

COASTAL CONSERVANCY

Staff Recommendation
September 5, 2024

EAST BAY REGIONAL PARK DISTRICT WILDFIRE RESILIENCE PROJECT

Project No. 24-027-01
Project Manager: Kostoula Vallianos

RECOMMENDED ACTION: Authorization to disburse up to \$2,075,000 to East Bay Regional Park District to conduct vegetation treatments to reduce fuels across an estimated 130 acres in Tilden Regional Park, Anthony Chabot Regional Park, and Carquinez Strait Regional Shoreline, develop an approximately 34-acre shaded fuel break along the southern border of Lake Chabot Regional Park, and purchase vegetation management equipment; and adoption of findings under the California Environmental Quality Act.

LOCATION: Alameda and Contra Costa Counties

EXHIBITS

- Exhibit 1: [Project Location Maps](#)
- Exhibit 2: [Wildfire Hazard Reduction and Resource Management Plan Final Environmental Impact Report](#)
- Exhibit 3: [California Vegetation Treatment Program \(CalVTP\) Statewide Programmatic Environmental Impact Report \(PEIR\)](#)
- Exhibit 4: [Project-Specific Analysis and Addendum to CalVTP Statewide Programmatic Environmental Impact Report \(CalVTP Project ID 2022-24\)](#)
- Exhibit 5: [Project Letters](#)

RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed two million seventy five thousand dollars (\$2,075,000) to East Bay Regional Park District to conduct vegetation treatments to reduce fuels across an estimated 130 acres in Tilden Regional Park,

Anthony Chabot Regional Park, and Carquinez Strait Regional Shoreline, develop an approximately 34-acre shaded fuel break along the southern border of Lake Chabot Regional Park, and purchase vegetation management equipment (“the project”).

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. If the grantee uses the grant funds to purchase equipment costing \$5,000 or more, the grantee shall use such equipment for wildfire-related purposes for the duration of the useful life of the equipment.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 3 of Division 21 of the Public Resources Code, regarding the Climate Ready Program (Section 31113).
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Conservancy has independently reviewed and considered the California Vegetation Treatment Program (CalVTP) Statewide Program Environmental Impact Report (PEIR), which was certified by the California Board of Forestry and Fire Protection in December 2019 pursuant to the California Environmental Quality Act (“CEQA”) (Exhibit 3) and the Project Specific Analysis and Addendum to the CalVTP PEIR, East Bay Hills Vegetation Treatment Project (CalVTP Project I.D. 2022-24, PSA/Addendum) (Exhibit 4). The PSA/Addendum addresses the East Bay Hills Vegetation Treatment Project (EBH Project), which covers the component of this project involving the development of an approximately 34-acre shaded fuel break along the southern border of Lake Chabot Regional Park.

The Conservancy finds:

- a. The EBH Project is within the scope of the CalVTP, and the PEIR adequately describes the EBH Project for purposes of CEQA. As described in the PSA/Addendum, although portions of the EBH Project are located outside the treatable landscape as identified in the CalVTP, those portions have landscape conditions that are similar to those of the treatable landscape, and the treatment types and activities are the same as those described in the CalVTP. None of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred.

- b. The PEIR and PSA/Addendum identify potentially significant impacts of the EBH Project in the areas of Biological Resources and Hazardous Materials, Public Health and Safety as identified in the accompanying staff recommendation. The Conservancy finds that the mitigation measures identified in CalVTP and the PSA-Addendum will avoid, reduce, or mitigate these possible significant environmental effects to less-than-significant levels and that these mitigation measures have been required or incorporated into the project.
- c. The PEIR and PSA/Addendum identifies significant and unavoidable impacts of the EBH Project in the areas of Air Quality, Archaeological, Historical, Tribal Cultural Resources, Greenhouse Gas Emissions, Transportation, and Utilities. The standard project requirements and mitigation measures will reduce these impacts but will not avoid them. The Conservancy finds it is infeasible to avoid, reduce, or mitigate the possible significant environmental effects of the EBH Project in these areas but environmental and other benefits of the EBH Project as described in the accompanying staff recommendation outweigh or render acceptable these unavoidable adverse environmental effects to achieve the objectives of the EBH Project.
- d. The Conservancy adopts the Findings regarding Significant Effects and Statement of Overriding Considerations set forth in the accompanying staff recommendation.

STAFF RECOMMENDATION

PROJECT SUMMARY:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed two million seventy five thousand dollars (\$2,075,000) to East Bay Regional Park District (Park District) to conduct vegetation treatments to reduce fuels across an estimated 130 acres in Tilden Regional Park, Anthony Chabot Regional Park, and Carquinez Strait Regional Shoreline, develop an approximately 34-acre shaded fuel break along the southern border of Lake Chabot Regional Park, and purchase vegetation management equipment.

