

COASTAL CONSERVANCY

Staff Recommendation  
September 5, 2024

**ONE TAM WILDFIRE AND FOREST RESILIENCE PROJECT – PHASE I**

Project No.24-026-01  
Project Manager: Lilly Allen

**RECOMMENDED ACTION:** Authorization to disburse up to \$4,000,000 to Golden Gate National Parks Conservancy to: (1) implement forest health and wildfire resiliency activities in Tomales Bay State Park, a priority project in the Marin Regional Forest Health Strategy; (2) implement wildfire resilience activities in Marin City; and (3) engage the FIRE Foundry workforce development program in either or both project components; and adoption of findings under the California Environmental Quality Act.

**LOCATION:** Marin County.

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [California Vegetation Treatment Program \(CalVTP\) Statewide Programmatic Environmental Impact Report \(PEIR\)](#)
- Exhibit 3: [Project-Specific Analysis and Addendum to CalVTP Statewide PEIR \(CalVTP Project ID 2023-07\)](#)
- Exhibit 4: [Notice of Exemption for the Southern Marin Zone Marin City Fuel Reduction Zone Project](#)
- Exhibit 5: [Site Photos](#)
- Exhibit 6: [Project Letters](#)

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**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 four million dollars (\$4,000,000) to Golden Gate National Parks Conservancy (“the grantee”) to: (1)

implement forest health and wildfire resiliency activities in Tomales Bay State Park, a priority project in the Marin Regional Forest Health Strategy; (2) implement wildfire resilience activities in Marin City; and (3) engage the FIRE Foundry workforce development program in either or both project components (“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. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.

Findings:

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

1. The proposed authorization is consistent with Chapter 3 of Division 21 of the Public Resources Code, regarding the Climate Ready Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Golden Gate National Parks Conservancy is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has also 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 (CALFIRE) on December 30, 2019, pursuant to the California Environmental Quality Act (“CEQA”), and the Project Specific Analysis and Addendum to the CalVTP for the Tomales Bay State Park Forest Health and Wildfire Resilience Project (CalVTP Project ID 2023-07, “PSA-Addendum”) (attached to the accompanying staff recommendation as Exhibits 2 and 3). The Tomales Bay State Parks component of the project is addressed by the PSA/Addendum. The Conservancy finds:
  - a. The Tomales Bay State Park Forest Health and Wildfire Resilience Project is within the scope of the CalVTP, and the CalVTP PEIR adequately describes the Tomales Bay State Park Forest Health and Wildfire Resilience Project for purposes of CEQA. As described in the PSA/Addendum, although portions of the Tomales Bay State Park Forest Health and Wildfire Resilience 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 Tomales Bay State Park Forest Health and Wildfire Resilience Project in the areas Biological Resources 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 identify significant and unavoidable impacts of the Tomales Bay State Park Forest Health and Wildfire Resilience Project in the areas of Air Quality, Archaeological, Historical, Tribal Cultural Resources, Greenhouse Gas Emissions, Utilities, and Transportation. The standard project requirements listed in the CEQA documents 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 but environmental and other benefits of the Tomales Bay State Park Forest Health and Wildfire Resilience Project as described in the accompanying staff recommendation outweigh or render acceptable these unavoidable adverse environmental effects to achieve the objectives of the Tomales Bay State Park Forest Health and Wildfire Resilience Project.
- d. The Conservancy adopts the Findings regarding Significant Effects and Statement of Overriding Considerations set forth in the accompanying staff recommendation.

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## **STAFF RECOMMENDATION**

### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize a grant of an amount not to exceed \$4,000,000 to Golden Gate National Parks Conservancy (“GGNPC”) to: (1) implement forest health and wildfire resiliency activities in Tomales Bay State Park, a priority project in the Marin Regional Forest Health Strategy; (2) implement wildfire resilience activities in Marin City; and (3) engage the FIRE Foundry workforce development program in either or both project components.

The GGNPC—in partnership with California State Parks, Marin County Fire Department, Marin Wildfire Prevention Authority (MPWA), and the One Tamalpais Lands Collaborative—proposes implementation of wildfire resilience work in two key areas of Marin County: (1) Tomales Bay State Park; and (2) Marin City Fuel Reduction Zone. In addition to the project activities listed below, the GGNPC will conduct outreach, using its existing community engagement toolkit.

