



PROJECT-SPECIFIC CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

INTRODUCTION

Contra Costa County Fire Protection District, referred to herein as "Project Proponent," in the exercise of its independent judgment, makes and adopts the following findings regarding its decision to approve the Lafayette / Walnut Creek Shaded Fuel Break, referred to herein as "vegetation treatment project," within the scope of the California Vegetation Treatment Program (CalVTP). This document has been prepared in accordance with the California Environmental Quality Act (Pub. Resources Code, Sections 21000 et seq.) (CEQA) and the CEQA Guidelines (Cal. Code Regs., Tit. 14, Sections 15000 et seq.).

STATUTORY REQUIREMENTS FOR FINDINGS

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same section provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (Pub. Resources Code, Section 21002.) Section 21002 goes on to provide that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).) For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines, Section 15091, subd. (a); Pub. Resources Code, Section 21081, subd. (a).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." (See also *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 565.)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the project's "benefits"



rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b).) The California Board of Forestry and Fire Protection (the Board), adopted Findings and a Statement of Overriding Considerations on December 30, 2019.

Here, as explained in the Board’s Findings and the Draft Program Environmental Impact Report (Draft PEIR) and the Final PEIR (collectively, the “PEIR”), the CalVTP would result in significant and unavoidable environmental effects to the following: Aesthetics; Air Quality; Archaeological, Historical, and Tribal Cultural Resources; Biological Resources; Greenhouse Gas Emissions; Transportation; and Public Services, Utilities, and Service Systems. For reasons set forth in the Board’s Statement of Overriding Considerations, however, the Board determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the CalVTP.

When a responsible agency approves a vegetation treatment project using a within the scope finding for all environmental impacts, it must adopt its own 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. (See CEQA Guidelines section 15096(h).) According to case law, a responsible agency’s findings need only address environmental impacts “within the scope of the responsible agency’s jurisdiction.” (*Riverwatch v. Olivenhain Municipal Water District* (2009) 170 Cal.App.4th 1186, 1202.) Although each responsible agency must adopt its own findings, 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. The following document sets forth the required findings for an agency’s project-specific approval that relies on and implements the CalVTP PEIR.

The Project Proponent adopts these findings to document its exercise of its independent judgment regarding the potential environmental effects analyzed in the PEIR and to document its reasoning for approving the vegetation treatment project under the CalVTP in spite of these effects.



BACKGROUND AND PROJECT DESCRIPTION

PD-3: PROJECT DESCRIPTION

The proposed Project would create and maintain a 299-acre reduced fuel zone in the San Francisco East Bay within CCCFPD's service area around the Rossmoor Community in Contra Costa County, California (Figures 1 and 2). The Project would result in the collective protection of over 30,000 residents by creating a shaded fuel break approximately 12 miles in length within the cities of Lafayette and Walnut Creek, and the town of Moraga. Land within the Project footprint is owned by the Golden Rain Foundation, Saint Mary's College, private landowners, and public utilities, including PG&E and the East Bay Municipal Utility District (EBMUD). Communities included within the proposed shaded fuel break and WUI fuel reduction zone are Walnut Creek, Lafayette, and Moraga.

The Project is divided into two phases: a shaded fuel break and a connecting shaded fuel break to the Tunnel East Bay Hills Shaded Fuel Break, which is being implemented by the Moraga-Orinda Fire District. Phase I of the Project is approximately 10 linear miles starting in the northeast in Walnut Creek, Contra Costa County from Rossmoor Parkway and Tice Valley Road, extending south and around Horseman's Canyon Drive for approximately 3.2 miles, then extending north approximately 3.5 miles to the northern end of Skycrest Drive. An approximately 3.3-mile western extension from Morecroft Road on the south continues along Hunsaker Canyon Drive across a small stretch of open space. Phase II of the Project connects the Project to MOFD's Tunnel East Bay Hills Shaded Fuel Break. This section unites with the shaded fuel break in open space and continues south to Valley Hill Drive, then extends north from Valley Hill Drive for approximately 2 miles to Saint Mary's College on Bollinger Canyon Road.

While the Project footprint includes 51 acres of land mapped as treatable landscape by the CalVTP, it also includes 248 acres not included in the CalVTP treatable landscape (Figure 3). Treatment types and treatment activities would be consistent throughout the Project footprint regardless of whether it has been mapped as treatable landscape. Treatment types and activities would be contingent upon-site conditions, accessibility, and fuels management needs to achieve the shaded fuel break. This Project proposes two treatment types consistent with the CalVTP PEIR: fuel breaks and WUI fuel reduction. The Project's proposed treatment activities would be consistent with those described in the CalVTP PEIR: manual treatment, mechanical treatment, prescribed burning (broadcast and pile), prescribed herbivory, and herbicide (spot treatment).

The Project footprint and surrounding area have a wildfire hazard risk, which is considered by CAL FIRE to be "high" to "very high." Wildfire hazard risk is attributed to widespread invasive, noxious, fire-hazardous vegetation; decades of dead vegetation accumulation; over a century of fire suppression; and the increased risk of anthropogenic ignition associated with dense urban development (CAL FIRE 2023). The desired result of the Project is to restore fuel loads to more natural levels that can be maintained through prescribed fire and other methods. The Project would reduce excess and ladder fuels within an approximately 100-foot-wide shaded fuel break and WUI (up to 300 feet wide in some areas).

The Project follows a route throughout the landscape that supports a strategic approach to wildfires in the WUI. Project implementation would not stop fire spread during periods of strong, warm, downslope winds with low relative humidity (i.e., Foehn winds) when pieces of burning material can be blown across fuel breaks. However, the Project would provide a point from which firefighting resources can "anchor" to conduct suppression activities, and it would increase the construction rate of fire lines while simultaneously reducing the amount of air-delivered fire retardant required to coat vegetation effectively. Slowing down the spread of wildfire would provide additional time for an effective community evacuation.

Uncontrolled wildfire is associated with environmental degradation impacts such as increased greenhouse gas (GHG) emissions and habitat loss. This Project would reduce dangerous wildfire fuels in a deliberate manner designed to minimize environmental impacts to wildlife and protected plants. Treatment types and activities described in the CalVTP aim to mimic conditions that exist in a natural environment where natural fires would have occurred. Strategic



fuel removal would concentrate on areas of high fuel concentrations and disrupt the horizontal and vertical continuity of fuelbeds. Biological diversity in the area would be maintained by promoting conditions that favor native plant and animal species. Forest health would be improved through enhancing native, fire-resilient plant communities, primarily through ladder fuel and weed removal, opening space for native plants to return. Healthy mature trees and scrub dominating the canopy would be thinned out and retained, reducing new brush and understory growth while preserving the carbon sequestration function. Biomass would be strategically diminished in open grassy areas.

In addition to the Project treatment types and activities being consistent with the CalVTP, the CCCFPD follows CAL FIRE's best management practices (BMPs), which include identifying and avoiding sensitive resources to ensure environmental protection when designing and constructing fuels reduction projects. The Diablo FireSafe Council compiled the "Best Management Practices Guidebook for Hazardous Fuel Treatments in Contra Costa County" (March 2009). This document examines and describes fuels management strategies to avoid impacts to sensitive resources. Implementation of these BMPs in combination with the CalVTP's SPRs and MMs would protect lives, property, and natural resources while implementing fuels reduction activities.

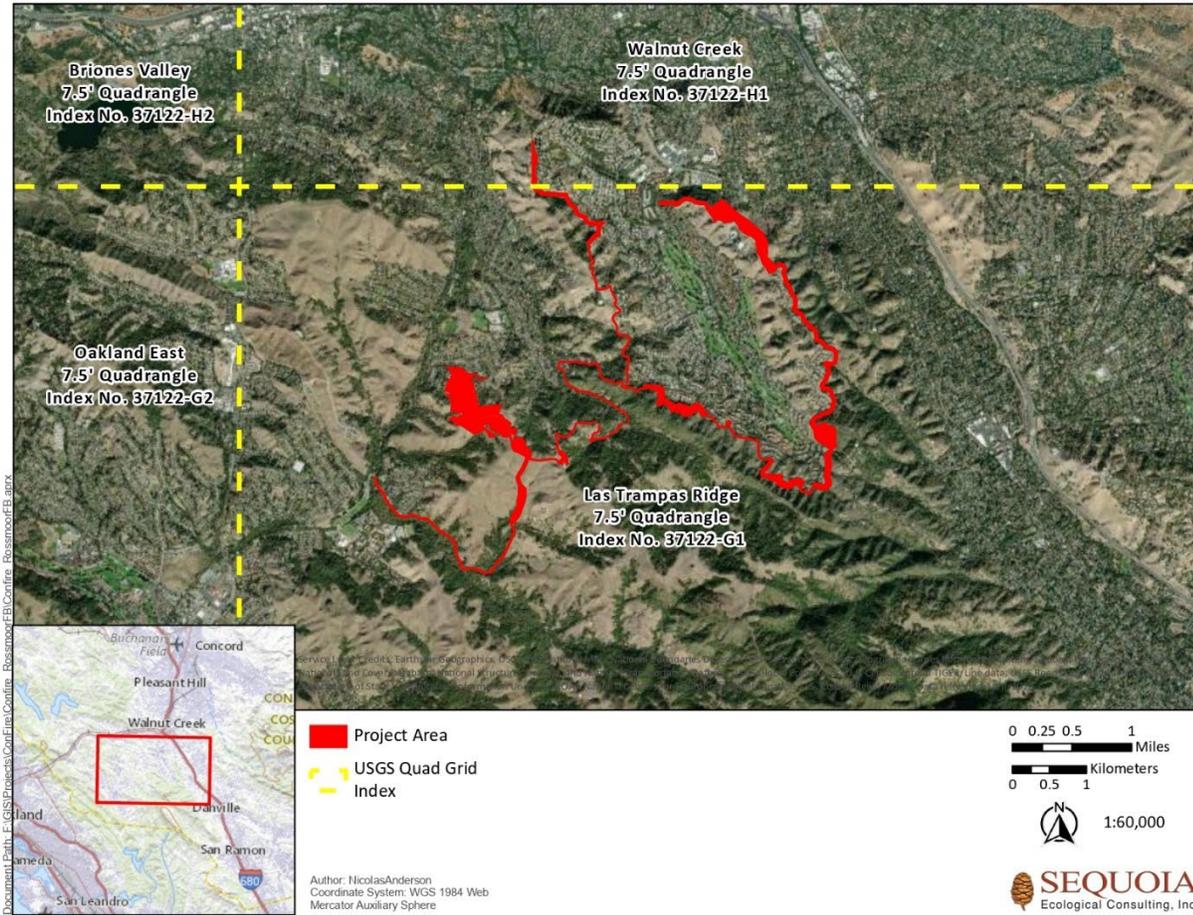


Figure 1. Location Map of the Lafayette / Walnut Creek Shaded Fuel Break Project Site.

