NOTICE OF EXEMPTION

State of California
The Natural Resources Agency
California Department of Forestry and Fire Protection (CAL FIRE)

PROJECT TITLE	Middleton Road Fuel Break		
PROJECT LOCATION	37° 16' 14"N 122° 11' 15"W	**COUNTY**	San Mateo
LEAD AGENCY	California Department of Forestry and Fire Protection (CAL FIRE)		
CONTACT	Sarah Collamer, VMP Forester		
ADDRESS	San Mateo/Santa Cruz Unit 6059 Highway 9 Felton, CA 95018	**PHONE**	(831) 335-6794

The Middleton Rd Fuel Break Project serves to reduce the fuels hazard along the evacuation routes for the Middleton Tract community of homes.

Total project size is 20 acres (60 ft wide fuel reduction clearance along the 2.5 mile Middleton Road) but the area of protection covers 12.8 square miles. This protection area is bounded by Skyline Blvd (CA Highway 35) to the east, State Park Rd to the west, Alpine Rd to the north and Ward Road Fire Trail to the south. It consists of 200ft old-growth and second-growth coastal redwood trees, oak trees and brush. All fuels reduction will be by hand crews and slash will be brought to a chipper with the chips broadcast back onto the soil surface.

EXEMPTION STATUS

- [x] Categorical Exemption Type/Section: Class 4 §15304 Minor Alterations to Land
- [ ] Statutory Exemption (state code section):
- [ ] Ministerial (§21080(b)(1); 15268)
- [ ] Declared Emergency (§21080(b)(3); 15269(a))
- [ ] Emergency Project (§21080(b)(4); 15269(b)(c))

REASONS PROJECT IS EXEMPT

Review by Tim Morin, RPF #2505, confirmed that no exceptions apply which would preclude the use of a Notice of Exemption for this project. The RPF has concluded that no significant environmental impact would occur to aesthetics, agriculture and forestland/timberland, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, or to utilities and service systems. Documentation of the environmental review completed by the RPF is kept on file at CAL FIRE's St. Helena office.

DATE RECEIVED FOR FILING

7/17/19

for Helge Eng, Deputy Director Date
California Department of Forestry and Fire Protection

Governor's Office of Planning & Research

JUL 24 2019

STATE CLEARINGHOUSE

California Department of Forestry and Fire Protection
Environmental Review Report for an Exempt Project

Note: This report form is intended for use by California Department of Forestry and Fire Protection (CAL FIRE) staff to document a limited environmental impact analysis supporting the filing of a Notice of Exemption (NOE) document for a proposed CAL FIRE project. Although the project appears to fit within the descriptions for allowable Categorical Exemptions, this report presents CAL FIRE's review for possible "Exceptions" that would preclude finding the project to be categorically exempt as discussed in CEQA Guidelines Section 15300.2. This report will be filed with the CEQA administrative record for this project to document the environmental impact analysis conducted by the Department.

Author:	Tim Morin
Title:	RPF #2505
Address:	PO Box 361, Angelus Oaks, CA 92305
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Project Name:	Middleton Road Fuel Break
Project Number:	17-FP-CZU-0151
Program Type:	Fuels Reduction
CAL FIRE Unit:	San Mateo/Santa Cruz Unit 6059 Highway 9 Felton, CA 95018
County:	San Mateo
Acres:	20
Legal Location:	37° 16' 14"N 122° 11' 15"W
Name of USGS 7.5'Quad Map(s):	Mindego Hill

☒Project Vicinity Map Attached ☒Project Location Map Attached ☒Photos Attached

Other Public Agency Review/Permit Required:

Would the project result in:	YES	NO
alterations to a watercourse (DFG - Lake and Stream Alteration Agreement)	☐	☒
conversion of timberland (CAL FIRE - Conversion Permit or Exemption)	☐	☒
demolition (Local Air District - Demolition Permit)	☐	☒
soil disturbance over 1 acre (RWQCB - SWPPP)	☐	☒
fill of possible wetlands (404 Permit - USACE)	☐	☒
other:	☐	☒

Discuss any above-listed topic item checked Yes and consultation with agencies:

Project Description and Environmental Setting (Describe the project activities, project site and its surroundings, its location, and the environmental setting):

The Middleton Rd Fuel Break Project serves to reduce the fuels hazard along the evacuation routes for the Middleton Tract community of homes.