### **Tomales Bay State Park**

The Tomales Bay State Parks component of the project, which is part of the larger Tomales Bay State Parks Forest Health and Wildfire Resilience Project, will implement forest health and wildfire resiliency activities as outlined in the Marin Regional Forest Health Strategy. The

project will restore between 100-150 acres within the 2,433-acre Tomales Bay State Park. Multiple treatments will occur in the Tomales Bay State Park through both mechanical and manual treatments, including initial thinning, piling, biomass management, and prescribed fire burning (e.g., broadcast burning and pile burning). This component will engage the FIRE Foundry workforce development program, a program of the Marin County Fire Department, in either or both project components where feasible.

The Tomales Bay State Parks component of the project will occur in a high-priority ecological restoration treatment area. This project will be conducted in close collaboration with the Federated Indians of Granton Rancheria (the Tribe). This collaboration is a key aspect of the project and will continue beyond the life of this project. The Tribe is part of the larger programmatic effort focused on restoration and wildfire resiliency at Tomales Bay State Parks. Further details are outlined in the PSA, Exhibit 3. The project will include treatments designed to increase wildfire and forest resilience, including regeneration of Bishop pine forest in decline due to senescence in the absence of fire and Coast Miwok stewardship.

There has been direct engagement with the Tribe on project planning that will continue through implementation. State Parks and the Tribe developed Tribal Cultural Resources Standards. These standards include a paid Tribal monitor during implementation to (a) ensure Tribal resources are protected during project activities, (b) survey and identify Tribal cultural resources, and (c) protect inadvertent discoveries of Tribal cultural resources. If State Parks and the Tribe agree, collaboration could also include preparing interpretive materials and conducting ethnobotanical studies. The Tribe will continue to be consulted during final planning and implementation on treatment approaches and locations. The Tribe may decide to use Traditional Knowledge to identify avoidance areas, inform management approaches, and/or prescribe treatments in areas of significance to the Tribe, even though this knowledge is proprietary to the Tribe and will not be shared with non-Tribal project staff.

### **Marin City Fuel Reduction Zone**

The Marin City component of the project will complete construction of the Marin City Fuel Reduction Zone and maintain the previously constructed areas of the Zone. The Marin City Fuel Reduction Zone is an approximately 2-mile-long fuel break located around the boundary of the residential communities in Marin City and wildland areas adjacent to structures. This area is in the Wildland Urban Interface and is crucial for controlling fires. The Marin City component of the project will complete the remaining 8 acres of initial fuel break construction and maintain the entire 22-acre project footprint with any remaining funds. This component of the project includes management of ladder fuels and woody understory vegetation through thinning and removal of dead and dying shrubs, tree limbs, and non-native invasive species. This component will engage the FIRE Foundry workforce development program where feasible. Marin City is a historically disadvantaged area in Marin County, is listed as a Very High fire hazard severity zone by CAL FIRE. This component of the project will provide needed wildfire protection to this community.

### **FIRE Foundry Program**

The FIRE Foundry workforce development program is a partnership between Conservation Corps North Bay, College of Marin, Marin Wildfire Prevention Authority, Marin County Fire Department, and other agencies. Marin County Fire Department manages recruitment, onboarding, mentorship, wrap-around services, and partner coordination for all recruits. Participants receive a paid job in fire prevention with the county, so they can afford to fully engage in the one-year program, which covers the cost of fire academy prerequisite classes, counseling services, housing at fire stations, hands-on skills training, mentorship, and more. The goal is to provide recruits with the training and skills needed to enter the fire service and work with agencies like the Marin County Fire Department. The program is specifically aimed at propelling women and people of color into sustainable careers in the fire service.

The FIRE Foundry workforce development program will train and provide Personal Protective Equipment for the program participants. This will result in 11 days of Wildland Fire training and required wildland fire fighting safety equipment for three cohorts of 24 FIRE Foundry recruits. Due to collaboration with the FIRE Foundry workforce development program, this project is a key workforce development program and wildfire resiliency implementation project.

Either or both components of this project will engage the FIRE Foundry workforce development program by providing opportunities and locations for workforce training and mentorship. The two potential sites have unique ecologies, topologies, cultural resources, and other characteristics. Providing new sites diversifies the learning opportunities for the FIRE Foundry cohort.