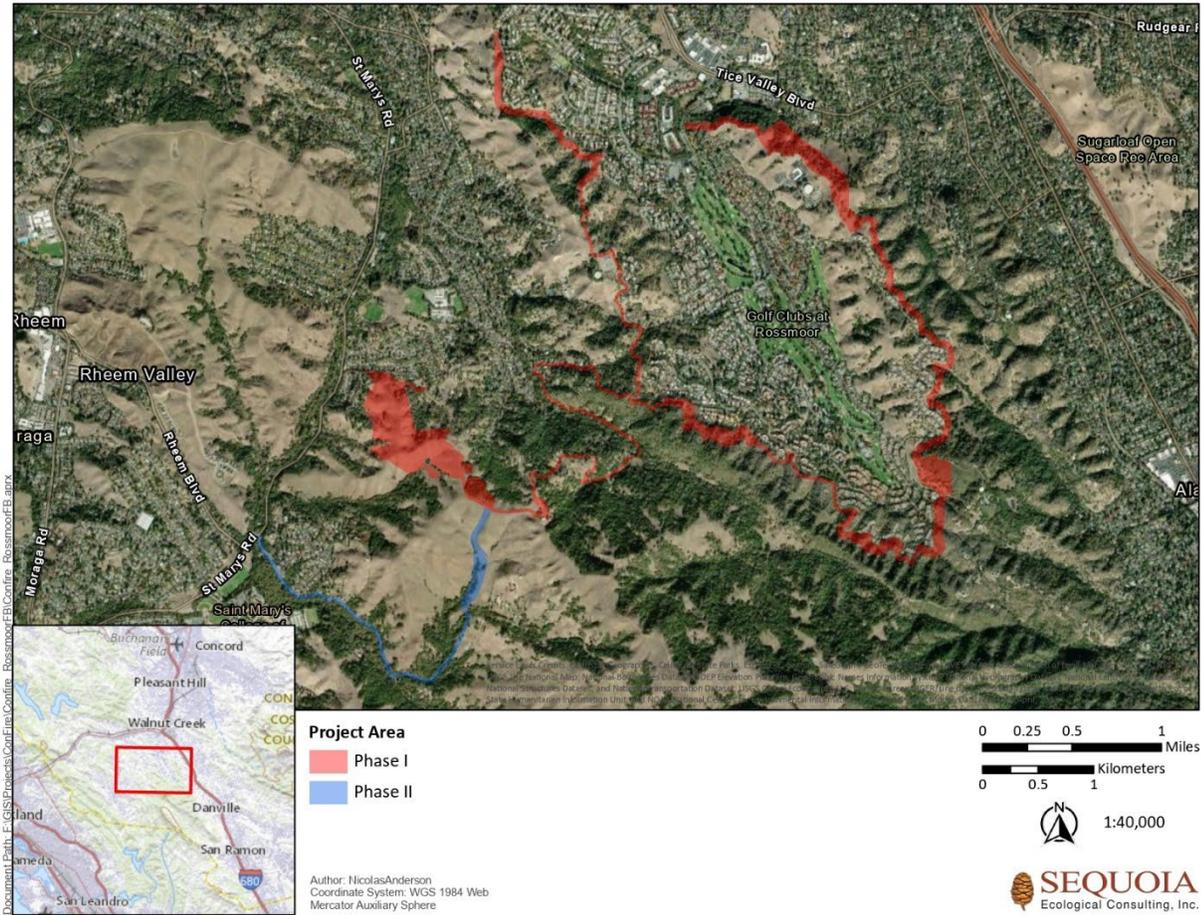


Figure 2. Vicinity Map of the Lafayette / Walnut Creek Shaded Fuel Break Project Site.

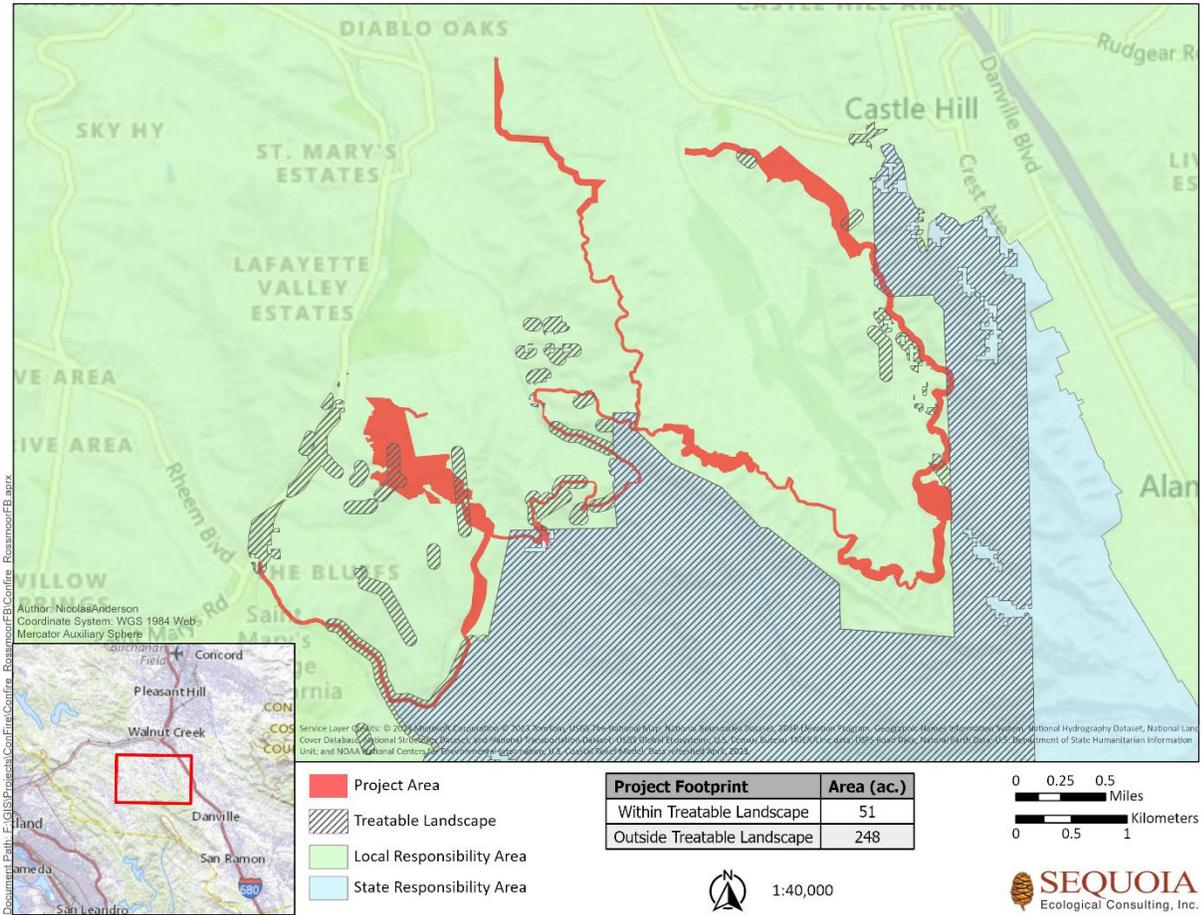


Figure 3. Treatable Landscape on the Lafayette / Walnut Creek Shaded Fuel Break.



PD-3.1: Treatment Types

The proposed Project would utilize two treatment types in combination to create a linear break for firefighting resources to contain or stop a fire: WUI fuel reduction and fuel break. Strategic placement of the WUI fuel break would be based upon the prevailing vegetation types, topographic characteristics, environmental considerations, and surrounding land uses. Fuels in the Project area are primarily heavy loads of oak, pine, coyote brush, sage, and grass; the general topography is steep with difficult access. Residential homes adjacent to the Project are primarily moderate to very large (2,000 to 15,000 square feet) in size on moderate to large lots with densely intermixed vegetation. Low-income and multi-family housing are also prevalent along portions of the shaded fuel break.

The placement of the Project considered downwind areas with an active fire history that currently have inadequate evacuation routes. In many areas, ingress and egress to portions of the impacted communities are limited to a single roadway. Existing access roads are typically steep, and driveways are long in many areas. Dead ends and few turnarounds further amplify the fire risk through delays in firefighting response and extended evacuation times. In some areas, water supply for fire suppression is also limited. These conditions impact both the evacuation of at-risk portions of the community and fire suppression response. Based on a risk analysis, this Project would treat hazardous fuels in the communities at greatest risk to ensure the highest return-on-investment. The Project would use a “light touch” approach with an emphasis on ladder fuel reduction adjacent to existing fire trails and roads. This approach would minimize soil disturbance, maximize production rates, and limit the impact to special-status species of both flora and fauna.