Total project size is 20 acres (60 ft wide fuel reduction clearance along the 2.5 mile Middleton Road) but the area of protection covers 12.8 square miles. This protection area is bounded by Skyline Blvd (CA Highway 35) to the east, State Park Rd to the west, Alpine Rd to the north and Ward Road Fire Trail to the south. It consists of 200ft old-growth and second-growth coastal redwood trees, oak trees and brush. All fuels reduction will be by hand crews and slash will be brought to a chipper with the chips broadcast back onto the soil surface.

Environmental Impact Analysis

Aesthetics

☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

The project consists of removing small diameter trees and brush from the project area. The area of potential effects is limited to a 30 foot clearance footprint from the road edge, and the design of the project will lend itself to more of a park-like setting than current. It is the RPF's determination that this project will not have an impact to the aesthetics of the area.

Agriculture and Forest Resources

☐ This topic does not apply to this project and was not evaluated further.
☒ Yes ☐ No Would any trees be felled? If yes, discuss protection of nesting birds and compliance with FPRs.
☐ Yes ☒ No Would the project convert any prime or unique farmland?
☐ Yes ☒ No Would the project result in the conversion of forest land/timberland to non-forest use?

☒ This topic could apply to this project, and results of the assessment are provided below:

This project will remove small diameter (less than 6 inches diameter), suppressed and intermediate tress that are positioned within the drip line of larger trees.

Tree felling operations will occur between June 1 and Dec. 31 in the year of operations, which will be within the typical bird nesting seasons. Signs of nests include completed nests, accumulation of nesting material at base of tree, white wash and sound associated with nesting birds. Any nests that are discovered during operations will be completely avoided. Removal of understory ladder fuels provides ample opportunities to inspect proposed removal vegetation for nests prior to cutting. No conversion of prime or unique farmland and/or timberland will occur. It is the RPF's determination that impacts to agriculture and forest resources will be less than significant.

Air Quality

☐ This topic does not apply to this project and was not evaluated further.
☒ Yes ☐ No The local Air Quality Management District guidelines for dust abatement and other air quality concerns were reviewed for this project.
☒ This topic could apply to this project, and results of the assessment are provided below:

Travel to and from the project area will produce a short term increase to vehicle traffic on the access road and the use of a chainsaws, masticators and a chipper will create a short term increase of combustible engine emissions into the atmosphere. The project is expected to last two weeks, and is designed for fire protection with the potential to improve air quality by limiting combustible vegetation along the traveled roadway. It is RPF's determination that this project will not have significant impacts on air quality.

Biological Resources

☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Will the project potentially effect biological resources?
☒ Yes ☐ No Was a current NDDB review completed? Results discussed below:
☐ Yes ☒ No Was a biological survey of the project area completed? Results discussed below:
☐ This topic could apply to this project, and results of the assessment are provided below:

A California Natural Diversity Data Base, BIOS 5, was used to identify State and Federally listed species that may be present within a 5 mile radius of the project area. The search yielded eight federal and state threatened, endangered or candidate species within a 5 mile radius of each of the project sites:

Butano Ridge cypress (*Hesperocyparis abramsiana var. butanoensis*)

This cypress is confined to four populations in the Santa Cruz Mountains. Wolf (1948) discussed the Bonny Doon and Eagle Rock groves. The Butano Ridge stand, which Wolf looked for but could not find, was relocated in 1949 (McMillan 1952). A fourth stand was found near Boulder Creek which Thomas (1961) called the Brackenbrae grove. These cypress populations all grow in sterile, sandy, chaparral habitats within a Redwood-Mixed Evergreen Forest mosaic. The southernmost grove, along Martin Road near Bonny Doon, is probably the best known stand. These cypresses, at 490 m elevation, associate with knobcone pine [Pinus attenuata] on sandstone outcrops and with ponderosa pine [Pinus ponderosa] on deeper soils. Eleven km north, near Eagle Rock lookout, is the smallest grove. This stand numbers less than a hundred trees. At 762 m, it is the highest-elevation grove. The larger Brackenbrae population is 4.8 km east of Eagle Rock. It lies on the east side of Boulder Creek canyon around the 328-meter level. The cypress trees are scattered within knobcone pine thickets. The northernmost stand is 11.25 km northwest of Eagle Rock on the south side of Butano Ridge. Habitat located in the project area does not meet the described habitat for this species. Occurrences of this species are not observed within the project area.

