

# San Mateo County Forest Health and Wildfire Resilience Public Works Plan (PWP)

*Presentation to the SMRCD Board of Directors and Public Hearing  
June 17, 2021*

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# SMRCD Forest Health and Fire Resiliency Program



# Problem

Need to reduce barriers to implementing forest health and fuels management projects in the Coastal Zone, while protecting and enhancing coastal resources. Key barriers are \$, labor/equipment, and compliance/permits.

# Solutions

While efforts are underway to address all of these barriers at the state level, the RCDs of San Mateo County and Santa Cruz County worked with partners to develop a Public Works Plan to pilot a local solution to meet the immediate need for compliance with the Coastal Act.

# Public Works Plan – What is it?

- **Alternative** to Local Coastal Programs (LCPs) for approval of large or phased public works projects, as well as any development proposed by a special district
- **Alternative** to multiple individual coastal development permits (CDP)
- **More efficient**, saving time and money (*no fees and expedited, 30-day approval*)
- **Voluntary**, providing an additional pathway for permitting projects
- An **immediate** opportunity to enable increased pace and scale of project implementation within the existing legal framework.

## Public Works Plan – What it is NOT

- Not a new mandate, regulation or requirement
- Does not affect existing exemptions (*If the project does not trigger a CDP, it is still exempt*)
- Does not create new exemption from Coastal Act or LCP

## Why the RCD?

- Special districts are considered by the state as a “public works entity”
- Partners like CalFire and local FireSafe Councils are not public works entities or special districts and therefore are *currently* not eligible to apply for a PWP.
- Our funders, partner agencies, and landowners have also identified this need
- We have significant experience in innovation and utilizing new permit mechanisms to help support our resources and communities.