**Site Description:**

The project will advance wildfire and forest resilience work in two key areas of Marin County: Tomales Bay State Park and Marin City. Tomales Bay State Park is identified as a priority project in the Marin Regional Forest Health Strategy.

- **Tomales Bay State Park**, owned by California State Parks, is in Marin County and encompasses over 2,400 acres along the western and eastern shores of Tomales Bay. State Parks is a partner on this project and leading implementation. Vegetation communities within the park include conifer forests dominated by Bishop pine; evergreen hardwood types, such as California bay and coast live oak; and mixed hardwood-conifer areas. This includes the Jepson Memorial Grove, one of the finest remaining groves of Bishop Pine in California. The project seeks to improve regeneration and preservation of the aging stands of Bishop pines in Tomales Bay State Park, particularly at Jepson Memorial Grove, by using low intensity prescribed burning and mechanical means to create openings allowing for natural seedling establishment. This is consistent with the Tomales Bay State Park General Plan, which calls for "preserving and enhancing the forest structure and age classes of the Jepson Grove by improving *Pinus muricata* growth".
- The **Marin City Fuel Reduction Zone** is being established in partnership with Marin County Fire Department, Marin Wildfire Prevention Authority, the neighboring community, and agency partners. Native vegetation within the fuel reduction zone consists of a mix of evergreen hardwood forest types, including coast live oak, California

bay woodlands, and some coastal scrub. The fuel reduction zone spans approximately 13 parcels owned and managed by National Parks Service, Marin Housing Authority, and private landholdings.

**Grant Applicant Qualifications:** The Tamalpais Lands Collaborative (One Tam) is a partnership of four state, federal and local agencies, and the GGNPC, working together to improve management and advance the scientific understanding of the ecosystem health on and adjacent to Mount Tamalpais. For this project, the GGNPC will be the Conservancy's grantee, and will work closely with other One Tam partners to complete the project. GGNPC has received numerous grants from the Conservancy in the past, including a \$725,800 Regional Forest and Fire Capacity grant in 2019, which it managed for One Tam wildfire resilience forest management plans and projects.

**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 2023-2027 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.
- **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.
- **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 includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.**

One Tam has collaborated with the Federated Indians of Graton Rancheria throughout the process of preparing and implementing the Marin Regional Forest Health Strategy. The Marin Regional Forest Health Strategy was finalized in 2023 and forms the basis of the Tomales Bay State Parks component of the proposed project. At the direction of the Tribal Heritage Preservation Officer, and in coordination with partner agency cultural resource staff, the Tribe identified a representative to participate as a technical reviewer of Forest Health Strategy documents, and to author a standalone chapter focused on Traditional Ecological Knowledge and recommendations for Tribal partnership. One Tam continues to consult and collaborate with the Tribe to inform the proposed project and its future endeavors to ensure the Tribe's perspectives and experiences are part of One Tam efforts.

Direct engagement with the Tribe on the Tomales Bay State Parks component of this project has been ongoing throughout the proposed project planning process and will continue throughout implementation. This engagement will include surveys, monitoring, and ongoing consultation as described in the above "Project Summary" section.

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

The proposed project will help increase fire resiliency in the context of anticipated climate change. Fire resilience is a critical issue due to increased average temperatures, reduced marine fog, and longer and more severe droughts. California is facing unprecedented fire risk due to climate change and a growing populace. Both the 2020 and 2021 fire seasons broke numerous records.

Benefits of the proposed project will be maintained through programmatic efforts of each of the project partners. Each partner has considerable capacity to maintain the benefits and manage the long-term maintenance of each project area. State Parks manages more than 14,000 acres of protected open space in Marin County across seven units, including Tomales Bay State Park, Samuel P. Taylor State Park, Mount Tamalpais State Park, Olompali State Historic Park, China Camp State Park, and Angel Island State Park. It is the mission of State Parks to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation. Marin County Fire Department works closely with the Marin Wildfire Prevention Authority and will implement the Marin City Fuel Reduction Zone work. Marin Measure C passed in 2020 by voters gives MWPA an annual budget of \$19,300,000 to support this mission.

**5. Project delivers multiple benefits and significant positive impact.**

The proposed project will help increase fire resiliency in the context of anticipated 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 the loss of life and economic losses, reducing public health impacts from wildfire, protecting fish and wildlife habitat, and preventing the loss of sequestered carbon.

