the qualified RPF or biologist to site and habitat conditions, typically involving walking throughout the survey area, visually searching for nests and birds exhibiting behavior that is typical of breeding (e.g., delivering food). If an active nest is observed (i.e., presence of eggs and/or chicks) or determined to likely be present based on nesting bird behavior, the project proponent will implement a feasible strategy to avoid disturbance of active nests, which may include, but is not limited to, one or more of the following: ▶ Establish Buffer. The project proponent will establish a temporary, species-appropriate buffer around the nest sufficient to reasonably expect that breeding would not be disrupted. Treatment activities will be implemented outside of the buffer. The buffer location will be determined by a qualified RPF or biologist. Factors to be considered for determining buffer location will include: presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Nests of common birds within the buffer need not be monitored during treatment. However, buffers will be maintained until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. ▶ Modify Treatment. The project proponent will modify the treatment in the vicinity of an active nest to avoid disturbance of active nests (e.g., by implementing manual treatment methods, rather than mechanical treatment methods). Treatment modifications will be determined by the project proponent in coordination with the qualified RPF or biologist. ▶ Defer Treatment. The project proponent will defer the timing of treatment in the portion(s) of the treatment site that could disturb the active nest. If this avoidance strategy is implemented, treatment activity will not commence until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. Feasible actions will be taken by the project proponent to avoid loss of common native bird nests. The feasibility of implementing the avoidance strategies will be determined by the project proponent based on whether implementation of this SPR will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. Considerations may include limitations on the presence of environmental and atmospheric conditions necessary to execute treatment prescriptions (e.g., the limited seasonal windows during which prescribed burning can occur when vegetation moisture, weather, wind, and other physical conditions are suitable). If it is infeasible to avoid loss of common bird nests (not including raptor nests), the project proponent will document the reasons implementation of the avoidance strategies is infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report).				

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
The following avoidance strategies may also be considered together with or in lieu of other actions for implementation by a project proponent to avoid disturbance to raptor nests: ▶ Monitor Active Raptor Nest During Treatment. A qualified RPF, biologist, or biological technician will monitor an active raptor nest during treatment activities to identify signs of agitation, nest defense, or other behaviors that signal disturbance of the active nest is likely (e.g., standing up from a brooding position, flying off the nest). If breeding raptors are showing signs of nest disturbance, one of the other avoidance strategies (establish buffer, modify treatment or defer treatment) will be implemented or a pause in the treatment activity will occur until the disturbance behavior ceases. ▶ Retention of Raptor Nest Trees. Trees with visible raptor nests, whether occupied or not, will be retained. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Geology, Soils, and Mineral Resource Standard Project Requirements				
SPR GEO-1 Suspend Disturbance during Heavy Precipitation: The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment if there is a 30 percent or more chance of rain within the next 24 hours	MPRPD	MPRPD
SPR GEO-2 Limit High Ground Pressure Vehicles: The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure. Saturated soil means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. If use of heavy equipment is required in saturated areas, other measures such as operating on organic debris, using low ground pressure vehicles, or operating on frozen soils/snow covered soils will be implemented to minimize soil compaction. Existing compacted road surfaces are exempted as they are already compacted from use. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR GEO-3 Stabilize Disturbed Soil Areas: The project proponent will stabilize soil disturbed during mechanical, prescribed herbivory treatments, and prescribed burns that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical, prescribed herbivory, or prescribed burn treatment activities could	Initial Treatment: Yes Treatment Maintenance: Yes	During mechanical activities that result in exposure of bare soil over 50% or more of the treatment area	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
result in substantial sediment discharge from soil disturbed by machinery, animal hooves, or being bare, organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface. This SPR only applies to mechanical, prescribed herbivory, and prescribed burns that result in exposure of bare soil over 50 percent of the project area treatment activities and all treatment types, including treatment maintenance.				
SPR GEO-4 Erosion Monitoring: The project proponent will inspect treatment areas for the proper implementation of erosion control SPRs and mitigations prior to the rainy season. If erosion control measures are not properly implemented, they will be remediated prior to the first rainfall event per SPR GEO-3 and GEO-8. Additionally, the project proponent will inspect for evidence of erosion after the first large storm or rainfall event (i.e., ≥ 1.5 inches in 24 hours) as soon as is feasible after the event. Any area of erosion that will result in substantial sediment discharge will be remediated within 48 hours per the methods stated in SPRs GEO-3 and GEO-8. This SPR applies only to mechanical, prescribed herbivory, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During and immediately following treatment	MPRPD	MPRPD
SPR GEO-6 Minimize Burn Pile Size: The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area (Busse et al. 2014). The project proponent will not locate burn piles in a Watercourse and Lake Protection Zone as defined in SPR HYD-4. This SPR applies to mechanical, manual, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During prescribed burning treatment activities	MPRPD	MPRPD
Hazardous Material and Public Health and Safety Standard Project Requirements				
SPR HAZ-1 Maintain All Equipment: The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR HAZ-5 Spill Prevention and Response Plan: The project proponent or licensed Pest Control Advisor (PCA) will prepare a Spill Prevention and Response Plan (SPRP) prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants. The SPRP will include (but not be limited to):	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ a map that delineates staging areas, and storage, loading, and mixing areas for herbicides; ▶ a list of items required in an onsite spill kit that will be maintained throughout the life of the activity; ▶ procedures for the proper storage, use, and disposal of any herbicides, adjuvants, or other chemicals used in vegetation treatment. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.				
SPR HAZ-6 Comply with Herbicide Application Regulations: The project proponent will coordinate pesticide use with the applicable County Agricultural Commissioner(s), and all required licenses and permits will be obtained prior to herbicide application. The project proponent will prepare all herbicide applications to do the following: ▶ Be implemented consistent with recommendations prepared annually by a licensed PCA. ▶ Comply with all appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the EPA, DPR, and applicable local jurisdictions. ▶ Adhere to label directions for application rates and methods, storage, transportation, mixing, container disposal, and weather limitations to application such as wind speed, humidity, temperature, and precipitation. ▶ Be applied by an applicator appropriately licensed by the State. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD
Hydrology and Water Quality Standard Project Requirements				
SPR HYD-1 Comply with Water Quality Regulations: Project proponents must also conduct proposed vegetation treatments in conformance with appropriate RWQCB timber, vegetation and land disturbance related Waste Discharge Requirements (WDRs) and/or related Conditional Waivers of Waste Discharge Requirements (Waivers), and appropriate Basin Plan Prohibitions. Where these regulatory requirements differ, the most restrictive will apply. If applicable, this includes compliance with the conditions of general waste discharge requirements (WDR) and waste discharge requirement waivers for timber or silviculture activities where these waivers are designed to apply to non-commercial fuel reduction and forest health projects. In general, WDR and Waivers of waste discharge requirements for fuel reduction and forest health activities require that wastes, including but not limited to petroleum products, soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, ash, and pesticides must not be discharged to surface waters or placed where it may be carried into surface waters; and that Water Board staff must be allowed reasonable access to the property in order to determine compliance with the waiver conditions. The specifications for each WDR and Waiver vary by region. Regions 2 (San Francisco Bay), 4 (Los Angeles), 8 (Santa Ana), and 7 (Colorado River) are highly urban or minimally forested and do not offer WDRs or Waivers for fuel reduction or	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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<table>
<tr><th>Standard Project Requirements</th><th>Applicable? (Y/N)</th><th>Timing</th><th>Implementing Entity</th><th>Verifying/ Monitoring Entity</th></tr>
<tr><td>vegetation management activities. The current applicable WDRs and Waivers for timber and vegetation management activities are included in Appendix HYD-1. This SPR applies to all treatment activities and treatment types, including treatment maintenance.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>SPR HYD-3 Water Quality Protections for Prescribed Herbivory: The project proponent will include the following water quality protections for all prescribed herbivory treatments:
Environmentally sensitive areas such as waterbodies, wetlands, or riparian areas will be identified in the treatment prescription and excluded from prescribed herbivory project areas using temporary fencing or active herding. A buffer of approximately 50 feet will be maintained between sensitive and actively grazed areas.
Water will be provided for grazing animals in the form of an on-site stock pond or a portable water source located outside of environmentally sensitive areas.
Treatment prescriptions will be designed to protect soil stability. Grazing animals will be herded out of an area if accelerated soil erosion is observed.
This SPR applies to prescribed herbivory treatment activities and all treatment types, including treatment maintenance.</td><td>Initial Treatment: No

Treatment Maintenance: Yes</td><td>Prior to and during prescribed herbivory treatment</td><td>MPRPD</td><td>MPRPD</td></tr>
<tr><td>SPR HYD-4 Identify and Protect Watercourse and Lake Protection Zones: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZ's are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.
Procedures for Determining Watercourse and Lake Protection Zone (WLPZ) widths
<table>
<tr><th>Water Class</th><th>Class I</th><th>Class II</th><th>Class III</th><th>Class IV</th></tr>
<tr><td>Water Class Characteristics or Key Indicator Beneficial Use</td><td>1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or
2) Fish always or seasonally present onsite, includes habitat</td><td>1) Fish always or seasonally present offsite within 1000 feet downstream and/or
2) Aquatic habitat for nonfish aquatic species.
3) Excludes Class III waters that are</td><td>No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after</td><td>Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.</td></tr>
</table></td><td>Initial Treatment: Yes

Treatment Maintenance: Yes</td><td>Establish WLPZs prior to treatment (adjacent Carmel River is a Class I waterway)

Implement WLPZ protections during treatments (adjacent Carmel River is a Class I waterway)</td><td>MPRPD</td><td>MPRPD</td></tr>
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Standard Project Requirements				Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
	to sustain fish migration and spawning.	tributary to Class I waters.	completion of timber operations.				
WLPZ Width (ft) – Distance from top of bank to the edge of WLPZ							
< 30 % Slope	75	50	Sufficient to prevent the degradation of downstream beneficial uses of water. Determined on a site-specific basis.				
30-50 % Slope	100	75					
>50 % Slope	150	100					

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

The following WLPZ protections will be applied for all treatments:

- Treatment activities with WLPZs will retain at least 75 percent surface cover and undisturbed area to act as a filter strip for raindrop energy dissipation and for wildlife habitat. If this percentage is reduced a qualified RPF will provide the project proponent with a site- and/or treatment activity-specific explanation for the percent surface cover reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced percent as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). This requirement is based on 14 CCR Section 916.4 [936.4, 956.4] Subsection (b)(6) (February 2019 version) and 14 CCR Section 916.5 (February 2019 version).
- Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry.
- Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas.
- WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water. Accidental deposits will be removed immediately.
- Burn piles will be located outside of WLPZs.
- No fire ignition (nor use of associated accelerants) will occur within WLPZs however low intensity backing fires may be allowed to enter or spread into WLPZs.

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ Within Class I and Class II WLPZs, locations where project operations expose a continuous area of mineral soil 800 square feet or larger shall be treated for reduction of soil loss. Treatment shall occur prior to October 15th and disturbances that are created after October 15th shall be treated within 10 days. Stabilization measures shall be selected that will prevent significant movement of soil into water bodies and may include but are not limited to mulching, rip-rap, grass seeding, or chemical soil stabilizers. ▶ Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts that would adversely affect the quality and beneficial uses of the watercourse. ▶ Where necessary to protect beneficial uses of water from project operations, protection measures such as seeding, mulching, or replanting shall be used to retain and improve the natural ability of the ground cover within the WLPZ to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes. ▶ Equipment limitation zones (ELZs) will be designated adjacent to Class III and Class IV watercourses with minimum widths of 25 feet where side-slope is less than 30 percent and 50 feet where side-slope is 30 percent or greater. An RPF will describe the limitations of heavy equipment within the ELZ and, where appropriate, will include additional measures to protect the beneficial uses of water. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR HYD-5 Protect Non-Target Vegetation and Special-status Species from Herbicides: The project proponent will implement the following measures when applying herbicides: ▶ Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway. ▶ Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry. ▶ No terrestrial or aquatic herbicides will be applied within WLPZs of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application. The feasibility of avoiding herbicide application within WLPZ of Class I and II watercourses will be determined by the project proponent and may be based on whether doing so will preclude achieving CalVTP program objectives, including, but not limited to, protection of vulnerable communities. The reasons for infeasibility will be documented in the PSA. ▶ No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray. ▶ Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ No herbicide will be applied during precipitation events or if precipitation is forecast 24 hours before or after project activities. This SPR applies to herbicide treatment activities and all treatment types, including treatment maintenance.				

Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Biological Resources				
Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities) If California Fully Protected Species or species listed under ESA or CESA are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> The project proponent will implement one of the following 2 measures to avoid mortality, injury, or disturbance of individuals: 1. Treatment will not be implemented within the occupied habitat. Any treatment activities outside occupied habitat will be a sufficient distance from the occupied habitat such that mortality, injury, or disturbance of the species will not occur, as determined by a qualified RPF or biologist using the most current and commonly-accepted science and considering published agency guidance; OR 2. Treatment will be implemented outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, CDFW and/or USFWS/NOAA Fisheries will be consulted to determine if there is a period of time within which treatment could occur that would avoid mortality, injury, or disturbance of the species. ▶ For species listed under ESA or CESA, if the project proponent cannot avoid mortality, injury or disturbance by implementing one of the two options listed above, the project proponent will implement Mitigation Measure BIO-2c.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ Injury or mortality of California Fully Protected Species is prohibited pursuant to Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code and will be avoided. <u>Maintain Habitat Function</u> ▶ The project proponent will design treatment activities to maintain the habitat function, by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▶ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that listed or fully protected wildlife with specific requirements for high canopy cover (e.g., Humboldt marten, fisher, spotted owl, coastal California gnatcatcher, riparian woodrat) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted [e.g., 50 percent for coastal California gnatcatcher]) such that habitat function is maintained. ▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. Because this measure pertains to species listed under CESA or ESA or are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS/NOAA Fisheries regarding the determination that habitat function is maintained. If consultation determines that the treatment will not maintain habitat function for the special-status species, the project proponent will implement Mitigation Measure BIO-2c. Project-Specific Implementation ▶ If any life stage of California red-legged frog (CRLF) is observed during the pre-treatment survey, treatment activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. ▶ A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of California red-legged frog (CRLF). The designated monitor will be the contact for any CRLF encounters and will conduct daily inspections of equipment and materials stored on site, and will actively look for CRLF during treatment activities. The qualified biologist shall remain available to come to the				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
site if a CRLF is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed. If any CRLF are found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all project activities within riparian areas should cease one half hour before sunset and should not begin prior to one half hour after sunrise.				
Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities) If other special-status wildlife species (i.e., species not listed under CESA or ESA or California Fully Protected, but meeting the definition of special status as stated in Section 3.6.1 of the Program EIR) are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid or minimize adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> ▶ The project proponent will implement the following to avoid mortality, injury, or disturbance of individuals: For all treatment activities except prescribed burning, the project proponent will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed. Factors to be considered in determining buffer size will include, but not be limited to, the species' tolerance to disturbance; the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; baseline levels of noise and human activity; and treatment activity. Buffer size may be adjusted if the qualified RPF or biologist determines that such an adjustment would not be likely to adversely affect (i.e., cause mortality, injury, or disturbance to) the species within the nest, den, burrow, or other occupied site. If a no-disturbance buffer is reduced below 100 feet from an occupied site, a qualified RPF or biologist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
reduced buffer as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). ▶ No-disturbance buffers will be marked with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). No activity will occur within the buffer areas until the qualified RPF or biologist has determined that the young have fledged or dispersed; the nest, den, or other occurrence is no longer active; or reducing the buffer would not likely result in disturbance, mortality, or injury. A qualified RPF, biologist, or biological technician will be required to monitor the effectiveness of the no-disturbance buffer around the nest, den, burrow, or other occurrence during treatment. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species. ▶ For prescribed burning, the project proponent will implement the treatment outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, the qualified RPF or biologist will determine the period of time within which prescribed burning could occur that will avoid or minimize mortality, injury, or disturbance of the species. The project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate limited operating periods. <u>Maintain Habitat Function</u> ▶ For all treatment activities, the project proponent will design treatment activities to maintain the habitat function by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; tree snags; large raptor nests [including inactive nests]; downed woody debris). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that special-status wildlife with specific requirements for high canopy cover (e.g., northern goshawk, Sierra Nevada snowshoe hare) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted) such that the habitat function is maintained.				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding habitat function. A qualified RPF or biologist with knowledge of the special-status wildlife species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status wildlife species' habitat or because the loss of special-status wildlife would substantially reduce the number or restrict the range of a special-status wildlife species. If the project proponent determines the impact on special-status wildlife would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status wildlife or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the non-listed special-status wildlife would benefit from treatment in the occupied habitat area even though some of the non-listed special-status wildlife may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to non-listed special-status wildlife, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status wildlife, no compensatory mitigation will be required. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding the determination that a non-listed special-status species would benefit from the treatment. Project-Specific Implementation ▶ If any Coast Range newt or western pond turtle individuals are encountered during pre-treatment surveys or during treatment activities, they shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet from the project site. ▶ Any Monterey dusky-footed woodrat nests identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all Monterey dusky-footed woodrat nests shall be provided to the vegetation removal contractor. Any				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Monterey dusky-footed woodrat nests that cannot be avoided shall be dismantled according to the following procedures: ▪ Each active nest shall be dismantled by the qualified biologist to the degree that the woodrats leave the nest and seek refuge elsewhere. ▪ Nests shall be dismantled during the non-breeding season (between October 1 and December 31), if possible. ▪ If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks; after this time, the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling. ▶ Any potential American badger dens identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all American badger dens shall be provided to the vegetation removal contractor. If avoidance of American badger dens is not feasible, the following measures shall be implemented: ▪ If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction. ▪ If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage the use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three- to five-day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during treatment activities. A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of all special-status wildlife species potentially occurring within the treatment areas. The designated monitor will be the contact for any special-status wildlife species encounters and will conduct daily inspections of equipment and materials stored on site. The qualified biologist shall remain available to come to the site if a special-status wildlife species is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed.				
Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities) If the provisions of Mitigation Measure BIO-2a, BIO-2b, BIO-2d, BIO-2e, BIO-2f, or BIO-2g cannot be implemented and the project proponent determines that additional mitigation is necessary to reduce significant impacts, the project proponent will compensate for such impacts to species or habitat by	Initial Treatment: Yes Treatment Maintenance:	Prior to and/or following treatment if necessary	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
acquiring and/or protecting land that provides (or will provide in the case of restoration) habitat function for affected species that is at least equivalent to the habitat function removed or degraded as a result of the treatment. Compensation may include: 1. Preserving existing habitat outside of the treatment area in perpetuity; this may entail purchasing mitigation credits and/or lands from a CDFW- or USFWS-approved entity in sufficient quantity to offset the residual significant impacts, generally at a ratio of 1:1 for habitat; and 2. Restoring or enhancing existing habitat within the treatment area or outside of the treatment area (including decommissioning roads, adding perching structures, removing existing perching structures, or removing existing movement barriers or other existing features that are adversely affecting the species). The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanisms for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. Review requirements are as follows: ▶ The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. ▶ For species listed under ESA or CESA or a California Fully Protected Species, the project proponent will submit the mitigation plan to CDFW and/or USFWS/NOAA Fisheries for review and comment. ▶ For other special-status wildlife species the project proponent may consult with CDFW and/or USFWS regarding the availability and applicability of compensatory mitigation and other related technical information.	Yes			

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified above.				
Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities) If special-status bumble bees are identified as occurring during review and surveys under SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, or if suitable habitat for special-status bumble bees is identified during review and surveys under SPR BIO-1 (e.g., wet meadow, forest meadow, riparian, grassland, or coastal scrub habitat containing sufficient floral resources within the range of the species), then the project proponent will implement the following measures, as feasible: Prescribed burning within occupied or suitable habitat for special-status bumble bees will occur from October through February to avoid the bumble bee flight season. ▶ Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year; the objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in occupied or suitable habitat, such that the entirety of the habitat is not burned or removed and untreated portions of occupied or suitable habitat are retained (e.g., fire breaks will be aligned to allow for areas of unburned floral resources for special-status bumble bees within the treatment area). ▶ Herbicides will not be applied to flowering native plants within occupied or suitable habitat to the extent feasible during the flight season (March through September). CESA and ESA Listed Species. A qualified RPF or biologist will determine if, after implementation of feasible avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance to the species, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed bumble bees (in the event the Candidate listing is confirmed) or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c. Other Special-status Species. A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status bumble bees would be less than significant, no further mitigation will be required. If the project proponent determines that the	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
loss of special-status bumble bees or degradation of occupied (or assumed to be occupied) habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status bumble bee species would benefit from treatment in the occupied (or assumed to be occupied) habitat area even though some of the non-listed special-status bumble bees may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to special-status bumble bee species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status bumble bees, no compensatory mitigation will be required. Project-Specific Implementation ▶ Project activities within the grassland habitat shall be limited to the minimum area necessary to complete the prescribed burning (i.e., pile burning) activities. Stockpile areas and an access route to the stockpile shall be clearly designated with fencing or flagging prior to treatment activities. Vegetation clearance and access routes shall be clearly designated with fencing or flagging prior to vegetation removal for pile burning activities. ▶ If protected bumble bee nests cannot be avoided, Mitigation Measure BIO-2c would be implemented.				
Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands Impacts to wetlands will be avoided using the following measures: ▶ The qualified RPF or biologist will delineate the boundaries of federally protected wetlands according to methods established in the USACE wetlands delineation manual (Environmental Laboratory 1987) and the appropriate regional supplement for the ecoregion in which the treatment is being implemented. ▶ The qualified RPF or biologist will delineate the boundaries of wetlands that may not meet the definition of waters of the United States, but would qualify as waters of the state, according to the state wetland procedures (California Water Boards 2019 or current procedures). ▶ A qualified RPF or biologist will establish a buffer around wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of wetland present (e.g., seasonal wetland, wet meadow, freshwater marsh, vernal pool), the timing of treatment (e.g., wet or dry time of year), whether any special-status species may occupy the wetland and	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