California red-legged frog (*Rana draytonii*)
The California red-legged frog is found in California and extreme northern Baja California, northwestern Mexico. This species now occurs most commonly along the northern and southern Coast Ranges, and in isolated areas in the foothills of the Sierra Nevada mountains. The current southernmost California populations are on the Santa Rosa Plateau in Riverside County, and within the Upper Las Virgenes Canyon Open Space Preserve in the Simi Hills in eastern Ventura County, near the community of West Hills. In 2015, egg masses from the nearby Simi Hills were introduced to two streams in the Santa Monica Mountains. Juvenile frogs were found living at the locations a year later. Habitat located in the project area does meet the described habitat for this species. Occurrences of this species are not observed within the project area.

foothill yellow-legged frog (*Rana boylii*)
The foothill yellow-legged frog is a small-sized 3.72–8.2 cm (1.46–3.23 in) frog from the genus Rana in the family Ranidae. This species can be found in the Coast Ranges from northern Oregon, through California, and into Baja California, Mexico as well as in the foothills of the Sierra Nevada and southern Cascade Range in California. The foothill yellow-legged frog is a Federal Species of Concern and California Species of Special Concern. Habitat located in the project area does meet the described habitat for this species. Occurrences of this species are not observed within the project area.

coho salmon - central California coast ESU (*Oncorhynchus kisutch pop. 4*)
This evolutionarily significant unit, or ESU, includes naturally spawned coho salmon originating from rivers south of Punta Gorda, California to and including Aptos Creek, as well as such coho salmon originating from tributaries to San Francisco Bay. Habitat located in the project area does meet the described habitat for this species. Occurrences of this species are not observed within the project area.

steelhead - central California coast DPS (*Oncorhynchus mykiss irideus pop. 8*)
This distinct population segment, or DPS, includes all naturally spawned populations of steelhead (and their progeny) in streams from the Russian River to Aptos Creek, Santa Cruz County, California (inclusive). It also includes the drainages of San Francisco and San Pablo Bays. Habitat located in the project area does meet the described habitat for this species. Occurrences of this species are not observed within the project area.

marbled murrelet (*Brachyramphus marmoratus*)
The marbled murrelet (Brachyramphus marmoratus) is a small seabird from the North Pacific. It is a member of the auk family. It nests in old-growth forests or on the ground at higher latitudes where trees cannot grow. Its habit of nesting in trees was suspected but not documented until a tree-climber found a chick in 1974, making it one of the last North American bird species to have its nest described. The marbled murrelet has declined in number since humans began logging its nest trees in the latter half of the 19th century. The decline of the marbled murrelet and its association with old-growth forests, at least in the southern part of its range, have made it a flagship species in the forest preservation movement. In Canada (north of 50° North Latitude) and Alaska, the declines are not so obvious because populations are much larger and the survey techniques have not had sufficient power to detect changes. Presence of this species is possible within the project area. The current project will take place along public roads where the murrelet is unlikely to be present.

San Francisco gartersnake (*Thamnophis sirtalis tetrataenia*)
The San Francisco garter snake (Thamnophis sirtalis tetrataenia) is a slender multi-colored subspecies of the common garter snake. Designated as an endangered subspecies since the year 1967,[1] it is endemic to San Mateo County and the extreme northern part of coastal Santa Cruz County in California. Some researchers estimate that there are only 1,000 to 2,000 adult snakes of the subspecies T. s. tetrataenia remaining. However, the full extent of the snakes' habitat has not been fully documented, and many snakes may utilize creeks and other waterways that are currently unexplored. This garter snake prefers wet and marshy areas, and because of its elusive nature, it is difficult to see or capture. Habitat located in the project area does meet the described habitat for this species. Occurrences of this species are not observed within the project area.

