

NOTICE OF PREPARATION

for the

VEGETATION MANAGEMENT PROGRAM

DRAFT ENVIRONMENTAL IMPACT REPORT

Lead Agency:

California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

To: State agencies, Federal agencies, Local government agencies,
General Public

SUBJECT: Notice of Preparation for the Vegetation Management Program
Draft Environmental Impact Report.

LEAD AGENCY: California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA. 94244-2460

CONTACT: Jeff Stephens, Deputy Chief
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RESPONSE DATE:

Due to the time limits mandated by State law, responses must be sent at the earliest possible date but not later than September 30, 2005.

PROGRAM DEFINED:

This Notice of Preparation uses the terms "Vegetation Management Program" to identify the proposed project under consideration by the Department of Forestry and Fire Protection (CDF). Use of the project identifier "Vegetation Management Program" in this context refers to multiple activities and programs within CDF that manipulate vegetation in order to achieve the goals and objectives described herein. The reader is cautioned to not confuse the project identifier "Vegetation Management Program" with the existing CDF prescribed burning program, also known as the Vegetation Management Program, or VMP. The scope of this project includes VMP as well other Department programs that may rely on the proposed EIR for evaluating individual projects under the California Environmental Quality Act (CEQA).

PROGRAM OVERVIEW:

Background:*

In the early 1980s, the California State Legislature recognized that there had been an increase in the number of uncontrolled fires on wildlands of the state resulting in destruction of important natural resources, loss of recreation opportunities, and an unacceptable level of hazards to public safety. The California State Legislature subsequently passed Senate Bill (SB) 1704 (Keene) which was signed into law by the Governor in 1980 and became effective in July 1981. The bill enabled the state to enter into a contract for prescribed burning with the owner or any other person who has legal control of any property which is included within any land classified by the state as "wildland".

In SB 1704, the California State Legislature established a program of fuel management to achieve the prevention of high-intensity wildland fires. The program allows CDF to enter into contracts with landowners for prescribed burning to prevent high-intensity wildland fires, and manage watersheds, rangeland, vegetation, forests, and wildlife habitat. Under SB 1704, the state may assume up to 90% of the costs of conducting a project, assume liability, and suppress escaped fires.

CDF, in cooperation with federal, state, and county resource agencies and private
NOP, Vegetation Management Program

landowners initiated the Chaparral Vegetation Management Program (VMP) in 1981 to reduce the risk of wildfire and avoid negative impacts on humans, property, and the environment. CDF completed a program environmental impact report (EIR) on the Chaparral Management Program (CMP) in 1981. The intent of the program EIR was to implement SB 1704 and identify environmental effects, provide mitigation for adverse affects that would occur from management activities, and provide an environmental checklist for project level actions. The program EIR focused on assessing potential impacts of conducting prescribed burning on shrub lands.

The California State Board of Forestry & Fire Protection (BOF) and the California State Fish and game Commission (FGC) initiated a review of CDF's VMP following the major wildfires which occurred in southern California in fall 1993. Subsequently, a working group was formed in spring 1994 to recommend to the BOF and FGC ways to improve the VMP to provide additional fire protection while meeting the concerns and needs of other agencies and the general public. These recommendations included:

- expand the program and EIR to include all vegetation fuel types in California,
- expand the EIR to include all fuel management techniques that are currently available,
- include a more detailed discussion of the no action alternative in the EIR,
- modify the project-level environmental checklist,
- expand authorization for VMP projects from state responsibility areas to all hazardous areas.

* Reference: Jones & Stokes. 2000. EIR Handbook for vegetation management program.

Programs within CDF That May Use This EIR Include:

- Vegetation Management Program (VMP) – A program by which private landowners and agencies agree to cooperate with the Department on vegetation management projects (primarily prescribed burning) using Department resources.
- PreFire Management Program – A program by which the Department participates in projects to address fire threat to wildland urban interface areas, often funded by Federal grants.
- California Forest Improvement Program – A program by which private landowners agree to cooperate with the Department performing a variety of resource management improvement practices including management of wildland fuel accumulation.
- Proposition 40 Program – A program by which Proposition 40 grant funding is used for projects that protect watershed values at risk from wild land fire.