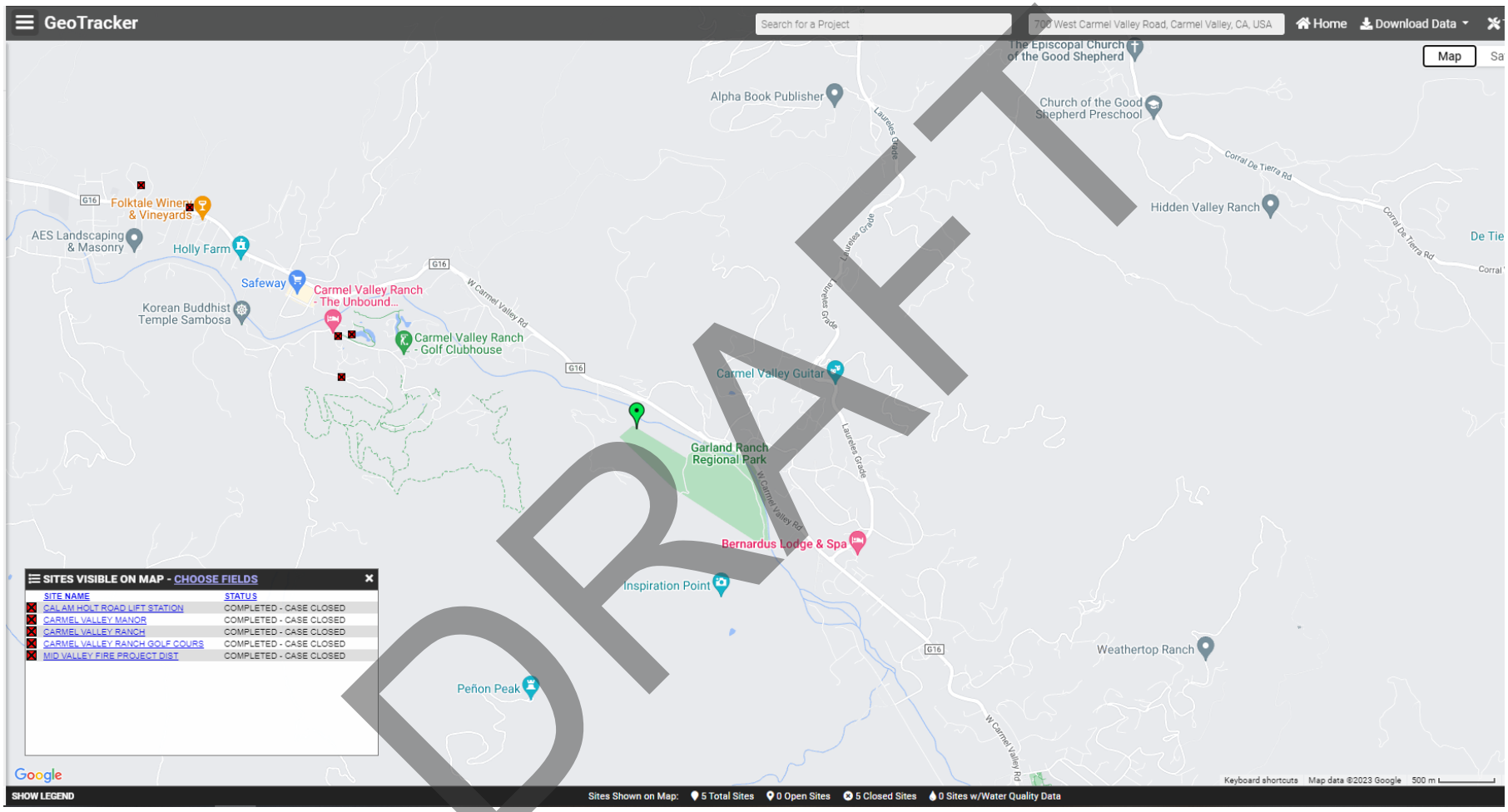
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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/ Monitoring Entity
the species' vulnerability to the treatment activities, environmental conditions and terrain, and the treatment activity being implemented. ▶ A qualified RPF or biological technician will periodically inspect the materials demarcating the buffer to confirm that they are intact and visible, and wetland impacts are being avoided. ▶ Within this buffer, herbicide application is prohibited. ▶ Within this buffer, soil disturbance is prohibited. Accordingly, the following activities are not allowed within the buffer zone: mechanical treatments, prescribed herbivory, equipment and vehicle access or staging. ▶ Only prescribed (broadcast) burning may be implemented in wetland habitats if it is determined by a qualified RPF or biologist that: ▪ No special-status species are present in the wetland habitat ▪ The wetland habitat function would be maintained. ▪ The prescribed burn is within the normal fire return interval for the wetland vegetation types present ▪ Fire containment lines and pile burning are prohibited within the buffer ▪ No fire ignition (nor use of associated accelerants) will occur within the wetland buffer				

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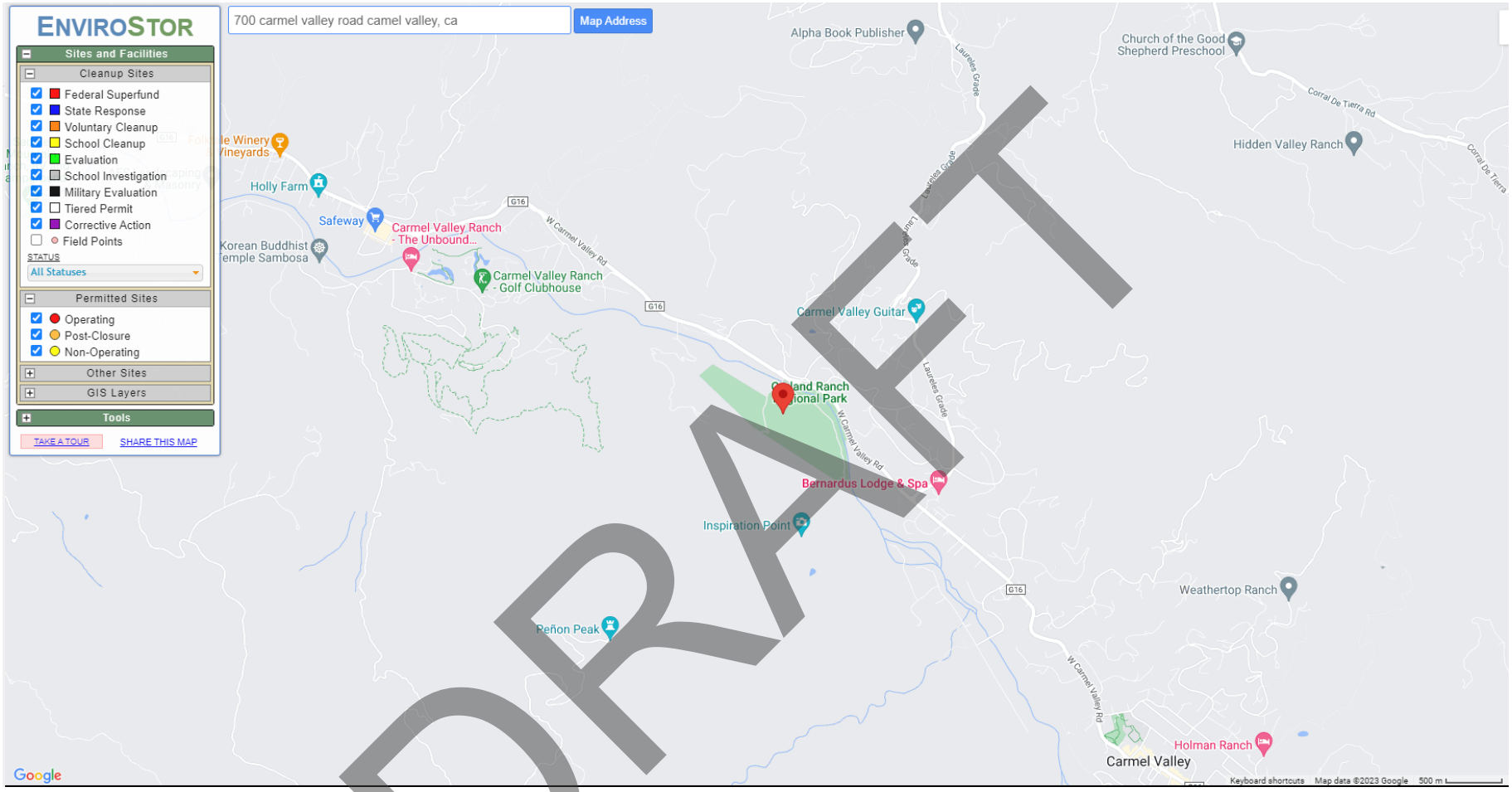
ATTACHMENT C – HAZARDOUS DATABASE RESULTS

State Water Resources Control Board GeoTracker:



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Department of Toxic Substances EnviroStor:



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EXHIBIT B

Exhibit D

Mitigation Monitoring and Reporting Program

for the

Garland Ranch Regional Park Fuel Management Project

CalVTP Project ID is 2023-24

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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for approval of the proposed CalVTP, because the PEIR identifies potential significant adverse impacts and all feasible mitigation measures have been adopted. Standard project requirements (SPRs), which are part of the program description, have been defined to avoid or minimize adverse effects. Where potentially significant impacts remain after application of SPRs, mitigation measures have been identified to further reduce and/or compensate for those impacts. While only mitigation measures are required to be covered in an MMRP, both SPRs and mitigation are included in the CalVTP MMRP to assist in implementation of all environmental protection features of later activities consistent with the CalVTP.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to monitor the implementation of SPRs and mitigation measures. The attached table presents the text of each SPR and mitigation measure from the CalVTP that is applicable to the project, the timing of its planned implementation, the implementing entity, and the entity with monitoring responsibility. The numbering of SPRs and mitigation measures follows the numbering used in the PEIR. SPRs and mitigation measures that are referenced more than once in the PEIR are not duplicated in the MMRP. Instructions for project-specific implementation of certain SPRs and Mitigation Measures have been added to tailor the specific impact avoidance and minimization actions relevant to the proposed treatments, agency standard practices, and the conditions and resources present within the treatment area.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the Monterey Peninsula Regional Park District (MPRPD), the project proponent, is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. MPRPD will be responsible for implementation of mitigation measures pursuant to Section 15097 of the State CEQA Guidelines.

The project proponent is responsible for overall administration of the project-specific MMRP and for verifying that staff members or contractors have completed the necessary actions for each measure (i.e., appropriate amendments to the proposed ordinance).

REPORTING

MPRPD shall document and describe the compliance of the later treatment project with the required SPRs and mitigation measures either by adapting the project-specific MMRP table or preparing a separate post-project implementation report (referred to by CAL FIRE as a Completion Report).

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MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- SPRs and Mitigation Measures – This column provides the verbatim text of the applicable SPR or adopted mitigation measure. Instructions for project-specific implementation of certain SPRs and Mitigation Measures are also included in this column.
- Timing – This column identifies the time frame in which the SPR or mitigation measure will be implemented.
- Implementing Entity – This column identifies the party responsible for implementing the SPR or mitigation measure.
- Verifying/Monitoring Entity – This column identifies the party responsible for verifying and monitoring implementation of the SPR or mitigation measure.

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Administrative Standard Project Requirements				
SPR AD-2 Delineate Protected Resources: The project proponent will clearly define the boundaries of the treatment area and protected resources on maps for the treatment area and with highly-visible flagging or clear, existing landscape demarcations (e.g., edge of a roadway) prior to beginning any treatment to avoid disturbing the resource. "Protected Resources" refers to environmentally sensitive places within or adjacent to the treatment areas that would be avoided or protected to the extent feasible during planned treatment activities to sustain their natural qualities and processes. This work will be performed by a qualified person, as defined for the specific resource (e.g., qualified Registered Professional Forester or biologist). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-3 Consistency with Local Plans, Policies, and Ordinances: The project proponent will design and implement the treatment in a manner that is consistent with applicable local plans (e.g., general plans, Community Wildfire Protection Plans, CAL FIRE Unit Fire Plans), policies, and ordinances to the extent the project is subject to them. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to Treatment	MPRPD	MPRPD
SPR AD-4 Public Notifications for Prescribed Burning: At three least days prior to the commencement of prescribed burning operations, the project proponent will: 1) post signs along the closest public roadway to the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or smoke concerns; 2) publish a public interest notification in a local newspapers or other widely distributed media source describing the activity, timing, and contact information; 3) send the local county supervisor and county administrative officer (or equivalent official responsible for distribution of public information) a notification letter describing the activity, its necessity, timing, and measures being taken to protect the environment and prevent prescribed burn escape. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	At least three days prior to prescribed burning operations	MPRPD	MPRPD
SPR AD-5 Maintain Site Cleanliness: If trash receptacles are used on-site, the project proponent will use fully covered trash receptacles with secure lids (wildlife proof) to contain all food, food scraps, food wrappers, beverages, and other worker generated miscellaneous trash. Remove all temporary non-biodegradable flagging, trash, debris, and barriers from the project site upon completion of project activities. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AD-6 Public Notifications for Treatment Projects. One to three days prior to the commencement of a treatment activity, the project proponent will post signs in a conspicuous location near the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or concerns. This SPR applies to all treatment activities and all treatment types, including treatment maintenance. Prescribed burning is subject to the additional notification requirements of SPR AD-4.	Initial Treatment: Yes Treatment Maintenance: Yes	One to three days prior to treatment activities	MPRPD	MPRPD
SPR AD-7 Provide Information on Proposed, Approved, and Completed Treatment Projects. For any vegetation treatment project using the CalVTP PEIR for CEQA compliance, the project proponent will provide the information listed below to the Board or CAL FIRE during the proposed, approved, and completed stages of the project. The Board or CAL FIRE will make this information available to the public via an online database or other mechanism. Information on proposed projects (PSA in progress): ▶ GIS data that include project location (as a point); ▶ project size (typically acres); ▶ treatment types and activities; and ▶ contact information for a representative of the project proponent. The project proponent will provide information on the proposed project to the Board or CAL FIRE as early as feasible in the planning phase. The project proponent will provide this information to the Board or CAL FIRE with sufficient lead time to allow those agencies to make the information available to the public no later than two weeks prior to project approval. The project proponent may also make information available to the public via other mechanisms (e.g., the proponent's own website). Information on approved projects (PSA complete): ▶ A completed PSA Environmental Checklist; ▶ A completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist); ▶ GIS data that include a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction). Information on completed projects: ▶ GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction)	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to, during, and following treatment Information has been submitted for the proposed project phase	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes ▪ Size of treated area (typically acres); ▪ Treatment types and activities; ▪ Dates of work; ▪ A list of the SPRs and mitigation measures that were implemented ▪ Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b). This SPR applies to all treatment activities and all treatment types, including treatment maintenance.				
Aesthetic and Visual Resource Standard Project Requirements				
SPR AES-1 Vegetation Thinning and Edge Feathering: The project proponent will thin and feather adjacent vegetation to break up or screen linear edges of the clearing and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance. The contrast of a distinct clearing edge will be faded into this transitional band. This SPR only applies to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Mechanical and Manual Treatment	MPRPD	MPRPD
SPR AES-2 Avoid Staging within Viewsheds: The project proponent will store all treatment-related materials, including vehicles, vegetation treatment debris, and equipment, outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. The project proponent will also locate materials staging and storage areas outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD
SPR AES-3 Provide Vegetation Screening: The project proponent will preserve sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from public trails, parks, recreation areas, and roadways as reasonable or appropriate for vegetation conditions. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Air Quality Standard Project Requirements				
SPR AQ-1 Comply with Air Quality Regulations: The project proponent will comply with the applicable air quality requirements of air districts within whose jurisdiction the project is located. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD
SPR AQ-2 Submit Smoke Management Plan: The project proponent will submit a smoke management plan for all prescribed burns to the applicable air district, in accordance with 17 CCR Section 80160. Pursuant to this regulation a smoke management plan will not be required for burns less than 10 acres that also will not be conducted near smoke sensitive areas, unless otherwise directed by the air district. Burning will only be conducted in compliance with the burn authorization program of the applicable air district(s) having jurisdiction over the treatment area. Example of a smoke management plan is in Appendix PD-2. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to prescribed burning operations	MPRPD	MPRPD
SPR AQ-3 Create Burn Plan: The project proponent will create a burn plan using the CAL FIRE burn plan template for all prescribed burns. The burn plan will include a fire behavior model output of First Order Fire Effects Model and BEHAVE or other fire behavior modeling simulation and that is performed by a qualified fire behavior technical specialist that predicts fire behavior, calculates consumption of fuels, tree mortality, predicted emissions, greenhouse gas emissions, and soil heating. The project proponent will minimize soil burn severity from broadcast burning to reduce the potential for runoff and soil erosion. The burn plan will be created with input from a qualified technician or certified State burn boss. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to prescribed burning operations	MPRPD	MPRPD
SPR AQ-4 Minimize Dust: To minimize dust during treatment activities, the project proponent will implement the following measures: ▶ Limit the speed of vehicles and equipment traveling on unpaved areas to 15 miles per hour to reduce fugitive dust emissions, in accordance with the California Air Resources Board (CARB) Fugitive Dust protocol. ▶ If road use creates excessive dust, the project proponent will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant (e.g., emulsion polymers, organic material) during dry, dusty conditions. Any dust suppressant product used will be environmentally benign (i.e., non-toxic to plants and will not negatively impact water quality) and its use will not be prohibited by ARB, EPA, or the State Water Resources Control Board (SWRCB). The project proponent will not over-water exposed areas such that the water	Initial Treatment: Yes Treatment Maintenance: Yes	During Treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
results in runoff. The type of dust suppression method will be selected by the project proponent based on soil, traffic, site-specific conditions, and air quality regulations. ▶ Remove visible dust, silt, or mud tracked-out on to public paved roadways where sufficient water supplies and access to water is available. The project proponent will remove dust, silt, and mud from vehicles at the conclusion of each workday, or at a minimum of every 24 hours for continuous treatment activities, in accordance with Vehicle Code Section 23113. ▶ Suspend ground-disturbing treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary, if the particulate emissions may "cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property," per Health and Safety Code Section 41700. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR AQ-6: Prescribed Burn Safety Procedures. Prescribed burns planned and managed by non-CAL FIRE crews will follow all safety procedures required of CAL FIRE crew, including the implementation of an approved Incident Action Plan (IAP). The IAP will include the burn dates; burn hours; weather limitations; the specific burn prescription; a communications plan; a medical plan; a traffic plan; and special instructions such as minimizing smoke impacts to specific local roadways. The IAP will also assign responsibilities for coordination with the appropriate air district, such as conducting onsite briefings, posting notifications, weather monitoring during burning, and other burn related preparations. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during prescribed burning operations	MPRPD	MPRPD
Archaeological, Historical, and Tribal Cultural Resources Standard Project Requirements				
SPR CUL-1 Conduct Record Search: An archaeological and historical resource record search will be conducted per the applicable state or local agency procedures. Instead of conducting a new search, the project proponent may use recent record searches containing the treatment area requested by a landowner or other public agency in accordance applicable agency guidance. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Record search of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA for a summary of results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-2 Contact Geographically Affiliated Native American Tribes: The project proponent will obtain the latest Native American Heritage Commission (NAHC) provided Native Americans Contact List. Using the appropriate Native Americans Contact List, the project proponent will notify the California Native American Tribes in the counties where the treatment activity is located. The notification will contain the following: ▶ A written description of the treatment location and boundaries. ▶ Brief narrative of the treatment objectives. ▶ A description of the activities used (e.g., prescribed burning, mastication) and associated acreages. ▶ A map of the treatment area at a sufficient scale to indicate the spatial extent of activities. ▶ A request for information regarding potential impacts to cultural resources from the proposed treatment. ▶ A detailed description of the depth of excavation, if ground disturbance is expected. In addition, the project proponent will contact the NAHC for a review of their Sacred Lands File. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Tribes have been contacted and SLF query completed; see PSA for a summary of consultation and SLF results.	MPRPD	MPRPD
SPR-CUL-3 Pre-field Research: The project proponent will conduct research prior to implementing treatments as part of the cultural resource investigation. The purpose of this research is to properly inform survey design, based on the types of resources likely to be encountered within the treatment area, and to be prepared to interpret, record, and evaluate these findings within the context of local history and prehistory. The qualified archaeologist and/or archaeologically-trained resource professional will review records, study maps, read pertinent ethnographic, archaeological, and historical literature specific to the area being studied, and conduct other tasks to maximize the effectiveness of the survey. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Record review of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA for a summary of results.	MPRPD	MPRPD
SPR CUL-4 Archaeological Surveys: The project proponent will coordinate with an archaeologically-trained resource professional and/or qualified archaeologist to conduct a site-specific survey of the treatment area. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search, pre-field research, and/or Native American consultation identifies archaeological or historical resources near or within the treatment area. A survey report will be completed for every cultural resource survey completed. The specific requirements will comply with the applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Site-specific survey of project has been conducted; see PSA for a summary of results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-6 Treatment of Tribal Cultural Resources: The project proponent, in consultation with the culturally affiliated tribe(s), will develop effective protection measures for important tribal cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. The project proponent will provide the tribe(s) the opportunity to submit comments and participate in consultation to resolve issues of concern. The project proponent will defer implementing the treatment until the tribe approves protection measures, or if agreement cannot be reached after a good-faith effort, the proponent determines that any or all feasible measures have been implemented, where feasible, and the resource is either avoided or protected. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Project-Specific Implementation ▶ MPRPD shall invite up to one Native American monitor to be on site during treatment activities. Each Native American group will monitor for half of the projected work days of monitoring or as equitable as possible. The goal is equitable distribution of monitoring days in an effort to afford each Native American group the opportunity to participate in construction monitoring; however, the ever-changing treatment environment can pose a challenge to scheduling. MPRPD will strive to achieve equitable distribution of monitoring when coordinating the staffing and scheduling monitoring to support Project implementation as practicable. ▶ MPRPD, in coordination with the local Native American community, will develop and place signage near the treatment areas acknowledging the indigenous history/community of the land. At a minimum, the signage would include a website address(es) where the public can access digital resources created by the Native American community. ▶ MPRPD shall continue to communicate and coordinate with the Esselen Tribe of Monterey County to develop protection measures for resources important to the tribe, as described above in this SPR.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD/Monterey County RCD (Monterey County RCD, in coordination with MPRPD, has initiated consultation with culturally affiliated tribes. Protection measures for important tribal cultural resources are incorporated into this MMRP.)	MPRPD/Monterey County RCD
SPR CUL-8 Cultural Resource Training: The project proponent will train all crew members and contractors implementing treatment activities on the protection of sensitive archaeological, historical, or tribal cultural resources. Workers will be trained to halt work if archaeological resources are encountered on a treatment site and the treatment method consists of physical disturbance of land surfaces (e.g., soil disturbance). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment	MPRPD (Monterey County RCD, in coordination with MPRPD, has initiated consultation with culturally affiliated tribes. specific measures	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Project-Specific Implementation ▶ MPRPD shall invite representatives from the local Native American community to participate in the cultural resources training prior to implementation of treatment activities to aid those involved in the project with becoming more familiar with the indigenous history of the peoples of the land that is being worked on, as well as to share information about the treatment areas that acknowledges the Indigenous history/community of the land and are welcome to provide the crew brochures or access to digital resources created by the Native American community.			for tribal cultural resources education are incorporated into this MMRP.)	
Biological Resources Standard Project Requirements				
SPR BIO-1: Review and Survey Project-Specific Biological Resources. The project proponent will require a qualified RPF or biologist to conduct a data review and reconnaissance-level survey prior to treatment, no more than one year prior to the submittal of the PSA, and no more than one year between completion of the PSA and implementation of the treatment project. The data reviewed will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this PEIR for the ecoregion(s) where the treatment will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, and relevant general and regional plans. Reconnaissance-level biological surveys will be general surveys that include visual and auditory inspection for biological resources to help determine the environmental setting of a project site. The qualified surveyor will 1.) identify and document sensitive resources, such as riparian or other sensitive habitats, sensitive natural community, wetlands, or wildlife nursery site or habitat (including bird nests), and 2.) assess the suitability of habitat for special-status plant and animal species. The surveyor will also record any incidental wildlife observations. For each treatment project, habitat assessments will be completed at a time of year that is appropriate for identifying habitat and no more than one year prior to the submittal of the PSA, unless it can be demonstrated in the PSA that habitat assessments older than one year remain valid (e.g., site conditions are unchanged and no treatment activity has occurred since the assessment). If more than one year passes between completion of the PSA and initiation of the treatment project, the project proponent will verify the continued accuracy of the PSA prior to beginning the treatment project by reviewing for any data updates and/or visiting the site to verify conditions. Based on the results of the data review and reconnaissance-level survey, the project proponent, in consultation with a qualified RPF or biologist, will determine which one of the following best characterizes the treatment:	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Initial data review and reconnaissance-level survey have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
1. Suitable Habitat Is Present but Adverse Effects Can Be Clearly Avoided. If, based on the data review and reconnaissance-level survey, the qualified RPF or biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating treatment and will remain in effect throughout the treatment: a. by physically avoiding the suitable habitat, or b. by conducting treatment outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, during dormant season of sensitive annual or geophytic plant species, or outside of maternity and rearing season at wildlife nursery sites). Physical avoidance will include flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified RPF or biologist. 2. Suitable Habitat is Present and Adverse Effects Cannot Be Clearly Avoided. Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the SPRs below. Further review may include contacting USFWS, NOAA Fisheries, CDFW, CNPS, or local resource agencies as necessary to determine the potential for special-status species or other sensitive biological resources to be affected by the treatment activity. Focused or protocol-level surveys will be conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the CDFW webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. Specific survey requirements are addressed for each resource type in relevant SPRs (e.g., additional survey requirements are presented for special-status plants in SPR BIO-7). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR BIO-2: Require Biological Resource Training for Workers. The project proponent will require crew members and contractors to receive training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological SPRs and mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the treatment area; impact minimization procedures; and reporting requirements. The training will instruct workers when it is appropriate to stop work and allow wildlife encountered during treatment activities to leave the area unharmed and when it is necessary to report encounters to a qualified RPF, biologist, or biological technician. The qualified RPF, biologist, or biological technician will immediately contact CDFW or USFWS, as appropriate, if any wildlife protected by the California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own (without being handled). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Sensitive Natural Communities and Other Sensitive Habitats				
SPR BIO-3: Survey Sensitive Natural Communities and Other Sensitive Habitats. If SPR BIO-1 determines that sensitive natural communities or sensitive habitats may be present and adverse effects cannot be avoided, the project proponent will: ▶ require a qualified RPF or biologist to perform a protocol-level survey following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018) of the treatment area prior to the start of treatment activities for sensitive natural communities and sensitive habitats. Sensitive natural communities will be identified using the best means possible, including keying them out using the most current edition of *A Manual of California Vegetation* (including updated natural communities data at http://vegetation.cnps.org/), or referring to relevant reports (e.g., reports found on the VegCAMP website). ▶ map and digitally record, using a Global Positioning System (GPS), the limits of any potential sensitive habitat and sensitive natural community identified in the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Sensitive habitat survey and mapping have been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD
SPR BIO-4: Design Treatment to Avoid Loss or Degradation of Riparian Habitat Function. Project proponents, in consultation with a qualified RPF or qualified biologist, will design treatments in riparian habitats to retain or improve habitat functions by implementing the following within riparian habitats: ▶ Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped during surveys conducted pursuant to SPR BIO-3. Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment MPRPD has consulted with DD&A qualified biologists to design treatments to retain and improve riparian habitat functions.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant removal, selective thinning, and removal of encroaching upland species. ▶ Removal of large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) will be minimized to the extent feasible and 75 percent of the pretreatment native riparian hardwood tree canopy will be retained. Because tree size varies depending on vegetation type present and site conditions, the tree size retention parameter will be determined on a site-specific basis depending on vegetation type present and setting; however, live, healthy, native trees that are considered large for that type of tree and large relative to other trees in that location will be retained. A scientifically-based, project-specific explanation substantiating the retention size parameter for native riparian hardwood tree removal will be provided in the Biological Resources Discussion of the PSA. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, presence of sufficient seed trees, light availability, and changes in stream shading may inform the tree size retention requirements. ▶ Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat, e.g., see Accelerated Wood Recruitment and Timber Operations: Process Guidance from the California Timber Harvest Review Team Agencies and National Marine Fisheries Service). ▶ Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided. ▶ Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments. This will consist of the minimum disturbance area necessary to reduce hazardous fuels and return the riparian community to a natural fire regime (i.e., Condition Class 1) considering historic fire return intervals, climate change, and land use constraints. ▶ Only hand application of herbicides approved for use in aquatic environments will be allowed and only during low-flow periods or when seasonal streams are dry. ▶ The project proponent will notify CDFW when required by California Fish and Game Code Section 1602 prior to implementing any treatment activities in riparian				