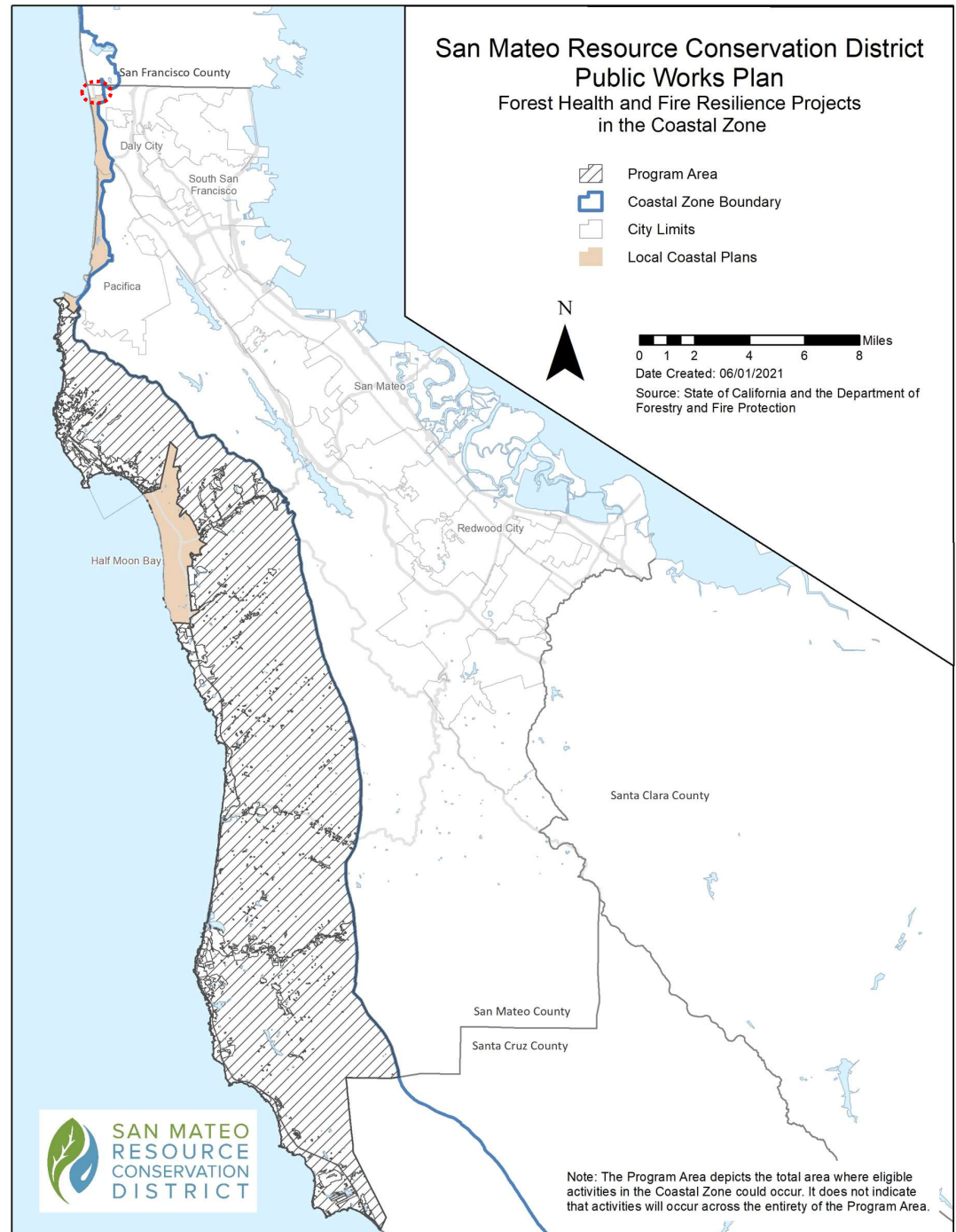
# PWP development process

- November 2019 Field visit to forest health project sites in coastal zone prior to submission of Cal Fire Forest Health Grant applications
  - RCDs, Coastal Commission, Cal Fire, State Parks, POST, Consulting forester
  - Identified permit needs and possible pathways (Coastal Development Permit or Timber Harvest Plans)
- December 2019 Cal Board of Forestry certifies Cal Vegetation Treatment Program (Cal VTP) Programmatic EIR (PEIR) creating new programmatic CEQA compliance tool
- October 2020 – April 2021 (8+ months) Advisory Group Meetings (to leverage the Cal VTP and develop a programmatic companion to enable streamlined compliance with the CA Coastal Act - develop Coastal Vegetation Standards, advise on PWP)
  - RCDs (San Mateo, Santa Cruz County), Coastal Commission, Cal Fire, State Parks, County Planning Departments (Santa Cruz and San Mateo counties), Technical advisors (Alnus Ecological, consulting forester, others)
  - Individual consultations, including Matt Dias (ED of Board of Forestry)
- May 5, 2021 Draft PWP release and notice of public hearing
- May 31 Hearing agenda posted on RCD website
- Jun 17 Public Hearing RCD Board Meeting