WUI and shaded fuel breaks are defined in the sections below, and they would be used in combination. Creation of the combined WUI shaded fuel break would strategically use several treatment activities based on the prevailing vegetation types, topographic characteristics, environmental considerations, and surrounding land uses. Work would be completed with minimal to no disturbance to the ground and remaining vegetation. Treatment activities by fuel type are described in more detail in Section 2.3.

PD-3.1.1: Wildland-Urban Interface Fuel Reduction

WUI fuel reduction involves strategic removal of vegetation to prevent or slow the spread of non-wind-driven wildfire between structures and wildlands. In areas where wildland and manmade structures overlap, higher intensity fuel reduction typical of defensible space would occur within 100 to 150 feet of manmade structures, as determined by fire professionals, and based on-site conditions. Beyond 100 to 150 feet from manmade structures, vegetation treatments would be implemented with lower intensity. Fuel reduction would focus primarily on removal of fire hazardous vegetation such as dead, and dying, and diseased vegetation including trees; invasive plants and noxious weeds; and limbing up of healthy trees.

PD-3.1.2: Fuel Breaks

Fuel breaks give firefighters access to control wildfires and are useful in slowing fires before they grow beyond initial attack capabilities. Fuel breaks permit responders to reach the leading edges of a fire and protect isolated communities, and fuel breaks can stop or reduce the lateral spread of fires. In heavily wooded areas, a shaded fuel break would be implemented; the retained canopy shade would slow future growth of many grass and brush species and assist in future maintenance efforts. In suitable Alameda whipsnake habitat, a “scrub island” strategy would be implemented to retain habitat function; this is discussed in more detail in later sections. Development and maintenance of a fuel reduction zone within a 100-foot-wide fuel break would extend around community structures located adjacent to undeveloped open spaces. Portions of the fuel break would extend up to a width of 400 feet based on topography, site conditions, and land management constraints.



PD-3.2: Treatment Activities

Treatment activities to achieve Project objectives would be applied singularly or in combination, depending on site conditions and site-specific goals. The Project's proposed treatment activities are consistent with the CalVTP PEIR (Ascent Environmental 2019) and would include:

- **Prescribed Burning:** Includes broadcast burning (prescribed burning to reduce fuels over a larger area or restore fire resiliency in target fire-adapted plant communities conducted under specific conditions related to fuels, weather, and other variables) and pile burning (prescribed burning of piles of vegetative material to reduce fuel and/or remove biomass following treatment).
- **Mechanical Treatment:** Use of motorized equipment to chip vegetation and to mow select areas.
- **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.

PD-3.2.1: Prescribed Burning (Broadcast)

Prescribed understory fires would mimic periodic low intensity wildfires historically prevalent in the region and would create similar structural and habitat conditions that benefit many plant and wildlife species. Gradual reintroduction of fire presents an opportunity to improve forest health, reduce critical fuel loading, improve emergency access, and regenerate a healthy ecosystem. Prescribed low intensity surface fires (broadcast burning) would be used to control vegetation and manage fuel loads. Prescribed burning would remain within a predetermined area and would occur only with specific fuels and in safe weather conditions. Prescribed burns would be used for maintenance of treatments, and they would occur approximately every 5 years as appropriate.

Active burns would follow environmental safety guidelines, including burning only after consideration of specific weather conditions (e.g., appropriate humidity, wind direction, etc.) and coordinating with resource agencies such as the CARB. Specifically, active burns would include the preparation and implementation of a burn plan that would include a smoke management plan (SMP). CCCFPD would report site conditions and request approval to burn through the Prescribed Fire Information Reporting System (PFIRS), which serves as an interface between air quality managers, land management agencies, and individuals that conduct prescribed burning in California. A prescribed burn SMP must be submitted to the Bay Area Air Quality Management District (BAAQMD) at least 30 days prior to burning. Additionally, the SMP must be approved by the Air District prior to burning.

Prescribed burns would typically be ignited using a flamethrower from a side-by-side utility terrain vehicle, by walking with a drip torch or fusee, or other methods as determined by a professional. Prescribed burns are typically completed in a single day, but under certain circumstances could be maintained for up to 1 week. On average, up to 45 workers are present on-site for a prescribed burn. Heavy equipment would typically be operated from an existing road. In anticipation of completely avoiding the federally threatened Alameda whipsnake and minimizing habitat impacts for this species on the Project site, prescribed burning within highly suitable Alameda whipsnake habitat would be restricted to when temperatures are conducive to snake movement, which is typically when soil surface temperatures reach 66 °F (19 °C).

PD-3.2.2: Mechanical Treatment

Mechanical treatments would mow target vegetation with special care to avoid ground disturbance in sensitive habitat. Lawn mowers, or similar, would target vegetation, including standing and downed vegetation. Mechanical treatments would also be employed as a biomass disposal method to chip and broadcast woody debris. Chipping



and broadcasting equipment would typically remain on existing roads and fire trails. Mechanical treatment activities would occur predominantly on slopes below 40 percent grade, along ridges, and may occur on slopes greater than 40 percent grade with equipment that can reach target vegetation from existing road infrastructure. No mechanical treatment would occur on slopes above 50 percent grade. Mowing activity would avoid Alameda whipsnake habitat, state or federally jurisdictional waters, and riparian habitat by a no-work buffer, as defined in later sections of this document.

Typical mechanical treatments would require a team with up to 20 workers and equipment such as riding lawn mowers, bucket trucks, tow chippers, and track chippers. Typical mechanical treatments would require several days to several months to complete, depending on the size of the treatment area, steepness of terrain, and type and density of vegetation.

PD-3.2.3: Manual Treatment

Ground crews would use hand tools and hand-operated power tools, including chainsaws, hand saws, pole saws, McLeods, Pulaskis, weed pullers, weed eaters (e.g., string, plastic blades, or circular blades), brush cutters, and loppers to cut, clear, and/or prune trees, herbaceous vegetation, and woody shrubs. Where feasible, treatments would prioritize removal of invasive plants and noxious weeds. Within suitable Alameda whipsnake scrub habitat, hand-removal would prioritize removal of dead woody vegetation, dead branches, and invasive weeds. Manual treatment activities would avoid state or federally jurisdictional waters and riparian habitat by a standard buffer, as described in a later section.

Manual treatments within the Project area would require several days to several months to complete, depending on the size of the treatment area, steepness of terrain, and type and density of vegetation. Manual treatment typically clears 0.3 acre or more per day, per team. Manual treatments typically require 1 or 2 hand crew teams with a total of 20 to 40 crew members to be present on-site.

PD-3.2.4: Prescribed Herbivory

Prescribed herbivory involves transporting, releasing, herding, and moving grazing animals such as cattle, sheep, goats, or horses to designated sites. Herds would be installed strategically within areas with wildlife-safe fencing and with a professional shepherd who would coordinate animal movements to prevent excessive grazing and ground disturbance. Moving livestock from one grazing ground to another would occur at a frequency based on numerous site-specific factors, including slope, density and type of vegetation, stocking rate, type of livestock, and precipitation/moisture content of vegetation. Stocking rate would vary based on species of grazer (e.g., a herd of cattle would require a larger acreage than a herd of goats of the same size). Site conditions (e.g., relative density or quantity of the vegetation to be treated, etc.) would determine herd size and the grazing time to complete the job.

Prescribed herbivory would require temporary wildlife-safe fencing where natural barriers are not present, temporary water facilities and other infrastructure (e.g., corrals, fences), and guard animals and/or a shepherd to be present on-site. Any areas identified as sensitive to grazing activity would be clearly marked on Project maps, and protection measures would be communicated to the herder and project manager, including a pre-vegetation removal field visit, as appropriate.

To prevent undesirable introduction of invasive or noxious plant species to the site, consideration would be given to where animals are coming from and whether viable seeds of undesirable species are present. As necessary, the herd would be fed a weed-free diet for an appropriate period prior to being introduced to the grazing site. Any supplemental feed brought on-site would be free of noxious weeds.

PD-3.2.5: Herbicide Application

Herbicides would be used strategically to supplement other treatment methods to prevent the spread and resprouting of invasive species within the treatment areas and along roads. Effective herbicides identified by the



California Invasive Plant Council (Cal-IPC) and US Department of Agriculture that are consistent with those described in the CalVTP PEIR (e.g., glyphosate and species-specific chemicals) would be applied. On-the-ground application methods include painting cut stems or stumps and using backpack hand applicators targeted on focal invasive plants; no aerial spraying or spraying from trucks would occur. No herbicide used would occur within 30 feet of aquatic habitat except for direct application to freshly cut invasive tree stumps.

Herbicide application would comply with the US Environmental Protection Agency (EPA) label directions and both California Environmental Protection Agency (CalEPA) 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. Herbicide application would not take place within 24 hours of a rain event.

PD-3.2.6: Biomass Disposal

The goal of biomass disposal is to reduce ignitable material and associated air quality impacts from wildfire, reduce brood material for harmful insects and disease, and enhance aesthetics. By reducing the available fuel in the shaded fuel break, the fuel continuity is disrupted, which slows down the spread of wildfires and decreases potential fire intensity.

Methods for managing biomass include natural decomposition (e.g., chip and broadcast, lop and scatter), hauling off-site, and pile burning. Downed woody debris may be masticated where it creates a fire hazard. To mitigate brood stratum opportunities for beetles, downed logs would not be left on-site in accordance with California Forest Practice Rules (CAL FIRE 2019) and BMPs. Whenever feasible, natural decomposition of biomass would be preferred because: (1) forestry mulch aids in mitigating erosion and excessive soil disturbance; (2) keeping material on-site prevents the spread of disease and pathogens to other sites, with Sudden Oak Death (SOD; *Phytophthora ramorum*) being of particular concern in our region; and (3) GHG emissions are reduced by avoiding the transportation of material off-site to green waste facilities. For all these reasons, the most climate-friendly option is to leave woody biomass on-site to decompose naturally.