The East Bay Hills have housing and developed areas interspersed with wildlands, a Wildland-Urban Interface (WUI), across hilly terrain with narrow roads. The East Bay Hills experience hot offshore winds, the Diablo Winds, which carry extremely dry air that quickly desiccates vegetation and can quickly push fires up or down slopes. As a result, the drier summer and fall months are particularly dangerous when it comes to wildfire. Throughout the WUI, the threat of catastrophic wildfires presents significant risks to wildlife, public health and safety, and property. The steep topography, seasonal wind patterns, flammable vegetation, dense development patterns where homes are adjacent to parklands, and limited firefighting access create a substantial, regional fire threat. Risk reduction efforts, like the proposed project, are essential to mitigate the risk of catastrophic wildfires in the East Bay. The proposed project will

reduce the risk of catastrophic fires along the wildland borders of the East Bay, while maintaining and enhancing ecological values for plant and wildlife habitat.

The project is part of the Park District's regional approach to wildfire prevention, which targets specific treatment areas because of their strategic location as fuel breaks, evacuation routes, proximity to facilities, and WUI areas. The Park District's approach provides sound, long-term strategies for protecting public health and safety by reducing fuel loads and managing vegetation within the parks to minimize the risk of Diablo wind-driven catastrophic wildfire along the WUI while ensuring protection and enhancement of ecological values and resources in parklands. The proposed project is comprised of 4 components:

Tilden Regional Park Fuel Treatments

In Tilden Regional Park, the project will implement the site-specific treatment plans on approximately 43 acres in two separate areas identified as T1002a and T1002b in the Park District's Wildfire Hazard Reduction and Resource Management Plan (WHRRMP) as shown in Exhibit 1. These treatments will be completed in accordance with the WHRRMP. Treatments will include thinning and removing a mix of brush/grass, ladder fuels, and trees. The project will prioritize removing ladder fuels to reduce the risk of crown fires and the ensuing embers, which can easily spread from tree crown to tree crown or from home to home. The project will implement fuel reduction by various means, including goat grazing, mowing, masticating, and chipping, as well as selective thinning and pile burning.

Anthony Chabot Regional Park Treatment

In 2020, the Park District's Fire Department identified large swaths of eucalyptus forests exhibiting poor health and stress. Drought conditions and overstocked stands with densities reaching 1,000 stems per acre contributed to tree mortality and dieback. Fuel loading in these stands with potential for extreme fire behavior near the population centers of Castro Valley and Oakland were targeted for treatment. With a grant from the Coastal Conservancy, the Park District performed an 80-acre fuels treatment and biomass pilot project, thinning the area of overstocked eucalyptus forest and carbonizing the woody biomass generated from the treatment. Lessons learned from the pilot project were used to treat an additional 395 acres in the Anthony Chabot Regional Park.

Eucalyptus resprouting after removal poses a significant long-term cost, and re-establishment can create future fire hazards. This cost could be reduced based on the timing and methodology of treatment. The project will conduct follow-up treatment on the 80-acre pilot project area primarily using herbicide but also goat grazing and other techniques, such as repeated cutting and stump grinding.

The project will also include studying the timing and methodology of herbicide application and presenting those findings in an herbicide response study and report that provides a conclusive report with quantitative findings and recommendations. The study area will focus on the 80-acre pilot area and may include a few select areas in the additional 395 acres in the Anthony Chabot Regional Park that were treated following the pilot project. A diverse selection of sample sites will help determine the effect the timing of treatment and seasonality have on

herbicide efficacy. The Park District's integrated pest management team will assist in the treatment and study.

Carquinez Strait Regional Shoreline Treatment

The Scenic Fire started on June 22, 2022, near the Bull Valley Area of the Carquinez Regional Shoreline adjacent to the town of Crockett. The fire was driven by a west wind, and quickly entered a dense stand of eucalyptus in this parkland. This transformed the fire into a hazardous crown fire that nearly burned into homes in the town of Port Costa. The fire killed a significant percentage of the eucalyptus in the stand, leaving dead standing trees across 25 acres. In the 1980's, a similar fire burned through the eucalyptus stand. As was the practice at that time, the trees were cut, but the stumps were not treated with herbicide. The trees resprouted, creating a stand denser than before the fire.