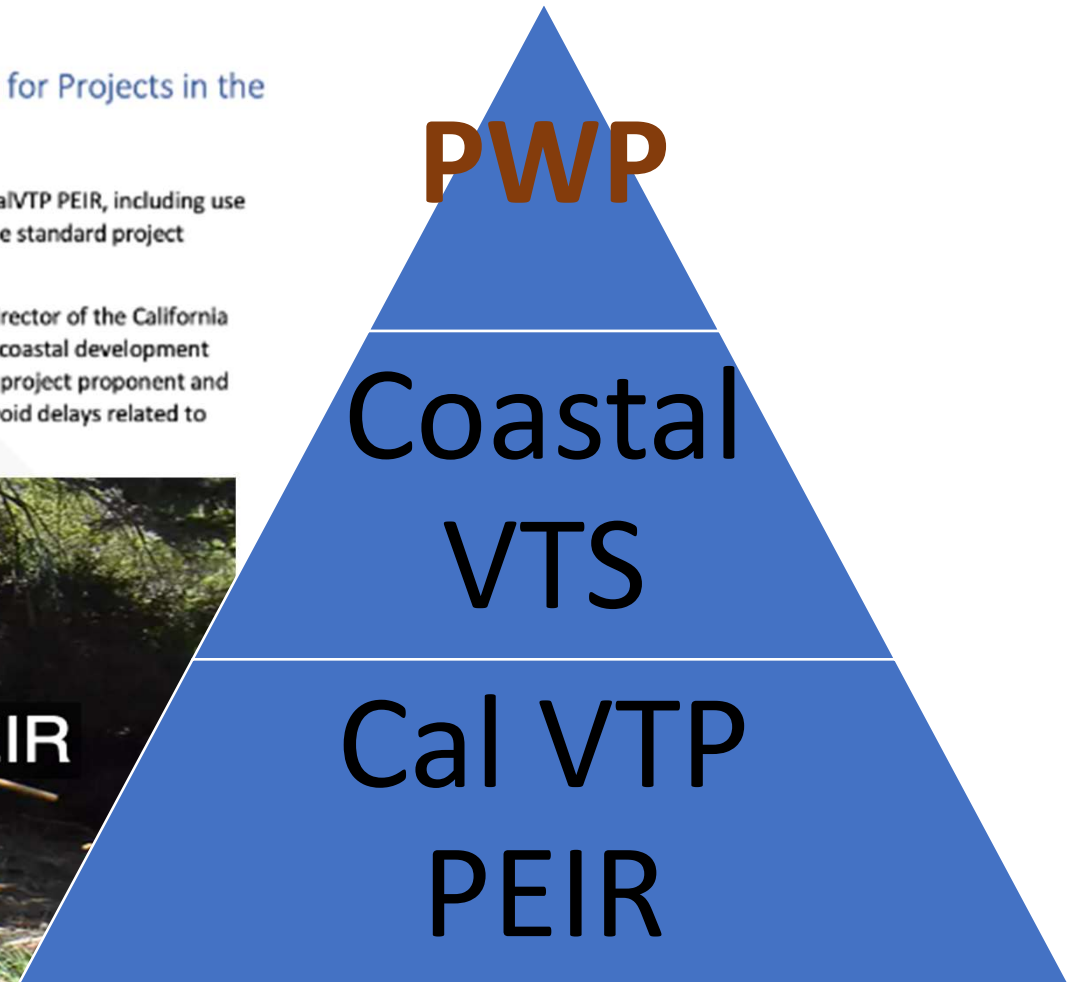
# PWP Program Area

1. Area where projects/activities would be eligible to utilize the PWP.
2. Project/activities in the Program Area are NOT required to use the PWP for LCP compliance (i.e. if exempt, if under a THP, or other).
3. Excludes city LCP areas.



## Coastal Vegetation Treatment Standards (Coastal VTS) for Projects in the Coastal Zone of Santa Cruz and San Mateo Counties

1. All projects shall comply with and carry out the requirements of the CalVTP PEIR, including use of approved treatment methods, treatment activities and all applicable standard project requirements (SPRs).
2. Project-Specific Analyses (PSAs) shall be submitted to the Executive Director of the California Coastal Commission (CCC) for review and approval for the purpose of coastal development authorization prior to conducting projects. Coordination between the project proponent and CCC shall occur as early as feasible in the design process in order to avoid delays related to Coastal Act consistency.



# CalVTP PEIR: SPRs and PSA Checklist

- SPRs have the same legal weight as traditional mitigation measures
- They span across all of the CEQA resource categories including visual, cultural, biological, air quality, water quality/hydrology, geology, etc.
- Function as a "menu" of protection measures and mitigation measures to ensure that impacts from projects implemented under the PEIR are reduced to a less than significant level.
- Foundation of the CalVTP PEIR "tiering" is Project Specific Analysis (PSA)
- PSA checklist is a modified CEQA Initial Study Checklist

# Coastal Vegetation Treatment Standards (VTS)

- Developed collaboratively with Commission, RCDs, State Parks, CalFire, County Planning, SLO Fire Safe Council, and a local forester.
- Goal is to provide additional guidance within the CalVTP PEIR PSA process to enable Commission staff to “approve” the project as consistent with local LCPs and compliant with the Coastal Act.
- Ensure consistency with County LCPs.
- Require, where possible, project designer to develop and articulate vegetation treatment activities through an ecological lens (goals, trajectory, natural associations, hierarchy, etc.)
- Require projects to consider public access.