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
habitats. Notification will identify the treatment activities, map the vegetation to be removed, identify the impact avoidance identification methods to be used (e.g., flagging), and appropriate protections for the retention of shaded riverine habitat, including buffers and other applicable measures to prevent erosion into the waterway. ▶ In consideration of spatial variability of riparian vegetation types and condition and consistent with California Forest Practice Rules Section 916.9(v) (February 2019 version), a different set of vegetation retention standards and protection measures from those specified in the above bullets may be implemented on a site-specific basis if the qualified RPF and the project proponent demonstrate through substantial evidence that alternative design measures provide a more effective means of achieving the treatment goals objectives and would result in effects to the Beneficial Functions of Riparian Zones equal or more favorable than those expected to result from application of the above measures. Deviation from the above design specifications, different protection measures and design standards will only be approved when the treatment plan incorporates an evaluation of beneficial functions of the riparian habitat and with written concurrence from CDFW. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR BIO-6: Prevent Spread of Plant Pathogens. When working in sensitive natural communities, riparian habitats, or oak woodlands that are at risk from plant pathogens (e.g., lone chaparral, blue oak woodland), the project proponent will implement the following best management practices to prevent the spread of *Phytopthora* and other plant pathogens (e.g., pitch canker (*Fusarium*), goldspotted oak borer, shot hole borer, bark beetle): ▶ clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a treatment site and when leaving a contaminated site, or a site in a county where contamination is a risk; ▶ include training on *Phytopthora* diseases and other plant pathogens in the worker awareness training; ▶ minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment; ▶ minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination;	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ clean soil and debris from equipment and sanitize hand tools, buckets, gloves, and footwear when moving from high risk to low risk areas or between widely separated portions of a treatment area; and ▶ follow the procedures listed in Guidance for plant pathogen prevention when working at contaminated restoration sites or with rare plants and sensitive habitat (Working Group for *Phytoptheras* in Native Habitats 2016). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Special-Status Plants				
SPR BIO-7: Survey for Special-Status Plants. If SPR BIO-1 determines that suitable habitat for special-status plant species is present and cannot be avoided, the project proponent will require a qualified RPF or botanist to conduct protocol-level surveys for special-status plant species with the potential to be affected by a treatment prior to initiation of the treatment. The survey will follow the methods in the current version of CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities." Surveys to determine the presence or absence of special-status plant species will be conducted in suitable habitat that could be affected by the treatment and timed to coincide with the blooming or other appropriate phenological period of the target species (as determined by a qualified RPF or botanist), or all species in the same genus as the target species will be assumed to be special-status. If potentially occurring special-status plants are listed under CESA or ESA, protocol-level surveys to determine presence/absence of the listed species will be conducted in all circumstances, unless determined otherwise by CDFW or USFWS. For other special-status plants not listed under CESA or ESA, as defined in Section 3.6.1 of this PEIR, surveys will not be required under the following circumstances: ▶ If protocol-level surveys, consisting of at least two survey visits (e.g., early blooming season and later blooming season) during a normal weather year, have been completed in the 5 years before implementation of the treatment project and no special-status plants were found, and no treatment activity has occurred following the protocol-level survey, treatment may proceed without additional plant surveys. ▶ If the target special-status plant species is an herbaceous annual, stump-sprouting, or geophyte species, the treatment may be carried out during the dormant season for that species or when the species has completed its annual lifecycle without conducting presence/absence surveys provided the treatment will not alter habitat or destroy seeds, stumps, or roots, rhizomes, bulbs and other underground parts in a	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Protocol-level survey for special-status plants has been conducted, see PSA and Appendix B for results.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
way that would make it unsuitable for the target species to reestablish following treatment. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Invasive Plants and Wildlife				
SPR BIO-9: Prevent Spread of Invasive Plants, Noxious Weeds, and Invasive Wildlife. The project proponent will take the following actions to prevent the spread of invasive plants, noxious weeds, and invasive wildlife (e.g., New Zealand mudsnail): ▶ clean clothing, footwear, and equipment used during treatments of soil, seeds, vegetative matter, other debris or seed-bearing material, or water (e.g., rivers, streams, creeks, lakes) before entering the treatment area or when leaving an area with infestations of invasive plants, noxious weeds, or invasive wildlife; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas; ▶ stage equipment in areas free of invasive plant infestations unless there are no uninfested areas present within a reasonable proximity to the treatment area; ▶ identify significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys and target them for removal during treatment activities. Treatment methods will be selected based on the invasive species present and may include herbicide application, manual or mechanical treatments, prescribed burning, and/or herbivory, and will be designed to maximize success in killing or removing the invasive plants and preventing reestablishment based on the life history characteristics of the invasive plant species present. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles; ▶ treat invasive plant biomass onsite to eliminate seeds and propagules and prevent reestablishment or dispose of invasive plant biomass offsite at an appropriate	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
waste collection facility (if not kept on site); transport invasive plant materials in a closed container or bag to prevent the spread of propagules during transport; and ▶ implement Fire and Fuel Management BMPs outlined in the "Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers" (Cal-IPC 2012, or current version). This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Wildlife				
SPR BIO-10: Survey for Special-Status Wildlife and Nursery Sites. If SPR BIO-1 determines that suitable habitat for special-status wildlife species or nurseries of any wildlife species is present and cannot be avoided, the project proponent will require a qualified RPF or biologist to conduct focused or protocol-level surveys for special-status wildlife species or nursery sites (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries, monarch overwintering sites) with potential to be directly or indirectly affected by a treatment activity. The survey area will be determined by a qualified RPF or biologist based on the species and habitats and any recommended buffer distances in agency protocols. The qualified RPF or biologist will determine if following an established protocol is required, and the project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate survey protocols. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of treatment activities. Focused or protocol surveys for a special-status species with potential to occur in the treatment area may not be required if presence of the species is assumed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Project-Specific Implementation ▶ A qualified biologist shall survey the project site for California red-legged frog, Coast Range newt, and western pond turtle no more than 48 hours prior to the commencement of treatment activities. If any Coast Range newt individuals are encountered Mitigation Measures BIO-2a and/or BIO-2b shall be implemented. ▶ Not more than 14 days prior to the start of treatment activities that, a qualified biologist shall conduct a survey of suitable habitat within the project site to locate existing Monterey dusky-footed woodrat nests and American badger dens. If any Monterey dusky-footed woodrat nests or American badger dens are encountered Mitigation Measure BIO-2b shall be implemented.	Initial Treatment: Yes Treatment Maintenance: Yes	No more than 48 hours prior to treatment for California red-legged frog, Coast Range newt, and western pond turtle. No more than 14 days prior to treatment for American badger and Monterey dusky-footed woodrat. During the flight season for special-status bumble bees according to the CDFW protocol.	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ If treatment activities are scheduled within the CBB and WBB flight season, MPRPD shall contract a qualified biologist to conduct a survey for an active CBB and WBB colony within grassland areas to be impacted by the project and an approximate 50-foot buffer. Surveys shall be conducted in accordance with CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (2023) or the most current CDFW protocol. If protected bumble bee nests are found Mitigation Measure BIO-2g shall be implemented.				
SPR BIO-11. Install Wildlife-Friendly Fencing (Prescribed Herbivory). If temporary fencing is required for prescribed herbivory treatment, a wildlife-friendly fencing design will be used. The project proponent will require a qualified RPF or biologist to review and approve the design before installation to minimize the risk of wildlife entanglement. The fencing design will meet the following standards: ▶ Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale or snag a leaping animal; and, if feasible, keeping electric netting-type fencing electrified at all times or laid down while not in use. ▶ Charge temporary electric fencing with intermittent pulse energizers; continuous output fence chargers will not be permitted. ▶ Allow wildlife to jump over easily without injury by installing fencing that can flex as animals pass over it and installing the top wire low enough (no more than approximately 40 inches high on flat ground) to allow adult ungulates to jump over it. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. ▶ Be highly visible to birds and mammals by using high-visibility tape or wire, flagging, or other markers. This SPR applies only to prescribed herbivory and all treatment types, including treatment maintenance.	Initial Treatment: No Treatment Maintenance: Yes	Prior to and during prescribed herbivory treatment	MPRPD	MPRPD
SPR BIO-12. Protect Common Nesting Birds, Including Raptors. The project proponent will schedule treatment activities to avoid the active nesting season of common native bird species, including raptors, that could be present within or adjacent to the treatment site, if feasible. Common native birds are species not otherwise treated as special status in the CalVTP PEIR. The active nesting season will be defined by the qualified RPF or biologist. If active nesting season avoidance is not feasible, a qualified RPF or biologist will conduct a survey for common nesting birds, including raptors. Existing records (e.g., CNDDB, eBird database, State Wildlife Action Plan) should be reviewed in advance of the survey to identity the common nesting birds, including raptors, that are known to occur	Initial Treatment: Yes Treatment Maintenance: Yes	Survey no more than 3 weeks prior to treatment during active nesting season (February 1 – August 31) Avoidance and minimization measures to be implemented	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
in the vicinity of the treatment site. The survey area will encompass reasonably accessible areas of the treatment site and the immediately surrounding vicinity viewable from the treatment site. The survey area will be determined by a qualified RPF or biologist, based on the potential species in the area, location of suitable nesting habitat, and type of treatment. For vegetation removal or project activities that would occur during the nesting season, the survey will be conducted at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies. Typically, this timeframe would be up to 3 weeks before treatment. The survey will occur in a single survey period of sufficient duration to reasonably detect nesting birds, including raptors, typically one day for most treatment projects (depending on the size, configuration, and vegetation density in the treatment site), and conducted during the active time of day for target species, typically close to dawn and/or dusk. The survey may be conducted concurrently with other biological surveys, if they are required by other SPRs. Survey methods will be tailored by the qualified RPF or biologist to site and habitat conditions, typically involving walking throughout the survey area, visually searching for nests and birds exhibiting behavior that is typical of breeding (e.g., delivering food). If an active nest is observed (i.e., presence of eggs and/or chicks) or determined to likely be present based on nesting bird behavior, the project proponent will implement a feasible strategy to avoid disturbance of active nests, which may include, but is not limited to, one or more of the following: ▶ Establish Buffer. The project proponent will establish a temporary, species-appropriate buffer around the nest sufficient to reasonably expect that breeding would not be disrupted. Treatment activities will be implemented outside of the buffer. The buffer location will be determined by a qualified RPF or biologist. Factors to be considered for determining buffer location will include: presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Nests of common birds within the buffer need not be monitored during treatment. However, buffers will be maintained until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. ▶ Modify Treatment. The project proponent will modify the treatment in the vicinity of an active nest to avoid disturbance of active nests (e.g., by implementing manual treatment methods, rather than mechanical treatment methods). Treatment modifications will be determined by the project proponent in coordination with the qualified RPF or biologist.		prior to and during treatment if active nests are identified		

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Defer Treatment. The project proponent will defer the timing of treatment in the portion(s) of the treatment site that could disturb the active nest. If this avoidance strategy is implemented, treatment activity will not commence until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. Feasible actions will be taken by the project proponent to avoid loss of common native bird nests. The feasibility of implementing the avoidance strategies will be determined by the project proponent based on whether implementation of this SPR will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. Considerations may include limitations on the presence of environmental and atmospheric conditions necessary to execute treatment prescriptions (e.g., the limited seasonal windows during which prescribed burning can occur when vegetation moisture, weather, wind, and other physical conditions are suitable). If it is infeasible to avoid loss of common bird nests (not including raptor nests), the project proponent will document the reasons implementation of the avoidance strategies is infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). The following avoidance strategies may also be considered together with or in lieu of other actions for implementation by a project proponent to avoid disturbance to raptor nests: ▶ Monitor Active Raptor Nest During Treatment. A qualified RPF, biologist, or biological technician will monitor an active raptor nest during treatment activities to identify signs of agitation, nest defense, or other behaviors that signal disturbance of the active nest is likely (e.g., standing up from a brooding position, flying off the nest). If breeding raptors are showing signs of nest disturbance, one of the other avoidance strategies (establish buffer, modify treatment or defer treatment) will be implemented or a pause in the treatment activity will occur until the disturbance behavior ceases. ▶ Retention of Raptor Nest Trees. Trees with visible raptor nests, whether occupied or not, will be retained. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
Geology, Soils, and Mineral Resource Standard Project Requirements				
SPR GEO-1 Suspend Disturbance during Heavy Precipitation: The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National	Initial Treatment: Yes	During treatment if there is a 30 percent or	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance.	Treatment Maintenance: Yes	more chance of rain within the next 24 hours		
SPR GEO-2 Limit High Ground Pressure Vehicles: The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure. Saturated soil means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. If use of heavy equipment is required in saturated areas, other measures such as operating on organic debris, using low ground pressure vehicles, or operating on frozen soils/snow covered soils will be implemented to minimize soil compaction. Existing compacted road surfaces are exempted as they are already compacted from use. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR GEO-3 Stabilize Disturbed Soil Areas: The project proponent will stabilize soil disturbed during mechanical, prescribed herbivory treatments, and prescribed burns that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical, prescribed herbivory, or prescribed burn treatment activities could result in substantial sediment discharge from soil disturbed by machinery, animal hooves, or being bare, organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface. This SPR only applies to mechanical, prescribed herbivory, and prescribed burns that result in exposure of bare soil over 50 percent of the project area treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During mechanical activities that result in exposure of bare soil over 50% or more of the treatment area	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR GEO-4 Erosion Monitoring: The project proponent will inspect treatment areas for the proper implementation of erosion control SPRs and mitigations prior to the rainy season. If erosion control measures are not properly implemented, they will be remediated prior to the first rainfall event per SPR GEO-3 and GEO-8. Additionally, the project proponent will inspect for evidence of erosion after the first large storm or rainfall event (i.e., ≥ 1.5 inches in 24 hours) as soon as is feasible after the event. Any area of erosion that will result in substantial sediment discharge will be remediated within 48 hours per the methods stated in SPRs GEO-3 and GEO-8. This SPR applies only to mechanical, prescribed herbivory, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During and immediately following treatment	MPRPD	MPRPD
SPR GEO-5 Drain Stormwater via Water Breaks: The project proponent will drain compacted and/or bare linear treatment areas capable of generating storm runoff via water breaks using the spacing and erosion control guidelines contained in Sections 914.6, 934.6, and 954.6(c) of the California Forest Practice Rules (February 2019 version). Where waterbreaks cannot effectively disperse surface runoff, including where waterbreaks cause surface run-off to be concentrated on downslopes, other erosion controls will be installed as needed to maintain site productivity by minimizing soil loss. This SPR applies only to mechanical, manual, and prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During and immediately following treatment	MPRPD	MPRPD
SPR GEO-6 Minimize Burn Pile Size: The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area (Busse et al. 2014). The project proponent will not locate burn piles in a Watercourse and Lake Protection Zone as defined in SPR HYD-4. This SPR applies to mechanical, manual, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During prescribed burning treatment activities	MPRPD	MPRPD
Hazardous Material and Public Health and Safety Standard Project Requirements				
SPR HAZ-1 Maintain All Equipment: The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR HAZ-2 Require Spark Arrestors: The project proponent will require mechanized hand tools to have federal- or state-approved spark arrestors. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes	During manual treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
	Treatment Maintenance: Yes			
SPR HAZ-3 Require Fire Extinguishers: The project proponent will require tree cutting crews to carry one fire extinguisher per chainsaw. Each vehicle would be equipped with one long-handled shovel and one axe or Pulaski consistent with PRC Section 4428. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During manual treatment activities	MPRPD	MPRPD
SPR HAZ-4 Prohibit Smoking in Vegetated Areas: The project proponent will require that smoking is only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR HAZ-5 Spill Prevention and Response Plan: The project proponent or licensed Pest Control Advisor (PCA) will prepare a Spill Prevention and Response Plan (SPRP) prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants. The SPRP will include (but not be limited to): ▶ a map that delineates staging areas, and storage, loading, and mixing areas for herbicides; ▶ a list of items required in an onsite spill kit that will be maintained throughout the life of the activity; ▶ procedures for the proper storage, use, and disposal of any herbicides, adjuvants, or other chemicals used in vegetation treatment. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-6 Comply with Herbicide Application Regulations: The project proponent will coordinate pesticide use with the applicable County Agricultural Commissioner(s), and all required licenses and permits will be obtained prior to herbicide application. The project proponent will prepare all herbicide applications to do the following: ▶ Be implemented consistent with recommendations prepared annually by a licensed PCA. ▶ Comply with all appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the EPA, DPR, and applicable local jurisdictions.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Adhere to label directions for application rates and methods, storage, transportation, mixing, container disposal, and weather limitations to application such as wind speed, humidity, temperature, and precipitation. ▶ Be applied by an applicator appropriately licensed by the State. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.				
SPR HAZ-7 Triple Rinse Herbicide Containers: The project proponent will triple rinse all herbicide and adjuvant containers with clean water at an approved site, and dispose of rinsate by placing it in the batch tank for application per 3 CCR Section 6684. The project proponent will puncture used containers on the top and bottom to render them unusable, unless said containers are part of a manufacturer's container recycling program, in which case the manufacturer's instructions will be followed. Disposal of non-recyclable containers will be at legal dumpsites. Equipment will not be cleaned, and personnel will not be washed in a manner that would allow contaminated water to directly enter any body of water within the treatment area or adjacent watersheds. Disposal of all herbicides will follow label requirements and waste disposal regulations. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-8 Minimize Herbicide Drift to Public Areas: The project proponent will employ the following herbicide application parameters during herbicide application to minimize drift into public areas: ▶ application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ spray nozzles will be configured to produce the largest appropriate droplet size to minimize drift; ▶ low nozzle pressures (30-70 pounds per square inch) will be utilized to minimize drift; and ▶ spray nozzles will be kept within 24 inches of vegetation during spraying. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During herbicide treatment activities	MPRPD	MPRPD
SPR HAZ-9 Notification of Herbicide Use in the Vicinity of Public Areas: For herbicide applications occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet, the project proponent will post signs at each end of herbicide treatment areas and any intersecting trails notifying the public of the use of herbicides. The signs will include the signal word (i.e., Danger, Warning or Caution), product name, and manufacturer; active ingredient; EPA registration number; target pest; treatment location; date and time of application; restricted entry interval, if	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to, during, and for at least 72 hours after herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
applicable per the label requirements; date which notification sign may be removed; and a contact person with a telephone number. Signs will be posted prior to the start of treatment and notification will remain in place for at least 72 hours after treatment ceases. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.				
Hydrology and Water Quality Standard Project Requirements				
SPR HYD-1 Comply with Water Quality Regulations: Project proponents must also conduct proposed vegetation treatments in conformance with appropriate RWQCB timber, vegetation and land disturbance related Waste Discharge Requirements (WDRs) and/or related Conditional Waivers of Waste Discharge Requirements (Waivers), and appropriate Basin Plan Prohibitions. Where these regulatory requirements differ, the most restrictive will apply. If applicable, this includes compliance with the conditions of general waste discharge requirements (WDR) and waste discharge requirement waivers for timber or silviculture activities where these waivers are designed to apply to non-commercial fuel reduction and forest health projects. In general, WDR and Waivers of waste discharge requirements for fuel reduction and forest health activities require that wastes, including but not limited to petroleum products, soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, ash, and pesticides must not be discharged to surface waters or placed where it may be carried into surface waters; and that Water Board staff must be allowed reasonable access to the property in order to determine compliance with the waiver conditions. The specifications for each WDR and Waiver vary by region. Regions 2 (San Francisco Bay), 4 (Los Angeles), 8 (Santa Ana), and 7 (Colorado River) are highly urban or minimally forested and do not offer WDRs or Waivers for fuel reduction or vegetation management activities. The current applicable WDRs and Waivers for timber and vegetation management activities are included in Appendix HYD-1. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD
SPR HYD-2 Avoid Construction of New Roads: The project proponent will not construct or reconstruct (i.e., cutting or filling involving less than 50 cubic yards/0.25 linear road miles) any new roads (including temporary roads). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR HYD-3 Water Quality Protections for Prescribed Herbivory: The project proponent will include the following water quality protections for all prescribed herbivory treatments: ▶ Environmentally sensitive areas such as waterbodies, wetlands, or riparian areas will be identified in the treatment prescription and excluded from prescribed herbivory project areas using temporary fencing or active herding. A buffer of approximately 50 feet will be maintained between sensitive and actively grazed areas.	Initial Treatment: No Treatment Maintenance: Yes	Prior to and during prescribed herbivory treatment	MPRPD	MPRPD

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<table>
<tr><th>Standard Project Requirements</th><th>Applicable? (Y/N)</th><th>Timing</th><th>Implementing Entity</th><th>Verifying/Monitoring Entity</th></tr>
<tr><td>

Water will be provided for grazing animals in the form of an on-site stock pond or a portable water source located outside of environmentally sensitive areas.
Treatment prescriptions will be designed to protect soil stability. Grazing animals will be herded out of an area if accelerated soil erosion is observed.

This SPR applies to prescribed herbivory treatment activities and all treatment types, including treatment maintenance.
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SPR HYD-4 Identify and Protect Watercourse and Lake Protection Zones: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZ's are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.