Natural Decomposition

Cut vegetation may be retained on-site to decompose naturally via lopping and scattering or chipping and broadcasting across the landscape. Lopping plants involves cutting a plant low to the ground and distributing the cut material. In some cases, a road-based chipper or an all-terrain vehicle and tracked towable chipper would be used to process cut vegetative materials. The vegetative material would be fed through the chipper and broadcast widely into treatment areas. Biomass would be chipped to 3 inches or smaller in size and spread up to 4 inches deep. Cut vegetation and chips would not be placed below the ordinary high water mark of aquatic features, within wetlands or riparian areas, or on top of burrows or rock piles. Understory debris chipped and scattered on-site would follow BMPs for reducing the spread of pests, disease, noxious weeds, and invasive species (see Section 2.5).

Hauling Off-Site

Vegetation moved off-site would be hauled to the Central Contra Costa Solid Waste Authority or another appropriate biomass processing facility. Transported invasive plant materials would be stored in a closed container to prevent spreading during transport.

Pile Burning

Hand-cut material would be piled as “feeder piles,” with the cut stems facing in one direction in a manner to minimize any overstory scorch when the piles are restacked and burned. Most of the piles would be built in open areas of the forest floor or on the roadside. Suitable areas for pile burning are open areas away from tree canopies and power lines. Sites suitable for pile burning would depend on location of sensitive species habitat and safety guidelines (e.g., humidity, wind direction, etc.). General operations for pile burning would follow these guidelines:



- Multiple piles would be burned on a single day.
- Pile size would not exceed 20 feet in diameter.
- Piles would not block vehicle access on any road or trail.
- Piles created within suitable Alameda whipsnake habitat and left for any significant period of time will be dismantled and re-piled prior to igniting.

Pile burning would be conducted in compliance with the local authority having jurisdiction or the CAL FIRE and BAAQMD Regulation 5 for open burning and burn day restrictions. Burns would be coordinated with appropriate resource agencies (e.g., CARB) and would follow a burn plan that includes a smoke management plan. CCCFPD would report site conditions and request approval to burn through PFIRS, which serves as an interface between air quality managers, land management agencies, and individuals that conduct prescribed burning in California.

PD-3.3: Treatment Prescriptions by Fuel Type

The Project is divided into two distinct operations: removal of ladder and ground fuels; and removal of ground fuels such as dead, dying, diseased, and downed vegetation, branches, and trees. Both operations would manage excess ladder and ground fuels through a combination of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and herbicide spot-treatment. Resulting biomass would be pile burned, left to decompose naturally, or hauled off-site.

PD-3.3.1: Ladder and Ground Fuel Removal

Fire Trails and Roads

Ladder and ground fuels along fire trails and roads would be managed at a distance of twice the flame length indicated by the prevailing fuel model for that area. This distance would ensure the effectiveness of fire trails and roads in slowing or stopping a fire's spread during Diablo wind conditions. Trailside and roadside fuel reduction areas would provide an anchor point from which fire suppression resources would engage wildfires.

Treatment activities along fire trails and roads follow a combination of mowing and other similar mechanical means, hand crew trimming and thinning, prescribed grazing, prescribed burning, and spot herbicide treatment. The prescription would remove ladder fuels, remove or pile leaf litter and duff for pile burning, thin or remove dense brush, and trim low hanging branches within 6 feet of the ground or a height appropriate as deemed by a professional to reach site goals. Annual grass and herbaceous weeds would be mowed or grazed to less than approximately 6 inches by cattle or goats, or a height appropriate to reduce fire risk and maintain habitat function as deemed by a professional.

Off-Trail and Off-Road

Beyond twice the flame length of trails/roadsides, excess ladder and ground fuel would be removed by hand crews, chippers, and mowing.

PD-3.3.2: Dead, Dying, Diseased, and Downed Trees

The second operation would remove all dead, dying, diseased, and downed vegetation, branches and trees presenting a fuel hazard, as determined by a Registered Professional Forester (RPF). Biomass would be hauled off-site or chipped and scattered on-site dependent on size, health of tree, and access to the biomass. Downed trees would be removed or piled for winter burning.

PD-3.3.3: Habitat-Specific Prescriptions

Traditional fuel reduction methods adopt treatment activities that are typically determined by fuel type. Vegetation types for proposed treatment within the Project footprint are a mosaic of blue and coastal oak woodland, coastal scrub, and annual grasslands. One other California Wildlife Habitat Relationship (CWHR) classification system



vegetation type found on the Project site is urban, which corresponds primarily to roads. Treatment strategies are a combination of treatment activities broadly described for each vegetation type. The treatment approach would generally follow these basic guidelines:

- Prioritize removal of invasive plants and dead woody material while retaining live native vegetation.
- Hazardous trees (e.g., dead or dying trees) identified by a RPF or qualified fire professional would be removed.
- Tree canopy would be retained to the greatest extent feasible while removing ladder fuels.
 - Large trees (greater than approximately 6 inches in diameter at breast height [DBH]) would be limbed up to approximately 6 feet or as determined by a professional.
 - Small trees and brush (less than approximately 6 inches DBH) would be removed strategically, cutting stumps to within 4 inches of bare mineral soil.
 - Small trees and large shrubs in open areas that have the potential to provide shade and reduce invasive plant species would be limbed up to approximately 6 feet, or as deemed by a professional, and the canopy would be left intact.
 - Tree canopy over emergency access roads would be trimmed up to approximately 15 feet from the ground, or as deemed by a professional based on site goals, to facilitate passage of emergency vehicles during a fire event.
- No commercial forest products would be removed.

Grass Fuel Type Treatment Activities

Grass fuel type would include habitat classified as annual grassland by the CWHR. Within non-native grassland, treatment activities would cut grasses to a maximum of approximately 6 inches, achieve horizontal spacing, and reduce overall fuel loading. Prescribed herbivory, mowing, prescribed burning, and herbicide spot treatment would be strategically combined grass- and herb-dominated areas and in areas of shrub encroachment.

Prescribed Herbivory Treatment: Goats, cattle, or other grazing animals would be installed strategically within areas with wildlife-safe fencing or other existing barriers. A professional shepherd would coordinate animal movements to prevent excessive grazing and ground disturbance.

Mechanical Treatment Activities: Mowing would be performed using riding lawn mowers, or similar, and would not be used within 50 feet of suitable Alameda whipsnake habitat. Appropriate mechanical equipment as determined by a professional would be present during prescribed burning.

Prescribed Burning Treatment Activities: Burning would be timed to control invasive non-native grasses where present. Perimeter fire lines would include existing roads and natural features where possible to maintain aesthetic values. Prescribed fires would be conducted in conditions promoting a light to moderate burn (i.e., when soil and duff are moist) to increase the productivity of the habitat without resulting in adverse impacts to wildlife. All prescribed burning (both broadcast and pile burns) would be done under applicable burn and air quality permits to minimize potential environmental impacts. Within suitable Alameda whipsnake habitat, prescribed burning and pile burning would be restricted to times when temperatures are conducive to snake movement, which is typically when soil surface temperatures reach 66 °F (19 °C).

Manual and Herbicide Treatment Activities: Crews equipped with hand-tools would trim dead, dying branches from native shrubs occurring within grassland. Small, isolated trees (6 inches or smaller DBH) growing in the grassland would be cut and piled for burning. Larger trees encroaching on or distributed throughout grasslands would be limbed up to reduce vertical fuel continuity. Cut vegetation would be lopped and scattered, chipped and broadcast, pile burned, or hauled off-site. Invasive shrubs and noxious weeds encountered in the grasslands would be treated



with the appropriate method for the species and life stage. Herbicide spot treatment would target invasive species and would be applied by hand or targeted by backpack sprayer.

Biomass Disposal: Biomass from non-invasive, non-noxious plants would be left to naturally decompose (e.g., lop and scatter, chip and broadcast), pile burned, or hauled off-site. Poison oak would be cut and left in place (lop and scatter). Where chipper access is not practical, cut material would be piled strategically for later burning.

Shrub Fuel Type Treatment Activities

Shrub fuel type would include habitat classified by the CWHR as coastal scrub. The general approach in suitable Alameda whipsnake scrub habitat would be to strategically reduce hazardous fuels in a way that retains scrub habitat. Selective removal of invasive species and dead, woody vegetation and limbs would retain scrub habitat characteristics suitable for Alameda whipsnake with a mosaic of open and closed canopy patches. The resulting patches would be irregular, oblong shapes to maintain a natural condition and retaining rocky outcrops through avoidance. Scrub patch characteristics would model naturally occurring scrub and would include variable age classes. Treatment activities within suitable Alameda whipsnake habitat would involve primarily manual thinning to remove dead woody vegetation and invasive species to achieve horizontal spacing. Other treatment activities in shrub fuel types would include prescribed herbivory in shrubby areas with interspersed grasses and areas adjacent to grasslands being grazed. Vegetation removal activities would retain scrub and the overall dominant scrub habitat type would not be converted to a different habitat type.

Specifications for suitable Alameda whipsnake habitat are described by the US Fish and Wildlife Service (USFWS): coastal scrub, coyote brush scrub, or maritime chaparral areas greater than 0.5 acre in size, or scrub areas greater than 0.2 acre in size that are within 50 feet of scrub patches greater than 0.5 acre in size (Federal Emergency Management Agency [FEMA] 2013). Scrub islands created through mosaic thinning or patch retention thinning would result in a total canopy cover of between 30 and 50 percent shrubs and 50 to 70 percent grassy openings (FEMA 2013). Scrub retained in these dimensions also retains the overall habitat function for Alameda whipsnake while still serving the needs of the shaded fuel break.