**6. Project planned with meaningful community engagement and broad community support.**

Community input and engagement is a critical component of One Tam’s project delivery model. One Tam has leveraged multiple modes of community engagement, shared-learning, community science, and participation in community events and meetings to ensure that the proposed project aligns with the needs of the community. This includes youth programming, public hikes and webinars, the bi-annual One Tam Science Summit, and other activities. GGNPC will conduct outreach to key audiences to share information about the proposed project’s forest and wildfire resilience goals, and the benefits of effective forest management approaches, such as increased use of prescribed fire. Some of the targeted audiences identified by the GGNPC include the general public in Marin County, park visitors, residents of nearby neighborhoods, environmental stakeholder groups, youth/students, and underserved communities.

Project outreach will utilize GGNPC’s existing successful community engagement toolkit, which includes the following elements:

- Community events and workshops, such as interpretive hikes/tours of project sites.
- Youth engagement and forest health specific programming.
- Community Science programming, including monitoring, stewardship, and bioblitzes focused on forest health within the Project area and Marin County more broadly.
- Sharing about Coastal Conservancy funded work at workshops and conferences including the bi-annual community conference, the One Tam Science Summit.
- Mobile trailhead outreach program, the One Tam Roving Ranger.
- Digital media, including One Tam e-mail newsletters and website content.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$4,000,000</b>
California State Parks	\$700,000
Marin County Fire Department	\$299,400
Marin Wildfire Prevention Authority	\$144,000
Golden Gate National Parks Conservancy	\$99,868
<b>Project Total</b>	<b>\$ 5,243,268</b>

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 program is consistent with this funding source because it will help



increase the pace and scale of wildfire resilience projects and ultimately reduce the risk of catastrophic wildfire.

Matching funding is provided from other GGNPC sources to ensure project goals are achieved. GGNPC funds will enable coordination with One Tam partners and other agencies, collaboration with community engagement staff and public outreach, grant reporting, budget tracking, and contract management for the duration of the grant period. Matching funds from California State Parks Wildfire Resilience funding will be used to pay for forest and wildfire resilience treatments in Tomales Bay State Park. Matching funds from the Marin Wildfire Prevention Authority funding are designated for the Marin County Fire Department and will be used to complete work on the Marin City project. Matching funding from the Marin County Fire Department is slated to pay for recruit training during the grant period of performance.

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 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, to the extent allowed, prioritize grants for projects that maximize public benefits and have one of several purposes, including reducing emissions of greenhouse gases.

Consistent with these sections, 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 1.4 Incorporate Workforce Development**, the proposed project includes funding for the FIRE Foundry to train 3 cohorts of 24 FIRE Foundry crewmembers and purchase Personal Protective Equipment for their wildfire work.

Consistent with **Goal 4.2 Wildfire Resilience**, the proposed project includes a wildfire resilience planning project and will implement wildfire resilience projects.

Consistent with **Goal 4.3 Multi-benefit Nature-Based Climate Adaptation**, the proposed project will implement nature-based climate adaptation by increasing resiliency to wildfire by reducing ignition risks and removing highly flammable vegetation.

## **CEQA COMPLIANCE:**

### **Marin City Fuel Break**

The Marin County Fire Department, as the lead agency under California Environmental Quality Act (CEQA), has determined that constructing and maintaining the Marin City Fuel Reduction Zone is categorically exempt under CEQA Guidelines Section 15304, Class 4 for Minor Alterations to Land. Conservancy staff has also determined that the Marin City component of the project is categorically exempt 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. Examples include “fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions.” Marin County Fire Department is the agency responsible for the area and has made this determination.

The Marin City component of the project consists of fuels treatment by removing and thinning vegetation within 100 feet of structures on the boundary of Marin City in open space areas and removal of invasive species and dead and downed vegetation within a forest health treatment zone between the residential community and National Park Service lands. The buildup of hazardous vegetation in certain portions of the open areas increases the likelihood of intense wildfires. In the event of ignition, areas that are designated as moderate to high fire hazard severity (CAL FIRE, 2007/2008) are at increased risk. This project targets areas that are categorized as high fire risk. The portion of the fuel reduction zone adjacent to Highway 101, between the residential community and National Park Service lands, has had an extensive history of wildfire ignitions due to proximity to the highway and residences. The Marin City component of the project is consistent with minor alterations in the condition of vegetation around structures and the removal of non-native, invasive, fire-hazardous species and dead and downed vegetation to improve habitat and reduce fire hazards within the fuel reduction zone, and it does not include removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