San Mateo woolly sunflower (*Eriophyllum latilobum*)
Eriophyllum latilobum occurs primarily in shaded moist positions on steep grassy or sparsely wooded slopes of serpentine soil. The remaining colonies of San Mateo County consist of several hundred plants scattered along a two and one half mile length of Crystal Springs Road. These are most likely the relict fragments of a historically continuous population. Calflora reports sightings in Mariposa County and Riverside County, but both sites are close to major highways and probably represent waifs. Habitat located in the project area does not meet the described habitat for this species. Occurrences of this species are not observed within the project area.

As a result of the project design, the effects of this project on biological resources will be less than significant.

Cultural Resources
☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Was a current archaeological records check completed? Results discussed below:
☐ Yes ☒ No Was a CAL FIRE Staff or Contract Archaeologist consulted? Results discussed below:
☐ Yes ☒ No Was an archaeological survey of the project area completed? Results discussed below:
☐ Yes ☒ No Will the project effect any historic buildings or archaeological site?
☒ This topic could apply to this project, and results of the assessment are provided below:

The proposed project is exempt from archaeological survey, investigation, and reporting requirements according to item #17 on the List of Exempt Practices in CAL FIRE's Archaeological Review Procedures for CAL FIRE Projects document, which states:

(17) Fire-Safe Projects: Treatment of vegetation surrounding communities to reduce the risk of catastrophic wildfires through thinning and/or removal of vegetation by crews using hand tools. To be exempt such projects must involve the chipping and removal of woody material or the chipping and scattering of woody material.

Maximum size of ladder fuels to be removed is 6 inches in diameter. All material to be cut into pieces that can be hand walked to the roadway for chipping. All work will be done with hand crews falling only materials that are not impactive to soil resources and that can easily be removed to the road for chipping and broadcasting back into forest areas. Soil disturbance is not expected to occur.

Geology and Soils
☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

No unstable land features were noted in the project area. If an unstable area is identified during operations, work will be halted and the area will be completely avoided. Therefore, the effects of this project on soils or geology will be less than significant.

Greenhouse Gas Emissions
☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Would the project generate significant greenhouse gas (GHG) emissions?
☐ Yes ☒ No Would these GHG emissions result in a significant impact on the environment? Discuss below:
☐ Yes ☒ No Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? Discuss below:

Estimates for GHG emissions were done based on total fuel consumption per day for planned motor vehicles operations to facilitate this project. The common conversion factors were obtained from the California Climate Action Registry (CCAR) General Reporting Protocol U.S. EPA. The results are listed below:

One pickup truck containing an 5.7 liter engine towing a chipper or similar will be traveling on average 20 miles round trip for 45 days, using a total of 4 gallons of diesel per day. The chipper will likely use an average of 64 gallons of diesel per day. Total amount of fuel used each day will be 68 gallons, or 3060 gallons for the entire project.
About 1 gallon of a gas mixture will be used per crew for the day, using a total of 45 gallons of gasoline for the use of chainsaws.

Estimation of GHG emissions are based on total fuel consumption per day. The results are listed below:

Net Diesel Fuel= 68 gallons: 68 gal*10.15(conversion factor)=690.2 KG/1000= 0.6902 metric tons CO_2 emissions

Total=0.6902 metric tons of CO_2 emissions per day X 45 days= 30.06 metric tons CO_2 emissions for the entire project.

Net Gasoline Fuel= 45 gallons: 45 gal* 8.18 (conversion factor)=368.1 KG/1000=0.3681 metric tons CO_2 emissions.

All vehicles and chippers will comply with current Air Quality Management District standards. This project may temporarily increase traffic in the area due to construction equipment. As a result, a minor increase in emissions will occur for a short duration.

Decomposition of Cut Vegetation

Vegetation in the project area is best classified as Fuel Model 10 (Mature/Overmature Timber and Understory), which is estimated to have a total fuel load of 17 tons per acre.

Project activities will cut approximately 50% of the total vegetation, or 8.5 tons per acre

Calculations are based on the assumption that approximately half the weight of the vegetation is carbon

8.5 tons/acre cut vegetation x 0.5 = 4.25 tons C/acre

4.25 tons C/acre x 3.67 = 15.59 tons CO_2/acre

15.59 tons CO_2/acre x 60 acres = 935.4 tons CO_2

935.4 tons CO_2 x 0.907185 = 848.58 metric tons CO_2e from vegetation decomposition

The proposed project will not generate significant GHG emissions due to the small size, short duration (approximately 45 days) and limited scope of the project. Greenhouse gas emissions will be emitted from the decomposition of cut vegetation, from diesel engines on the pickup truck and chipper. Due to the limited nature of the project no significant effects will occur.