Other Potential Users of the EIR:

In addition to the Department other entities may use this programmatic EIR in cases where proposed projects are within the scope of the environmental analysis, prescribed mitigations, and findings. These organizations include but are not limited to local fire districts, local city and county governments, municipal utility districts, and fire safe councils.

PROGRAM DESCRIPTION:

The California Department of Forestry and Fire Protection will be the Lead Agency and will prepare a Draft Environmental Impact Report (DEIR) for Vegetation Management activities as

authorized under PRC §§ 4475-4480. The DEIR will be prepared in accordance with the California Environmental Quality Act (PRC § 21000 et seq.) The lead agency needs to know the views of your agency as to the scope and content of the DEIR relevant to your agency's responsibilities in connection with the proposed project. Your agency may need to use the DEIR when considering permits or other approvals for future projects carried out under this programmatic EIR.

The Vegetation Management Program proposes to treat vegetation in order to attain the desired effect by project proponents. Vegetation may be treated by hand, mechanically using equipment, prescribed fire, biologically using prescribed herbivory, and chemically. Combinations of these treatments may occur in order to achieve the desired objective.

Material resources for performing these tasks may be procured through agreements among private landowners and local, State and Federal government entities. Funding for performing the work may be provided through cost share agreements between cooperating parties, or from grants from Federal and State sources.

PROGRAM LOCATION:

The proposed program would take place on State Responsibility Area (SRA) lands, including lands administered by the Department of Parks and Recreation (DPR); on Local Responsibility Area (LRA) lands with wildland vegetation; and on isolated federal lands where CDF is responsible for fire protection. County fire agencies in Marin, Santa Barbara, Ventura, Los Angeles, Orange, and Kern Counties are under contract to CDF to treat vegetation to reduce fuel hazards on SRA lands. The Vegetation Management Program would not be implemented on federal lands where CDF is not responsible for fire protection or in non-wildland settings. (Jones & Stokes. 2000. EIR Handbook for vegetation management program)

ENVIRONMENTAL SETTING:

Vegetation:

Treatment of vegetation under the proposed program would include a wide range of vegetation types. Analysis conducted during creation of the Draft EIR will define and describe these types in detail using the California Wildlife Habitat Relationships Classification (Mayer & Laudenslayer 1988). The Department anticipates that this analysis will result in a listing and description of primary vegetation types where this program will function. A precise list is not possible at this time; however, the following list is provided to describe the diversity of types which may be treated under the proposed program:

- Annual and perennial grassland
- Chaparral and shrub lands of various classifications
- Coastal scrub
- Sagebrush
- Montane hardwood-conifer and montane hardwood forests
- Mixed conifer
- Douglas-fir
- Jeffery pine, ponderosa pine and eastside pine
- Redwood
- Closed-cone/pine/cypress
- Pinyon-juniper

Juniper
Oak Woodland

Watersheds:

Watersheds encompass a variety of environmental elements including soils and underlying geology, water quality, fisheries, and the overall condition of the watershed as determined by previous events and resource management practices. Projects that manipulate vegetation have the potential to impact soil erosion, land stability, fisheries, and domestic water supplies.

Wildlife:

This program will treat a variety of habitats associated with vegetation types as described above, and others that may be identified with additional analysis. Potential impacts to wildlife must be analyzed and where appropriate mitigation developed. These impacts may include a reduction of habitat quality for certain individuals and species, or the enhancement of habitat quality that results in a positive response in the number of individuals and species that make use of the habitat.