Procedures for Determining Watercourse and Lake Protection Zone (WLPZ) widths
<table>
<tr><th>Water Class</th><th>Class I</th><th>Class II</th><th>Class III</th><th>Class IV</th></tr>
<tr><td>Water Class Characteristics or Key Indicator Beneficial Use</td><td>1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or
2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.</td><td>1) Fish always or seasonally present offsite within 1000 feet downstream and/or
2) Aquatic habitat for nonfish aquatic species.
3) Excludes Class III waters that are tributary to Class I waters.</td><td>No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of timber operations.</td><td>Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.</td></tr>
<tr><td colspan="5">WLPZ Width (ft) – Distance from top of bank to the edge of WLPZ</td></tr>
<tr><td>< 30 % Slope</td><td>75</td><td>50</td><td rowspan="2">Sufficient to prevent the</td><td></td></tr>
<tr><td>30-50 % Slope</td><td>100</td><td>75</td><td></td></tr>
</table>
</td><td>Initial Treatment: Yes

Treatment Maintenance: Yes</td><td>Establish WLPZs prior to treatment (adjacent Carmel River is a Class I waterway)

Implement WLPZ protections during treatments (adjacent Carmel River is a Class I waterway)</td><td>MPRPD</td><td>MPRPD</td></tr>
</table>

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Standard Project Requirements				Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
>50 % Slope	150	100	degradation of downstream beneficial uses of water. Determined on a site-specific basis.				

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

The following WLPZ protections will be applied for all treatments:

- Treatment activities with WLPZs will retain at least 75 percent surface cover and undisturbed area to act as a filter strip for raindrop energy dissipation and for wildlife habitat. If this percentage is reduced a qualified RPF will provide the project proponent with a site- and/or treatment activity-specific explanation for the percent surface cover reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced percent as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). This requirement is based on 14 CCR Section 916.4 [936.4, 956.4] Subsection (b)(6) (February 2019 version) and 14 CCR Section 916.5 (February 2019 version).
- Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry.
- Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas.
- WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water. Accidental deposits will be removed immediately.
- Burn piles will be located outside of WLPZs.
- No fire ignition (nor use of associated accelerants) will occur within WLPZs however low intensity backing fires may be allowed to enter or spread into WLPZs.
- Within Class I and Class II WLPZs, locations where project operations expose a continuous area of mineral soil 800 square feet or larger shall be treated for reduction of soil loss. Treatment shall occur prior to October 15th and disturbances that are created after October 15th shall be treated within 10 days. Stabilization measures shall be selected that will prevent significant movement of soil into water

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
bodies and may include but are not limited to mulching, rip-rap, grass seeding, or chemical soil stabilizers. ▶ Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts that would adversely affect the quality and beneficial uses of the watercourse. ▶ Where necessary to protect beneficial uses of water from project operations, protection measures such as seeding, mulching, or replanting shall be used to retain and improve the natural ability of the ground cover within the WLPZ to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes. ▶ Equipment limitation zones (ELZs) will be designated adjacent to Class III and Class IV watercourses with minimum widths of 25 feet where side-slope is less than 30 percent and 50 feet where side-slope is 30 percent or greater. An RPF will describe the limitations of heavy equipment within the ELZ and, where appropriate, will include additional measures to protect the beneficial uses of water. This SPR applies to all treatment activities and treatment types, including treatment maintenance.				
SPR HYD-5 Protect Non-Target Vegetation and Special-status Species from Herbicides: The project proponent will implement the following measures when applying herbicides: ▶ Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway. ▶ Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry. ▶ No terrestrial or aquatic herbicides will be applied within WLPZs of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application. The feasibility of avoiding herbicide application within WLPZ of Class I and II watercourses will be determined by the project proponent and may be based on whether doing so will preclude achieving CalVTP program objectives, including, but not limited to, protection of vulnerable communities. The reasons for infeasibility will be documented in the PSA.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during herbicide treatment activities	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools. ▶ For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray. ▶ Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ No herbicide will be applied during precipitation events or if precipitation is forecast 24 hours before or after project activities. This SPR applies to herbicide treatment activities and all treatment types, including treatment maintenance.				
Noise Standard Project Requirements				
SPR NOI-1 Limit Heavy Equipment Use to Daytime Hours: The project proponent will require that operation of heavy equipment associated with treatment activities (heavy off-road equipment, tools, and delivery of equipment and materials) will occur during daytime hours if such noise would be audible to receptors (e.g., residential land uses, schools, hospitals, places of worship). Cities and counties in the treatable landscape typically restrict construction-noise (which would apply to vegetation treatment noise) to particular daytime hours. If the project proponent is subject to local noise ordinance, it will adhere to those to the extent the project is subject to them. If the applicable jurisdiction does not have a noise ordinance or policy restricting the time-of-day when noise-generating activity can occur noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays. If the project proponent is not subject to local ordinances (e.g., CAL FIRE), it will adhere to the restrictions stated above or may elect to adhere to the restrictions identified by the local ordinance encompassing the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-2 Equipment Maintenance: The project proponent will require that all powered treatment equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered treatment equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. This SPR applies to all activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR NOI-3 Engine Shroud Closure: The project proponent will require that engine shrouds be closed during equipment operation. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-4 Locate Staging Areas Away from Noise-Sensitive Land Uses: The project proponent will locate treatment activities, equipment, and equipment staging areas away from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship), to the extent feasible, to minimize noise exposure. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-5 Restrict Equipment Idle Time: The project proponent will require that all motorized equipment be shut down when not in use. Idling of equipment and haul trucks will be limited to 5 minutes. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
SPR NOI-6 Notify Nearby Off-Site Noise-Sensitive Receptors: For treatment activities utilizing heavy equipment, the project proponent will notify noise-sensitive receptors (e.g., residential land uses, schools, hospitals, places of worship) located within 1,500 feet of the treatment activity. Notification will include anticipated dates and hours during which treatment activities are anticipated to occur and contact information, including a daytime telephone number, of the project representative. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) will also be included in the notification. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to mechanical treatment activities within 1,500 feet of noise-sensitive receptors	MPRPD	MPRPD
Recreation Standard Project Requirements				
SPR REC-1 Notify Recreational Users of Temporary Closures. If a treatment activity would require temporary closure of a public recreation area or facility, the project proponent to will coordinate with the owner/manager of that recreation area or facility. If temporary closure of a recreation area or facility is required, the project proponent will work with the owner/manager to post notifications of the closure at least 2 weeks prior to the commencement of the treatment activities. Additionally, notification of the treatment activity will be provided to the Administrative Officer (or equivalent official responsible for distribution of public information) of the county(ies) in which the affected recreation area or facility is located. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	At least 2 weeks prior to treatments that require temporary closures of public recreation areas	MPRPD	MPRPD
Transportation Standard Project Requirements				

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR TRAN-1 Implement Traffic Control during Treatments: Prior to initiating vegetation treatment activities the project proponent will work with the agency(ies) with jurisdiction over affected roadways to determine if a Traffic Management Plan (TMP) is needed. A TMP will be needed if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments. If needed, a TMP will be prepared to provide measures to reduce potential traffic obstructions, hazards, and service level degradation along affected roadway facilities. The scope of the TMP will depend on the type, intensity, and duration of the specific treatment activities under the CalVTP. Measures included in the TMP could include (but are not be limited to) construction signage to provide motorists with notification and information when approaching or traveling along the affected roadway facilities, flaggers for lane closures to provide temporary traffic control along affected roadway facilities, treatment schedule restrictions to avoid seasons or time periods of peak vehicle traffic, haul-trip, delivery, and/or commute time restrictions that would be implemented to avoid peak traffic days and times along affected roadway facilities. If the TMP identifies impacts on transportation facilities outside of the jurisdiction of the project proponent, the TMP will be submitted to the agency with jurisdiction over the affected roadways prior to commencement of vegetation treatment projects. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Smoke generated during prescribed burn operations could potentially affect driver visibility and traffic operations along nearby roadways. Direct smoke impacts to roadway visibility and indirect impacts related to driver distraction will be considered during the planning phase of burning operations. Smoke impacts and smoke management practices specific to traffic operations during prescribed fire operations will be identified and addressed within the TMP. The TMP will include measures to monitor smoke dispersion onto public roadways, and traffic control operations will be initiated in the event burning operations could affect traffic safety along any roadways. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	Initial Treatment: Yes Treatment Maintenance: Yes	Coordinate with agencies with jurisdiction over affected roadways prior to treatment to determine if a TMP is needed. Prepare TMP prior to treatment if needed. Implement TMP during treatments if needed.	MPRPD	MPRPD
Public Services and Utilities Standard Project Requirements				
SPR UTIL-1: Solid Organic Waste Disposition Plan. For projects requiring the disposal of material outside of the treatment area, the project proponent will prepare an Organic Waste Disposition Plan prior to initiating treatment activities. The Solid Organic Waste Disposition Plan will include the amount (e.g., tons) of solid organic waste to be managed onsite (i.e., scattering of wood materials, generating unburned piles, and pile burning) and transported offsite for processing (i.e., biomass power plant, wood product processing	Initial Treatment: Yes Treatment Maintenance: Yes	Develop Organic Waste Disposition Plan prior to treatment	MPRPD	MPRPD

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Standard Project Requirements	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
facility, composting). If the project proponent intends to transport solid organic waste offsite, the Solid Organic Waste Disposition Plan will clearly identify the location and capacity of the intended processing facility, consistent with local and state regulations to demonstrate that adequate capacity exists to accept the treated materials. This SPR applies only to mechanical and manual treatment activities and all treatment types, including treatment maintenance.		Implement Organic Waste Disposition Plan during treatment		

Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
Air Quality				
Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques Where feasible, project proponents will implement emission reduction techniques to reduce exhaust emissions from off-road equipment. It is acknowledged that due to cost, availability, and the limits of current technology, there may be circumstances where implementation of certain emission reduction techniques will not feasible. The project proponent will document the emission reduction techniques that will be applied and will explain the reasons other techniques that could reduce emissions are infeasible. Techniques for reducing emissions may include, but are not limited to, the following: ▶ Diesel-powered off-road equipment used in construction will meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Prior to implementation of treatment activities, the project proponent will demonstrate the ability to supply the compliant equipment. A copy of each unit's certified tier specification or model year specification and operating permit (if applicable) will be available upon request at the time of mobilization of each unit of equipment. ▶ Use renewable diesel fuel in diesel-powered construction equipment. Renewable diesel fuel must meet the following criteria: ▪ meet California's Low Carbon Fuel Standards and be certified by CARB Executive Officer; ▪ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables;	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment if feasible	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ contain no fatty acids or functionalized fatty acid esters; and ▪ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines. ▸ Electric- and gasoline-powered equipment will be substituted for diesel-powered equipment. ▸ Workers will be encouraged to carpool to work sites, and/or use public transportation for their commutes. ▸ Off-road equipment, diesel trucks, and generators will be equipped with Best Available Control Technology for emission reductions of NO_X and PM.				
Archaeological, Historical, and Tribal Cultural Resources				
Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources If any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during ground-disturbing activities, all ground-disturbing activity within 100 feet of the resources will be halted and a qualified archaeologist will assess the significance of the find. The qualified archaeologist will work with the project proponent to develop a primary records report that will comply with applicable state or local agency procedures. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan will be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find constitutes a unique archaeological resource, subsurface historical resource, or tribal cultural resource), the archaeologist will work with the project proponent to develop appropriate procedures to protect the integrity of the resource. Procedures could include preservation in place (which is the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or recovery of scientifically consequential information from and about the resource. Any find will be recorded standard DPR Primary Record forms (Form DPR 523) will be submitted to the appropriate regional information center. Project-Specific Implementation The Project Archeologist shall communicate and coordinate with the Native American monitor(s) in regard to all data collection and the evaluation of all artifacts.	Initial Treatment: Yes Treatment Maintenance: Yes	During treatment	MPRPD	MPRPD
Biological Resources				
Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities)	Initial Treatment: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
If California Fully Protected Species or species listed under ESA or CESA are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> The project proponent will implement one of the following 2 measures to avoid mortality, injury, or disturbance of individuals: 1. Treatment will not be implemented within the occupied habitat. Any treatment activities outside occupied habitat will be a sufficient distance from the occupied habitat such that mortality, injury, or disturbance of the species will not occur, as determined by a qualified RPF or biologist using the most current and commonly-accepted science and considering published agency guidance; OR 2. Treatment will be implemented outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, CDFW and/or USFWS/NOAA Fisheries will be consulted to determine if there is a period of time within which treatment could occur that would avoid mortality, injury, or disturbance of the species. ▶ For species listed under ESA or CESA, if the project proponent cannot avoid mortality, injury or disturbance by implementing one of the two options listed above, the project proponent will implement Mitigation Measure BIO-2c. ▶ Injury or mortality of California Fully Protected Species is prohibited pursuant to Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code and will be avoided. <u>Maintain Habitat Function</u> ▶ The project proponent will design treatment activities to maintain the habitat function, by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and	Treatment Maintenance: Yes			

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
habitat requirements of the affected species and the most current, commonly accepted science. ▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that listed or fully protected wildlife with specific requirements for high canopy cover (e.g., Humboldt marten, fisher, spotted owl, coastal California gnatcatcher, riparian woodrat) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted [e.g., 50 percent for coastal California gnatcatcher]) such that habitat function is maintained. ▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. Because this measure pertains to species listed under CESA or ESA or are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS/NOAA Fisheries regarding the determination that habitat function is maintained. If consultation determines that the treatment will not maintain habitat function for the special-status species, the project proponent will implement Mitigation Measure BIO-2c. Project-Specific Implementation ▶ If any life stage of California red-legged frog (CRLF) is observed during the pre-treatment survey, treatment activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. ▶ A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of California red-legged frog (CRLF). The designated monitor will be the contact for any CRLF encounters and will conduct daily inspections of equipment and materials stored on site, and will actively look for CRLF during treatment activities. The qualified biologist shall remain available to come to the site if a CRLF is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
being followed. If any CRLF are found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all project activities within riparian areas should cease one half hour before sunset and should not begin prior to one half hour after sunrise.				
Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities) If other special-status wildlife species (i.e., species not listed under CESA or ESA or California Fully Protected, but meeting the definition of special status as stated in Section 3.6.1 of the Program EIR) are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid or minimize adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> ▶ The project proponent will implement the following to avoid mortality, injury, or disturbance of individuals: For all treatment activities except prescribed burning, the project proponent will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed. Factors to be considered in determining buffer size will include, but not be limited to, the species' tolerance to disturbance; the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; baseline levels of noise and human activity; and treatment activity. Buffer size may be adjusted if the qualified RPF or biologist determines that such an adjustment would not be likely to adversely affect (i.e., cause mortality, injury, or disturbance to) the species within the nest, den, burrow, or other occupied site. If a no-disturbance buffer is reduced below 100 feet from an occupied site, a qualified RPF or biologist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
the post-project implementation report (referred to by CAL FIRE as a Completion Report). ▶ No-disturbance buffers will be marked with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). No activity will occur within the buffer areas until the qualified RPF or biologist has determined that the young have fledged or dispersed; the nest, den, or other occurrence is no longer active; or reducing the buffer would not likely result in disturbance, mortality, or injury. A qualified RPF, biologist, or biological technician will be required to monitor the effectiveness of the no-disturbance buffer around the nest, den, burrow, or other occurrence during treatment. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species. ▶ For prescribed burning, the project proponent will implement the treatment outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, the qualified RPF or biologist will determine the period of time within which prescribed burning could occur that will avoid or minimize mortality, injury, or disturbance of the species. The project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate limited operating periods. <u>Maintain Habitat Function</u> ▶ For all treatment activities, the project proponent will design treatment activities to maintain the habitat function by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; tree snags; large raptor nests [including inactive nests]; downed woody debris). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science.				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that special-status wildlife with specific requirements for high canopy cover (e.g., northern goshawk, Sierra Nevada snowshoe hare) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted) such that the habitat function is maintained. ▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding habitat function. A qualified RPF or biologist with knowledge of the special-status wildlife species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status wildlife species' habitat or because the loss of special-status wildlife would substantially reduce the number or restrict the range of a special-status wildlife species. If the project proponent determines the impact on special-status wildlife would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status wildlife or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the non-listed special-status wildlife would benefit from treatment in the occupied habitat area even though some of the non-listed special-status wildlife may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to non-listed special-status wildlife, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status wildlife, no compensatory mitigation will be required. The qualified RPF or biologist may				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
consult with CDFW and/or USFWS for technical information regarding the determination that a non-listed special-status species would benefit from the treatment. Project-Specific Implementation ▶ If any Coast Range newt or western pond turtle individuals are encountered during pre-treatment surveys or during treatment activities, they shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet from the project site. ▶ Any Monterey dusky-footed woodrat nests identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all Monterey dusky-footed woodrat nests shall be provided to the vegetation removal contractor. Any Monterey dusky-footed woodrat nests that cannot be avoided shall be dismantled according to the following procedures: ▪ Each active nest shall be dismantled by the qualified biologist to the degree that the woodrats leave the nest and seek refuge elsewhere. ▪ Nests shall be dismantled during the non-breeding season (between October 1 and December 31), if possible. ▪ If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks; after this time, the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling. ▶ Any potential American badger dens identified within the project site during pre-treatment surveys shall be mapped and flagged for avoidance. Graphics depicting all American badger dens shall be provided to the vegetation removal contractor. If avoidance of American badger dens is not feasible, the following measures shall be implemented: ▪ If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction. ▪ If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage the use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three- to five-day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during treatment activities.				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
A qualified biologist will monitor initial project activities for a sufficient time to train an individual of the work crew to act as an on-site monitor. The qualified biologist shall ensure that this designated monitor receives sufficient training in the identification of all special-status wildlife species potentially occurring within the treatment areas. The designated monitor will be the contact for any special-status wildlife species encounters and will conduct daily inspections of equipment and materials stored on site. The qualified biologist shall remain available to come to the site if a special-status wildlife species is identified until all treatment activities are completed. The qualified biologist will also conduct regular scheduled and unscheduled visits to ensure the designated monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist and the designated monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The designated monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed.				
Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities) If the provisions of Mitigation Measure BIO-2a, BIO-2b, BIO-2d, BIO-2e, BIO-2f, or BIO-2g cannot be implemented and the project proponent determines that additional mitigation is necessary to reduce significant impacts, the project proponent will compensate for such impacts to species or habitat by acquiring and/or protecting land that provides (or will provide in the case of restoration) habitat function for affected species that is at least equivalent to the habitat function removed or degraded as a result of the treatment. Compensation may include: 1. Preserving existing habitat outside of the treatment area in perpetuity; this may entail purchasing mitigation credits and/or lands from a CDFW- or USFWS-approved entity in sufficient quantity to offset the residual significant impacts, generally at a ratio of 1:1 for habitat; and 2. Restoring or enhancing existing habitat within the treatment area or outside of the treatment area (including decommissioning roads, adding perching structures, removing existing perching structures, or removing existing movement barriers or other existing features that are adversely affecting the species). The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and/or following treatment if necessary	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanisms for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. Review requirements are as follows: ▶ The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. ▶ For species listed under ESA or CESA or a California Fully Protected Species, the project proponent will submit the mitigation plan to CDFW and/or USFWS/NOAA Fisheries for review and comment. ▶ For other special-status wildlife species the project proponent may consult with CDFW and/or USFWS regarding the availability and applicability of compensatory mitigation and other related technical information. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified above.				
Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities) If special-status bumble bees are identified as occurring during review and surveys under SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, or if suitable habitat for special-status bumble bees is identified during review and surveys under SPR BIO-1 (e.g., wet meadow, forest meadow, riparian, grassland, or coastal scrub habitat containing sufficient floral resources within the range of the species), then the project proponent will implement the following measures, as feasible: ▶ Prescribed burning within occupied or suitable habitat for special-status bumble bees will occur from October through February to avoid the bumble bee flight season.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year; the objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in occupied or suitable habitat, such that the entirety of the habitat is not burned or removed and untreated portions of occupied or suitable habitat are retained (e.g., fire breaks will be aligned to allow for areas of unburned floral resources for special-status bumble bees within the treatment area). ▶ Herbicides will not be applied to flowering native plants within occupied or suitable habitat to the extent feasible during the flight season (March through September). CESA and ESA Listed Species. A qualified RPF or biologist will determine if, after implementation of feasible avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance to the species, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed bumble bees (in the event the Candidate listing is confirmed) or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c. Other Special-status Species. A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status bumble bees would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status bumble bees or degradation of occupied (or assumed to be occupied) habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status bumble bee species would benefit from treatment in the occupied (or assumed to be occupied) habitat area even though some of the non-listed special-status bumble bees may be killed, injured, or disturbed during				

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
treatment activities. For a treatment to be considered beneficial to special-status bumble bee species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status bumble bees, no compensatory mitigation will be required. Project-Specific Implementation ▶ Project activities within the grassland habitat shall be limited to the minimum area necessary to complete the prescribed burning (i.e., pile burning) activities. Stockpile areas and an access route to the stockpile shall be clearly designated with fencing or flagging prior to treatment activities. Vegetation clearance and access routes shall be clearly designated with fencing or flagging prior to vegetation removal for pile burning activities. ▶ If protected bumble bee nests cannot be avoided, Mitigation Measure BIO-2c would be implemented.				
Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands Impacts to wetlands will be avoided using the following measures: ▶ The qualified RPF or biologist will delineate the boundaries of federally protected wetlands according to methods established in the USACE wetlands delineation manual (Environmental Laboratory 1987) and the appropriate regional supplement for the ecoregion in which the treatment is being implemented. ▶ The qualified RPF or biologist will delineate the boundaries of wetlands that may not meet the definition of waters of the United States, but would qualify as waters of the state, according to the state wetland procedures (California Water Boards 2019 or current procedures). ▶ A qualified RPF or biologist will establish a buffer around wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of wetland present (e.g., seasonal wetland, wet meadow, freshwater marsh, vernal pool), the timing of treatment (e.g., wet or dry time of year), whether any special-status species may occupy the wetland and the species' vulnerability to the treatment activities, environmental conditions and terrain, and the treatment activity being implemented.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during treatment	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A qualified RPF or biological technician will periodically inspect the materials demarcating the buffer to confirm that they are intact and visible, and wetland impacts are being avoided. ▶ Within this buffer, herbicide application is prohibited. ▶ Within this buffer, soil disturbance is prohibited. Accordingly, the following activities are not allowed within the buffer zone: mechanical treatments, prescribed herbivory, equipment and vehicle access or staging. ▶ Only prescribed (broadcast) burning may be implemented in wetland habitats if it is determined by a qualified RPF or biologist that: ▪ No special-status species are present in the wetland habitat ▪ The wetland habitat function would be maintained. ▪ The prescribed burn is within the normal fire return interval for the wetland vegetation types present ▪ Fire containment lines and pile burning are prohibited within the buffer ▪ No fire ignition (nor use of associated accelerants) will occur within the wetland buffer				
Greenhouse Gas Emissions				
Mitigation Measure GHG-2. Implement GHG Emission Reduction Techniques During Prescribed Burns When planning for and conducting a prescribed burn, project proponents implementing a prescribed burn will incorporate feasible methods for reducing GHG emissions, including the following, which are identified in the National Wildfire Coordinating Group Smoke Management Guide for Prescribed Fire (NWCG 2018): ▶ reduce the total area burned by isolating and leaving large fuels (e.g., large logs, snags) unburned; ▶ reduce the total area burned through mosaic burning; ▶ burn when fuels have a higher fuel moisture content; ▶ reduce fuel loading by removing fuels before ignition. Methods to remove fuels include mechanical treatments, manual treatments, prescribed herbivory, and biomass utilization; and ▶ schedule burns before new fuels appear. As the science evolves, other feasible methods or technologies to sequester carbon could be incorporated, such as conservation burning, a technique for burning woody material that reduces the production of smoke particulates and carbon released into the atmosphere and generates more biochar. Biochar is produced from the material left over after the burn and spread with compost to increase soil organic matter and soil carbon sequestration. Technologies to reduce greenhouse gas emissions may also	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to and during prescribed burn treatment activities	MPRPD	MPRPD

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Mitigation Measures	Applicable? (Y/N)	Timing	Implementing Entity	Verifying/Monitoring Entity
include portable units that perform gasification to produce electricity or pyrolysis that produces biooil that can be used as liquid fuel and/or syngas that can be used to generate electricity. The project proponent will document in the Burn Plan required pursuant to SPR AQ-3 which methods for reducing GHG emissions can feasibly be integrated into the treatment design.				
Hazardous Materials, Public Health and Safety				
Mitigation Measure HAZ-3: Identify and Avoid Known Hazardous Waste Sites Prior to the start of vegetation treatment activities requiring soil disturbance (i.e., mechanical treatments) or prescribed burning, CAL FIRE and other project proponents will make reasonable efforts to check with the landowner or other entity with jurisdiction (e.g., California Department of Parks and Recreation) to determine if there are any sites known to have previously used, stored, or disposed of hazardous materials. If it is determined that hazardous materials sites could be located within the boundary of a treatment site, the project proponent will conduct a DTSC EnviroStor web search (https://www.envirostor.dtsc.ca.gov/public/) and consult DTSC's Cortese List to identify any known contamination sites within the project site. If a proposed mechanical treatment or prescribed burn is located on a site included on the DTSC Cortese List as containing potential soil contamination that has not been cleaned up and deemed closed by DTSC, the area will be marked and no prescribed burning or soil disturbing treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with landowners or after review of the Cortese List that no potential or known contamination is located on a project site, the project may proceed as planned.	Initial Treatment: Yes Treatment Maintenance: Yes	Prior to treatment Database searches are complete; see results in the PSA	MPRPD	MPRPD

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STATE OF CALIFORNIA
State Coastal Conservancy

GRANT AGREEMENT

Grant - Rev 11/20

EXHIBIT C

AGREEMENT NUMBER	AM. NO.
22-085	

TAXPAYERS FEDERAL EMPLOYER IDENTIFICATION NO.
94-2211142

THIS AGREEMENT is entered into this 11th day of January, 2023, 2022 in the State of California, by and between:

AGENCY
State Coastal Conservancy and

GRANTEE'S NAME
Monterey Peninsula Regional Park District .