Manual and Herbicide Treatment Activities: Scrub would be retained in a natural mosaic through the removal of invasive species, thinning out dead branches from shrubs, and limbing up large shrubs. Small encroaching trees (under 6 inches DBH) may be removed, and limbs would be removed from larger trees up to 6 feet, as appropriate. Cut vegetation would be lopped and scattered, chipped and broadcast, pile burned, or hauled off-site. Broom plants or other invasive shrubs and noxious weeds would either be uprooted and pulled or cut low to the ground and spot treated with herbicide. Herbicide spot treatment of invasive species and noxious weeds would be hand applied.

Prescribed Herbivory Treatment: Goats, cattle, or other grazing animals would be installed strategically within areas with wildlife-safe fencing or existing barriers. A professional shepherd would coordinate animal movements to prevent excessive grazing and ground disturbance.

Biomass Disposal: Biomass from non-invasive, non-noxious plants would be left to naturally decompose (e.g., lop and scatter, chip and broadcast), pile burned, or hauled off-site. Poison oak would be cut and left in place (lop and scatter). Where chipper access is not practical, cut material would be piled strategically for later burning. Within suitable habitat for Alameda whipsnake, piles left in place for a critical length of time as determined by a professional would be dismantled and reconstructed prior to burning.

Tree Fuel Type Treatment Activities

Tree fuel types would include habitat classified by the CWHR as blue oak woodland and coastal oak woodland. The general approach to tree fuel types would be designed to prevent fire from approaching or departing the fuel break, prevent fire from laddering into the tree canopy, and would promote establishment of native trees. Selective thinning would result in a shaded fuel break that retains the tree canopy. This would be achieved through removal of select trees, branches, shrubs, and both living and dead vegetation that could facilitate the upward spread of fire from



surface fuels to the forest canopy. The shade of the retained canopy would reduce the potential for rapid re-growth of understory, and the selectively treated areas would provide firefighters an opportunity to access lower intensity ground fires should they occur. Within all wooded areas, vegetation removal would be addressed primarily with manual treatment activities to preserve a natural appearance. Other treatment activities used within forest fuel types would include mechanical equipment, herbicides, prescribed herbivory, and prescribed burning.

Manual Treatment Activities: Hand-held tools would remove and thin understory shrubs and brush, as well as dead and dying trees and small (less than 6 inches DBH) non-native, invasive trees. Lower tree limbs would be pruned, and most ground vegetation would be removed to break up the horizontal and vertical continuity of flammable vegetation. Invasive species and noxious weeds would be strategically removed first followed by fire prone native species such as oak (*Quercus* spp.), pine (*Pinus* spp.), coffee berry (*Frangula* spp.), sage (*Artemisia* spp.), etc. Native trees would be strategically retained in forested areas with 25 to 50 feet of space between crowns, where the tree crown is approximately 10 to 15 feet wide. Spacing may be closer than 25 feet on level ground as needed, and greater than 50 feet on steeper ground to mitigate wildfire behavior or near structures for structure protection.

Mechanical Treatment Activities: Mowing would be performed to remove hazardous fuels in the understory using riding lawn mowers, or similar, and would not be used within 50 feet of suitable Alameda whipsnake scrub habitat. Mechanical equipment would be used to chip and scatter biomass from stable operating surfaces.

Herbicide Treatment: Invasive species and noxious weeds cut low to the ground may be hand-painted with herbicide.

Prescribed Herbivory Treatment: Goats, cattle, or other grazing animals would be installed strategically within areas with wildlife-safe fencing or existing barriers. A professional shepherd would coordinate animal movements to prevent excessive grazing and ground disturbance.

Biomass Disposal: Biomass from non-invasive, non-noxious plants would be left to naturally decompose (e.g., lop and scatter, chip and broadcast), pile burned, or hauled off-site. Poison oak would be cut and left in place (lop and scatter). Where chipper access is not practical, cut material would be piled strategically for later burning.

Riparian Habitat and Watercourses

All treatment activities and biomass distribution would avoid wetland, riverine, and other aquatic features by a standard minimum 25-foot buffer, which would be increased based on recommendations of a qualified biologist or RPF and/or factors such as slope, existing erosion, sensitivity of the vegetative habitat, or presence of sensitive resources. Refueling of equipment would occur outside these buffers and would be performed using containment to mitigate the risk of spills.

PD-3.4: General

PD-3.4.1: Timing of Initial Treatment

CCCYPD would commence initial fuel treatment within the Project footprint in January 2024 and would complete the work by the end of 2025.

PD-3.4.2: Workers

CCCYPD, Crew 12, CAL FIRE crews, and/or subcontractors would conduct all treatment activities. Crew team sizes would vary and would typically be fewer than 25 workers per site, per day. Multiple teams would work at the same time.

PD-3.4.3: Site Access

Treatment areas would be accessed via existing fire roads and trails. No new roads or access points would be created. Private residences would be used as access points, contingent upon the landowner's consent. Vehicles and equipment would be staged at the contractor's yard daily or on-site with landowner consent.



PD-3.4.4: Treatment Schedule and Duration

Treatments except herbivory would occur primarily on weekdays during daylight hours only. During prescribed burning, crews would need to conduct some maintenance burning on weekends to manage overall smoke impacts. Noise-generating treatments would comply with the local regulations outlined in Table 1 below.

Table 1. Relevant Local Jurisdiction Noise Restrictions.

Jurisdictional Noise Restriction	Restrictions
Contra Costa County Noise Element	Construction activities shall be concentrated during the hours of the day that are not noise sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods.
Contra Costa County Ordinances	No person may own, possess, harbor, control, or keep on any premises, a barking dog or other noisy animal. "Noisy animal" means an animal that makes any noise for an extended period of time to the disturbance of any person at any time of day or night, regardless of whether the animal is physically situated in or upon private property. An "extended period of time" means incessant noise for thirty minutes or more in any twenty-four-hour period, or intermittent noise for sixty minutes or more in any twenty-four-hour period. (Section 416-12.202)
City of Lafayette Noise Ordinance	Construction may occur between 7 a.m. and 10 p.m. on weekdays if below 50 dBA at adjacent land uses. Power equipment may be used between 7 a.m. and 10 p.m. if below 50 dBA at adjacent land uses. Between 8 a.m. and 8 p.m. on weekdays and 10 a.m. and 6 p.m. on weekends construction activities are allowed if no individual piece of equipment produces a noise level exceeding 83 dBA at a distance of 50 feet or if the noise level at the nearest affected property would not exceed 80 dBA. Emergency work is exempt from the provisions of the noise ordinance. Except as may otherwise be provided in this chapter, it shall be unlawful for any person to do, or cause to be done, any of the following prohibited acts: Animals and Birds. Owning, possessing, or harboring any animal or bird which frequently or for long duration howls, barks, meows, squawks or makes other sounds which create a noise disturbance across a residential or commercial real property line. (Section 5-207)
Moraga Municipal Code	It is unlawful except in case of emergency work for a person within a residential zone or within a radius of five hundred (500) feet of one to operate equipment or perform outside construction or repair work on a building, structure or project, or to operate a pile driver, power shovel, pneumatic hammer, derrick, power hoist or other construction type device (between the hours of five p.m. of one day and eight a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance. It is unlawful for a person to operate machinery, equipment, pump, fan, air-conditioning apparatus, or similar mechanical device which disturbs the peace, quiet and comfort of neighboring residents or a reasonable person of normal sensitiveness residing in the area in the quiet and peaceful enjoyment of his property. (Section 7.12.090).



Jurisdictional Noise Restriction	Restrictions
	No person shall keep or maintain or permit the keeping of an animal or fowl upon premises owned, occupied or controlled by him or her which is otherwise permitted to be kept if by any sound, cry or behavior the animal or fowl causes annoyance or discomfort to a reasonable person of normal sensitiveness in a residential neighborhood in the quiet and peaceful enjoyment of his property. (Section 7.12.070).
City of Walnut Creek Noise Ordinance	<p>Construction activities that require building or grading permits are allowed only from 7 a.m. to 6 p.m. on weekdays.</p> <p>Maintenance Equipment. The use and operation of any noise-creating commercial or residential landscaping or home maintenance equipment or tools including, but not limited to, hammers, blowers, trimmers, mowers, chainsaws, power fans or any engine, the operation of which causes noise due to the explosion of operating gases or fluids, other than between the hours of 8:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Businesses and individuals using maintenance equipment in the Core Area and in business parks may commence at 7:00 a.m. on weekdays which are not holidays but are otherwise subject to the limitations set forth above.</p> <p>4-6.203 Prohibited Noises Enumerated.</p> <p>As used in this article, loud, excessive, or unreasonable noise shall include, but not be limited to, the following:</p> <p>e. Animals, Birds, etc. The keeping of any animal or bird, as pet or livestock, which, by causing frequent or continuous noise disturbs the comfort or repose of any persons in the vicinity. The creation or maintenance of noise by animals in such a manner as to be plainly audible at a distance of 50' (fifty feet) from the source of such noise shall be prima facie evidence of a violation of this Section.</p> <p>f. Construction or Repair of Buildings. The erection, construction, demolition, alteration or repair of any building, structure or residence that requires a permit, or the excavation of any earth, fill, streets, or highways that requires a grading permit, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays which are not holidays, or those precise hours of operation enumerated in individual building and grading permits.</p>
Rossmoor contractor work guidelines	Work may occur between the hours of 8:00 a.m. to 4:30 p.m.