Since the Scenic Fire, the Park District has removed damaged eucalyptus on an approximately 20-acre area and started to restore it. Park District staff began to map the native plant communities as they reappeared after a century of suppression by invasive eucalyptus. These include several rare plant associations, such as an unusual wild rye hybrid, large stands of blue elderberry, and a forb complex of yampah/soap plant/yarrow. The project will remove an additional estimated 5 acres of dead eucalyptus and replant native plants on an estimated total of 25 acres. The trees will be felled by chainsaw and/or masticator. The project's replanting activities consist of collecting seeds to be grown out and replanted throughout the 25 acres. Additionally, the Park District is in communication with the Contra Costa Resource Conservation District about expanding the park's small population of heartleaf milkweed, a monarch butterfly host plant, on the Scenic Fire restoration site. These replanting actions will greatly reduce the fire hazard for the parkland and neighboring communities and improve the parkland's biodiversity.

Ten Hills Shaded Fuel Break in Lake Chabot Regional Park

In Lake Chabot Regional Park, the project will develop an approximately 34-acre shaded fuel break, known as Ten Hills Shaded Fuel Break, along the southern border of the park (see Exhibit 1) near Ten Hills Trail. The project will thin the tree canopy to reduce horizontal continuity and remove ladder fuels so fire does not spread through the vegetation or up to the crown. The retained canopy's shade will help reduce the rapid regrowth of shrubs and sprouting hardwoods. The project will also selectively remove trees that significantly contribute to a fire's intensity, such as live eucalyptus and conifers. By selectively removing trees, the shaded fuel break will provide strategic access routes and space for firefighters to maintain a defensible space to fight fire. The project will treat and monitor invasive species like French broom, remove dead and dying trees throughout the project site, prune all the retained trees, graze areas where it is feasible to limit shrub encroachment, and conduct pile burning. In addition, the project will remove understory shrubs from oak woodland to limit torching potential and provide more growing space for emerging trees and create grassy openings in shrub patches.

Finally, the project includes the purchase of equipment, such as a track brush chipper, remote controlled slope mower, and chipper truck that will be used to develop and maintain the Ten Hills Shaded Fuel Break and for other Park District wildfire fuel reduction projects.

Site Descriptions:

Tilden Regional Park Fuel Treatments

Tilden Regional Park is one of the oldest parks in the district, located in Contra Costa County. It offers recreational activities across its 2,079 acres, including hiking, golfing, fishing, group camping, and a native plant nursery. Tilden Regional Park offers many amenities for children, such as the steam train, merry-go-round, and Little Farm. The two treatment areas in Tilden Regional Park are located in the Tilden Nature Area, a special management unit of the park. The Tilden Nature Area is a 740-acre preserve with over 10 miles of hiking trails; the preserve contains a blend of native and introduced plant communities, including oak/bay woodlands, grasslands, eucalyptus forests, and streams. Hikes range from the leisurely, self-guided Jewel Lake Nature Trail to a vigorous climb up Wildcat Peak (elevation 1,211 ft.) for panoramic, San Francisco Bay views. A 750-foot boardwalk through the woods leads to Jewel Lake, a historic reservoir and waterworks, and a peaceful place to watch wildlife. Mature, dense, eucalyptus groves surround the many picnic sites, single track hiking trails, fire roads, and the two group camps sites.

Anthony Chabot Regional Park Treatment

Anthony Chabot Regional Park is a 3,304-acre park located in the Oakland/San Leandro Hills, east of Oakland and San Leandro, and north of Castro Valley with family and group camping amenities as well as over 70 miles of hiking and riding trails. While residential areas skirt the Park to the south and west, undeveloped watershed lands border the Park on the east, and Redwood Regional Park borders the north. One of the major recreational activities at the park is camping along with the use of the extensive trail system by hikers, joggers, equestrian riders, and bicyclists. Tracts of eucalyptus, planted in the early 1900's, cover large parts of the southern half of the Park. Before the eucalyptus were planted, the park was used for cattle grazing and was dominated by grass-covered slopes and ridgetops, with dense brush and oak-bay woodlands in the canyons and creek beds. The 80-acre eucalyptus retreatment project site surrounds an unused former gun range known as the Chabot Gun Club in Castro Valley. The initial treatment of the project location was part of a Conservancy funded pilot project to thin the dense stand of eucalyptus and process it with a carbonator. The herbicide study will include areas in the 80 acre eucalyptus retreatment area and may include a few select sites within the 395 acres in the park that were thinned after the pilot project.

Carquinez Strait Regional Shoreline Treatment

Carquinez Strait Regional Shoreline comprises 1,568 acres of bluffs and shoreline along Carquinez Scenic Drive between the town of Crockett and the hillsides overlooking Martinez. This parkland provides a gateway to the river delta region along the northern edge of Contra Costa County. The coastal hills rise steeply up to 750 feet above Carquinez Strait. From the highest elevations, the view includes the marshland of Benicia State Recreation Area to the north across Carquinez Strait. The major plant communities that occur in Carquinez Strait Regional Shoreline include plant species typical of annual grassland, oak woodland, and coastal scrub vegetation. Localized wooded communities composed of oak and oak/bay woodland and buckeye can be found in protected east-facing slopes and ravines. Plantings of eucalyptus

groves are also present at scattered locations. The park is part of the Bay Trail connecting northeast Contra Costa County with West Contra Costa County. The 25-acre project site is within the Scenic Fire burn scar near the community of Crockett.