# Coastal VTS: Vegetation Removal Hierarchy

- Thinning and removal of dead, dying and diseased foliage, shrubs (except that some snags should be retained to provide wildlife shelter, dens, etc.);
- Removal of invasive species; and
- Removal of native species that are not listed as endangered, threatened, rare, or otherwise especially valuable,

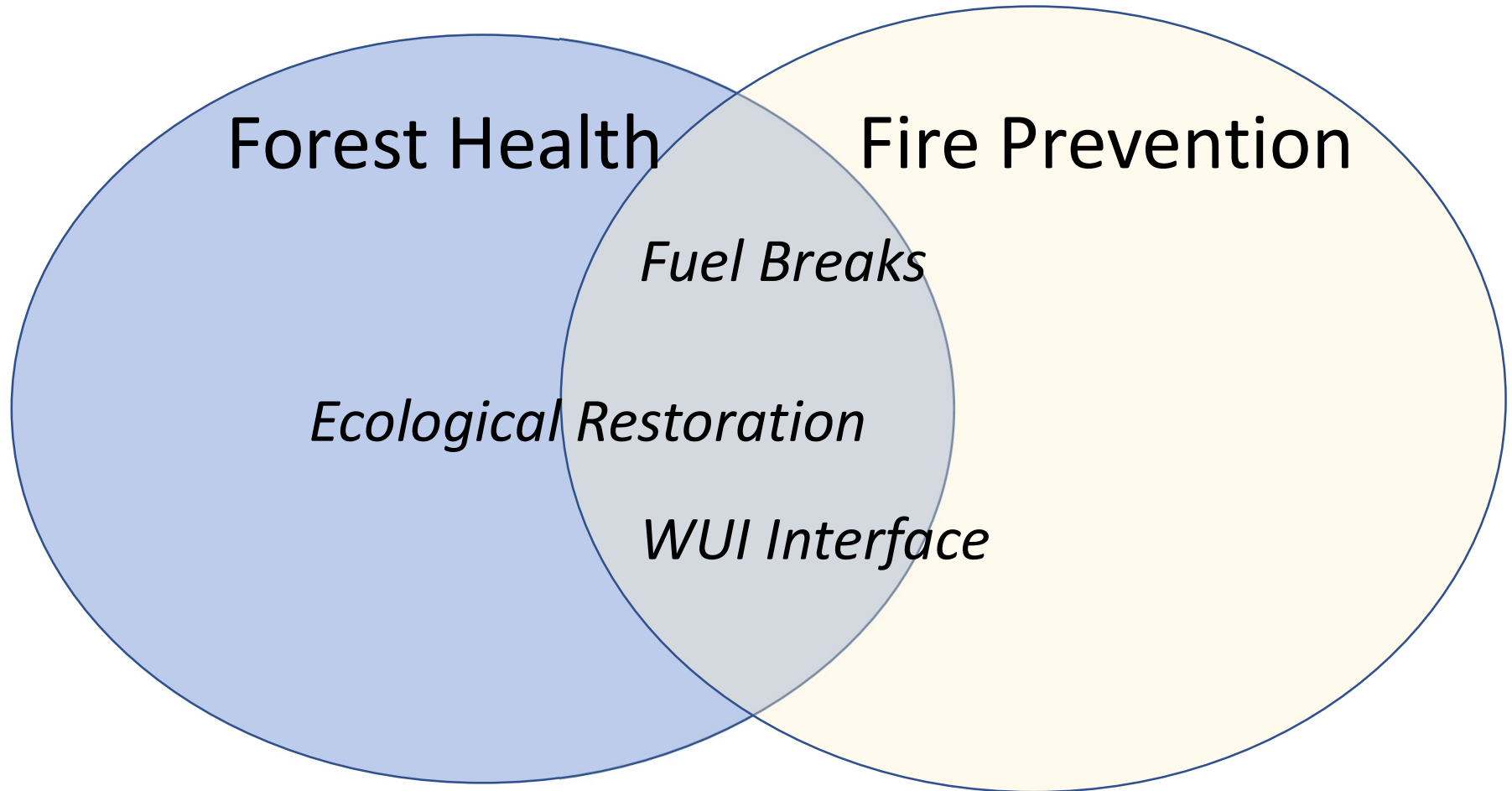
*End goal is to have projects designed and implemented, when and where it is possible, to result in an appropriate species composition with a mix of vegetation age classes, heights and densities.*

# PWP and the Local Coastal Program

Designed to be consistent with LCP and function as a “one stop shop” to comply with a range of LCP related County approvals – all wrapped into the PWP.