Hazards and Hazardous Materials

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

The project consists of chipping woody material within an area that is not listed on a hazardous materials site. There are no hazards, hazardous materials or hazardous emissions created as a result of the proposed project, other than the use of chipping equipment and chainsaw use. For the chipping equipment, all diesel fuel will be transported using appropriate containers and stored in the appropriate manner. For chainsaws, fuel and bar oil will be transported and stored in the appropriate containers. All Personal Protective Equipment will be worn by personnel, and all personnel will be properly trained in the usage of the equipment. No other exercise activity or operational conditions will expose people to impacts with regard to hazards or hazardous materials. It is RPF's determination that this project will not have negative impacts to hazardous materials.

Hydrology and Water Quality

This topic does not apply to this project and was not evaluated further.

☐ Yes ☒ No Will the project potentially affect any watercourse or body of water?

☐ This topic could apply to this project, and results of the assessment are provided below:

Riparian areas or riparian vegetation is present within the project boundaries. These areas will be completely protected by applying the standard watercourse and lake protection zones, as listed in the Forest Practice Rules. There will be no impacts to hydrology or water quality.

Land Use and Planning

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

Land use and planning will not be impacted by this project.

Mineral Resources

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

There are no mineral resources within the project area.

Noise

☐ This topic does not apply to this project and was not evaluated further.

☒ This topic could apply to this project, and results of the assessment are provided below:

The project will create a short-term increase in noise due to the operation of gas/diesel powered equipment. Operations are only scheduled during normal daylight hours. There will not be a long-term increase in noise levels as a result of this project. Due to the short project duration, it is RPF's determination that negative impacts from noise will be less than significant.

Population and Housing

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

Population and housing will not be effected because of the small scale of this project.

Public Services

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

This project is intended to reduce the fire risk to the public.

Recreation

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

It is RPF's determination that this project will not have an impact to recreation. The parcels are privately owned and the road is used to access the private parcels.

Transportation/Traffic

☐ This topic does not apply to this project and was not evaluated further.

☒ This topic could apply to this project, and results of the assessment are provided below:

It is anticipated that this project will utilize the following equipment: passenger vehicles, tow vehicle with chipper, and tow vehicle with trailers. Most traffic will occur at the beginning of the project, as the equipment is moved into place, and at the end of the project, when the equipment is removed. The day-to-day traffic will only consist of passenger vehicles. This project may create short-term increases in traffic on the local road adjacent to the project area, however it is intended to assist ingress/egress into the properties during emergencies, and will provide for better sight distances upon completion. Upon completion of the project, it is RPF's determination that negative impacts to transportation/traffic will be less than significant.

Utilities and Service Systems

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

Changes Made to Avoid Environmental Impacts: Best management practices, and project design features have been incorporated into the project and impacts to resources will be non-existent or less than significant.