Ten Hills Shaded Fuel Break in Lake Chabot Regional Park

Nestled in the East Bay Hills above San Leandro and Castro Valley, Lake Chabot Regional Park offers residents boating, hiking, picnicking, and other outdoor recreation opportunities. The Park District opened the park in 1966 after securing an agreement with the East Bay Municipal Utilities District, which owns and operates Lake Chabot Reservoir. The Park offers some of the most unique and varied recreation opportunities in the region. The Ten Hills Shaded Fuel Break will be at the southern boundary of Lake Chabot Regional Park, where parklands abruptly meet the dense residential areas of Castro Valley. Historic records show that this area was once Montane hardwood forest vegetation and annual grassland. However, today, it is covered in coastal scrub and oak-bay woodland vegetation, as well as French Broom which is extremely invasive and fire prone.

Grant Applicant Qualifications:

East Bay Regional Park District, a public agency, is highly capable of administering grant funds and similar projects. The Park District has a track record of successfully completing local, state, and federal grants. The Park District is awarded an average of 20 grants each year, including past awards from the Conservancy. The Grants Department currently manages 170 open grants totaling \$200 million.

The Park District has its own Fire Department that manages fire suppression in all four parks.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

Selection Criteria

1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.

See the "Consistency with Conservancy's Strategic Plan" section below.

2. Project is a good investment of state resources.

The proposed project is a good investment of state funding. The project is feasible, has a reasonable budget, and addresses a demonstrated need or regional problem. The project implements many statewide wildfire and forest resiliency goals. The proposed project is consistent with several state plans, and specifically with the following:

- California's Wildfire and Forest Resilience Action Plan (Governor's Forest Management Task Force, January 2021), which calls for activities such as fuels reduction, forest thinning, vegetation management, prescribed fire, shaded fuel breaks, defensible space, and enhancement of fire-prone habitats to reduce fire risk.

- The California Forest Carbon Plan (California Natural Resources Agency, 2018), which calls for restoration of natural fire regime and forest composition through a multitude of approaches including thinning, prescribed burns, invasive vegetation management, and shaded fuel breaks.
- The Community Wildfire Prevention & Mitigation Report (CAL FIRE, 2019), which urges state and local agencies to implement the goals of the Carbon Forest Plan and lays out recommendations to agencies to increase the scale and pace of management and mitigation actions to improve forest health and resiliency.

3. Project benefits will be sustainable or resilient over the project lifespan.

The proposed project will help increase fire resiliency in the East Bay Hills in the context of anticipated climate change. Fire resilience is a critical issue due to increased average temperatures, reduced marine fog, and longer and more severe droughts. California is facing unprecedented fire risk due to climate change and a growing populace. Both the 2020 and 2021 fire seasons broke numerous records. The 2024 fire season also appears to be a treacherous one. Fires across California have burned hundreds of thousands of acres and the wildfire season is not yet over.

Purchasing equipment will increase the Park District’s capacity to develop and maintain the Ten Hills Shaded Fuel Break component of the project. The equipment can be utilized for many different wildfire-related purposes and will last many years. Climate change has resulted in extreme seasonal variability in weather and owning equipment allows for the Park District to have flexibility to adapt management prescriptions each season.

4. Project delivers multiple benefits and significant positive impact.

The treatment of project sites will reduce wildfire hazards for neighboring communities. The herbicide resprouting study in Anthony Chabot Regional Park will inform Park District’s maintenance of resprouting eucalyptus.

The project will protect over 12,350 households, and property values are estimated to exceed \$10 billion. However, in the context of the Park District’s coordinated and comprehensive approach, the work will amplify the impact of fire prevention efforts in the region – protecting millions of people, homes, and businesses, and regionwide public and private infrastructure.

The project will help increase fire resiliency in response to climate change. California is facing unprecedented fire risk due to climate change, a growing populace, and an increasing number of people living in high fire risk areas, including areas adjacent to wildlands. Enhanced wildfire resilience will have multiple benefits, including reducing loss of life, economic loss, and impacts on public health from wildfires; protecting fish and wildlife habitat; and preventing the loss of sequestered carbon.

PROJECT FINANCING

Coastal Conservancy

\$2,075,000

East Bay Regional Park District	\$250,000
Project Total	\$2,325,000

The anticipated source of funding is the Fiscal Year 2023-24 appropriation from the General Fund to the Conservancy for the purpose of wildfire risk reduction (The Budget Act of 2023, SB 101 (2023)). The proposed project is consistent with this funding source because it will help increase the pace and scale of wildfire resilience work and ultimately reduce the risk of catastrophic wildfire. In addition to providing a funding match of \$250,000, the Park District is providing an in-kind staff time of \$250,000.