### **Tomaes Bay State Park**

The Tomales Bay State Park component of the project is within the California Vegetation Treatment Program (CalVTP), which directs implementation of vegetation treatments within the California Department of Forestry and Fire Protection’s (CAL FIRE’s) State Responsibility Area to serve as one component of the state’s range of actions to reduce wildfire risk, reduce fire suppression efforts and costs, and protect natural resources as well as other assets from

wildfire. The California Vegetation Treatment Program Environmental Impact Report (PEIR) evaluates the environmental impacts of the CalVTP. The CalVTP is described in Chapter 2, “Program Description” of the PEIR. The PEIR has been prepared under the direction of CEQA lead agency, California Board of Forestry and Fire Protection (Board), in accordance with the requirements of CEQA (Public Resources Code [PRC] Section 21000 et seq.) and the CEQA Guidelines. The document functions as a programmatic EIR in accordance with CEQA Guidelines Section 15168 for streamlining of CEQA review of later activities consistent with the CalVTP. The Board certified the PEIR and approved the CalVTP on December 30, 2019.

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

The Tomales Bay State Park component of the project is addressed in the “Project Specific Analysis and Addendum to the CalVTP for the Tomales Bay State Park Forest Health and Wildfire Resilience Project” (CalVTP Project ID 2023-07, “PSA-Addendum”) prepared and adopted by State Parks in July 2024 (State Parks filed the Notice of Determination on July 8, 2024, State Clearinghouse No. 2019012052). The PSA-Addendum evaluates the Tomales Bay State Park Forest Health and Wildfire Resilience Project (HWR Project), which consists of wildfire resilience treatments through-out the 2,433-acre Tomales Bay State Park, including the Tomales Bay State Park component of the project, and 10 years of future maintenance treatments at the park. The recommended CEQA findings address the effects of the HWR Project. All of the HWR Project’s ecological restoration treatment activities and treatment types are consistent with those evaluated in the CalVTP PEIR. They include manual treatments, mechanical treatments, prescribed burning (comprising broadcast burning, pile burning, and/or air curtain burning), herbicide application, and prescribed herbivory (only as a maintenance treatment) in limited locations within shrubland and grassland habitat.

While most of the HWR Project area is inside the treatable landscape, portions of it extend outside of the treatable landscape described in the CalVTP PEIR. In total, the areas outside the treatable landscape encompass approximately 838 acres of the 2,433-acre HWR Project area. These are small and dispersed throughout the HWR Project area in discontinuous patches (refer to Section 2.4, “Proposed Initial Treatments” in Exhibit 3).

The scattered array of acres outside of the CalVTP treatable landscape is due to the method by which the CalVTP treatable landscape was digitally developed and the resultant degree of mapping resolution. Using desktop applications to apply buffers around geographic and topographic features and demarcate jurisdictional boundaries (i.e., State Responsibility Area and Local Responsibility Areas), the method resulted in some treatable landscape areas that are shown on maps to be disjointed and scattered and some that are in held areas surrounded by the mapped treatable landscape. Because the areas of the HWR Project outside of the CalVTP treatable landscape have essentially the same or substantially similar landscape conditions as the adjacent areas within the treatable landscape, the environmental analysis in the PEIR applies to these areas. None of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. In adopting the PSA-

Addendum and approving the HWR Project, State Parks made it a condition that all standard project requirements and mitigation measures in the CalVTP PEIR and the PSA-Addendum must be followed.

The PSA-Addendum demonstrates that the HWR Project activities are consistent with the treatment activities evaluated in the CalVTP. 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 (MMs). While the Conservancy has reviewed the SPRs, the Conservancy's analysis focuses on the MMs.