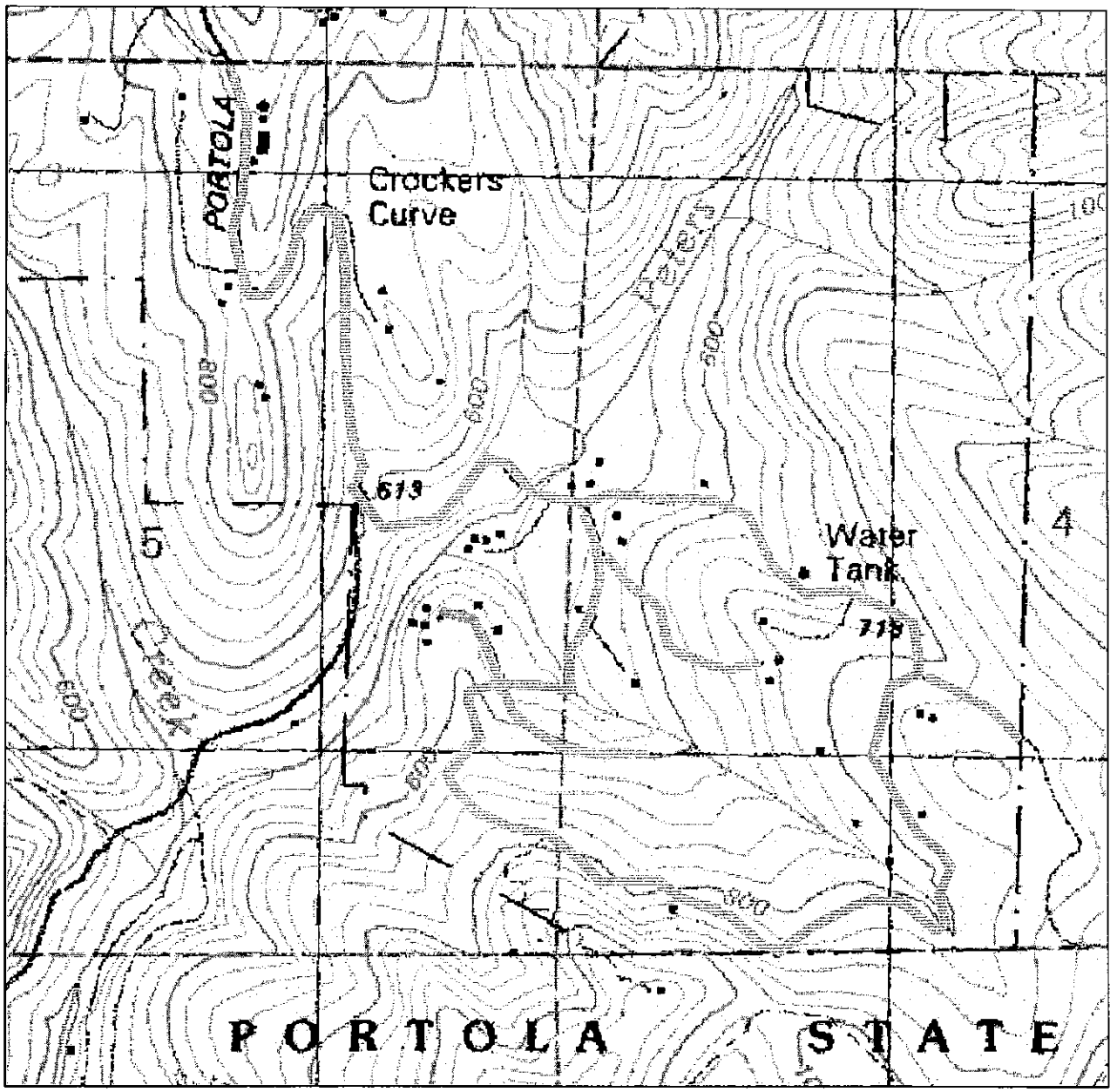
Mandatory Findings of Significance:	**YES**	**NO**
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)	☐	☒
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒

Justification for Use of a Categorical Exemption (discuss why the project is exempt, cite exemption number(s), and describe how the project fits the class):
This project meets the requirements of Class 4 Categorical Exemption (Minor Alterations to Land), 15304. Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. This project as proposed consists of chipping and does not remove healthy, mature, or scenic trees. The chipping activities are best described as minor in scope.
Review by CAL FIRE staff and Tim Morin, RPF, confirmed that no exceptions apply which would preclude the use of a "Notice of Exemption" for this project. The Department has concluded that no significant environmental impacts would occur to aesthetics, agriculture and forestland/timberland, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, populations and housing, public services, recreation, transportation/traffic, or to utilities and service systems.

Conclusion:
☒ After assessing potential environmental impacts and evaluating the description for the various classes of Categorical Exemptions to CEQA, CAL FIRE has determined that the project fits within one or more of the exemption classes and no exceptions exist at the project site which would preclude the use of this exemption. The Department considered the possibility of (a) sensitive location, (b) cumulative impact, (c) significant impact due to unusual circumstances, (d) impacts to scenic highways, (e) activities within a hazardous waste site, and (f) significant adverse change to the significance of a historical resource. A Notice of Exemption will be filed at the State Clearinghouse.