Unless specifically identified as “Required Match,” the other sources of funding and in-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The recommended projects would be undertaken pursuant to Section 31113 of Chapter 3 of Division 21 of the Public Resources Code, which authorizes the Conservancy to address the impacts and potential impacts of climate change on resources within the Conservancy’s jurisdiction (Section 31113(a)).

Pursuant to Section 31113(b)-(c), the Conservancy is authorized to award grants to nonprofit organizations and public agencies to undertake projects within its jurisdiction that include reducing greenhouse gas emissions and addressing extreme weather events, sea level rise, flooding, and other coastal hazards that threaten coastal communities, infrastructure, and natural resources.

Pursuant to Section 31113(c), the Conservancy must prioritize grants, to the extent allowed, for projects that maximize public benefits and that accomplish one of several purposes, including reducing emissions of greenhouse gases.

Consistent with this Section, the proposed project will restore the health and resilience of California forests, grasslands, or natural lands and reduce fire risk to communities. The project will help California’s natural lands be more resilient to catastrophic wildfires, which may ultimately reduce greenhouse gas emissions released from increased wildfires due to climate change.

CONSISTENCY WITH CONSERVANCY’S [2023-2027 STRATEGIC PLAN](#):

Consistent with **Goal 4.2 Wildfire Resilience Projects**, the proposed project will reduce hazardous fuels across an estimated 130 acres in Tilden Regional Park, Anthony Chabot Regional Park, and Carquinez Strait Regional Shoreline, and develop an approximately 34-acre shaded fuel break along the southern border of Lake Chabot Regional Park.

CEQA COMPLIANCE:

Tilden Regional Park and Anthony Chabot Regional Park Fuel Treatments

The proposed vegetation management in Tilden Regional Park and Anthony Chabot Regional Park consist of fuel treatments and treatment areas that are part of the East Bay Regional Park District's Wildfire Hazard Reduction and Resource Management Plan (WHRRMP). The Park District developed this comprehensive plan to identify and prioritize areas most at risk and provide a framework for long-term fire prevention efforts. On October 17, 2019, the Conservancy adopted findings about the environmental effects of the WHRRMP based on the Wildfire Hazard Reduction and Resource Management Plan Final Environmental Impact Report approved and certified by the Park District on April 21, 2010, pursuant to the California Environmental Quality Act ("CEQA"). The WHRRMP has not changed since the October 17, 2019 authorization. There have been no changed circumstances or new information that triggers the requirement for additional documentation under CEQA. Therefore, no further review pursuant to the California Environmental Quality Act is required.

Carquinez Strait Regional Shoreline Treatment

The Carquinez Regional Shoreline Treatment project is categorically exempt from CEQA under Title 14 California Code of Regulations Section 15304 (Minor Alterations to Land), which exempts minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. The Carquinez Regional Shoreline Treatment project is categorically exempt under Section 15304 because the project involves only removing dead trees and replanting vegetation, without the removal of healthy, mature, scenic trees.

Ten Hills Shaded Fuel Break in Lake Chabot Regional Park

The California Vegetation Treatment Program (CalVTP) directs implementation of vegetation treatments within the California Department of Forestry and Fire Protection's (CAL FIRE's) State Responsibility Area to reduce wildfire risk, fire suppression efforts, and related costs, and to protect natural resources and other assets from wildfire. The creation of a shaded fuel break in Lake Chabot Regional Park is a component of the Park District's East Bay Hills Vegetation Treatment Project ("EBH Project"). The recommended CEQA findings address the EBH Project as a whole. There are two applicable CEQA documents for the EBH Project:

- A. The California Vegetation Treatment Program Final Program Environmental Impact Report (CalVTP PEIR), certified by CAL FIRE in December 2019.
- B. Project Specific Analysis and Addendum to the CalVTP for the East Bay Hills Vegetation Treatment Project (PSA/Addendum), dated June 2023, adopted by the Park District on July 18, 2023.

The PEIR evaluates the environmental impacts of the CalVTP. The PEIR was prepared by the California Board of Forestry and Fire Protection (Board), the lead agency, in accordance with the requirements of CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines. The Board certified the PEIR and approved the CalVTP on December 30, 2019. Within the CalVTP PEIR, the State Responsibility Area is also referred to as the treatable landscape.

To use the PEIR for any particular project, CAL FIRE or other project proponents must prepare a project specific analysis to evaluate the particular project and determine whether it qualifies as within the scope of this PEIR or requires additional environmental documentation or its own independent environmental review.