I. SCOPE OF AGREEMENT

Pursuant to Section 31113 of Division 21 of the California Public Resources Code, the State Coastal Conservancy ("the Conservancy") hereby grants to Monterey Peninsula Regional Park District ("the grantee") a sum not to exceed $591,700 (five hundred ninety-one thousand seven hundred dollars) ("funds"), subject to this agreement.

(Continued on the following pages)

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The provisions on the following pages constitute a part of this agreement.
This agreement has been executed by the parties as shown below.

STATE OF CALIFORNIA	GRANTEE
AGENCY State Coastal Conservancy	GRANTEE (*If other than an individual, state whether a corporation, partnership, etc.)* Monterey Peninsula Regional Park District
BY *(Authorized Signature)* Amy Hutzel	BY *(Authorized Signature)* rafael payan
PRINTED NAME AND TITLE OF PERSON SIGNING Amy Hutzel, Executive Officer	PRINTED NAME AND TITLE OF PERSON SIGNING Rafael Payan, General Manager
ADDRESS & PHONE NUMBER 1515 Clay Street, 10th Floor Oakland, CA 94612 Phone: (510) 286-1015	ADDRESS & PHONE NUMBER 4860 Carmel Valley Road Carmel-By-The-Sea, CA 93923 Phone: (831) 372-3196

AMOUNT ENCUMBERED BY THIS DOCUMENT	PROGRAM/CATEGORY	FUND TITLE/PROP NO.			
$591,700.00	Local Assistance	General Fund			
PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	FUND ITEM	CHAPTER	STATUTE	FISCALYEAR	
$-0-	3760-102-0001(B)	21	2021	21/22	
TOTAL AMOUNT ENCUMBERED TO DATE	PROJECT NAME				
$591,700.00	Garland Ranch Regional Park Fuel Mitigation and Fire Management Project				

I certify that this agreement is exempt from Department of General Services' approval.

Erlinda Corpuz

Erlinda Corpuz
Procurement and Contracts Manager

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

NAME AND SIGNATURE OF ACCOUNTING OFFICER	DATE
Marita Munal	1/11/2023

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The grantee shall use the funds to complete the following project ("the project") at Garland Regional Park, Carmel Valley, unincorporated Monterey County, as shown on Exhibit A, which is incorporated by reference and attached.

The project consists of reducing fire risk through a combination of fuel reduction, data collection, and community outreach. The project includes the following: 1) thinning of a minimum of 11 acres of eucalyptus in Garland Ranch Regional Park; 2) creation of an a minimum of 6.2 acre shaded fuel break as a defensible space in Garland Ranch Regional Park less than one mile from Carmel Valley Road and Carmel Valley Village; 3) implementation of ongoing spot-treatment and grazing to maintain treated areas in the park; 4) hiring of a technical specialist for 18 months], such as a GIS consultant, to collect data and execute GIS mapping recommendations for alternate evacuation routes, safe fire retardant drop zones, additional fuel reduction sites, and/or potential habitat restoration sites; and 5) facilitation of community outreach through in-person meetings, online updates, and educational signage.

The grantee shall carry out the project in accordance with this agreement. The grantee shall provide any funds beyond those granted under this agreement that are needed to complete the project.

II. CONDITIONS PRECEDENT TO COMMENCEMENT OF PROJECT AND DISBURSEMENT

The grantee shall not begin the project and the Conservancy will not be obligated to disburse any funds unless and until the following conditions precedent have been met:

1. The decision-making body of the grantee has adopted a resolution designating positions whose incumbents are authorized to negotiate and execute this agreement and amendments to it on behalf of the grantee.

2. The Executive Officer of the Conservancy ("the Executive Officer") has approved in writing a work program for the project, as provided in section "V. WORK PROGRAM."

3. The grantee has provided written evidence to the Conservancy that:

    a. All permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations have been obtained.

    b. The grantee has provided for required insurance coverage, including additional insured endorsement, as described in section "XII. INSURANCE."

    c. If the grantee does not own the project site(s), the grantee has written permission to carry out the project from each landowner of the project site(s). Notwithstanding the

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foregoing, if the grantee has obtained written landowner permission for the property on which the project will begin, the Executive Officer may authorize the grantee to begin the project without permission from all landowners; however, the grantee shall submit written landowner permission for each additional property on which the project will take place before beginning work on each property.

III. TERM OF AGREEMENT

This agreement will take effect when signed by both parties and received in the offices of the Conservancy together with the resolution described in section "II. CONDITIONS PRECEDENT TO CONSTRUCTION AND DISBURSEMENT." This agreement may be signed electronically using a process specified by the Conservancy.

This agreement terminates on September 30, 2024 ("the termination date") unless terminated early as provided in this agreement. However, the grantee shall complete all work by June 30, 2024 ("the completion date").

IV. AUTHORIZATION

The signature of the Executive Officer of the Conservancy on this agreement certifies that at its September 22, 2022 meeting, the Conservancy adopted the resolution included in the staff recommendation attached as Exhibit B. This agreement is executed under that authorization.

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Standard Provisions

V. WORK PROGRAM

Before beginning work on the project, the grantee shall submit a detailed work program to the Executive Officer for review and written approval of its consistency with the purposes of this grant agreement. The work program must include:

1. The specific tasks to be performed and work products to be completed.

2. Plans showing the scope, scale and methods to be used for the project.

3. A schedule of completion for the project specifically listing the completion date for each project component and a final project completion date.

4. A detailed project budget. The project budget must describe all labor and materials costs of completing each component of the project, including the grantee's labor and materials costs and costs to be incurred under a contract with any third party retained by the grantee for work under this agreement. For each project component, the project budget must list all intended funding sources, including the Conservancy's grant, and all other sources of monies, materials, or labor. The grantee shall review the plans with Conservancy staff.

5. A plan for acknowledging Conservancy funding for the project. If the grantee will have project signs, the plan shall provide for the Conservancy's logo to be included on such signs.

The work program will have the same effect as if included in the text of this agreement. However, the work program may be modified without amendment of this agreement upon the grantee's submission of a modified work program and the Executive Officer's written approval of it. If this agreement and the work program are inconsistent, the agreement will control.

The grantee shall complete the project in accordance with the approved work program.

VI. COSTS AND DISBURSEMENTS

When the Conservancy determines that all conditions in section "II. CONDITIONS PRECEDENT TO CONSTRUCTION AND DISBURSEMENT" have been fully met, the Conservancy shall disburse to the grantee a total amount not to exceed the amount of this grant, in accordance with the approved project budget and this section.

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The withholding for this agreement is five percent. The Conservancy shall disburse funds for costs incurred to date, less five percent, upon the grantee's satisfactory progress under the approved work program, and upon the grantee's submission of a "Request for Disbursement" form, which shall be submitted no more frequently than monthly but no less frequently than quarterly. The Conservancy shall disburse the five percent withheld upon the grantee's satisfactory completion of construction and compliance with section "VIII. PROJECT COMPLETION", and upon the Conservancy's acceptance of the project.

Hourly rates billed to the Conservancy must be equal to the actual compensation paid by grantee to employees, which may include employee benefits. The grantee shall require its employees to keep records of their time spent on the project for purposes of documenting the employee time billed to the Conservancy. The Conservancy will reimburse the grantee for expenses necessary to the project when documented by appropriate receipts. The Conservancy will reimburse travel and related expenses at actual costs not to exceed the state employee rates as identified on the California Department of Human Resources (CalHR) website under travel reimbursements for state employees. Except for rates for operating a private vehicle, the Conservancy may reimburse in excess of the state employee rates upon documentation that these rates are not reasonably available to the grantee. The Conservancy will reimburse the grantee for other necessary expenses if those expenses are reasonable in nature and amount taking into account the nature of the project, its location, and other relevant factors.

The grantee shall request disbursements by filing with the Conservancy a fully executed "Request for Disbursement" form (available from the Conservancy). The grantee shall include in the form its name and address, the number of this agreement, the date of the submission, the amount of the invoice, the period during which the work was actually done, and an itemized description, including time, materials, and expenses incurred of all work done for which disbursement is requested. The form shall also indicate cumulative expenditures to date, expenditures during the reporting period, and the unexpended balance of funds under the grant agreement.

An authorized representative of the grantee shall sign the forms. Each form shall be accompanied by:

1. All receipts and any other source documents for direct expenditures and costs that the grantee has incurred.

2. Invoices from contractors that the grantee engaged to complete any portion of the work funded under this agreement and any receipts and any other source documents for costs incurred and expenditures by any such contractor, unless the Executive Officer makes a specific exemption in writing.

3. A progress report summarizing the current status of the project and the work for which the grantee is requesting disbursement.

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The grantee's failure to fully execute and submit a Request for Disbursement form, including attachment of supporting documents, will relieve the Conservancy of its obligation to disburse funds to the grantee until the grantee corrects all deficiencies.

VII. EXPENDITURE OF FUNDS AND ALLOCATION OF FUNDING AMONG BUDGET ITEMS

No increase in the total amount of this grant will be valid unless set forth in a written amendment to this agreement. The grantee shall expend funds consistent with the approved project budget. Expenditure on items contained in the approved project budget, other than overhead and indirect costs, may vary by as much as ten percent without prior approval by the Executive Officer, provided that the grantee first submits a revised budget to the Conservancy and requests disbursement based on the revised budget. Any deviation greater than ten percent, and any deviation that shifts funds from approved budget items into an overhead or indirect costs category, must be identified in a revised budget approved in advance and in writing by the Executive Officer. The Conservancy may withhold payment for items that exceed the amount allocated in the project budget by more than ten percent and that have not received the approval required above. Any increase in the funding for any particular budget item will mean a decrease in the funding for one or more other budget items unless there is a written amendment to this agreement.

VIII. PROJECT COMPLETION

Upon completion of the project, the grantee shall supply the Conservancy with evidence of completion by submitting a final report by the final Request for Disbursement date set forth in section "III. TERM OF AGREEMENT" that includes:

1. All work products specified in the work program and a report certifying completion of the project according to the approved work program, including photographs documenting project completion.

2. A fully executed final "Request for Disbursement." A "final Request for Disbursement" means a Request for Disbursement that includes the withheld amounts and all remaining amounts for which grantee is entitled to seek payment, if any, pursuant to this agreement.

3. If applicable, a final list of grant-funded equipment and the useful life of each item.

4. If applicable, a final report describing the project work completed with the grant-funded equipment.

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The Conservancy shall determine whether the grantee has satisfactorily completed the project. If so, the Conservancy shall issue to the grantee a letter of acceptance of the project and release the withhold amount pursuant to section VI. COSTS AND DISBURSEMENTS. The project will be deemed complete as of the date of the letter.

IX. EARLY TERMINATION, SUSPENSION AND FAILURE TO PERFORM

Before the project has commenced, either party may terminate this agreement for any reason by providing the other party with seven days notice in writing.

Before the project is complete, the Conservancy may terminate or suspend this agreement for any reason by providing the grantee with seven days notice in writing. In either case, the grantee shall immediately stop work under the agreement and take all reasonable measures to prevent further costs to the Conservancy. The Conservancy will be responsible for any reasonable and non-cancelable obligations incurred by the grantee in the performance of this agreement prior to the date of the notice to terminate or suspend, but only up to the undisbursed balance of funding authorized in this agreement. Any notice suspending work under this agreement will remain in effect until further written notice from the Conservancy authorizes work to resume.

If the grantee fails to complete the project as required, or fails to fulfill any other obligations of this agreement prior to the termination date, the grantee will be liable for immediate repayment to the Conservancy of all amounts disbursed by the Conservancy under this agreement. The Conservancy may, at its sole discretion, consider extenuating circumstances and not require repayment for work partially completed. This paragraph does not limit any other remedies the Conservancy may have for breach of this agreement.

Before the project is complete, the grantee may terminate this agreement for any reason by providing the Conservancy with seven days notice in writing and repaying to the Conservancy all amounts disbursed by the Conservancy under this agreement. The Conservancy may, at its sole discretion, consider extenuating circumstances and allow early termination without repayment for work partially completed.

The parties expressly agree to waive, release and relinquish the recovery of any consequential damages that may arise out of the termination or suspension of this agreement under this section.

The grantee shall include in any agreement with any contractor retained for work under this agreement a provision that entitles the grantee to suspend or terminate the agreement with the contractor for any reason on written notice and on the same terms and conditions specified in this section.

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X. INSPECTION

Throughout the term of this agreement, the Conservancy has the right to inspect the project area to ascertain compliance with this agreement.

XI. INDEMNIFICATION AND HOLD HARMLESS

The grantee shall be responsible for, indemnify and hold harmless the Conservancy, its officers, agents, and employees from any and all liabilities, claims, demands, damages, or costs, including, without limitation, litigation costs and attorneys fees, resulting from or arising out of the willful or negligent acts or omissions of the grantee, its officers, agents, contractors, subcontractors, and employees, or in any way connected with or incident to this agreement, except for the active negligence of the Conservancy, its officers, agents, or employees. The duty of the grantee to indemnify and hold harmless includes the duty to defend as provided in Civil Code section 2778. If the grantee is a public entity, this agreement supersedes any right the grantee may have as a public entity to indemnity and contribution as provided in Gov. Code Sections 895 et seq.

The grantee waives any and all rights to any type of express or implied indemnity or right of contribution from the State, its officers, agents, or employees, for any liability resulting from, growing out of, or in any way connected with or incident to this agreement.

Nothing in this agreement is intended to create in the public or in any member of it rights as a third-party beneficiary under this agreement.

The obligations in this section "XI. INDEMNIFICATION AND HOLD HARMLESS" will survive termination of this agreement.

XII. INSURANCE

The grantee shall procure and maintain insurance, as specified in this section, against claims for injuries to persons and damage to property that may arise from or in connection with any activities of the grantee or its agents, representatives, employees, contractors, or volunteers associated with the project undertaken pursuant to this agreement.

As an alternative, with the written approval of the Executive Officer, the grantee may satisfy the coverage requirement in whole or in part through: (a) its contractors' procurement and maintenance of insurance for work under this agreement, if the coverage otherwise fully satisfies the requirements of this section; or (b) the grantee's participation in a "risk management" plan, self-insurance program or insurance pooling arrangement, or any combination of these, if consistent with the coverage required by this section.

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The grantee shall maintain required insurance from the effective date through the completion date.

1. Minimum Scope of Insurance. Coverage shall be at least as broad as:

   a. Insurance Services Office ("ISO") Commercial General Liability coverage, occurrence basis (Form CG 00 01) or comparable.

   b. Automobile Liability coverage: ISO Form Number CA 0001, Code 1 (any auto).

   c. Workers' Compensation insurance as required by the Labor Code of the State of California, and Employer's Liability insurance.

2. Minimum Limits of Insurance. The grantee shall maintain coverage limits no less than:

a. General Liability: *(Including operations, products and completed operations, as applicable)*	$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit must apply separately to the activities under this agreement, or the general aggregate limit must be twice the required occurrence limit.
b. Automobile Liability:	$1,000,000 per accident for bodily injury and property damage.
c. Worker's Compensation and Employer's Liability:	Worker's compensation as required by law and Employer's Liability of no less than $1,000,000 per accident for bodily injury or disease.

3. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the Executive Officer.

4. Required Provisions Concerning the Conservancy and the State of California.

   a. The grantee shall notify the Conservancy within two days of receipt of notice that any required insurance policy will lapse or be cancelled. At least ten days before an insurance policy held by the grantee lapses or is cancelled, the grantee shall provide the Conservancy with evidence of renewal or replacement of the policy.

   b. The grantee hereby grants to the State of California, its officers, agents, employees, and volunteers, a waiver of any right to subrogation which any insurer of the grantee

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may acquire against the State of California, its officers, agents, employees, and volunteers, by virtue of the payment of any loss under such insurance. Grantee agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the grantee has received a waiver of subrogation endorsement from the insurer.

c. The general liability and automobile liability policies must contain, or be endorsed to contain, the following provisions:

i. The State of California, its officers, agents, employees, and volunteers are to be covered as additional insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the grantee; and with respect to liability arising out of work or operations, including completed operations, performed by or on behalf of the grantee including materials, parts or equipment furnished in connection with the work or operations.

ii. For any claims related to this agreement, the grantee's insurance coverage shall be primary insurance as respects the State of California, its officers, agents and employees, and not excess to any insurance or self-insurance of the State of California.

iii. The limits of the additional insured coverage must equal the limits of the named insured coverage regardless of whether the limits of the named insurance coverage exceed those limits required by this agreement.

5. Acceptability of Insurers. Insurance shall be placed with insurers admitted to transact business in the State of California and having a current Best's rating of "B+:VII" or better or, in the alternative, acceptable to the Conservancy and approved in writing by the Executive Officer.

6. Verification of Coverage. The grantee shall furnish the Conservancy with original certificates and amendatory endorsements, or copies of the applicable policy language, effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Executive Officer before work commences. The Conservancy may require, at any time, complete, certified copies of all required insurance policies, including endorsements affecting the coverage.

7. Contractors. The grantee shall include all contractors as insureds under its policies or shall require each contractor to provide and maintain coverage consistent with the requirements of this section. To the extent generally available, grantee shall also require each professional contractor to provide and maintain Errors and Omissions Liability

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insurance appropriate to the contractor's profession and in a reasonable amount in light of the nature of the project.

8. Premiums and Assessments. The Conservancy is not responsible for premiums and assessments on any insurance policy.

XIII. AUDITS/ACCOUNTING/RECORDS

The grantee shall maintain financial accounts, documents, and records (collectively, "required records") relating to this agreement, in accordance with the guidelines of "Generally Accepted Accounting Principles" ("GAAP") published by the American Institute of Certified Public Accountants. The required records include, without limitation, evidence sufficient to reflect properly the amount, receipt, deposit, and disbursement of all funds related to implementation of the project, time and effort reports, and supporting documents that permit tracing from the request for disbursement forms to the accounting records and to the supporting documentation.

The Conservancy or its agents may review, obtain, and copy all required records. The grantee shall provide the Conservancy, California State Auditor, their officers, employees, and agents with any relevant information requested and with access to the grantee's premises upon reasonable notice, during normal business hours, to interview employees and inspect and copy books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this agreement and any applicable laws and regulations.

The grantee shall retain the required records for a minimum of three years following the later of final disbursement by the Conservancy, and the final year to which the particular records pertain. The records shall be subject to examination and audit by the Conservancy and the California State Auditor during the retention periods.

If the grantee retains any contractors to accomplish any of the work of this agreement, the grantee shall first enter into an agreement with each contractor requiring the contractor to meet the terms of this section and to make the terms applicable to all subcontractors.

The Conservancy may disallow all or part of the cost of any activity or action that it determines to be not in compliance with the requirements of this agreement.

The obligations in this section "XIII. AUDITS/ACCOUNTING/RECORDS" will survive termination of this agreement.

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XIV. COMPUTER SOFTWARE

The grantee certifies that it has instituted and will employ systems and controls appropriate to ensure that, in the performance of this agreement, state funds will not be used for the acquisition, operation or maintenance of computer software in violation of copyright laws.

XV. NONDISCRIMINATION

During the performance of this agreement, the grantee and its contractors shall not deny the agreement's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. The grantee shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. The grantee and contractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2, §11000 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§11135-11139.5), and the regulations or standards adopted by the Conservancy to implement such article. The grantee shall permit access by representatives of the Department of Fair Employment and Housing and the Conservancy upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or the Conservancy shall require to ascertain compliance with this clause. The grantee and its contractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, §11105.)

The grantee shall include the nondiscrimination and compliance provisions of this clause in all contracts to perform work under this agreement.

XVI. AMERICANS WITH DISABILITIES ACT

By signing this agreement, grantee certifies that it is in compliance with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C., 12101 et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

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XVII. PREVAILING WAGE

Work done under this grant agreement may be subject to the prevailing wage and other related requirements of the California Labor Code, Division 2, Part 7, Chapter 1, sections 1720-1861. If required by law to do so, the grantee shall pay prevailing wage to all persons employed in the performance of any part of the project and otherwise comply with all associated requirements and obligations.

The grantee is responsible for determining whether the project is subject to prevailing wage laws, and for complying with all labor laws applicable to the project.

XVIII. DRUG-FREE WORKPLACE

The grantee's signature on this agreement constitutes the certification required by Government Code Section 8355 (Drug-Free Workplace Act of 1990), which requires that all state grantees provide a drug-free workplace by doing all of the following:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace and specifying actions that will be taken against employees for violations of the prohibition.

2. Establishing a drug-free awareness program to inform employees about all of the following:

    a. The dangers of drug abuse in the workplace.
    b. The person's or organization's policy of maintaining a drug-free workplace.
    c. Any available drug counseling, rehabilitation, and employee assistance programs.
    d. The penalties that may be imposed upon employees for drug abuse violations.

3. Requiring that each employee engaged in the performance of the grant be given a copy of the drug-free workplace statement and that, as a condition of employment on the grant, the employee agrees to abide by the terms of the statement.

XIX. EXECUTIVE ORDER N-6-22 – RUSSIA SANCTIONS

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 ("the EO") regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the

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Conservancy determine the grantee is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. The Conservancy shall provide the grantee advance written notice of such termination, allowing the grantee at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the Conservancy.

XX. INDEPENDENT CAPACITY

The grantee, and the agents and employees of grantee, in the performance of this agreement, are acting in an independent capacity and not as officers or employees or agents of the State of California.

XXI. ASSIGNMENT

Without the written consent of the Executive Officer, the grantee may not assign this agreement in whole or in part.

XXII. TIMELINESS

Time is of the essence in this agreement.