RCD staff, County Staff and Coastal Commission Staff all reviewed PWP and LCP for consistency.

# Project Types within PWP



# Approved Activities under VTP PEIR/PWP

## Prescribed burning:

The application of low-intensity fire onto target vegetation for purposes of ecological restoration and fuel reduction.

## Mechanical Treatment:

This treatment type focuses on the use of motorized equipment to cut, uproot, crush/compact, or chop existing vegetation..

## Manual treatment:

This treatment focuses on the use of hand tools and hand-held power tools to remove target vegetation.

## Prescribed herbivory:

This treatment utilizes domestic livestock such as goats, cattle, or sheep to reduce height and density of vegetation.

## Herbicide application:

Herbicides are applied through ground application methods and used to target specific invasive species.



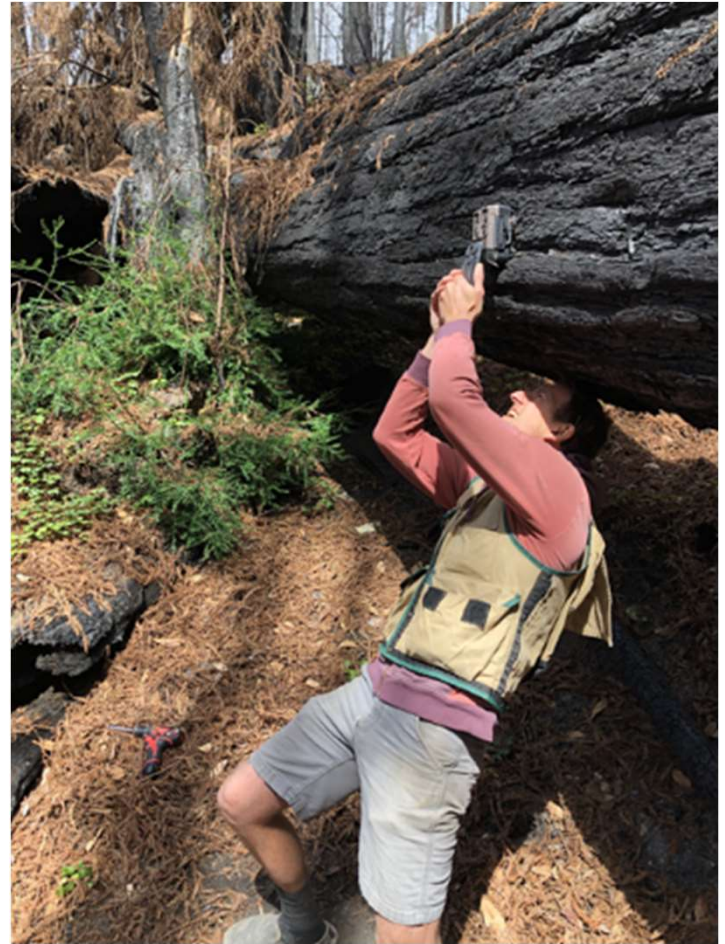
## RCD Role

- Coordinate with partners and stakeholders on project identification and prioritization
- Initiate early discussions with Coastal Commission staff about individual projects
- File and post Notice of Impending Development for each project and supporting documentation for Coastal Commission review and hearing to determine project is consistent with the PWP
- Submit CalVTP monitoring reports



## RCD Role

- PWP can be used to support RCD projects as well as partners' projects
- Five-year programmatic review, coordinate partners to adapt program as needed
- Ten-year final programmatic review
- Coastal Commission retains the enforcement authority



**Slide 18**

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**LL13**

discuss talking points here with Jim

Lisa Lurie, 6/8/2021

# Written Comments

15 written comments received prior to the deadline

- 11 Letters of Support from:
  - San Mateo County Planning and Building
  - San Mateo County Parks
  - SMC Supervisor Horsley
  - Girl Scouts of Northern California
  - Santa Clara County Parks
  - Santa Cruz County Parks
  - Redwood Empire
  - Save the Redwoods
  - State Parks
  - PMAC
  - California Coastal Commission
  - CAL FIRE