Air Quality:

Manipulation of vegetation, especially through the use of prescribed fire, has the potential to impact air quality during completion of individual projects under the program. Projects that potentially impact air quality are under the jurisdiction of the many local air quality management districts spread throughout the State, and the State Air Resources Board. The proposed Draft EIR will be developed through consultation with these air regulation authorities.

Environmental elements associated with air quality would include suspended particulate matter, ozone formation, general visibility, and visual hazards associated with highways.

Cultural Resources:

Cultural resources may take the form of both prehistoric and historic. Prehistoric resources are in the form of artifacts and other evidence of habitation by Native Americans that predate the settlement of California by Europeans. Historical resources include artifacts and the remnants of structures normally associated with the settlement of California by non Native Americans.

The act of conducting vegetation management projects has the potential of impacting cultural resources by disturbance of the site. Some methods used for vegetation management have the potential to disturb former habitation sites, destroy artifacts, and alter sites to the extent that their significance may not be determined. Mitigation practices and avoidance are routinely applied for protection of cultural resources when conducting projects.

Visual Resources:

Manipulating vegetation under the proposed program may impact visual quality by reducing the effectiveness of visual screens, the creation of open space and exposed ground, the creation of blackened ground, and in general alter the horizontal and vertical continuity of vegetation. The

potential for adverse impacts resulting from treatments may be determined by the type of treatment used, the degree to which the site is disturbed, its location in relation to the viewing public, and the manner by which vegetation changes over time following treatment.

Positive impacts are created depending on the perspective of the viewing public in regard to the creation of open space and the reduction of dense closed stands of vegetation.

PROGRAM OBJECTIVES AND GOALS:

The Program goal is to modify vegetation through prescribed management practices with the intent of accomplishing specific resource management objectives. These objectives include:

- Modification of fire behavior in a manner sufficient to reduce risk and damage to life and property.
- Reduce the frequency and size of large catastrophic fires.
- Wildlife habitat enhancement and protection.
- Restore periodic vegetation fires to plant communities that depend on fire for removing excess, decadent vegetation and maintenance of specie composition.
- Improve air quality by reducing the occurrence of large, uncontrolled vegetation fires that release massive amounts of air pollutants when burning under extreme fire weather conditions.
- Protect watershed values from severe environmental damage such as soil surface erosion, slope failure, and mass wasting by spreading the occurrence of vegetation treatments over separate watershed units, and treating these units sequentially in manner that reduces total sediment load that would occur as a result of wild fires within the watershed as a whole.
- Control invasive and noxious weeds that replace more desirable plant species on range and forest lands, and enhance range land productivity for domestic livestock and wildlife species.

EIR CERTIFICATION:

As required by regulation, the California Department of Forestry and Fire Protection (CDF) is the lead agency for this project. CEQA requires the preparation and circulation of a draft EIR. The CDF Director may certify the final EIR following the completion of the public comment period and addressing all comments received.

PROGRAMMATIC EIRs AND FUTURE PROJECTS:

The program establishes management goals and direction for future individual projects. Future activities carried out under the program may be both numerous and varied. The draft EIR will analyze the potential impacts that may occur as a result of implementing the program, but does not purport to fully analyze all future site-specific projects that may occur. The level of specificity of the analysis in an EIR is dependent upon the level of specificity found in the project description (CCR §15146). As such, an adequate EIR will focus on the impacts that may arise given the program's general direction as well as the types of projects that may reasonably be expected to occur.

CDF is proposing to develop a programmatic EIR, which considers a series of hypothetical future projects that are geographically similar, carried out under the same authority, and having roughly

the same environmental effects which can be mitigated in similar ways (CCR§15168). A programmatic EIR has the advantage of providing the opportunity for a more exhaustive examination of environmental effects, both individual and cumulative; consideration of more, and broader, project alternatives; and the development of program-wide mitigation measures that would not be practical in a project-by-project analysis.