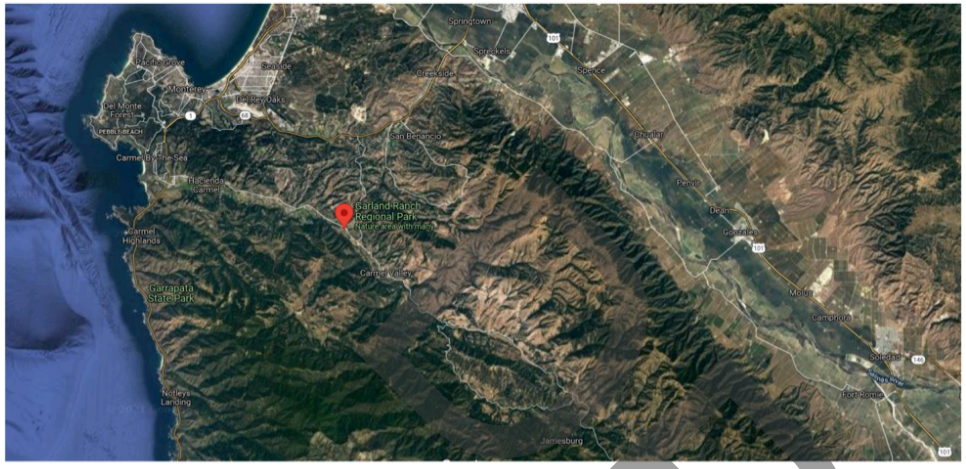
XXIII. EXECUTIVE OFFICER'S DESIGNEE

The Executive Officer shall designate a Conservancy project manager who will have authority to act on behalf of the Executive Officer with respect to this agreement. The Executive Officer shall notify the grantee of the designation in writing.

XXIV. AMENDMENT

Except as expressly provided in this agreement, no changes in this agreement will be valid unless made in writing and signed by the parties to the agreement. No oral understanding or agreement not incorporated in this agreement will be binding on any of the parties.

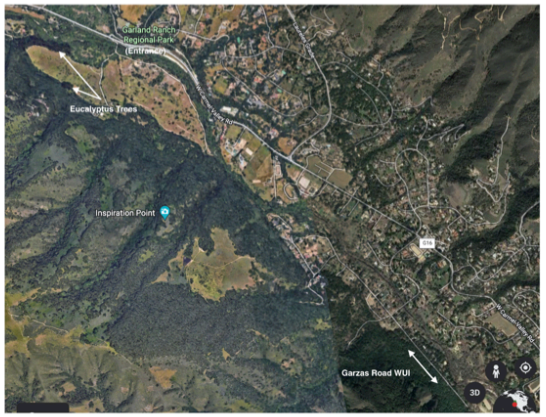
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Location Map: Garland Ranch Regional Park
700 W Carmel Valley Rd, Carmel Valley, CA 93924

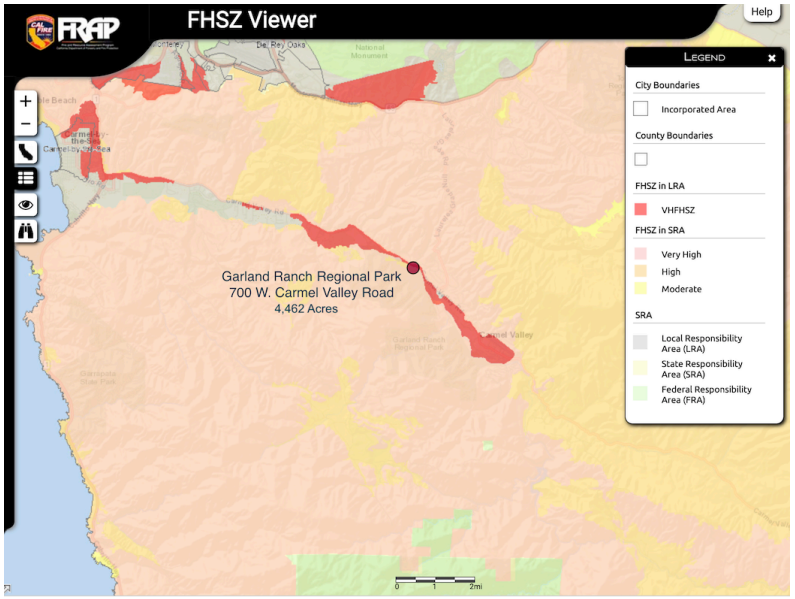


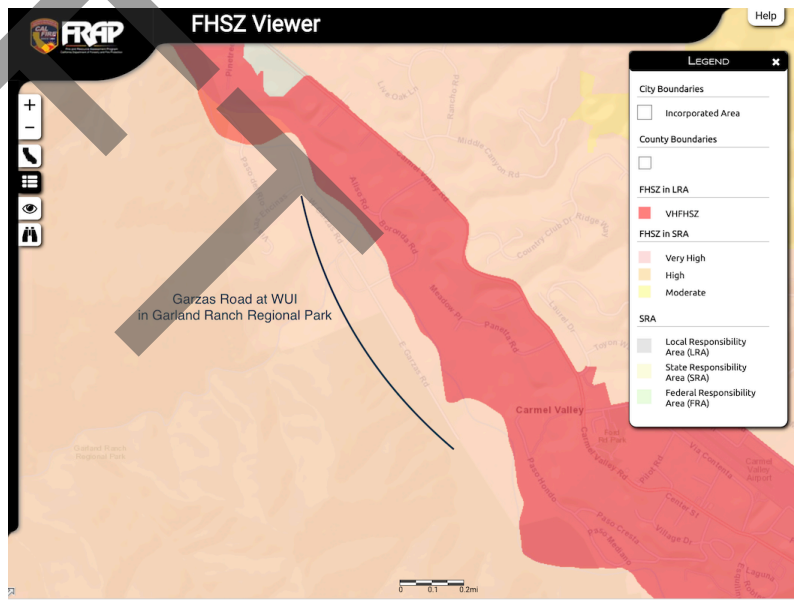
Eucalyptus Groves in Garland Ranch Regional Park (black polygons)



Project Sites within GRRP:

Garzas Road Location for Shaded Fuel Break and Eucalyptus Trees





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Exhibit A

Exhibit B

COASTAL CONSERVANCY

Staff Recommendation
September 22, 2022
Wildfire Resilience Program – 2022-2023

Project Numbers [22-054-01, 22-056-01, 22-047-01, 22-033-01, 22-040-01, 22-060-01, 22-062-01, 22-065-01, 22-064-01, 22-043-01, 22-066-01, 22-034-01, 22-067-01, 22-063-01, 22-058-01, 22-057-01, 22-046-01, 22-061-01, 22-053-01, 22-039-01, 22-045-01, 22-052-01, 22-055-01, 22-051-01, 22-059-01, 22-050-01, 22-048-01]

Project Managers: Bryce Perog, Carol Martinez, Erin Gravley, Fanny Yang, Irvin Tang, Joel Gerwein, Katie Nichols, Kostoula Vallianos, Laura Cholodenko, Lilly Allen, Michael Bowen, Moira McEnespy, Sara Haugen, Su Corbaley, Tom Gandesbery, Vanessa Aczon, Virgilio Cuasay

RECOMMENDED ACTION: Authorization to disburse up to $10,996,600 to nonprofit organizations, public agencies, a tribe, and one consultant for 27 wildfire resilience projects.

LOCATION: Various locations in coastal watersheds and in the San Francisco Bay area (see Exhibit 1)

EXHIBITS

Exhibit 1: Project Location Maps
Exhibit 2: Project Letters
Exhibit 3: Photo Gallery
Exhibit 4: CEQA Documentation

RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed ten million nine hundred ninety-six thousand six hundred dollars ($10,996,600) to 14 nonprofit organizations, one tribe, 11 public agencies, and one consultant for 27 projects that develop and implement activities to increase wildfire resilience of California's natural lands and reduce the risk of catastrophic wildfire. The 26 grantees are as follows (presented in alphabetical order):

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Alameda County Fire Department: One million nine hundred ninety-two thousand two hundred dollars ($1,992,200) to develop and equip a fuel reduction crew of approximately 12 individuals who will work with homeowners and implement on-the-ground vegetation fuel reduction projects across Alameda County.

Audubon Canyon Ranch: Fifty-three thousand nine hundred dollars ($53,900) to organize and lead training programs for the public on how to plan, coordinate, lead, and monitor prescribed burns on private lands in Marin County.

Bay Area Council Foundation: One hundred ninety-five thousand five hundred dollars ($195,500) to develop a report on current fuels reduction efforts in the East Bay Hills of Alameda and Contra Costa Counties and potential market incentives to encourage the private sector to assist with fuel reduction.

California Native Plant Society: Three-hundred thirty thousand two hundred dollars ($330,200) to produce vegetation survey data and maps that will inform decision-makers about wildfire risk and land management practices in San Luis Obispo County.

City of Albany: Two hundred thirty thousand dollars ($230,000) to implement fuel reduction activities and develop a plan for future removal of dead and dying trees on Albany Hill.

City of El Cerrito: One hundred forty-five thousand dollars ($145,000) to develop a comprehensive fire hazard reduction and vegetation management plan for the El Cerrito Hillside Natural Area.

City of Santa Cruz Fire Department: Two hundred nineteen thousand five hundred dollars ($219,500) to remove overgrown combustible vegetation from Pogonip and Arana Gulch open spaces in the City of Santa Cruz and to purchase equipment needed to maintain treated areas.

East Bay Regional Park District: Five hundred twelve thousand eight hundred dollars ($512,800) to create fine-scale vegetation maps for Contra Costa and Alameda Counties and to develop an online resource to support additional wildfire fuel hazard reduction planning.

Grassroots Ecology: Eighty-two thousand three hundred dollars ($82,300) to enhance the ecological health and fire resilience of five city parks in Santa Clara and San Mateo Counties.

Mattole Restoration Council: Three hundred seventeen thousand dollars ($317,000) to host wildland fire-fighting training sessions and manage vegetation to continue the restoration of historical prairies in the King Range National Conservation Area in Humboldt County.

Mendocino County Fire Safe Council: Six hundred seventy-seven thousand five hundred dollars ($677,500) to fund chipping and fuel clearing programs and to purchase a truck for safe transport of work crews and gear in Mendocino County.

Monterey Peninsula Regional Park District: Five hundred ninety-one thousand seven hundred dollars ($591,700) to reduce fuel load, implement a habitat restoration and vegetation management program, facilitate data collection for wildfire prevention, and conduct community outreach in the Carmel Valley.

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Moraga Orinda Fire District: Two hundred fifty thousand dollars ($250,000) to establish a year-round prescribed grazing program, including purchase of equipment, at Painted Rock Preserve in Contra Costa County.

Pala Band of Mission Indians: Four hundred forty-five thousand two hundred dollars ($445,200) to implement fuels treatments that were identified in the tribe's fire prevention planning process on the Pala Indian Reservation in San Diego County.

Pie Ranch: Three hundred sixty-one thousand dollars ($361,000) to reduce wildfire risk and restore native plants at Pie Ranch near Pescadero in San Mateo County.

Redwood Coast Land Conservancy: Two hundred sixty-eight thousand dollars ($268,000) for vegetation management and fuels reduction on approximately 50 acres, including purchase of necessary equipment, at the Mills Bend Preserve in Mendocino County.

Resort Improvement District No. 1: Three hundred twenty-four thousand dollars ($324,000) for roadside vegetation removal, including purchase of equipment, in Shelter Cove in Humboldt County.

San Diego Audubon Society: Seventy-three thousand seven hundred dollars ($73,700) to reduce invasive vegetative fuels and restore native fire-resistant plants at Anstine-Audubon Nature Preserve and Silverwood Wildlife Sanctuary in San Diego County.

Sonoma County Regional Parks: Two hundred ninety-seven thousand dollars ($297,000) to reduce hazardous wildfire fuel loads on the access road and to re-establish a section of the historic Old Monte Rio Fire Break in Monte Rio Redwoods Regional Park in Sonoma County.

Sonoma Ecology Center: Eight hundred eighty-nine thousand nine hundred dollars ($889,900) to partner with five other organizations and conduct fuels management across multiple sites in Sonoma County and southern Mendocino County.

The Land Trust for Santa Barbara County: Ninety thousand dollars ($90,000) to build permanent fencing around approximately 50 acres of land on the Arroyo Hondo Preserve to facilitate grazing and vegetation management.

The Pacific Forest Trust: One hundred thirty thousand dollars ($130,000) to restore approximately 80 acres of degraded redwood forestland in the Fieldbrook Valley of Humboldt County.

Trinity County Resource Conservation District: Eighty thousand dollars ($80,000) to implement approximately 20 acres of fuels reduction in Lewiston.

UC Irvine Nature: Sixty-one thousand two hundred dollars ($61,200) for non-native vegetation thinning and native plant seeding to improve habitat and fire resiliency in the defensible space zone of the UC Irvine Ecological Preserve in Orange County.

Urban Corps of San Diego County: Three hundred twenty-five thousand nine hundred dollars ($325,900) to implement approximately 27 acres of fuel reduction and treatment along evacuation corridors in Escondido, Rancho Santa Fe, and San Marcos in northern San Diego County.

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Ventura Resource Conservation District: One million one hundred fifty-three thousand one hundred dollars ($1,153,100) to develop community wildfire protection plans for communities in Ventura County, complete a countywide wildfire vulnerability assessment and develop a county-wide Regional Prioritization Plan.

In addition, the State Coastal Conservancy authorizes disbursement of up to nine hundred thousand dollars ($900,000) to hire a contractor who specializes in environmental documentation, permitting, and project development to provide technical assistance and help prepare environmental documentation for wildfire resiliency projects within the Conservancy's jurisdiction.

Prior to commencement of each project, each grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Any other agreements determined necessary for the project by the Conservancy's Executive Officer.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 3 of Division 21 of the Public Resources Code, regarding the Climate Ready Program.
2. The proposed projects are consistent with the current Conservancy Project Selection Criteria.
3. The proposed grantees that are nonprofit organizations are organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration for the Foothills Fire Management Plan, adopted by the City of Palo Alto on October 26, 2009 pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibit 4. The Conservancy finds that the Management Plan, as designed and mitigated, avoids, reduces, or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that implementation of the Management Plan may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.

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STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up $10,996,600 under the Conservancy's Wildfire Resilience Program to nonprofit organizations, public agencies, tribes, and a consultant for 27 projects that develop and implement vegetation management activities to increase wildfire resilience of California's forests, grasslands, and natural lands and reduce fire risk to communities.

The Conservancy's Wildfire Resilience Program supports local partners to develop and implement projects to increase wildfire resilience through improved management of natural lands and open space. Conservancy grants support a wide range of activities to accelerate future project implementation, including planning and capacity building. An overarching goal of the Wildfire Resilience Program is to build organizational capacity at the local and regional level to implement vegetation management and fire risk reduction projects. Healthy natural lands are less likely to burn and projects that increase fire breaks or clear ladder fuels help prevent isolated fires from becoming catastrophic wildfires. The proposed projects plan for or implement vegetation management activities to reduce the risk of catastrophic fire in areas where people are living near wildlands. To date, the Conservancy has provided over $17 million to support projects that reduce fire risk in the areas where wildfire poses the most risk to people.

The Conservancy received nearly 80 wildfire resilience pre-proposals in January 2022. After staff reviewed the pre-proposals, a subset of applicants was invited to submit full proposals. By May 16, 2022, the Conservancy received 50 project proposals requesting over $25 million in Conservancy funding. This recommendation describes 27 projects proposed for funding under the Wildfire Resilience grants program. An additional 4 projects will be recommended for grants in separate staff reports.

The projects are arranged alphabetically by grant applicant. Each project summary includes the grant applicant; project name; recommended funding amount; geographic region of the project; a brief project description; and information concerning project compliance with the California Environmental Quality Act (CEQA). Project consistency with the Conservancy's project selection criteria, enabling legislation, Strategic Plan, and the proposed funding source are provided in the pages following the project summaries. Project activities center on creating defensible space, shaded fuel breaks, forest thinning, and interrupting vertical and horizontal continuity. The goal of all of these actions is to decrease wildfire fuel in an area. Defensible space is the clearing of woody material around a structure; a shaded fuel break is clearing understory and tree thinning and pruning of a forested area thereby decreasing the fuel load; forest thinning focuses on strategic removal of trees and understory; and interrupting vertical and horizontal continuity of fuels is the removal of vegetation to decrease ground to forest canopy and tree to tree transmission.

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ALAMEDA COUNTY FIRE DEPARTMENT **$1,992,200**

Alameda County Chipper Program **Bay Area**
Alameda County

The Alameda County Fire Department's Alameda County Chipper Program will hire and train a fuels reduction crew of approximately 12 individuals who will provide two years of year-round free community chipping services to assist residents in reducing vegetation and who will carry out county-wide hazardous fuel load reduction to reduce wildfire risk. The project will: 1) equip the fuels reduction crew with tools, supplies, training, and equipment to work within Alameda County on fuels reduction projects; 2) provide a chipping program that directly supports homeowners by removing woody biomass and reinforcing awareness about clearing vegetation around their property; and 3) partner the fuel reduction crew with on-the-ground fuel reduction projects across Alameda County to remove dead/diseased trees and eliminate fuels along evacuation routes, shaded fuel breaks, and other strategic lands.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under Title 14 California Code of Regulations (CCR) Section 15304 (Minor Alternations to Land) because it involves minor alterations to the condition of vegetation without the removal of healthy, mature, or scenic trees.

AUDUBON CANYON RANCH **$53,900**

Marin County Wildfire Community Training **Bay Area**
Marin County

Audubon Canyon Ranch's Marin County Wildfire Community Training will extend its Fire Forward program into Marin County and provide education and technical assistance on fire management for members of the public and landowners. The project consists of partnering with Point Blue Conservation Science to 1) offer basic fireline and wildland chainsaw trainings which will result in 45 fireline-qualified community members and 24 chainsaw-trained community members; 2) offer workshops on ecologically sound shaded fuel breaks, pile burning, and burn planning; and 3) purchase a 6-seat utility terrain vehicle to provide those with mobility issues with access to educational and site demonstration opportunities.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's Regional Forest and Fire Capacity Program (RFFCP). The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

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CEQA: The proposed authorization for funding is exempt from CEQA pursuant to the "common sense" exemption, 14 CCR Section 15061(b)(3), because there is no possibility that offering workshops and trainings and purchasing a utility terrain vehicle to provide transportation to the trainings will have a significant effect on the environment.

BAY AREA COUNCIL FOUNDATION **$195,500**

East Bay Hills Fuel Reduction Collaboration **Bay Area**

Alameda & Contra Costa Counties

Bay Area Council Foundation's East Bay Hills Fuel Reduction Collaboration will work with the Oakland Firesafe Council to produce a report on the current state of fuel reduction efforts and interjurisdictional collaboration in Alameda and Contra Costa County's East Bay Hills, as well as potential incentive and/or market structures to encourage the private sector to help reduce fuels in the area. The report will be compiled through research, discussions with subject matter experts, and analysis of existing and new data. The report will use the East Bay Hills as a case study for how to accelerate fuel reduction efforts by incentivizing the private sector, with the intent that the report's findings could be applied to other regions.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15306 (Information Collection) because it involves data collection and research activities that will not result in a serious or major disturbance to an environmental resource. The project is also statutorily exempt under Section 15262 (Feasibility and Planning Studies) because it involves planning for possible future actions that have not been approved or funded.

CALIFORNIA NATIVE PLANT SOCIETY **$330,200**

San Luis Obispo County Vegetation Mapping Project **Central Coast**

San Luis Obispo County

California Native Plant Society (CNPS)'s San Luis Obispo County Vegetation Mapping Project will produce fine-scale vegetation maps that will help local agencies, resource managers, planners, and conservationists make targeted, informed decisions about wildfire risk and land management. Current data and vegetation maps are piecemeal and large data gaps remain county-wide. The project includes engagement with stakeholders, acquiring access permits, conducting ground truthing and sampling, and developing vegetation classification maps and

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associated reports. CNPS will host over 10 stakeholder meetings and develop an online public data portal for the project.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15306 (Information Collection) because it involves data collection and research activities that will not result in a serious or major disturbance to an environmental resource. The project is also statutorily exempt under Section 15262 (Feasibility and Planning Studies) because it involves planning for possible future actions that have not been approved or funded.

CITY OF ALBANY **$230,000**
Albany Hill Wildfire Resilience Project **Bay Area**
Alameda County

The City of Albany's Albany Hill Wildfire Resilience Project will mitigate wildfire danger on approximately 10 acres of City-owned property through vegetation management activities including mowing grasslands, pruning vegetation along fire roads, removing dead and downed material, and planting a variety of annual and perennial native plants. This work will be conducted by Urban Tilth, a Richmond-based 501(c)(3) non-profit involved in food justice and watershed stewardship. The project will also develop a plan for the removal of approximately 400 dead and dying Blue Gum Eucalyptus trees and future ecological restoration of the site including consultation with Lisjan-Ohlone tribal representatives.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The development of the plan for future tree removal and restoration is statutorily exempt under 14 CCR Section 15262 (Feasibility and Planning Studies) because it involves planning for a possible future action that has not been funded or approved. The vegetation management activities to reduce fire hazards are exempt under Section 15304 (Minor Alterations to Land) because those activities involve minor changes to the condition of vegetation without the removal of healthy, mature, scenic trees.

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CITY OF EL CERRITO **$145,000**

City of El Cerrito Wildfire Planning Project **Bay Area**
Contra Costa County

The City of El Cerrito's Wildfire Planning Project will develop a comprehensive Fire Resilience and Forest Conservation Management Plan for the El Cerrito Hillside Natural Area (HNA). The Management Plan will identify critical resource areas and provide guidance for the City's fire fuel reduction, native forest conservation, and maintenance activities within the El Cerrito HNA. Additionally, the Management Plan will address emergency access and public recreation in the HNA by evaluating potential access improvements and enhancements to the trail network that connects natural features, schools, and other community assets, including development of a preliminary plan for potential expansion of the existing trail system. The project includes preparation of a CEQA document for the Management Plan.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is statutorily exempt under 14 CCR Section 15262 (Feasibility and Planning Studies) because it involves development of a management plan and related CEQA documentation for possible future actions that have not been funded or approved.

CITY OF SANTA CRUZ FIRE DEPARTMENT **$219,500**

Pogonip/Arana Gulch Vegetation Management Project **Central Coast**
Santa Cruz County

The City of Santa Cruz Fire Department's Pogonip/Arana Gulch Vegetation Management Project will remove overgrown combustible vegetation and dead or dying trees from Pogonip and Arana Gulch open spaces in the City of Santa Cruz. The project comprises treatment of approximately 10 acres in the Pogonip area and approximately 5 acres in Arana Gulch. The project includes removal of overgrown combustible vegetation and dead or dying trees through methods such as hand crews, weed whackers, mowers, chain saws, and chippers to create shaded fuel breaks and improve access to fire roads. The project includes purchase of a chipper and masticator attachments to continue maintenance on treated areas. The project will improve fire road access, slow the potential spread of fire to homes adjacent to the wildland urban interface, and allow for fire suppression vehicles, such as fire engines, to safely access and extinguish wildland fires.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

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CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth and existing fire roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

EAST BAY REGIONAL PARK DISTRICT **$512,800**

East Bay Vegetation and Landscape Mapping Project **Bay Area**
Alameda and Contra Costa Counties

East Bay Regional Park District's East Bay Vegetation and Landscape Mapping Project will collect data, develop a fine-scale vegetation map of 100+ vegetation types across all of Alameda and Contra Costa Counties, and create a data portal for public use. The Park District will use imagery, lidar data, and field sampling to create various maps and a key and description of the vegetation types of the counties. The resulting products will be used to create a fine-scale vegetation map of Contra Costa and Alameda Counties. The fine-scale map and associated layers will support short- and long-term management activities for sustainable restoration of the health and wildfire resilience of East Bay natural areas. The Park District will also develop a data portal and a Wildfire Fuels Map tool to provide the public with access to findings and to support landowner and agency wildfire risk reduction activities.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15306 (Information Collection) because the project involves data collection and research activities that will not result in a serious or major disturbance to an environmental resource.