☐ After assessing potential environmental impacts and evaluating the description for the various classes of Categorical Exemptions to CEQA, CAL FIRE has determined that the project does not fit within the description for the various exemption classes or has found that exceptions exist at the project site which precludes the use of a Categorical Exemption for this project. Additional environmental review will be conducted and the appropriate CEQA document used may be a Negative Declaration or a Mitigated Negative Declaration.

Middleton Road Fuel Break



Legend

0 500 1,000 2,000 Feet

Fuel Break

Sec. 4 & 5, T8S, R3W, MDBM

Project Location

DAVEY RESOURCE GROUP

Figure 1. Project Vicinity, not to scale

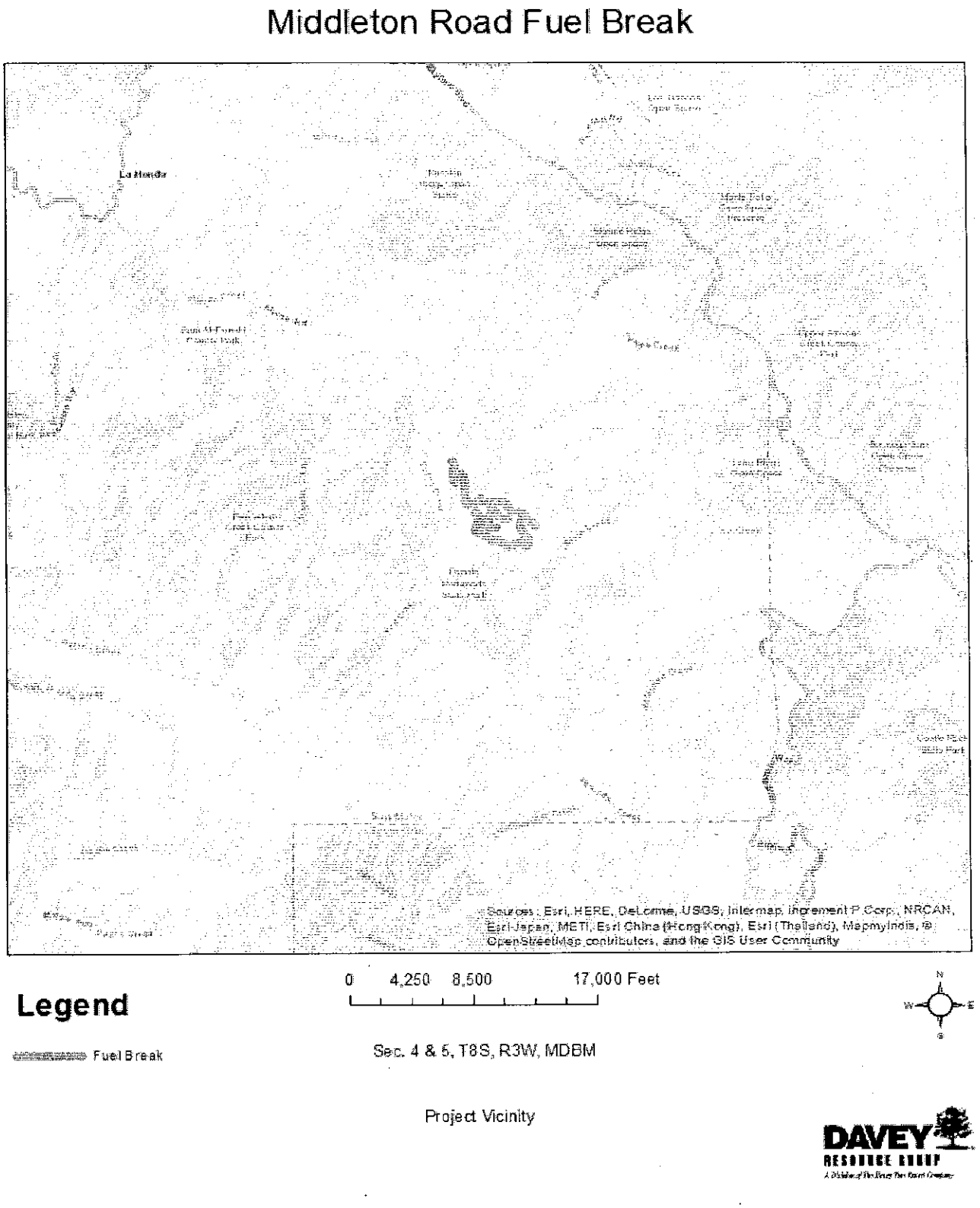


Figure 2. Project Area, not to scale

Figure 3. Picture of fuels

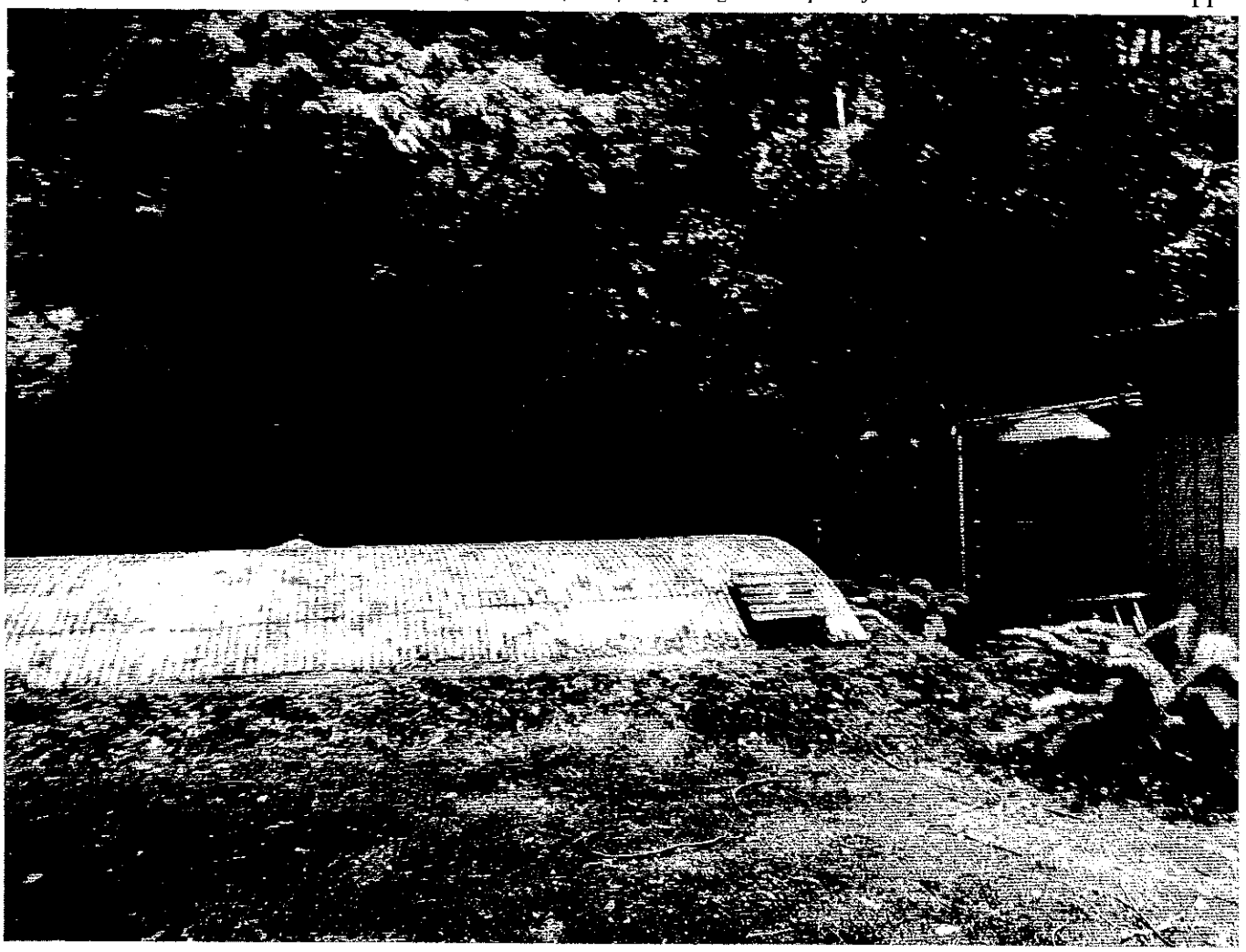


Figure 4. Picture of fuels