PD-3.5: Pests, Diseases, and Invasive Species

Without proper prevention, Project treatments have potential to spread pathogens, diseases, pests, or invasive species. SOD, pitch canker (*Fusarium circinatum*), yellow starthistle, French broom (*Genista monspessulana*), and snake fungal disease (*Ophidiomyces ophiodiicola*) occur in the region and have potential to spread in the Project area from one work area to another, or from the Project area to off-site areas. The goal of reducing invasive plant species within the Project area is in conformity with the overall Project goals of fuels reduction and wildfire prevention.



Invasive plants can be spread when crews and equipment travel between sites, transporting soil and mud contaminated with seeds.

PD-3.5.1: Sudden Oak Death

SOD infects coastal forests throughout California and Oregon and kills susceptible species including valley oak (*Quercus lobata*), coast live oak (*Q. agrifolia*), California black oak (*Q. kelloggii*), canyon live oak (*Q. chrysolepis*), and Pacific madrone (*Arbutus menziesii*) saplings. Host species that are in the treatment area include California bay laurel (*Umbellularia californica*) and coast redwood (*Sequoia sempervirens*). To avoid the spread of this pathogen, all hand equipment and boots worn by treatment crews would be sanitized and heavy equipment hosed off prior to operations in areas where the spread of SOD is possible. The California Oak Mortality Task Force offers additional information regarding treatment and disposal measures for plants infected with SOD, which would be monitored for changes in SOD treatment recommendations (California Oak Mortality Task Force 2023).

PD-3.5.2: Pitch Canker

The fungal disease commonly referred to as pitch canker affects many pine species and can infect Monterey pine (*Pinus radiata*). Most California native pines are susceptible to pitch canker, but Monterey pine is the most widely affected host. To avoid the spread of this pathogen, the same measures described above to prevent the spread of SOD would be implemented. The Pitch Canker Task Force offers additional information regarding treatment and guidelines for handling woody material infected by pitch canker fungus, which would be monitored for recommendation changes (Pitch Canker Task Force 2023).

PD-3.5.3: Yellow Starthistle

Yellow starthistle is an annual that germinates in February and March and matures in June and July. It produces viable seeds at late senescence of the flower head, and it is therefore vital to control before that point. Management would strategically combine chemical, manual, and mechanical (mowing) for removal. Physical methods should focus on reducing seed production and preventing seed germination. Methods for yellow starthistle removal would be based on treatments described by the Cal-IPC. Effective and common treatment methods for yellow starthistle include mowing and focused herbicide application, but other methods may be used as determined by a professional.

PD-3.5.4: French Broom

French broom is a particularly ignitable invasive species known for its ability to shade out seedlings, replace native plant species, and carry fire into tree canopies. This species creates a large seed bank and readily resprouts from the root after cutting, freezing, or fire (Cal-IPC 2020). Removal of French broom is a priority, as the species presents increased fire hazard, has a robust seedbank, and causes adverse impacts to habitat and aesthetics. Methods for French broom removal would be based on treatments described by the Cal-IPC. Effective and common treatment methods for French broom include pulling and focused herbicide application, but other methods may be used as determined by a professional.

PD-3.5.5: Snake Fungal Disease

Snake fungal disease comes from a fungus that lives in the soil. This disease causes face abnormalities, scabs, abnormal molting, and other issues as the fungus consumes keratin in the scales (Thompson, Lankau, and Rogall 2018). Symptoms are typically mild but can be fatal, as they may prevent snakes from locating and consuming prey. Snakes, such as the federally and state threatened Alameda whipsnake, are susceptible to this disease. Spread of the fungus to new locations may occur when people track contaminated soil embedded in clothing, shoes, or equipment. In addition to applicable CalVTP SPRs and MMs, the measures described to prevent the spread of SOD would be implemented.



PD-3.6: Treatment Maintenance

CCCYPD would monitor the treated areas for maintenance of desired vegetation conditions (“treatment maintenance,” per the CalVTP PEIR). CCCYPD would work with homeowner associations, Firewise USA Neighborhoods, and high-risk neighborhoods to identify areas for priority in treatment maintenance to ensure that the defensible space is maintained for maximum benefit. Timing between maintenance activities would vary by habitat type, changing site condition, and as determined by a professional. In forested areas, treatment maintenance may occur every 3 to 5 years. In brush-dominated areas, treatment maintenance such as herbivory may occur every 1 to 5 years. In grassland areas or areas where initial treatments were primarily manual, treatment maintenance may occur annually.

Maintenance treatments are anticipated to follow the same methods as initial treatments but are subject to change depending on site response to initial treatment. For example, at locations where intensive vegetation removal (e.g., prescribed burning) occurred, treatment maintenance may use more low intensity manual treatment activities in subsequent years. Because vegetation communities are dynamic, treatment activities would be modified to reflect changes.

Throughout the treatment maintenance period, CCCYPD would consider the continued relevance of the PSA. Where CCCYPD determines that the PSA is no longer sufficiently relevant, CCCYPD would determine whether a new PSA or other environmental analysis is warranted. If more than 10 years pass since approval of the latest PSA update, CCCYPD would review the PSA for its applicability to current conditions. For example, CCCYPD would conduct a reconnaissance survey to verify that conditions are substantially similar to those anticipated in the PSA. Any updates would be documented.

PD-4: REFERENCES

- Ascent Environmental. 2019. California Vegetation Treatment Program Final Program Environmental Impact Report. State Clearinghouse #2019012052. Sacramento: California Board of Forestry and Fire Protection. November. <https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-programmatic-eir/>.
- California Department of Forestry and Fire Protection (CAL FIRE). 2022. Fire Hazard Severity Zones Maps, Contra Costa County. <https://osfm.fire.ca.gov/fire-hazard-severity-zones-maps-2022/>
- California Oak Mortality Task Force. 2023. Sudden Oak Death. <https://www.suddenoakdeath.org/>.
- California Invasive Plant Council (Cal-IPC). 2020. Weed Control User Tool (WeedCUT). <https://weedcut.ipm.ucanr.edu/#gsc.tab=0>.
- Pitch Canker Task Force. 2023. Pitch Canker. <https://ufe.calpoly.edu/pitch-canker-task-force/>.
- Thompson, N.E., E.W. Lankau, and G.M. Rogall. 2018. Snake Fungal Disease in North America: U.S. Geological Survey Updates, U.S. Geological Survey. <https://pubs.usgs.gov/fs/2017/3064/fs20173064.pdf>.



ENVIRONMENTAL REVIEW PROCESS

The Project Proponent followed the evaluation and reporting process outlined in the PSA and required under the CalVTP.

On November 17, 2023, Project Proponent submitted to CAL FIRE the required information regarding this project when it began preparing the PSA. The submittal included:

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

Upon adoption of these findings and approval of the project, Project Proponent 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:

- ▶ The completed PSA Environmental Checklist;
- ▶ The 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)

As required under the CalVTP, Project Proponent 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; and
 - 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.



RECORD OF PROCEEDINGS

In accordance with Public Resources Code Section 21167, subdivision (e), the record of proceedings for the Project Proponent's decision to approve the vegetation treatment project under the CalVTP includes the following documents at a minimum:

- ▶ The certified Final PEIR for the CalVTP, including the Draft PEIR, responses to comments on the Draft PEIR, and appendices;
- ▶ All recommendations and findings adopted by the Board in connection with the CalVTP and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the treatment project prepared by the Project Proponent, consultants to the Project Proponent, or responsible or trustee agencies with respect to the Project Proponent's compliance with the requirements of CEQA and with respect to the Project Proponent's action on the CalVTP;
- ▶ Matters of common knowledge to the Project Proponent, including but not limited to federal, state, and local laws and regulations;
- ▶ Any documents expressly cited in these findings, in addition to those cited above; and
- ▶ Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to CEQA Guidelines section 15091, subdivision (e), the documents constituting the record of proceedings are available for review during normal business hours at Contra Costa County Fire Protection District, 4005 Port Chicago Hwy, Suite 250, Concord, CA 94520. The custodian of these documents is Chris Bachman, Assistant Chief / Fire Marshal.

MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board for the CalVTP, and the applicable mitigation measures for this treatment project have been identified in the PSA. The Project Proponent will use the MMRP to track compliance with the CalVTP mitigation measures. The MMRP will remain available for public review during the compliance period. The Final MMRP is attached to and is approved in conjunction with the approval of the treatment project and adoption of these Findings.



FINDINGS FOR DETERMINATIONS OF LESS THAN SIGNIFICANT

The Project Proponent has reviewed and considered the information in the Final PEIR for the CalVTP addressing potential environmental effects, proposed mitigation measures, and alternatives. The Project Proponent, relying on the facts and analysis in the Final PEIR and the treatment project PSA, which were presented to the Contra Costa County Fire Protection District Board of Directors and reviewed and considered prior to any approvals, concurs with the conclusions of the Final PEIR and the treatment project PSA regarding the potential environmental effects of the CalVTP and the treatment project.

The Project Proponent concurs with the conclusions in the Final PEIR and treatment project PSA that all of the following impacts will be less than significant. Resource topics for which there are anticipated or considered impacts are not listed below.