GRASSROOTS ECOLOGY **$82,300**

Grassroots Ecology Community-Based Fire Resilience Project **Central Coast**
Santa Clara and San Mateo Counties

Grassroots Ecology's Community-Based Fire Resilience Project will reduce fuel loads on approximately 127 acres across five city-owned parks and preserves in Santa Clara and San Mateo Counties. Parks include McClellan Ranch Preserve in Cupertino, Pearson-Arastradero and Foothills Nature Preserves in Palo Alto, Redwood Grove in Los Altos, and Stulsaft Park in Redwood City. These parks are popular and close to housing and public infrastructure. Project activities include removing dead woody debris and ladder fuel and reducing dense invasive vegetation through mowing, monitoring, and passive restoration. The project will provide

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hands-on education and workforce development opportunities to San Jose Conservation Corps (SJCC) members, young adults ages 17-27 who are primarily Black, Indigenous, and People of Color (majority Latino/Latina) and low-income, many of them working toward their high school diplomas. SJCC members will also be trained in fire ecology and sustainable fire management. Vegetation management work will be conducted by SJCC members as well as volunteers, thereby providing opportunities for workforce development, education, and community engagement in land stewardship.

Funding: The proposed source of funding for this project is the General Fund appropriation to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding sources.

CEQA: Projects activities on properties owned by the City of Palo Alto are within the scope of the Palo Alto Foothills Fire Management Plan (2009; updated 2016). The City approved a Mitigated Negative Declaration (MND) for the Plan on October 26, 2009. The Management Plan and MND are attached as Exhibit 4. The MND assessed potential environmental impacts associated with implementing the Management Plan. All the Plan's potential impacts will be mitigated below the level of significance, as summarized below.

Biological Resources:

The project will mitigate potential impacts to special-status species, including steelhead, San Francisco dusky-footed woodrat, white-tailed kite, arcuate bush mallow, and western leatherwood by, among other measures: (1) training project personnel concerning protected species and habitats; (2) surveying for special status species and avoiding areas where species are found; (3) avoiding weed-whipping or mowing near wetlands; (4) cleaning tools and equipment to avoid spreading diseases and non-native plants; (5) employing a qualified biologist to monitor all treatment work; (6) limiting grazing to non-riparian areas; and (7) avoiding herbicide treatments adjacent to water bodies and riparian areas.

Geology, Soils, and Seismicity:

Potential soil erosion impacts would be mitigated by, among other measures: (1) developing erosion control plans; (2) avoiding work during periods of precipitation or immediately after storm events; (3) maintaining a buffer between mechanical treatment areas and water bodies and riparian areas; and (4) limiting the intensity and scope of grazing to avoid erosion.

Hazards and Hazardous Materials:

Potential impacts associated with prescribed burns and the use of mechanical equipment and herbicides would be mitigated by, among other measures: (1) implementing measures to reduce the potential impacts of fuel spills; (2) stopping work during high fire danger or red flag conditions; (3) developing a public safety plan and spill mitigation plan for herbicide applications; and (4) avoiding fuel treatment in areas adjacent to water bodies and riparian areas.

Hydrology and Water Quality:

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Potential impacts to water quality caused by erosion or the release of hazardous chemicals would be addressed using the mitigation measures described above under Geology, Soils, and Seismicity and Hazards and Hazardous Materials.

Staff has independently evaluated the MND and Management Plan and concurs that there is no substantial evidence that implementation of the Plan will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the Management Plan as mitigated avoids, reduces, or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that implementation of the Management Plan will have a significant effect on the environment as that term is defined by 14 CCR Section 15382. Upon approval of the project, Conservancy staff will file a Notice of Determination.

Project activities at the remaining project sites are categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because they involve minor alterations to the condition of vegetation without the removal of healthy, mature, scenic trees; Section 15301 (Existing Facilities), because they involve maintenance of existing landscaping and native growth; and Section 15269 (Emergency Projects), because they involve fuel management activities necessary to prevent catastrophic wildfire.

MATTOLE RESTORATION COUNCIL **$317,000**

Prosper Ridge Prairie Restoration Project **North Coast**
Humboldt County

The Mattole Restoration Council's Prosper Ridge Prairie Restoration Project is a collaboration with the Bureau of Land Management to restore historical prairies and landscape level fuel breaks on Prosper Ridge in the King Range National Conservation Area in Humboldt County. Project tasks include the mechanical removal of approximately 42 acres of encroaching vegetation; propagation of up to 30,000 native grass and forb plugs; mechanical and manual thinning on approximately 41 acres of forested areas; and an approximately 100-acre prescribed burn led by the Bureau of Land Management and assisted by the Council's prescribed burn crew, local fire departments, and tribal members of the Bear River Band of the Rohnerville Rancheria. The Council will also host a wildland firefighting training and certification for the aforementioned groups in order to build workforce capacity.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is exempt from CEQA pursuant to Public Resources Code section 4799.05(d), which exempts state funding of projects undertaken on federal lands that consist of prescribed fire, thinning, or fuel reduction to reduce the risk of high-severity wildfire. This exemption is applicable only to projects that have been reviewed under the National Environmental Protection Act (NEPA) and if the Secretary for Natural Resources has certified

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that NEPA and laws that affect management of federal forest lands in California have not been substantially amended since August 31, 2018. On January 13, 2022, the Secretary for Natural Resources made the necessary certification. The proposed project was reviewed in the Prosper Ridge Prairie Plan Environmental Assessment, dated 1/18/2014 (DOI-BLM-CA-N030-2013-0002). Accordingly, Conservancy funding of the proposed project is exempt from CEQA under Section 4799.05(d).

MENDOCINO COUNTY FIRE SAFE COUNCIL **$677,500**

Mendocino Fire Safe Council Community Chipper and Defensible Space Program **North Coast**
Mendocino County

The Mendocino County Fire Safe Council's Community Chipper and Defensible Space Program project consists of two years of operations of the Community Chipper Program, work of the Brooktrails Greenbelt Defensible-Space Clearing project on 75 parcels, and purchase of a truck for safe transport of crews and gear in Mendocino County. The Community Chipper Program designates chipper days in which residents clear their own defensible spaces (with assistance available to income-eligible seniors and disabled residents) and the Fire Safe Council chips and removes or broadcasts cleared woody materials at no cost to residents. Two years of operations will provide an estimated 120 chipper days throughout Mendocino County to approximately 800-1200 parcels (est. 2000-3000 residents). The Brooktrails Greenbelt Defensible-Space Clearing project will provide training and implementation for an existing crew from the Hopland Band of Pomo Indians to clear vegetation around structures on approximately 75 parcels of the Brooktrails Greenbelt. Finally, a truck will be purchased and used to transport equipment and crews for fuel reduction work in the County.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

MONTEREY PENINSULA REGIONAL PARK DISTRICT **$591,700**

Garland Ranch Wildfire Resilience Project **Central Coast**
Monterey County

Monterey Peninsula Regional Park District's Garland Ranch Wildfire Resilience Project will work to reduce the fire risk in Garland Ranch Regional Park and the Carmel Valley through a combination of fuel reduction, data collection, and community outreach. The project includes the following: 1) thinning of approximately 11 acres of invasive flammable eucalyptus in

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Garland Ranch Regional Park; 2) creation of an approximately 6.2 acre shaded fuel break as a defensible space in Garland Ranch Regional Park less than one mile from Carmel Valley Road and Carmel Valley Village; 3) implementation of ongoing spot-treatment and grazing to maintain treated areas in the park; 4) hiring of a technical specialist, such as a GIS consultant, to collect data and execute GIS mapping recommendations for alternate evacuation routes, safer fire retardant drop zones, additional fuel reduction sites, and/or potential habitat restoration sites; and 5) facilitation of community outreach through in-person meetings, online updates, and educational signage.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

MORAGA ORINDA FIRE DISTRICT **$250,000**

Moraga Orinda Fire District Grazing Project **Bay Area, Contra Costa County**

The Moraga Orinda Fire District's Grazing Project will provide a year-round prescribed grazing program at Painted Rock Preserve in Contra Costa County. Coordinating with the John Muir Land Trust (the landowner) and local Moraga cattle ranchers, the Fire District will expand their current grazing program into a long-term, more sustainable version. The project includes purchase of necessary equipment, including fencing and corrals and water meter and line. The Fire District will work with John Muir Land Trust staff and local ranchers to install equipment, implement an annual target grazing schedule, and evaluate program progress against established goals, objectives, and benchmarks. The Fire District will develop and implement a community marketing campaign showcasing the program.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15303 (New Construction or Conversion of Small Structures) because it involves small improvements to land, including installation of fencing. The project is also categorically exempt under Section 15304 (Minor Alterations to Land) because it involves minor alterations to the condition of vegetation through livestock grazing.

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PALA BAND OF MISSION INDIANS **$445,200**

Pala Fuels Reduction Project **South Coast**
San Diego County

The Pala Band of Mission Indians' Fuels Reduction Project will implement fuels treatments that were identified in the tribe's fire prevention planning process. The project will reduce fuels and clear vegetation around structures and along roads on approximately 119 acres of tribal land. The Tribe intends to hire staff to carry out the project. The project area is rated by the CAL FIRE as High Fire Severity and has experienced past fires.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is exempt under 14 CCR Section 15304 (Minor Alterations to Land) because it involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees, including fuel management activities within 100 feet of structures that will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

PIE RANCH

Pie Ranch Fuels Reduction and Native Planting Project **$361,000**
Central Coast
San Mateo County

Pie Ranch's Fuels Reduction and Native Planting Project will remove high-fire risk invasive plants and revegetate previously burned areas within Pie Ranch with native plants. Fire burned approximately 27 acres at one site, and Pie Ranch is looking to revegetate approximately 3 acres within that boundary. Pie Ranch is a nonprofit education center and organic farm located on the southern San Mateo County coast, about 14 miles south of Pescadero and 22 miles north of Santa Cruz. Portions of the Pie Ranch property burned in 2020 during the CZU complex fire. The proposed project will remove high-fire-risk invasive plants, including approximately 90 high-risk eucalyptus trees, and revegetate burned areas with native plants. The large tree removal will be contracted to experts at Community Tree Service in Watsonville (Santa Cruz County), which has already removed dozens of trees at Pie Ranch since the CZU fire. Pie Ranch will work with the San Mateo Resource Conservation District to ensure all work associated with tree and invasive species removal and restoration is compliant with all documentation and permits, Lake and Streambed Alteration, and local grading permits.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

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CEQA: The proposed project is exempt under 14 CCR Section 15333 (Small Habitat Restoration Projects) because it will remove non-native trees and revegetate previously burned areas with native vegetation in an area that is smaller than 5 acres. The project is also exempt under Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

REDWOOD COAST LAND CONSERVANCY **$268,000**

Mill Bend Preserve Wildfire Management Program **North Coast**
Mendocino County

The Redwood Coast Land Conservancy's Mill Bend Preserve Wildfire Management Program will use a variety of vegetation management techniques to reduce fuels on approximately 50 acres within the Mill Bend Preserve in Humboldt County. Vegetation debris left after logging, dead or dying trees, high-fire-risk invasive plants will be removed. Project tasks also include restoration of low-fuel native vegetation, implementation of a multi-year grazing program, creation of shaded fuel breaks, and the repaving of old roads to provide emergency vehicle access. The project includes the purchase of vehicles, hand tools, and other equipment required to carry out the project tasks and for the future maintenance of the land. Work will be carried out by California Conservation Corps or Local Conservation Corps crews, volunteers, paid summer youth, and qualified contractors.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed fire fuel reduction activities on the Mill Bend Preserve are categorically exempt pursuant to 14 CCR Section 15304 (Minor Alterations to Land) because they involve minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth and repaving of existing emergency access roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

RESORT IMPROVEMENT DISTRICT NO. 1 **$324,000**

Shelter Cove Shaded Fuel Breaks Project **North Coast**
Humboldt County

Shelter Cove Resort Improvement District No. 1 is a special-purpose district established in 1965 pursuant to Public Resources Code Sections 13000-13233. The Resort Improvement District No. 1's Shelter Cove Shaded Fuel Breaks Project will provide roadside fuels removal and maintenance of shaded fuel breaks along approximately 8 miles of roadways in Shelter Cove within King Range National Conservation Area in Humboldt County. The project includes the

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purchase of heavy equipment and hiring of contractors needed to carry out the projects' fuels reduction and maintenance work.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because it involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping, native growth and roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

SAN DIEGO AUDUBON SOCIETY **$73,700**

San Diego Audubon Sanctuary Fuels Reduction Project **South Coast, San Diego County**

San Diego Audubon Society's Sanctuary Fuels Reduction Project will reduce invasives and fire fuels and restore native fire-resistant plants to Anstine-Audubon Nature Preserve in Vista and Silverwood Wildlife Sanctuary in Lakeside, both in San Diego County. Project tasks include removal of high-fire-risk invasive plants, removal of vegetation around structures, and pruning and thinning to create defensible spaces. Invasive plant treatment will include spot use of herbicide. The project will also propagate native shrubs and annuals. To educate the public on native fire-resistant plants they can plant in their own yards, the project includes replacing all plant labels at both Anstine and Silverwood with labels that indicate common and scientific names, as well as whether the plant is fire resistant.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees, including fuel management activities within 30-100 feet of structures. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

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SONOMA COUNTY REGIONAL PARKS **$297,000**

Monte Rio Redwoods Shaded Fuel Break Project **North Coast**
Sonoma County

The Sonoma County Regional Parks' Monte Rio Redwoods Shaded Fuel Break Project will reduce hazardous wildfire fuel loads along a key access road through the Monte Rio Redwoods Park and create a shaded fuel break to re-establish a section of the Monte Rio Fire Break. The shaded fuel break will provide access for firefighters to reach the main ridgeline in the event of a wildfire and provide a safer location to extinguish fuels in front of an advancing wildfire. Project tasks will include reduction of the horizontal and vertical continuity of fuel loads by removing small diameter trees and shrubs from the understory. The shaded fuel break will leave the biggest and healthiest trees that are more resilient to wildfires to provide shade and wildlife habitat. Contracted work crews will thin, lop, and scatter the woody material to create up to 27 acres of shaded fuel break along 1.7 miles of road and 100 feet on each side. The project includes the planning, coordination, permitting, and contractor oversight for the shaded fuel break, as well as invasive species management as part of their Early Detection Rapid Response program.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because it involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping, native growth and existing access roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

SONOMA ECOLOGY CENTER **$889,900**

Sonoma Ecology Center Wildfire Resilience Program **North Coast**
Sonoma County

Sonoma Ecology Center's Wildfire Resilience Program will conduct fuels management on twelve sites in Sonoma County and southern Mendocino County. All twelve sites need ecologically informed vegetation management. Overgrowth of vegetation, including non-native invasive weeds, has accumulated, now creating a threat of high-severity fire that could harm biodiversity, water resources, and homes and infrastructure. The Center will partner with six organizations to conduct the project: Sonoma Ecology Center, Sonoma State University, Rips Redwoods, Shelterwood Collective, Oak Hill Farm, and LandPaths. Each partner organization will identify sites and carry out work under the oversight of the Center. Project tasks will vary by site and will include ladder fuel removal, roadside fuel breaks, removal of dead trees, invasive

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shrub and dead wood removal, grazing, and establishment of defensible space. Additionally, the project includes conducting training workshops for project partners on biochar, prescribed burning, and best practices in vegetation management. Across these twelve sites approximately 270 acres will be thinned and dead wood removed, 115 acres will undergo prescribed burn, 90 acres will be grazed and 40 acres will have invasive shrubs removed.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations in the condition of vegetation without the removal of healthy, mature, scenic trees. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping, native growth and roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

THE LAND TRUST FOR SANTA BARBARA COUNTY **$90,000**

Arroyo Hondo Permanent Fencing Project **Central Coast, Santa Barbara County**

The Land Trust for Santa Barbara County's Arroyo Hondo Permanent Fencing Project comprises installing fencing and instituting an annual grazing program to reduce fuel load on the Arroyo Hondo Preserve's eastern slope. The project includes placement of approximately 7,400 feet of permanent perimeter fencing surrounding up to 47 acres of Arroyo Hondo Preserve's eastern slope. Permanent fencing will enable the Land Trust to graze this area at very low cost well into the future, thus making annual grazing of this area financially self-sustaining. Using grazing to reduce fuel load, particularly fine fuels such as dense regrowth of annual grasses and mustards, will protect the Preserve's sensitive riparian habitat, the extensive already-restored areas of the Preserve, and the site's historic buildings, as well as buffering adjacent lands from wildfire.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's Regional Forest and Fire Capacity Program (RFFCP). The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: Construction of fencing pursuant to the proposed project is categorically exempt under 14 CCR Section 15303 (New Construction or Conversion of Small Structures) because it involves construction of minor accessory structures. The proposed annual grazing program is categorically exempt under Section 15304 (Minor Alterations to Land), because it involves minor alterations in the condition of vegetation through livestock grazing.

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THE PACIFIC FOREST TRUST **$130,000**

Fieldbrook Valley Fire Resilience Project **North Coast**
Humboldt County

The Pacific Forest Trust's Fieldbrook Valley Fire Resilience Project will restore approximately 80 acres of degraded redwood forestland across Fieldbrook Valley to prepare these lands for the prescribed reintroduction of low-intensity fire and native redwood forest stands. Tasks will include removal of abandoned vehicles, trash, and barbed wire fence; thinning and other fuels reduction; preparation of the area for prescribed burning; and the preparation of a Prescribed Burn Plan. The project area is in the heart of Humboldt's County redwood region and is identified as a High Fire Severity Zone, as well as being adjacent to critical structures and infrastructure such as power lines and homes.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because it involves minor alterations in the condition of vegetation and land without the removal of healthy, mature, scenic trees, including the removal of trash and debris. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire. The project's planning activities are exempt under Section 15262 (Feasibility and Planning Studies) because they involve planning for possible future actions that have not been approved or funded.

TRINITY COUNTY RESOURCE CONSERVATION DISTRICT **$80,000**

Lewiston Resilience Phase II Project **North Coast,**
Trinity County

Trinity County Resource Conservation District's Lewiston Resilience Phase II Project will implement approximately 20 acres of fuels reduction on Bureau of Land Management land along roadways and private property boundaries in Lewiston in Trinity County. The District will use a variety of techniques to return the landscape to a more natural, fire-resilient state. Proposed techniques include hand cutting and piling, mastication, lop and scatter, pile burning, and chipping. Predetermined treatment areas have been assessed to at least some extent by the Bureau of Land Management or the District, and work may occur outside of predetermined treatment areas if new areas become apparent. Once treated, these areas are expected to have low or moderate fire severity in the likely case of fire, greatly reducing future environmental impacts while also increasing public safety.

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Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is exempt from CEQA pursuant to Public Resources Code section 4799.05(d), which exempts state funding of projects undertaken on federal lands that consist of prescribed fire, thinning, or fuel reduction to reduce the risk of high-severity wildfire. This exemption is applicable only to projects that have been reviewed under the National Environmental Protection Act (NEPA) and if the Secretary for Natural Resources has certified that NEPA and laws that affect management of federal forest lands in California have not been substantially amended since August 31, 2018. On January 13, 2022, the Secretary for Natural Resources made the necessary certification. The proposed project was reviewed in the Determination of NEPA Adequacy (DNA) Lewiston Community Protection Fuel Analysis, dated 9/29/2020 (DOI-BLM-CA-N060-2020-0017-DNA). Accordingly, Conservancy funding of the proposed project is exempt from CEQA under Section 4799.05(d).

UC IRVINE NATURE **$61,200**

UC Irvine Wildfire Project **South Coast, Orange County**

UC Irvine Nature's Wildfire Project will remove and thin non-native grasses, forbs, and Eucalyptus trees at the UC Irvine Preserve in Orange County to create defensible space within 100 ft of adjacent residences. Approximately two acres will be treated. The project will also seed the area with native forbs and grasses. The project will restore grassland with the goal of improving habitat and reducing fire risk to adjacent homes.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because it involves minor alterations to land without the removal of healthy, scenic, mature trees, including fuel management activities within 100 feet of structures. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping and native growth, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

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URBAN CORPS OF SAN DIEGO COUNTY **$325,900**

Urban Corps Northern San Diego County Fire Prevention Project **South Coast, San Diego County**

Urban Corps of San Diego County's Northern San Diego County Fire Prevention Project will complete needed fuel breaks along evacuation routes in San Diego County, treating approximately 27 acres. The project will remove fuels, provide fuel breaks and clearance around structures, and remove invasive plants under the direction of partner fire departments. The project will create shaded fuel breaks along the evacuation corridors that will protect approximately 4,000 residents in San Marcos, Rancho Santa Fe, and Escondido. Urban Corps community Corps members will carry out the project.

Funding: The proposed source of funding is an appropriation from the General Fund to the Conservancy for the purpose of wildfire resilience. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is categorically exempt under 14 CCR Section 15304 (Minor Alterations to Land) because the project involves minor alterations to the condition of vegetation without the removal of healthy, mature, and scenic trees, including fuel management activities within 100 feet of structures. The project is also exempt under Section 15301 (Existing Facilities), because it involves maintenance of existing landscaping, native growth, and roads, and Section 15269 (Emergency Projects), because it involves fuel management activities necessary to prevent catastrophic wildfire.

VENTURA COUNTY RESOURCE CONSERVATION DISTRICT **$1,153,100**

Ventura Wildfire Resilience Planning Project **South Coast, Ventura County**

The Ventura County Resource Conservation District's Wildfire Resilience Planning Project will build on the work of the multi-jurisdictional Ventura County Wildfire Collaborative. The project includes: 1) creating five locally focused Community Wildfire Resilience Plans; 2) creating a countywide vulnerability assessment and map with an online interactive data component; and 3) developing a county-wide wildfire resilience Regional Prioritization Plan and portfolio of projects. The goal of the project is to encourage stakeholder engagement and develop a pipeline of wildfire resilience implementation projects in Ventura County.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed project is statutorily exempt under 14 CCR Section 15262 (Feasibility and Planning Studies) because it involves planning for possible future actions that have not been approved or funded.

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TECHNICAL ASSISTANCE CONTRACT **$900,000**

Statewide

Staff seeks authorization to hire a contractor that specializes in environmental documentation, permitting, and project planning to support wildfire resiliency project development. The Conservancy has identified a need for technical assistance to help local partners with the environmental documentation required to implement wildfire resilience projects. The contractor will provide technical assistance with developing environmental documentation and permitting under the guidance of Conservancy staff for project partners who are seeking to implement wildfire resilience projects in the Conservancy's jurisdiction. Specific projects for which the contractor would provide assistance in compliance with environmental laws may include shaded fuel breaks, forest health measures, prescribed and cultural burns, mechanical and manual treatments, forest thinning, native plant restoration to improve wildfire resilience, prescribed herbivory (including infrastructure improvements) and other actions designed to improve overall resiliency to wildfire.

Funding: The proposed source of funding is a block grant to the Coastal Conservancy from the Department of Conservation's RFFCP. The RFFCP seeks to increase capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The proposed project is consistent with the anticipated funding source.

CEQA: The proposed authorization is statutorily exempt under 14 CCR Section 15262 (Feasibility and Planning Studies) because it is a contract with a consultant to conduct environmental review and planning activities for possible future actions that have not been funded or approved.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

Selection Criteria

1. **Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.**

See the "Consistency with Conservancy's Strategic Plan" section below.

2. **Project is a good investment of state resources.**

The proposed projects are a good investment of state funding. All the projects are feasible, have reasonable budgets, and address a demonstrated need for wildfire resilience. The projects implement many statewide wildfire and forest resiliency goals. The proposed projects are also consistent with several state plans, and specifically with the following:

- **California's Wildfire and Forest Resilience Action Plan** (Governor's Forest Management Task Force, January 2021), which calls for activities such as fuels reduction, forest

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thinning, vegetation management, prescribed fire, shaded fuel breaks, defensible space, and enhancement of fire-prone habitats to reduce fire risk.