Programmatic EIRs generally contain a lesser level of detail than would be found at the individual project level. Programmatic EIRs are less determinate, subject to many variables over time (e.g., levels of funding, policy and administration changes, environmental factors, etc.), whereas a site-specific project can be described with a greater degree of certainty. For example, any of several forms of vegetation treatments may occur repeatedly, in numerous vegetation types, and in various climatic and topographic conditions under this program. The program provides guidance to project proponents in carrying out these treatments yet provides little in the way of project specific operational details, leaving that to occur prior to individual project implementation.

Following certification of a final EIR CDF and others may rely upon the approved EIR in carrying out the various vegetation treatments. Some projects, where the specific activities proposed are within the scope of the final EIR, may proceed without any further environmental analysis. Projects that include activities that were not covered, were only partially covered, or were covered at a programmatic level of specificity in this EIR will require the completion of an Initial Study and preparation of an EIR or negative declaration, or where appropriate found to be categorically exempt. All future projects would be reviewed for consistency with the final EIR and the need for further CEQA analysis prior to approval and implementation.

Subsequent actions will be examined in light of this EIR to determine whether:

- other laws require further analysis (i.e., Forest Practice Regulations for Timber Harvest Plans),
- the action will be consistent with the final EIR,
- the action requires mitigation measures identified in the EIR,
- new significant environmental effects might be involved,
- new mitigation measure might be necessary, and
- an additional environmental document must be prepared.

To the extent that a subsequent action qualifies as a “project” under CEQA (CCR §15378) and is not otherwise exempt, compliance with CEQA will be necessary. This can be accomplished with any one of the following documents and/or findings listed in order of increasing procedural complexity.

Potential Additional CEQA Actions to Implement a Vegetation Management Project under the Vegetation Management Program

Project Circumstances	Required Documentation/Finding
Proposed project is within scope of the VMP EIR:	
• fully within scope	No further CEQA analysis required
• but <u>minor</u> changes to EIR are needed	Prepare an Addendum to this EIR
• but involves commercial timber operations	Prepare a Timber Harvesting Plan that tiers to the EIR
Proposed project is outside the scope of the EIR:	
• and the activity <u>will not</u> cause a significant effect	Prepare a Negative Declaration that tiers to the EIR
• or the activity <u>will</u> cause a significant effect	Prepare a Mitigated Negative

	Declaration or focused EIR that tiers to this EIR
EIR is found to not cover future projects:	
• and minor changes to the EIR are required	Prepare a Supplemental EIR
• and major changes to the EIR are required	Prepare a Subsequent EIR
• or a new EIR is required	Prepare a new Program EIR

Where additional CEQA documents are prepared for subsequent actions, this Program EIR can be referenced or otherwise utilized to streamline the review process in the following ways:

- To provide the basis in an Initial Study for determining whether the later activity may have any significant effects;
- Incorporate by reference regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole;
- Focus any later EIR on new effects that had not been considered before (CCR 15168(d)).

When a law other than CEQA requires public notice for CDF to carry out or approve a subsequent activity that relies on this Program EIR for CEQA compliance, the notice for the activity shall include a statement that:

- The activity is within the scope of the program approved earlier; and
- The Program EIR adequately describes the activity for the purposes of CEQA (CCR §15168(e)).

PROGRAM CHECKLIST:

At the time of EIR certification CDF will adopt a Programmatic Checklist (CCR § 15168(c)(4)) to be utilized in implementing future individual projects. The checklist is an important component of the programmatic EIR process. It ensures that the individual project is within the scope of the analysis in the EIR and that mitigation measures identified in the EIR are in fact carried out in subsequent projects.

HOW WILL THE PROPOSED ACTION BE ACCOMPLISHED:

The proposed action shall be accomplished by employing a variety of techniques for the manipulation of vegetation. This action may employ the use of State and/or private resources. Vegetation shall be reduced in distribution and vertical and horizontal continuity in areas where the objectives of individual project proponents may be served. Possible methods for manipulating vegetation may include treatments by hand, machinery, chemical applications, biological controls such as prescribed herbivory, prescribed fire, and combinations of the above techniques. Through these actions fuel breaks, defensible space, and landscape treatment of wildland vegetation will occur.