# Written Comments

15 written comments received prior to the deadline (con't):

- Comment of support requesting expansion to Monterey Pine on Pillar Point Bluff
- Comments questioning if this is a necessary extra pathway
  - One comment supportive that this is one option as others are explored (CAL FIRE)
  - One comment stating CalVTP should be standalone document meeting Coastal Act, and PWP is not needed (BoF)

# Administrative Edits (Enforcement pg 27)

Project-Specific Analyses, public noticing of NOIDs, submitting NOIDs to the Commission, and preparing and submitting any other Project materials to the Commission. The RCD shall, through contractual agreements with other agencies, landowners, contractors and others, initiate individual Projects in coordination with Coastal Commission and County staff and in compliance with the PWP and CalVTP PEIR. RCD shall be responsible for monitoring of Project conditions. RCD will partner with other agencies, landowners, contractors and others to implement the responsibilities above and shall maintain oversight to confirm that all work is consistent with the PWP and NOID processes.

# Administrative Edits (Enforcement pg 36)

The RCD shall require that CalVTP-related activities are consistent with the PWP and with the terms and conditions of NOID authorizations issued pursuant to the PWP. The RCD shall investigate in a reasonable time allegations regarding CalVTP-related activities being undertaken inconsistent with the provisions of the PWP or NOID authorizations, and shall attempt to resolve any such inconsistencies discovered. In the event inconsistencies are not resolved, the RCD will report to the the Executive Director or the Coastal Commission, who are authorized to enforce the terms of the PWP, NOIDs, and the Coastal Act.

# Administrative Edits (Exhibit B, Title)

Summary of CalVTP Standard Project Requirements (SPR) Description/Mitigation/Monitoring

The Project Proponent shall perform or cause to be performed the following:



# Administrative Edits (Exhibit B)

SPR AD-4	Public Notifications for Prescribed Burning	At least <b>3</b> days prior to the commencement of prescribed burning operations, the project proponent will post signs, publish, send county supervisor notification of prescribed burning operations.
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## Next steps

- Tonight: Oral comments, Board discussion, consider resolution to submit PWP
- By June 18: submit PWP and PSA for our first project to Coastal Commission
- July 7-9: Coastal Commission hearing to consider certification of PWPs (Santa Cruz County and San Mateo County) and PSA for Girl Scouts of Northern California - Camp Butano

# Summary

- There is a need to more efficiently permit forest health and fuels management projects in the coastal zone
- The PWP presents an immediate opportunity within the existing legal framework
- The RCD, as a special district, can legally lead a PWP
- The PWP does not create new mandates or affect existing exemptions

<http://www.sanmateorcd.org/san-mateo-county-forest-health-and-fire-resilience-public-works-plan-pwp/>

# Questions?

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# CaIVTP PEIR: Guidance for Coastal Zone

**8. Other Public Agencies Whose Approval is Required:** (e.g., permits)

*[insert text here; note status of any required approvals (permits)]*

**Coastal Act Compliance**

- The proposed project is NOT within the Coastal Zone
- The proposed project is within the Coastal Zone *(check one of the following boxes)*
  - A coastal development permit been applied for or obtained from the local Coastal Commission district office or local government with a certified Local Coastal Plan, as applicable
  - The local Coastal Commission district office or local government with a certified Local Coastal Plan (in consultation with the local Coastal Commission district office) has determined that a coastal development permit is not required

SPR AD-9	Obtain a Coastal Development Permit for Proposed Treatment Within the Coastal Zone Where Required	All treatment projects in the Coastal Zone will be reviewed by the local Coastal Commission district office or local government with a certified LCP.
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SPR BIO-8	Identify and Avoid or Minimize Impacts in Coastal Zone ESHAs	When planning a treatment project within the Coastal Zone, the project proponent will, in consultation with the Coastal Commission or a local government with a certified Local Coastal Program (LCP) (as applicable), identify the habitat types and species present to determine if the area qualifies as an Environmentally Sensitive Habitat Area (ESHA).
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Ladder fuel reduction project: Before

Ladder fuel reduction project: After