- The **California Forest Carbon Plan** (CNRA, 2018), which calls for restoration of the natural fire regime and forest composition through a multitude of approaches including thinning, prescribed burns, invasive vegetation management, and shaded fuel breaks.

- The **Community Wildfire Prevention & Mitigation Report** (CAL FIRE, 2019), which urges state and local agencies to implement the goals of the Forest Carbon Plan and provides recommendations to agencies to increase the scale and pace of management and mitigation actions to improve forest health and resiliency.

3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.

The recommended authorization includes a grant directly to one tribe (Pala Tribe) to conduct wildfire resilience projects that the tribe identified as a priority.

In addition, several grant applicants (Audubon Canyon Ranch, Mendocino Fire Safe Council, Mattole Restoration Council, Monterey Peninsula Regional Park District, Redwood Coast Land Conservancy, and San Diego Audubon Society) will work with tribes in carrying out their projects. For example, Mendocino Fire Safe Council's crew consists entirely of Mendocino County tribal members of the Hopland Band of Pomo Indians, and the Council is in the process of working to transition crew members to a Tribal owned business. The Mattole Restoration Council project will include working with tribal members of the Bear River Band of the Rohnerville Rancheria. The City of Albany's project includes consultation with Lisjan-Ohlone tribal representatives about future ecological restoration of the site.

4. Project benefits will be sustainable or resilient over the project lifespan.

All of the proposed projects will help increase fire resiliency in the context of anticipated climate change. Fire resilience is a critical issue due to increased average temperatures, reduced marine fog and longer and more severe droughts. California is facing unprecedented fire risk due to climate change, a growing populace and an increasing number of people living in high fire risk areas, including areas adjacent to wildlands. Both the 2020 and 2021 fire seasons broke numerous records.

Several projects include long-term investments that will enable wildfire resilience work to continue into the future. For example, the Land Trust of Santa Barbara is installing permanent fencing to reduce the cost of future grazing on their property.

5. Project delivers multiple benefits and significant positive impact.

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The recommended projects were selected because they are multi-benefit projects that will reduce the risk of catastrophic wildfire impacts to communities. Added benefits of these projects include: native habitat restoration, workforce training, public education, and development of data and plans to support future vegetation management.

6. Project planned with meaningful community engagement and broad community support.

Many of the proposed projects will engage with local communities to promote planning and implementation of these wildfire resilience projects. For example, the Audubon Canyon Ranch's Fire Forward program will provide education and technical assistance on fire management for landowners and other members of the public. Community input and engagement will be critical to Ventura County's wildfire planning efforts including the successful development of five new Community Wildfire Protection Plans led by the Ventura County Fire Safe Council. The five locally focused plans will build on the recent successful engagement conducted during the countywide Community Wildfire Protection Plan update.

There is enormous public support for wildfire risk reduction. An LA Times statewide poll in 2020 found that 74% of surveyed voters believe that wildfire threat is greater now than in the past.

TOTAL PROJECT FINANCING

Coastal Conservancy	**$10,996,600**
Other Funding (excluding in-kind)	$8,880,553
Project Total	**$19,877,153**

The anticipated source of funding come from two sources:

1) Fiscal Year 2021-22 and 2022-23 appropriations from the General Fund to the Conservancy for the purpose of wildfire risk reduction. The Budget Act of 2021, as amended by SB 170 (2021); The Budget Act of 2022, as amended by AB 178 (2022). Projects funded by the General Fund appropriations are consistent with this funding source because they will help reduce the risk of catastrophic wildfire.
2) A block grant of $8.8 million to the Coastal Conservancy from the California Natural Resource Agency under its Regional Forest and Fire Capacity Program (RFFCP). The Conservancy is one of nine recipients of RFFCP block grants (Exhibit 1). The goal of the RFFCP is to increase regional capacity to prioritize, develop, and implement projects that improve forest health and fire resiliency. The Conservancy's block grant covers projects from Marin County south to Ventura County. Projects funded by the RFFCP block grant are consistent with the funding source because they include training, education, and purchase of equipment to increase local capacity to undertake wildfire resilience projects; regional planning, coordination, and data gathering activities to support future

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fuel management projects; and support for local entities in the environmental review and permitting process.

The Coastal Conservancy does not typically require matching funds nor does it require documentation of expenditures from other funders. Typical grant conditions require grantees to provide any funds needed to complete the project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The recommended projects would be undertaken pursuant to Section 31113 of Chapter 3 of Division 21 of the Public Resources Code, which authorizes the Conservancy to address the impacts and potential impacts of climate change on resources within the Conservancy's jurisdiction (Section 31113(a)).

Pursuant to Section 31113(b), the Conservancy is authorized to award grants to nonprofit organizations and public agencies to undertake projects that reduce greenhouse gas emissions and address extreme weather events, sea level rise, flooding, and other coastal hazards that threaten coastal communities, infrastructure, and natural resources.

Pursuant to Section 31113(c), the Conservancy must prioritize grants for projects that maximize public benefits and have one of several purposes, including reducing emissions of greenhouse gases and preserving natural lands.

Consistent with these sections, the proposed projects will restore the health and resilience of California forests, grasslands, and/or natural lands and reduce fire risk to communities. The projects will help California's natural lands to be more resilient to catastrophic wildfires which may ultimately reduce greenhouse gas emissions released from increased wildfires due to climate change.

The proposed projects address the impacts of climate change on natural resources within the Conservancy's jurisdiction because they will occur in the nine-county San Francisco Bay Area (Chapter 4.5 of Division 21 of the Public Resources Code) and/or will improve forests, grasslands, and other natural lands and reduce the risk of wildfire that would adversely impact water quality and habitat in coastal watersheds (Chapter 5.5).

CONSISTENCY WITH CONSERVANCY'S 2018-2022 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

The 27 projects proposed for funding assist the Conservancy in meeting a number of its Strategic Plan Goals and Objectives. Relevant Goals and Objectives are listed below, along with the names of the proposed projects that meet each goal. Please see the "Project Summary" section, above, for how each proposed project meets the relevant goal(s) and objective(s).

Consistent with **Goal 8, Objective C** of the Conservancy's 2018-2022 Strategic Plan, the proposed projects will restore the health and resilience of California forests, grasslands, and natural lands in a manner that reduces fire risk to communities. The projects will help California's natural lands to be more resilient to catastrophic wildfires.

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Goal 16, Objective A seeks to prioritize projects that are located in disadvantaged communities or directly benefit disadvantaged communities. The following 14 proposed projects will contribute to this goal:

- Audubon Canyon Ranch
- Mattole Restoration Council
- Mendocino County Fire Safe Council
- Pala Band of Mission Indians
- Redwood Coast Land Conservancy
- Resort Improvement District No. 1
- San Diego Audubon Society
- Sonoma County Regional Parks
- Sonoma Ecology Center
- The Pacific Forest Trust
- UCI Nature
- Urban Corps of San Diego County
- Ventura Resource Conservation District

CEQA COMPLIANCE:

Conservancy staff reviewed the 27 proposed projects for compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and its implementing regulations (14 CCR Sections 15000 et seq.).

Twenty-eight of the proposed projects are categorically exempt under CEQA. Please see the "Project Summary" section above, for more information on each proposed project and why it is exempt from CEQA. Applicable CEQA exemptions are listed below.

Development of fuel management and fire resilience plans is exempt under 14 CCR Section 15262 (Feasibility and Planning Studies), which applies to planning and feasibility studies for possible future actions that have not been approved, adopted, or funded.

14 CCR Section 15269 (Emergency Projects) exempts emergency projects, including: emergency repairs to service facilities necessary to maintain service essential to the public health, safety, or welfare, including those repairs that require a reasonable amount of planning to address an anticipated emergency; and specific actions necessary to prevent or mitigate an emergency. The projects that qualify for this exemption involve fuel management activities that are necessary to prevent catastrophic wildfire, which has a high probability of occurring at any of the project sites in the near future due to warming summer temperatures and severe drought caused by climate change. Some of the projects also involve repairs to emergency access roads, fuel breaks, and other infrastructure that will be needed to respond to wildfires when they occur.

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14 CCR Section 15301 (Existing Facilities) exempts projects that consist of operation, repair, maintenance, or minor alterations of existing structures, facilities, or topographical features, involving negligible expansion of existing or former use of a site. Such projects include, but are not limited to, management of existing landscaping, native growth, and roads. The projects that qualify for this exemption involve management of existing native vegetation through the removal of dead and dying trees, thinning, reduction of ladder fuels, grazing, and other similar activities; and maintenance of fire roads and emergency access roads.

14 CCR Section 15304 (Minor Alterations to Land) exempts projects that involve minor alterations in the condition of land, water, and/or vegetation without the removal of healthy, mature, scenic trees. The projects that qualify for this exemption involve management of existing native vegetation through the removal of dead, dying, and immature trees, thinning, reduction of ladder fuels, grazing, and other similar activities. These fuel management activities will not change the nature of the land or alter the basic character of the vegetation and habitat at the project sites.

14 CCR Section 15306 (Information Collection) exempts projects that involve basic data collection and resource evaluation activities which do not result in a major disturbance to an environmental resource. The data gathering and research projects described in this staff recommendation qualify for this exemption.

14 CCR Section 15333 (Small Habitat Restoration Projects) exempts projects that do not exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife. Examples of small restoration projects include, but are not limited to, revegetation of disturbed areas with native plant species or projects to enhance habitat that are carried out principally with hand labor and not mechanized equipment. The Pie Ranch Fuels Reduction and Native Planting Project, which involves habitat restoration activities on approximately three acres, meets the requirements of this exemption.

14 CCR Section 15061(b)(3), the "common sense exemption," applies when there is no possibility that a project will cause a significant effect on the environment. This exemption applies to the Marin County Wildfire Community Training project, which involves workshops and trainings that will not cause any environmental impact.

Public Resources Code section 4799.05(d) exempts state funding of prescribed fire, thinning, and fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire, provided that the projects have been reviewed under the National Environmental Protection Act (NEPA) and the Secretary for Natural Resources has certified that NEPA and laws that affect management of federal forest lands in California have not been substantially amended since August 31, 2018. The Secretary made the required certification on January 13, 2022. The Lewis Resilience Phase II Project and Prosper Ridge Prairie Restoration Project, which were both reviewed in earlier NEPA documents, meet the requirements of this exemption.

Upon approval of the exempt projects, Conservancy staff will file Notices of Exemption for each project.

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The portion of Grassroots Ecology's Community-Based Fire Resilience Project that will take place on properties owned by the City of Palo Alto is within the scope of the Palo Alto Foothills Fire Management Plan (2009; updated 2016). The City adopted a Mitigated Negative Declaration (MND) for the Plan on March 11, 2009. The Management Plan and MND are attached as Exhibit 4. The MND assessed potential environmental impacts associated with implementing the Management Plan. Staff has independently evaluated the MND and Management Plan, and concurs that the there is no substantial evidence that implementation of the Management Plan will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the Management Plan as mitigated avoids, reduces or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that implementation of the Management Plan will have a significant effect on the environment as that term is defined by 14 CCR Section 15382.

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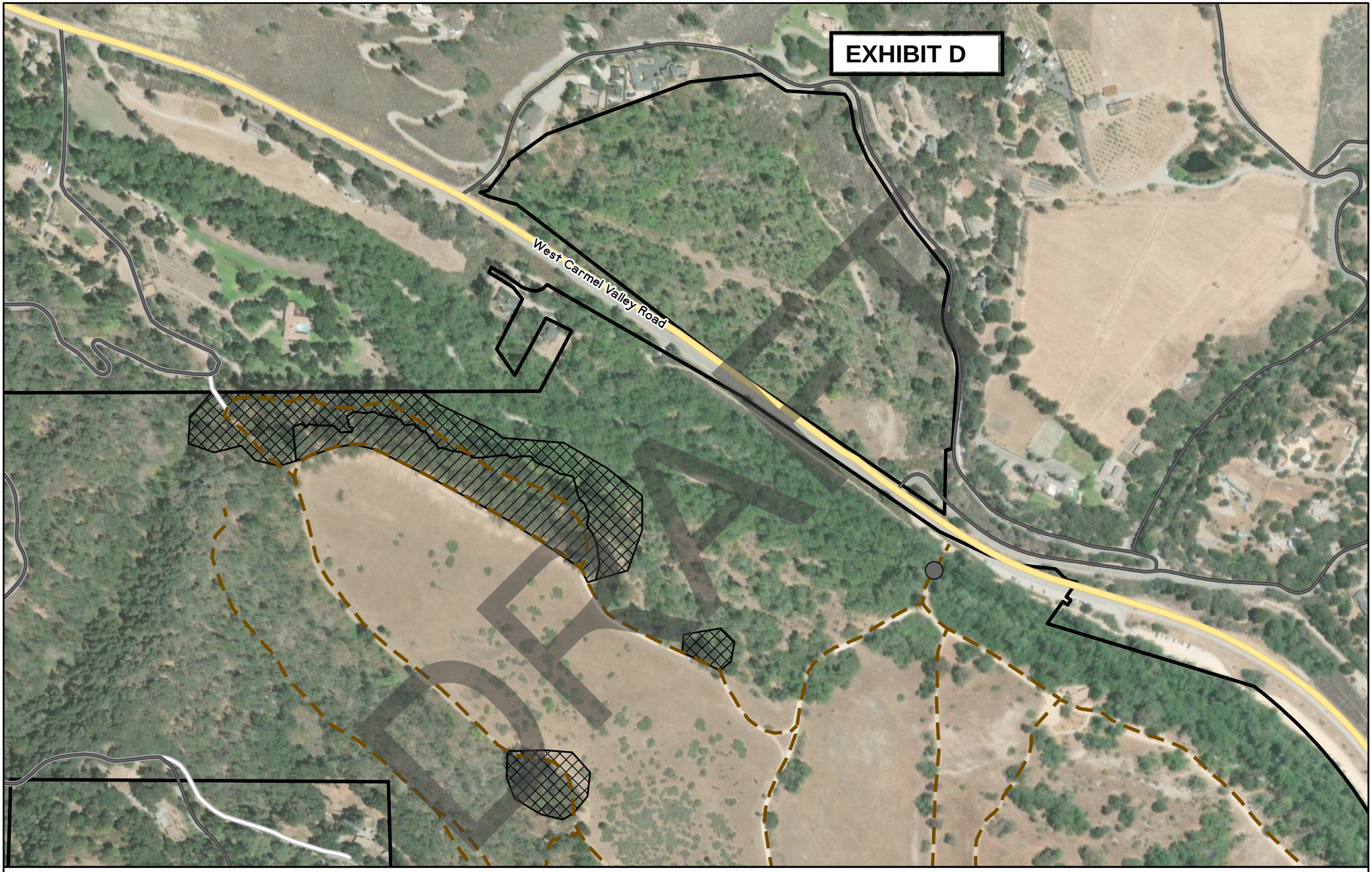


Figure 1: Project Area (Aerial)

- Garland Ranch Regional Park
- Public Hiking Trail
- Private Road
- Bridge
- Eucalyptus Removal Area
- Eucalyptus Thinning & Limbing Area

0 250 500 1000 Feet

Data Sources: DD&A 2023, MPRPD 2024

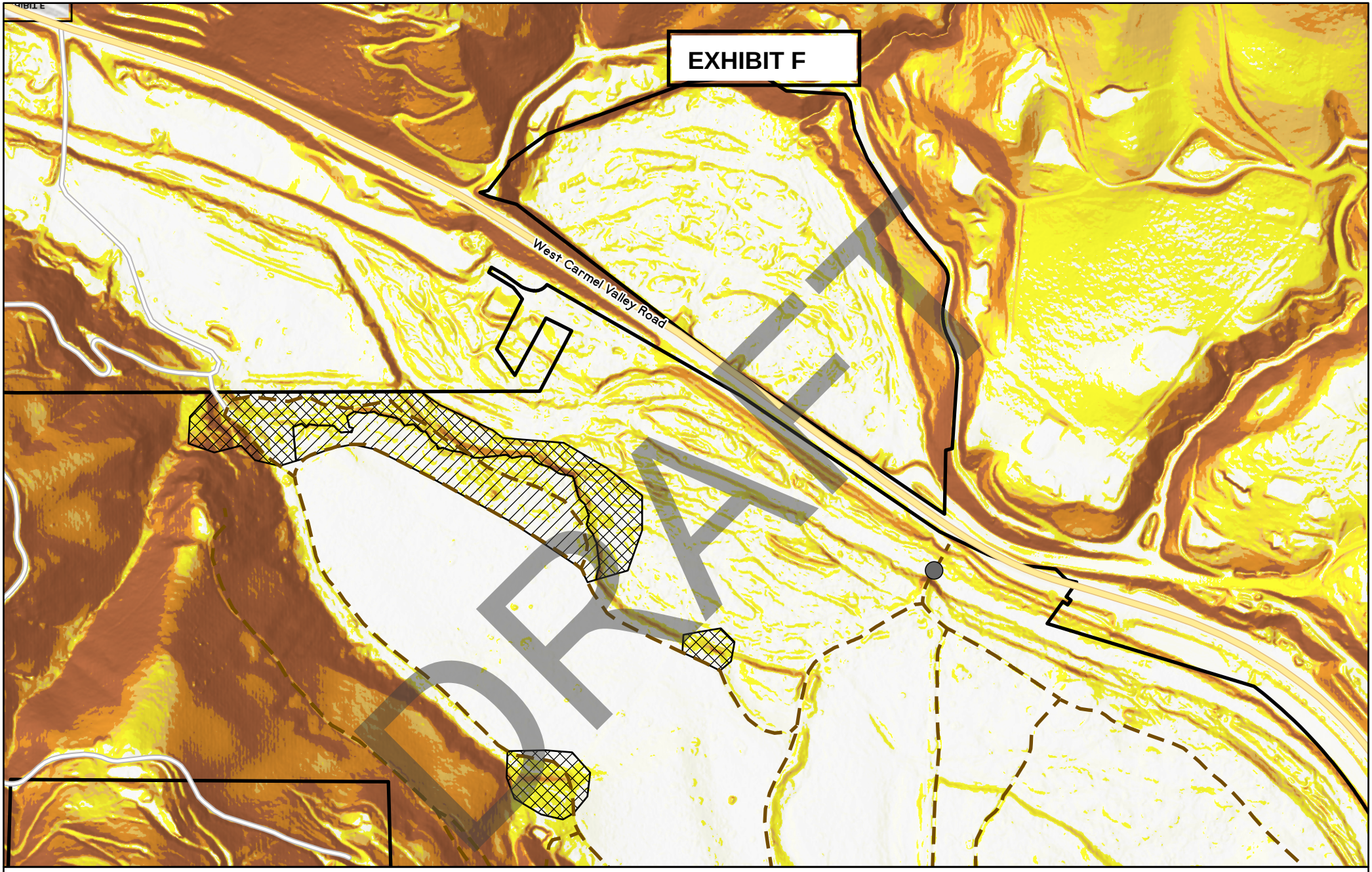


Figure 2: Project Area (Slope)

Garland Ranch Regional Park
Public Hiking Trail
Private Road
Bridge

Eucalyptus Removal Area
Eucalyptus Thinning & Limbing Area
Flat (0°)
Nearly level (1°)

Gently level (2°)
Gently sloping (3° - 5°)
Strongly sloping (6° - 10°)
Gently steep (11° - 15°)

Moderately Steep (16° - 20°)
Steep (21° - 30°)
Very steep (31° - 90°)

0 250 500 1000 Feet

Data Sources: DD&A 2023, MPRPD 2024

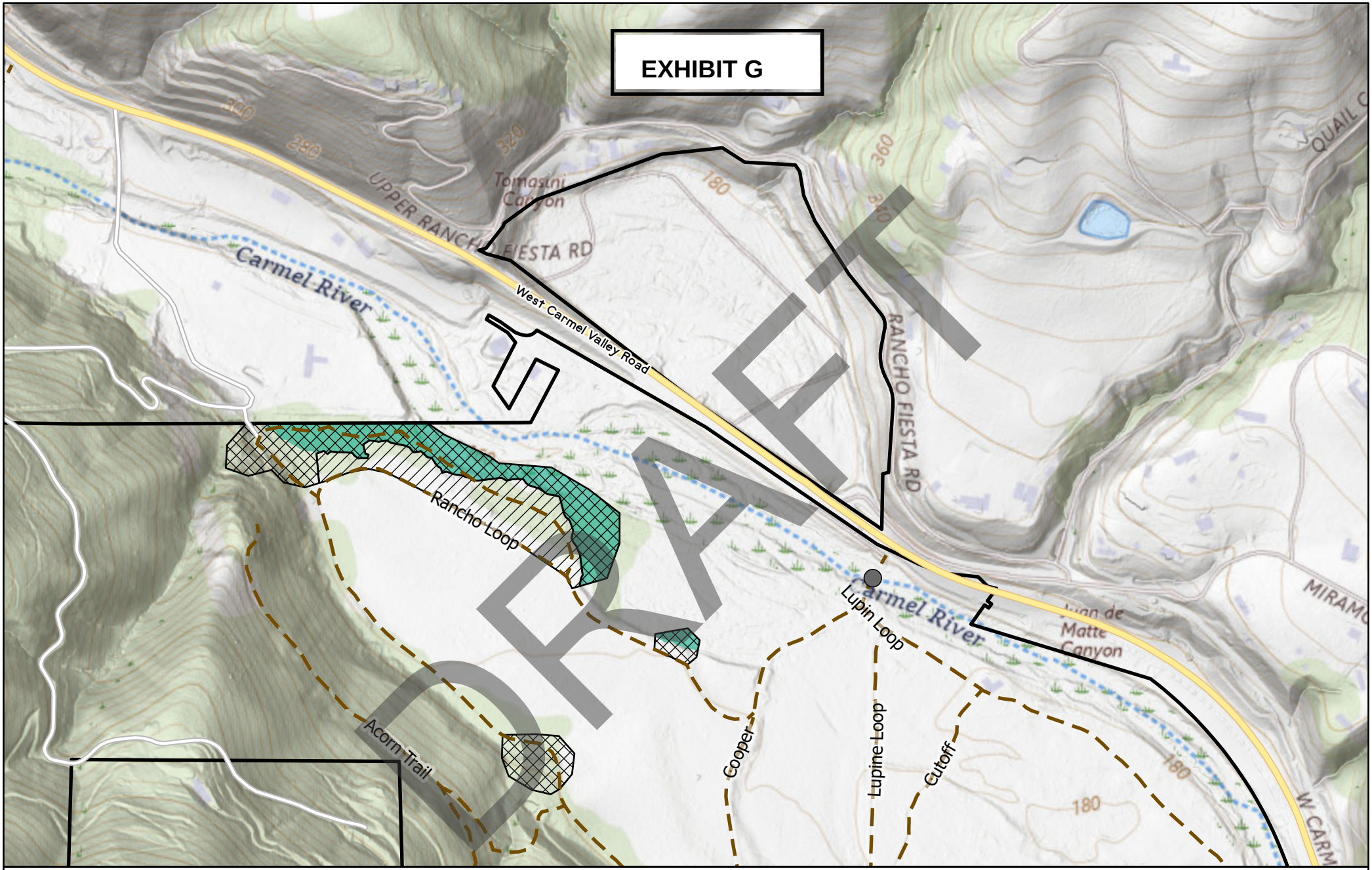


Figure 3: Project Area (Topo)

- Garland Ranch Regional Park
- Bridge
- Public Hiking Trail
- Private Road
- Riparian Zone
- Eucalyptus Removal Area
- Eucalyptus Thinning & Limbing Area

0 250 500 1000 Feet

Data Sources: USGS 2024, DD&A 2023, MPRPD 2024

EXHIBIT H

Garland Ranch Regional Park Fuel Mitigation Project:
General Project Area Photos





Garland Ranch Regional Park Fuel Mitigation Project:
General Project Area Photos





Garland Ranch Regional Park Fuel Mitigation Project:
General Project Area Photos





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