ALTERNATIVES, INCLUDING THE PROPOSED PROJECT:

In accordance with Section 15126 of the CEQA Guidelines, a draft EIR must analyze a range of

reasonable alternatives to the proposed project that could feasibly attain the objectives of the project. The CEQA Guidelines provide the following direction for analysis of the alternatives.

- Describe a range of reasonable and feasible alternatives to the project, or to the location of the project.
- Evaluate the comparative merits of the alternatives.
- If there is a specific proposed project, explain why other alternatives were rejected in favor of the proposal.
- Focus on alternatives capable of avoiding or substantially lessening significant adverse environmental effects or reducing them to a level of less than significant, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
- If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

In addition to analyzing the proposed project CDF will analyze a No Project Alternative. CDF is soliciting the public's and other agencies' suggestions for a range of alternatives to be analyzed in this DEIR.

POTENTIALLY SIGNIFICANT PROJECT EFFECTS:

A lead agency, is required to identify the potential impacts that may result from implementing the proposed project (CCR §15082(a)(1)(C)) in order that responsible agencies may make reasonable response and offer feasible mitigation. After many years of carrying out similar projects CDF anticipates that this program may cause potentially significant impacts to the following resources:

- Air Quality
- Biological Resources - including state and federally listed wildlife and plant species
- Cultural – Historical and prehistoric
- Soils
- Vegetation
- Noise
- Aesthetics

POTENTIAL BENEFICIAL IMPACTS:

- Reduced risk of catastrophic fire and its impacts to human life and property
- Improved air quality through the reduction in number and size of wildland fires
- Protection and enhancement of wildlife habitat
- Protection of watershed values, including water quality and aquatic habitat, by reducing the number and size of wildland fires.
- Range improvement through the control of noxious and invasive plant species.
- Forest improvement through reduction of dense understory vegetation.

PUBLIC COMMENT:

The public comment period for this Notice of Preparation ends at 5 P.M. on September 30, 2005. CDF wishes to receive your comments on the potentially significant environmental effects of implementing this project and assistance in identifying mitigation measures and feasible project alternatives that avoid or reduce impacts. You may provide oral comments at the scoping meetings described below or you may provide written comments. All comments must be submitted to the name and address below, by the close of the comment period on September 30, 2005.

Mr. Jeff Stephens, Deputy Chief for Vegetation Management
California Department of Forestry and Fire Protection
P.O. Box 944246
1416 9th St.
Sacramento CA, 94244-2460

Email: SacramentoPublicComment@fire.ca.gov

A series of public scoping meeting will be held on the following dates and locations:

City	Date	Time *	Meeting Location
Redding	August 22, 2005	5:30 – 8:30 P.M.	Northern California Service Center, 6101 Airport Rd, Redding, CA
Sacramento	August 25, 2005	5:30 – 8:30 P.M.	Resources Building First Floor Auditorium, 1416 9 th Street, Sacramento, CA
Fresno	August 30, 2005	5:30 – 8:30 P.M.	Department of Transportation Manchester Center Building, Yosemite Room 145, 2015 East Shields Ave., Suite 100, Fresno CA
Riverside	August 31, 2005	5:30 – 8:30 P.M.	Department of Forestry & Fire Protection, Region III Head Quarters, 2524 Mulberry Street, Riverside, CA

* Meeting may end prior to 8:30 P.M. once all comment has been received.

Send your response to Mr. Jeff Stephens, Deputy Chief, California Department of Forestry and Fire Protection, at the address shown above. Please provide the name of a contact person in case we have any questions about information you would like included in the DEIR.

Additional information about the CEQA process is available at: <http://ceres.ca.gov/ceqa/>