AESTHETICS AND VISUAL RESOURCES

- ▶ 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
- ▶ 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

AGRICULTURAL AND FORESTRY RESOURCES

- ▶ 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

AIR QUALITY

- ▶ Impact AQ-2: Expose People to Diesel Particulate Matter Emissions and Related Health Risk
- ▶ Impact AQ-5: Expose People to Objectionable Odors from Diesel Exhaust

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

- ▶ Impact CUL-1: Cause a Substantial Adverse Change in the Significance of Built Historical Resources
- ▶ Impact CUL-3: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource
- ▶ Impact CUL-4: Disturb Human Remains

BIOLOGICAL RESOURCES

- ▶ Impact BIO-6: Substantially Reduce Habitat or Abundance of Common Wildlife
- ▶ Impact BIO-7: Conflict with Local Policies or Ordinances Protecting Biological Resources



- ▶ Impact BIO-8: Conflict with the Provisions of an Adopted Natural Community Conservation Plan, Habitat Conservation Plan, or Other Approved Habitat Plan

GEOLOGY, SOILS, AND MINERAL RESOURCES

- ▶ Impact GEO-1: Result in Substantial Erosion or Loss of Topsoil
- ▶ Impact GEO-2: Increase Risk of Landslide

GREENHOUSE GAS EMISSIONS

- ▶ Impact GHG-1: Conflict with Applicable Plan, Policy, or Regulation of an Agency Adopted for the Purpose of Reducing the Emissions of GHGs

ENERGY RESOURCES

- ▶ Impact ENG-1: Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy

HAZARDOUS MATERIALS, PUBLIC HEALTH AND SAFETY

- ▶ Impact HAZ-1: Create a Significant Health Hazard from the Use of Hazardous Materials
- ▶ Impact HAZ-2: Create a Significant Health Hazard from the Use of Herbicides
- ▶ Impact HAZ-3: Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Material Sites

HYDROLOGY AND WATER QUALITY

- ▶ 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
- ▶ 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
- ▶ 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
- ▶ 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
- ▶ Impact HYD-5: Substantially Alter the Existing Drainage Pattern of a Treatment Site or Area



LAND USE AND PLANNING, POPULATION AND HOUSING

- ▶ Impact LU-1: Cause a Significant Environmental Impact Due to a Conflict with a Land Use Plan, Policy, or Regulation
- ▶ Impact LU-2: Induce Substantial Unplanned Population Growth

NOISE

- ▶ Impact NOI-2: Result in a Substantial Short-Term Increase in Truck-Generated SENL's During Treatment Activities

RECREATION

- ▶ Impact REC-1: Directly or Indirectly Disrupt Recreational Activities within Designated Recreation Areas

TRANSPORTATION

- ▶ 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
- ▶ Impact TRAN-2: Substantially Increase Hazards due to a Design Feature or Incompatible Uses

PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

- ▶ Impact UTIL-1: Result in Physical Impacts Associated with Provision of Sufficient Water Supplies, Including Related Infrastructure Needs
- ▶ Impact UTIL-2: Generate Solid Waste in Excess of State Standards or Exceed Local Infrastructure Capacity
- ▶ Impact UTIL-3: Comply with Federal, State, and Local Management and Reduction Goals, Statutes, and Regulations Related to Solid Waste

WILDFIRE

- ▶ Impact WIL-1: Substantially Exacerbate Fire Risk and Expose People to Uncontrolled Spread of a Wildfire
- ▶ Impact WIL-2: Expose People or Structures to Substantial Risks Related to Post-Fire Flooding or Landslides



SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The PEIR identified a number of significant and potentially significant environmental effects (or impacts) that the CalVTP will contribute to or cause. The Board determined that some of these significant effects can be fully avoided through the application of feasible mitigation measures. Other effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives and thus will be significant and unavoidable. For reasons set forth in Section 10.2 of the Board's Findings and Statement of Overriding Considerations, however, the Board determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the CalVTP.

The Board adopted the findings required by CEQA for all direct and indirect significant impacts. The findings provided a summary description of each impact, described the applicable mitigation measures identified in the PEIR and adopted by the Board, and stated the Board's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final PEIR; and the Board incorporated by reference into its findings the discussion in those documents supporting the Final PEIR's determinations. In making those findings, the Board ratified, adopted, and incorporated into the findings the analyses and explanations in the Draft PEIR and Final PEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions were specifically and expressly modified by the findings.

Not every individual treatment project will have all of the significant environmental impacts that the CalVTP was determined to contribute to or cause. Additionally, some of the environmental impacts predicted by the CalVTP PEIR to be significant and unavoidable or less than significant after mitigation may be determined in a PSA to be less severe for an individual treatment project than determined in the statewide PEIR. The impacts and mitigation measures identified in Sections 8.1 and 8.2 below reflect the conclusions of the PSA by indicating which of the CalVTP's impacts that this treatment project will contribute to or cause. By indicating the project-specific effects of this treatment project as follows, the Project Proponent's decisionmaker or decision making body is hereby making the required findings under CEQA regarding the application or feasibility of mitigation measures to reduce those impacts.



FINDINGS FOR IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The Project Proponent finds that changes or alterations have been required in, or incorporated into, the treatment project which avoid or substantially lessen the significant environmental effects indicated below, as identified in the Final PEIR and the PSA. Implementation of the mitigation measures indicated below to be applicable to the treatment project, which have been required or incorporated into the project, will reduce these impacts to a less than significant level. The Project Proponent hereby directs that these mitigation measures be adopted.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

- Impact CUL-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Subsurface Historical Resources**
 - Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources

BIOLOGICAL RESOURCES

- Impact BIO-1: Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications**
 - Mitigation Measure BIO-1a: Avoid Loss of Special-Status Plants Listed under ESA or CESA
 - Mitigation Measure BIO-1b: Avoid Loss of Special-Status Plants Not Listed Under ESA or CESA
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Tree-Nesting and Cavity-Nesting Wildlife)**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Shrub-Nesting Wildlife)**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Ground-Nesting Wildlife)**
 - 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)



- Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
- Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Burrowing and Denning Wildlife)**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Insects and Other Terrestrial Invertebrates)**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
 - Mitigation Measure BIO-2e: Design Treatment to Retain Special-Status Butterfly Host Plants (All Treatment Activities)
 - Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities)
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Bats)**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Amphibians and Reptiles (in wetlands, vernal pools, associated riparian))**
 - 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)
 - Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)



- Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands
- Impact BIO-3: Substantially Affect Riparian Habitat or Other Sensitive Natural Community Through Direct Loss or Degradation that Leads to Loss of Habitat Function**
 - Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- Impact BIO-4: Substantially Affect State or Federally Protected Wetlands**
 - Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands
- Impact BIO-5: Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries**
 - Mitigation Measure BIO-5: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites

NOISE

- ▶ Impact NOI-1: Result in a Substantial Short-Term Increase in Exterior Ambient Noise Levels During Treatment Implementation
 - ▶ Mitigation Measure NOI-1: Avoid Conflicts with Local Noise Ordinances During Prescribed Herbivory



FINDINGS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS

The CalVTP PEIR determined that some impacts of the program would be significant and unavoidable, even after implementation of all feasible mitigation. The Project Proponent finds that the treatment project would contribute to or cause the following significant and unavoidable impacts as indicated. Incorporating and implementing the following mitigation measures indicated to be applicable to the treatment project will reduce the severity of this impact, but not to a less-than-significant level. The Project Proponent hereby directs that these mitigation measures be adopted. The Project Proponent therefore finds that changes or alterations have been required in, or incorporated into, the treatment project that will substantially lessen, but not avoid, the significant environmental effect as identified in the PEIR and PSA.

The Project Proponent finds that fully mitigating these impacts are not feasible; there are no feasible mitigation measures beyond the mitigation measures indicated below to reduce these impacts. These impacts will remain significant and unavoidable. The Project Proponent concludes, however, that the benefits of the CalVTP and the vegetation treatment project outweigh the significant unavoidable impacts of the Program and treatment project, as set forth in the Board's Statement of Overriding Considerations.

AIR QUALITY

Impact AQ-1: Generate Emissions of Criteria Air Pollutants and Precursors During Treatment Activities that Would Exceed CAAQS Or NAAQS and Conflict with Regional Air Quality Plans

- Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques

Implementation of Mitigation Measure AQ-1 was required or incorporated into the CalVTP by the Board of Forestry to reduce the severity of this impact, but it was not feasible to attain a less-than-significant level. The CCCFPD would implement the emission reduction techniques included in Mitigation Measure AQ-1 to the extent feasible. However, because the treatments would be implemented by a public agency with limited funding, procuring or paying additional amounts for contractors that use equipment meeting the latest efficiency standards, including meeting the EPA's Tier 4 emission standards, using renewable diesel fuel, using electric- and gasoline-powered equipment, and using equipment with Best Available Control Technology may be cost prohibitive. Carpooling would be encouraged by the Project Proponent, but because crews may not all be employed with the same company, carpooling may not be feasible to implement for most of the workers. The Project Proponent will document the extent the agency and/or its contractors are able to implement Mitigation Measure AQ-1. Renewable diesel will be used by the Project Proponent and/or its contractors to the extent required by state regulations. The Project Proponent incorporated all feasible and applicable measures to prevent and minimize this potential impact, pursuant to SPRs AQ-1, AQ-4, and AQ-6. The Project Proponent finds that mitigating this impact below a level of significance is not feasible. The Project Proponent concludes, however, that the benefits of the CalVTP and proposed project outweigh the significant unavoidable impacts of the Program and proposed vegetation treatment project, as set forth in the Statement of Overriding Considerations, below. The Project Proponent therefore finds that changes or alterations have been required in, or incorporated into, the proposed project that will substantially lessen, but not avoid, the significant environmental effect as identified in the PEIR.

Impact AQ-4: Expose People to Toxic Air Contaminants Emitted by Prescribed Burns and Related Health Risk

- No feasible mitigation is available.



ADDITIONAL INFORMATION TO SUPPORT CalVTP FINDING FOR THE Lafayette/Walnut Creek SHADED FUEL BREAK PROJECT:

All feasible precautions and notifications have been incorporated into the CalVTP to reduce the severity of this impact, but not to a less-than-significant level. No additional feasible measures are available for the Project Proponent to implement and, for the same reasons explained in the PEIR, this impact would remain potentially significant and unavoidable. SPRs applicable to these treatment activities are AD-4, AQ-1, AQ-2, AQ-3, and AQ-6. All feasible measures to prevent and minimize smoke emissions, as well as exposure to smoke, are included in SPRs, however this impact would remain significant and unavoidable, as explained in the PEIR. The Project Proponent concludes, however, that the benefits of the CalVTP outweigh the significant unavoidable impacts of the Program, as set forth in the Statement of Overriding Considerations, below. The Project Proponent therefore finds that changes or alterations have been required in, or incorporated into, the proposed project that will substantially lessen, but not avoid, the significant environmental effect as identified in the PEIR.