Implementation of SPRs and MMs will reduce potentially significant environmental effects in the area of Biological Resources to less than significant levels. Each MM 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. MM BIO-1b avoids the loss of special-status plants not listed under the Endangered Species Act (ESA) or California Endangered Species Act (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 are less than significant with MMs. 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 special status wildlife species. MM 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. MM 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 RPF determines that the species has vacated the site or are no longer active. MM BIO-2e will be implemented which requires designing treatments to preserve special-status butterfly host plants in treatment sites. MM 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. MM 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 are less than significant with MMs. 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. MM BIO-3a is described above. Impacts are less than significant with MMs. 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. MM BIO-4 is described above. Impacts are less than significant with MMs. 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 are less than significant with MMs. This determination is consistent with the PEIR and would not constitute a substantially more severe impact than what was covered in the PEIR.

Implementation of SPRs and MMs 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.

#### Archeological, 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 may result in ground disturbance as vegetation is removed. MM 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. Impacts are less than significant with MMs. While the SPRs and MMs 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.

#### 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). MM 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 MM 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 MMs 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 MMs 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.

#### 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. MM 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 MM 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

Impact TRAN-3: Treatments could temporarily increase vehicle miles traveled (VMT) above baseline conditions because the HWR Project will require vehicle trips to transport crew members and equipment to the treatment areas. 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. Manual and mechanical treatments and prescribed burning under the HWR Project would typically require between 1 and 20 crew members depending on the treatment. The potential for an increase in VMT on affected roadways during implementation of the HWR Project was examined in the PEIR. This impact is within the scope of the activities and impacts addressed in the PEIR because the size and number of crews is consistent with that analyzed in the PEIR. The increase in vehicle trips would be temporary and dispersed over multiple roadways. Carpooling would be encouraged under MM AQ-1 and local crews would be used to the extent feasible to reduce VMT. The HWR Project would contribute to the cumulative increase in VMT attributable to implementation of the CalVTP. For these reasons, and as explained in the PEIR, this impact would remain potentially significant and unavoidable. The inclusion of land in the HWR Project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the HWR Project area, the transportation-related conditions in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the transportation impact is also the same, as described above. This impact of the HWR Project is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

### Utilities

Impact UTIL-2: Initial and maintenance treatments would generate biomass as a result of vegetation removal within the treatment areas. Biomass generated by mechanical and manual treatments would be disposed of by several means including chipped or lopped and scattered and left onsite, removed to a biomass facility, or burned in an air curtain burner, broadcast burn, piles. This impact was identified as potentially significant and unavoidable in the PEIR because biomass hauled offsite in some parts of the treatable landscape could exceed the capacity of existing infrastructure for handling biomass. For the proposed treatment Project, some plant biomass would be hauled off-site to an appropriate waste collection facility. While the volume of biomass generated from treatments is not expected to exceed the capacity of existing disposal facilities in Marin County, because the HWR Project would generate biomass needing off-site disposal, it would contribute to the environmental significance conclusion in the PEIR; therefore, for the purposes of CEQA compliance, this PSA-Addendum notes the impact as potentially significant and unavoidable. The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the PEIR. However, within the boundary of the HWR Project area, conditions related to biomass in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, impacts related to biomass are also the same, as described above. This determination is consistent with the PEIR and would not constitute a substantially more severe significant impact than what was covered in the PEIR.

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

The HWR Project's public benefits that justify proceeding with the HWR Project include: (1) lowering the risk of catastrophic wildfire events that could cause environmental harm to property, could increase greenhouse gas emissions, and could spread to nearby communities where it could damage property and threaten lives; and (2) enhancing habitat through invasive removal, allowing native species to thrive. The unavoidable Air Quality, Archaeological, Historical, Tribal Cultural Resources, Greenhouse Gas Emission, Transportation and Utility

impacts that may occur during project implementation are many order of magnitude less than the potential impacts associated with wildfire events that the HWR Project seeks to prevent.

For these reasons, Conservancy staff recommends that the Conservancy find that the HWR Project, as mitigated, avoids or reduces to less than significant all potentially significant environmental effects, except for the unavoidable significant environmental effects to air quality, transportation, utilities, and greenhouse gas emission. With respect to these unavoidable significant environmental effects, Conservancy staff recommends that the Conservancy find that the economic, legal, social, and habitat benefits of the project outweigh the unavoidable significant environmental effects, thereby warranting its approval.

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. On August 7, 2024, two nonprofit organizations filed suit against California State Parks over their decision to tier-off the CalVTP with the PSA/Addendum. In accordance with CEQA at Public Resources Code section 21167.3, as a responsible agency, we are treating the PSA as a valid and proceeding with our authorization.