The recommended CEQA findings address the EBH Project as a whole. The EBH Project will be accomplished using several treatment types identified in the CalVTP including WUI fuel reduction, ecological restoration, and shaded fuel breaks treatments and is part of the Park District's regional approach to wildfire prevention. All the EBH Project's treatment activities and treatment types are evaluated in the PEIR. Treatment activities include manual treatments, mechanical treatments, prescribed burning (comprising broadcast burning, pile burning, and/or air curtain burning), prescribed herbivory, and herbicide application. Future maintenance treatment projects are included in the PSA/Addendum and would involve the same treatment type and activities used in the initial treatment project.

Pursuant to the Conservancy's obligation as a responsible agency under CEQA, Conservancy staff has reviewed the PEIR and the PSA/Addendum. Most of the EBH Project area is within the CalVTP treatable landscape. However, 128 acres of the 2,280-acre project area are outside the CalVTP treatable landscape. An Addendum to an EIR is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in new or substantially more severe significant environmental impacts, consistent with CEQA Section 21166 and CEQA Guidelines Sections 15162, 15163, 15164, and 15168. In this case, the proposed revision or change in the EBH Project, compared to the PEIR, is the inclusion of areas outside of the CalVTP treatable landscape. As described in the PSA/Addendum, although portions of the EBH Project are located outside the treatable landscape as identified in the CalVTP, those portions have landscape conditions that are similar to those of the treatable landscape, and the treatment types and activities are the same as those described in the CalVTP. None of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. Since preparation of the PEIR, no new circumstances have occurred, nor has any new information been identified requiring new analysis or verification. Staff, therefore, recommends that the Conservancy find that no additional CEQA documentation beyond the PSA/Addendum is required for the EBH Project.

The PSA/Addendum identifies standard project requirements (SPRs), which are similar to best management practices and are incorporated into the project activities, and mitigation measures. While the Conservancy has reviewed the SPRs, the Conservancy's analysis focuses on the mitigation measures.

Implementation of SPRs and mitigation measures will reduce potentially significant environmental effects in the areas of Biological Resources and Hazardous Materials, Public Health and Safety to less than significant levels. Each mitigation measure applicable to each impact is described below.

Biological Resources

Impact BIO-1: Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications. Initial vegetation and maintenance treatments could result in direct or indirect effects on special status species. Mitigation Measure BIO-1a avoids the loss of special-status plants listed under the Endangered Species Act (ESA) or the California Endangered Species Act (CESA) by surveying, avoiding, and protecting the identified species and implementing a no-disturbance buffer. Mitigation Measure BIO-1b avoids the loss of special-status plants not listed under ESA or CESA by either physically avoiding the area with a no-disturbance buffer or conducting treatments outside of growing season (for certain species), designing treatments to keep plant habitat, or by not igniting fire in the area. Impacts will be reduced to less than significant with implementation of SPRs and the above mitigation measures. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications. Initial vegetation and maintenance treatments could potentially result in direct or indirect impact on 29 special status wildlife species. Mitigation Measure BIO-2a protects wildlife and habitat function for wildlife species listed under the ESA and CESA by requiring project activities to be conducted outside of sensitive periods (breeding and nesting) and outside of occupied habitat. Mitigation Measure BIO-2b consists of avoiding injury, mortality, or disturbance and maintaining habitat function for special status wildlife not listed under the ESA or CESA by implementing no disturbance buffers with clearly defined markers, and ensuring no project activities are conducted in the area until a biologist or Registered Professional Forester (RPF) determines that the species has vacated the site or are no longer active. If federally listed butterflies are identified as occurring or having potential to occur during review and surveys conducted under SPRs then Mitigation Measure 2-e will be implemented which requires designing treatments to preserve special-status butterfly host plants in treatment sites. If federally listed bumble bees are identified as occurring or having potential to occur during review and surveys conducted under SPRs then Mitigation Measure 2-g will be implemented which requires designing treatments to preserve special-status bumble bee habitat in treatment sites. Mitigation Measure BIO-3a requires designing treatments to avoid the loss of sensitive natural communities and oak woodlands through measures including restoring fire and returning natural vegetation to improve habitat function and ensuring fuel breaks are not implemented in sensitive communities and will not remove more than 20% of native vegetation. Mitigation Measure BIO-3b will be implemented if significant impacts on sensitive natural communities cannot feasibly be averted under Mitigation Measure BIO-3a. It requires implementing a Compensatory Mitigation Plan to restore habitat functions and acreage, restore degraded habitat outside of the project area, or preserve existing habitat of greater or equal value to the habitat lost by conservation easement. Mitigation Measure BIO-4 requires the avoidance of federally protected wetlands; boundaries and buffers will be

determined by a biologist or RPF with high visibility markers. Soil disturbance and fire ignition is prohibited within the buffer zone and prescribed burning may be allowed with permission from a biologist or RPF. Impacts will be reduced to less than significant with implementation of applicable SPRs and the above mitigation measures. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