Impact AQ-6: Expose People to Objectionable Odors from Smoke During Prescribed Burning

No feasible mitigation is available.

All feasible precautions and notifications have been incorporated into the CalVTP to reduce the severity of this impact, but not to a less-than-significant level. No additional feasible measures are available for the Project Proponent to implement and, for the same reasons explained in the PEIR, this impact would remain potentially significant and unavoidable. SPRs that are applicable to this treatment project are AD-4, AQ-1, AQ-2, AQ-3, and AQ-6. All feasible measures to prevent and minimize smoke odors, as well as exposure to smoke odors, are included in SPRs, however, this impact would remain significant and unavoidable, as explained in the PEIR. The Project Proponent concludes, however, that the benefits of the CalVTP outweigh the significant unavoidable impacts of the Program, as set forth in the Statement of Overriding Considerations, below. The Project Proponent therefore finds that changes or alterations have been required in, or incorporated into, the proposed project that will substantially lessen, but not avoid, the significant environmental effect as identified in the PEIR.

BIOLOGICAL RESOURCES

Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (Insects and Other Terrestrial Invertebrates - Bumble Bees)

Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities)

Crotch's Bumble Bee and Obscure Bumble Bee

Direct and indirect impacts could occur to Crotch's and obscure bumble bee through off-road machinery, prescribed burning, herbicide use, and removal of flowering plants. Primary threats to the survival of special-status bumble bees include habitat loss or modification due to development, agriculture, high-intensity fire, fire suppression, and herbicide use (Xerces Society et al. 2018). Because little is known about the life history and behaviors of bumble bees, and there is no established methodology for detecting overwintering or nesting colonies, they can be difficult to detect and therefore to completely avoid during treatment activities. If colonies were 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.

The Project is designed to avoid riparian habitat and type-conversion of chaparral or coastal sage scrub (SPR BIO-5), and no new roads will be created (SPR HYD-2). Pre-treatment surveys would combine a focused survey (SPR BIO-1, SPR BIO-3, SPR BIO-10) to identify burrows and suitable habitat within the project site. CDFW



(2023) issued "Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species", which offers a survey methodology for Crotch's and obscure bumble bees, among others. In lieu of or in addition to surveys, the Project proponent may choose to assume presence and rely on habitat as an indicator of presence. Crew members and contractors would be trained to identify and avoid this species if encountered (SPR BIO-2), and a biologist would be available as needed to provide guidance when crews are working within suitable bumble bee habitat. If work occurs within occupied bumble bee habitat, MM BIO-2b requires flagging areas for avoidance and establishing no-work buffers. MM BIO-2b also states: "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 identified, these burrows would be protected with an avoidance buffer (SPR AD-2). A Spill Prevention and Response Plan (SPR HAZ-5) will be developed as part of Project implementation, and the Project proponent will comply with herbicide application regulations (SPR HAZ-6) and restrict use of herbicide to avoid native plants.

The objectives of the CalVTP treatment activities are to reduce the occurrence of high-intensity wildfire and to modify past practices of fire suppression. Project implementation could thus be beneficial to bumble bees by reducing high-intensity wildfire and improving habitat for bumble bee species; however, in the process of achieving this objective, there are potentially significant direct impacts to bumble bees. The CalVTP PEIR acknowledges the difficulty in detecting overwintering and nesting bumble bees and in determining the occurrence and severity of impacts; it concludes that implementation of the CalVTP could cause impacts to special-status bumble bees which are potentially significant and unavoidable. The proposed Project impacts are consistent with those described in the CalVTP PEIR, and the proposed treatment activities may result in impacts to Crotch's and obscure bumble bee that are potentially significant and unavoidable.

GREENHOUSE GAS EMISSIONS

Impact GHG-2: Generate GHG Emissions through Treatment Activities

Mitigation Measure GHG-2: Implement GHG Emission Reduction Techniques During Prescribed Burns

The Project Proponent finds that GHG emissions from the use of vehicles and mechanical equipment, prescribed herbivory, herbicide application, and prescribed burning during initial and maintenance treatments cannot be avoided, because they are necessary for effective treatments. Implementation of mitigation measure GHG-2 would reduce GHG emissions associated with pile burning by burning when fuels have a higher fuel moisture content, reducing the total area burned by mosaic burning and isolating and leaving large fuels unburned, and by scheduling burns before new fuels appear. Treatment activities would contribute to annual GHG emissions generated under the CalVTP. Methods for reducing GHG emissions from burns would be integrated into SPR AQ-3 (Burn Plan) as described in mitigation measure GHG-2. The Project Proponent incorporated all feasible and applicable measures to prevent and minimize this potential impact, pursuant to mitigation measure GHG-2. The Project Proponent finds that mitigating this impact below a level of significance is not feasible. The Project Proponent concludes, however, that the benefits of the CalVTP and the proposed project outweigh the significant unavoidable impacts of the Program and the proposed vegetation treatment project, as set forth in the Statement of Overriding Considerations, below.

TRANSPORTATION

Impact TRAN-3: Result in a Net Increase in VMT for the Proposed CalVTP

Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques



Although the PEIR determined that individual vegetation treatments would likely be less than significant, the overall impact was identified as potentially significant and unavoidable in the PEIR because implementation of the CalVTP would result in a net increase in VMT attributable to the program as a whole. Because the project would generate VMT during implementation, it would contribute to the environmental significance conclusion in the PEIR; therefore, this impact is considered significant and unavoidable. No SPRs apply to this impact. The Project Proponent would implement Mitigation Measure AQ-1 to the extent feasible. MM AQ-1 would reduce the impact by encouraging workers to carpool and/or use public transportation. However, due to the required equipment and number of employees (i.e., the primary trip-generators associated with vegetation treatments) associated with the project, it would not be feasible to reduce VMT substantially. The Project Proponent incorporated all feasible and applicable measures to prevent and minimize this potential impact. The Project Proponent finds that mitigating this impact below a level of significance is not feasible. The Project Proponent concludes, however, that the benefits of the CalVTP and the proposed project outweigh the significant unavoidable impacts of the Program and the proposed vegetation treatment project, as set forth in the Statement of Overriding Considerations, below.



STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the Board's adopted Findings, the Board determined that the CalVTP will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures, and there are no feasible project alternatives that would mitigate or substantially lessen the impacts. Despite these effects, however, the Board, in accordance with CEQA Guidelines Section 15093, chose to approve the CalVTP because, in its view, the benefits to life, property, and other resources, and the other benefits of the CalVTP, will render the significant effects acceptable.

In the Board's judgment, the CalVTP and its benefits outweigh its unavoidable significant effects. The Board's Findings were based on substantial evidence in the record. The Board's Statement of Overriding Considerations identified the specific reasons why, in the Board's judgment, the benefits of the CalVTP as approved outweigh its unavoidable significant effects.

Exercising its independent judgment and review, the Project Proponent concurs that the benefits of the CalVTP and the treatment project outweigh the significant environmental effects and hereby incorporates by reference and adopts the Board's Statement of Overriding Considerations for the CalVTP.

Any one of the reasons listed in the Statement of Overriding Considerations is sufficient to justify approval of the treatment project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Project Proponent would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and the documents found in the Record of Proceedings, which are described and defined in Section 5, above.

- ▶ The CalVTP will reduce dire risks to life, property, and natural resources in California.
- ▶ The CalVTP reflects the most current and commonly accepted science and conditions in California and allows for adaptation in response to potential evolution and changes in science and conditions.
- ▶ The CalVTP reflects the Board's and CAL FIRE's goals. The CalVTP will help the Board and CAL FIRE achieve their central goals for reducing and preventing the impacts of fire in the state, as outlined in the *2018 Strategic Fire Plan for California*. The CalVTP will help to establish a natural environment that is more resilient and built assets that are more resistant to the occurrence and effects of wildland fire.
- ▶ The CalVTP will help implement Executive Orders, including:
 - EO B-42-17: Governor Brown's order issued to bolster the state's response to unprecedented tree die-off through further expediting removal of millions of dead and dying trees across the state;
 - EO B-52-18: Governor Brown's order to improve forest management and restoration, provide regulatory relief, and reduce barriers for prescribed fire; and
 - EO N-05-19: Governor Newsom's order directing CAL FIRE to recommend immediate-, medium-, and long-term actions to help prevent destructive wildfires.
- ▶ The Board is required by law to comply with SB 1260, signed into law by Governor Brown in February 2018, which improves California forest management practices to reduce the risk of wildfire in light of the changing climate and includes provisions for the CalVTP PEIR to serve as the programmatic CEQA coverage for prescribed burns within the SRA. The CalVTP will bring the Board into compliance with these requirements.
- ▶ The Board is required by law to comply with SB 632, signed into law by Governor Newsom in October 2019, which requires the Board to certify a Final PEIR, pursuant to CEQA, for the vegetation treatment program filed



with the State Clearinghouse under Number 2019012052 in January 2019. The CalVTP will bring the Board into compliance with this requirement.

- ▶ The CalVTP will help to meet California's GHG emission goals consistent with the California Forest Carbon Plan, California's 2017 Climate Change Scoping Plan, Fire on the Mountain: Rethinking Forest Management in the Sierra Nevada, and California 2030 Natural and Working Lands Climate Change Implementation Plan.
 - ▶ The CalVTP and the proposed vegetation treatment project reflect Contra Costa County Fire Protection District's goals to reduce wildfire fuels, reduce risks to homes, and increase access for firefighters, through implementing the state's Program.