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 requires designing treatments to avoid the loss of sensitive natural communities and oak woodlands through measures including restoring fire and returning natural vegetation to improve habitat function and ensuring fuel breaks are not implemented in sensitive communities and will not remove more than 20% of native vegetation. Mitigation Measure BIO-3b would be implemented if significant impacts on sensitive natural communities cannot feasibly be averted under Mitigation Measure BIO-3a. It requires implementing a Compensatory Mitigation Plan to restore habitat functions and acreage, restore degraded habitat outside of the project area, or preserve existing habitat of greater or equal value to the habitat lost by conservation easement. Mitigation Measure BIO-3c requires similar compensation through a Compensatory Mitigation Plan but is focused exclusively on riparian habitat. Impacts will be reduced to less than significant with implementation of applicable SPRs and the above mitigation measures. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Impact BIO-4: Substantially Affect State or Federally Protected Wetlands. Federally and state protected wetlands may be indirectly or directly impacted due to initial and maintenance treatment activities. If other unmapped wetland areas are identified in the project area, a biologist or a RPF will determine the appropriate boundaries of the wetland area. Mitigation Measure BIO-4 applies and requires the avoidance of federally protected wetlands; boundaries and buffers will be determined by a biologist or RPF with high visibility markers. Soil disturbance and fire ignition is prohibited within the buffer zone and prescribed burning may be allowed with permission from a biologist or RPF. Impacts will be reduced to less than significant with implementation of applicable SPRs and the above mitigation measures. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Impact BIO-5: Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries. Wildlife corridors and nurseries may be indirectly or directly impacted due to treatment activities. If nursery sites are detected during SPR surveys, mitigation measure BIO-5 would apply, which requires preserving nursery habitat and applying a no disturbance buffer to avoid nursery sites as established by a biologist or RPF. Impacts will be reduced to less than significant with implementation of applicable SPRs and the above mitigation measures. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Hazardous Materials, Public Health and Safety

Impact HAZ-3: Identify and Avoid Known Hazardous Waste Sites. Initial and maintenance treatments would include soil disturbance and prescribed burning, which could expose workers or the environment to hazardous materials if a contaminated site is present within the project area. Mitigation Measure HAZ-3 requires a database search for hazardous materials sites within the project area. A database search was conducted as part of the PSA/Addendum. Four leaking underground storage tank sites were identified within 0.25 mile of the project area; however, all sites have been remediated and closed. Because all the sites have been remediated and closed, it is not possible for hazardous material sites to be disturbed by the treatments and this impact is therefore less than significant.

Implementation of SPRs and mitigation measures will reduce potentially significant environmental effects in the areas of Air Quality, Archeological, Historical, and Tribal Cultural Resources, Greenhouse Gas Emissions, Transportation, and Utilities, but these impacts remain potentially significant and unavoidable. A Statement of Overriding Considerations (see below) is being adopted to address these potentially significant and unavoidable impacts. The potentially significant impacts of the EBH Project and mitigation measures identified in the PSA/Addendum, as listed in Exhibit 4, are summarized below:

Air Quality

Impact AQ-1: Generate Emissions of Criteria Air Pollutants and Precursors During Treatment Activities that would exceed California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS). Mitigation Measure AQ -1 requires, where feasible, the implementation and documentation of emission reduction techniques for on road and off road equipment. Implementation of relevant SPRs and Mitigation Measure AQ-1 would reduce impacts, but impacts remain significant and unavoidable. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Impact AQ-4: Expose People to Toxic Air Contaminants Emitted by Prescribed Burns and Related Health Risk. SPRs applicable to prescribed burning are designed to reduce risk of exposing people to smoke, but prescribed burning could result in short term exposure to toxic air contaminants. No feasible mitigation measures exist, other than what is listed in the SPRs. Impacts remain significant and unavoidable. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Impact AQ-6: Expose People to Objectionable Odors from Smoke During Prescribed Burning. Implementation of SPRs applicable to burning are designed to reduce risk of exposing people to smoke, including odor, but exposure to objectionable odor may still exist during prescribed fire. No additional mitigation measures are feasible, and this impact would remain significant and unavoidable because there is no guarantee that smoke would behave as predicted, as explained in the PEIR.

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. Initial and maintenance vegetation treatment activities could include mechanical treatments that use heavy equipment. The heavy

equipment use may result in ground disturbance as vegetation is removed. Prescribed burning could damage above ground archaeological features, such as bedrock mortars, lithic scatters, historic-era foundations, and historic-era trash scatters. As a result, these treatments activities have the potential to damage unique archaeological resources or subsurface historical resources, if they are present within a treatment area. Mitigation Measure CUL-2 requires halting ground-disturbing activities within 100 feet of cultural sites and consulting with a qualified archaeologist if archaeological or historic resources are inadvertently discovered. If an archaeologist finds that the discovery is significant, the integrity of the resource will be protected. While the SPRs and mitigation measure would reduce potential impacts, the potential for significant impacts remains unavoidable. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Greenhouse Gas (GHG) Emissions

Impact GHG-2: Generate GHG Emissions through Treatment Activities due to the use of equipment and prescribed burning, including pile burning. Mitigation Measure GHG-2 requires feasible implementation of measures to reduce GHG emissions from prescribed burning, such as the use of air curtain burners, carbonators, and gasifiers. These alternative reduction techniques may not be feasible due to cost or parameters of the given project. Even with the implementation of SPRs and Mitigation Measure GHG-2 impacts remain significant and unavoidable. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Transportation

Treatments could temporarily increase vehicle miles traveled (VMT) above baseline conditions because the proposed project would require vehicle trips to transport crew members and equipment to the treatment areas and haul vegetative debris to processing facilities. This impact was identified as potentially significant and unavoidable in the PEIR because implementation of the CalVTP would result in a net increase in VMT. Treatment activities under of the EBH Project will typically require between one and 50 crew members. The potential for an increase in VMT on affected roadways during implementation of the treatment project was examined in the PEIR. A temporary increase in VMT is within the scope of the activities and impacts addressed in the PEIR because the number and duration of increased vehicle trips, the size and number of crews, and treatment activities are consistent with that analyzed in the PEIR. The increase in vehicle trips would be temporary and dispersed over multiple roadways. The Park District will implement Mitigation Measure AQ-1 to the extent feasible. While carpooling will be encouraged under Mitigation Measure AQ-1, crew sizes could be small and may not all be employed with the same company. Therefore, carpooling may not be feasible to implement for most of the workers. The EBH Project would contribute to the cumulative increase in VMT attributable to implementation of the CalVTP. This impact would remain significant and unavoidable.

Utilities

Impact UTIL-2: Generate Solid Waste in Excess of State Standards or Exceed Local Infrastructure Capacity. Initial and maintenance treatments would generate biomass within the project area. Biomass generated by mechanical and manual treatments would be disposed of by several means. Vegetative biomass would be retained on-site (e.g., mulched, lopped and scattered), processed on-site (e.g., pile burning, processed with biomass processing technology), or hauled off-site to a biomass processing facility or processing area. The type and relative amounts of biomass disposal would be dependent on vegetation type. Invasive plants and noxious weeds would generally be cut based on species-specific phenology and timing to avoid spreading seed and propagules altogether. Given their invasive nature, biomass from invasive plants and noxious weeds would be processed on-site in the same location to prevent spread of seed bank or propagules to other areas or would be disposed of off-site to an appropriate waste collection facility. This impact was identified as potentially significant and unavoidable because biomass hauled offsite could exceed the capacity of existing infrastructure to handle biomass. For the proposed project, some invasive plant biomass would be hauled off-site. While the amount of biomass generated is not expected to exceed the capacity of existing local infrastructure in Contra Costa County and Alameda County, because the project would generate biomass needing off-site disposal. No additional mitigation measures are feasible, and this impact would remain significant and unavoidable.

Statement of Overriding Considerations

In the event a project has unavoidable significant environmental effects, the CEQA Guidelines require the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project (Title 14 California Code of Regulations Section 15093). If the specific project benefits outweigh the unavoidable significant environmental effects of the project, a Statement of Overriding Considerations may be adopted and the project approved, despite its significant environmental effects. The overall environmental benefits of the project, as detailed in the Project Summary section of this staff recommendation warrant the Conservancy's decision to approve the project.

The EBH Project's benefits significantly outweigh and render acceptable the potentially significant and unavoidable Air Quality, Archaeological, Historical, Tribal Cultural Resources, Greenhouse Gas Emission, Transportation, and Utility impacts that may occur during project implementation.

The EBH Project's benefits include removing invasive plant species and lowering the risk of catastrophic wildfire that could damage property, endanger wildlife, threaten human life, and significantly contribute to greenhouse gas emissions. The potentially significant and unavoidable air quality, archeological, historical, and tribal cultural resources, transportation, utility, and greenhouse gas emission impacts that may occur during project implementation are many order of magnitude less than the potential impacts associated with wildfire events that the EBH Project seeks to prevent.

Upon approval of the project, Conservancy staff will file a Notice of Determination and file project information with CAL FIRE, as required under the CalVTP program.