

ATTACHMENT B

California Environmental Quality Act Supporting Documentation

California State University Monterey Bay Fuel Management Plan for the East Campus Housing Area

PROJECT DESCRIPTION

Introduction

The Draft Fuel Management Plan for the East Campus Housing Area (Draft FMP) (proposed project) consists of the implementation of fuel reduction strategies and fire prevention protective measures as a part of the California State University, Monterey Bay (CSUMB) Campus Community Wildfire Protection Strategic Plan (Strategic Plan) in the East Campus Housing Area and along Inter-Garrison Road and all other roadways in the East Campus Housing Area, which serve as emergency evacuation routes. The Draft FMP is included as **Attachment A**. The Draft FMP would remove flammable vegetation and create defensible space in an area encompassing approximately 436 acres within the wildland urban interface.

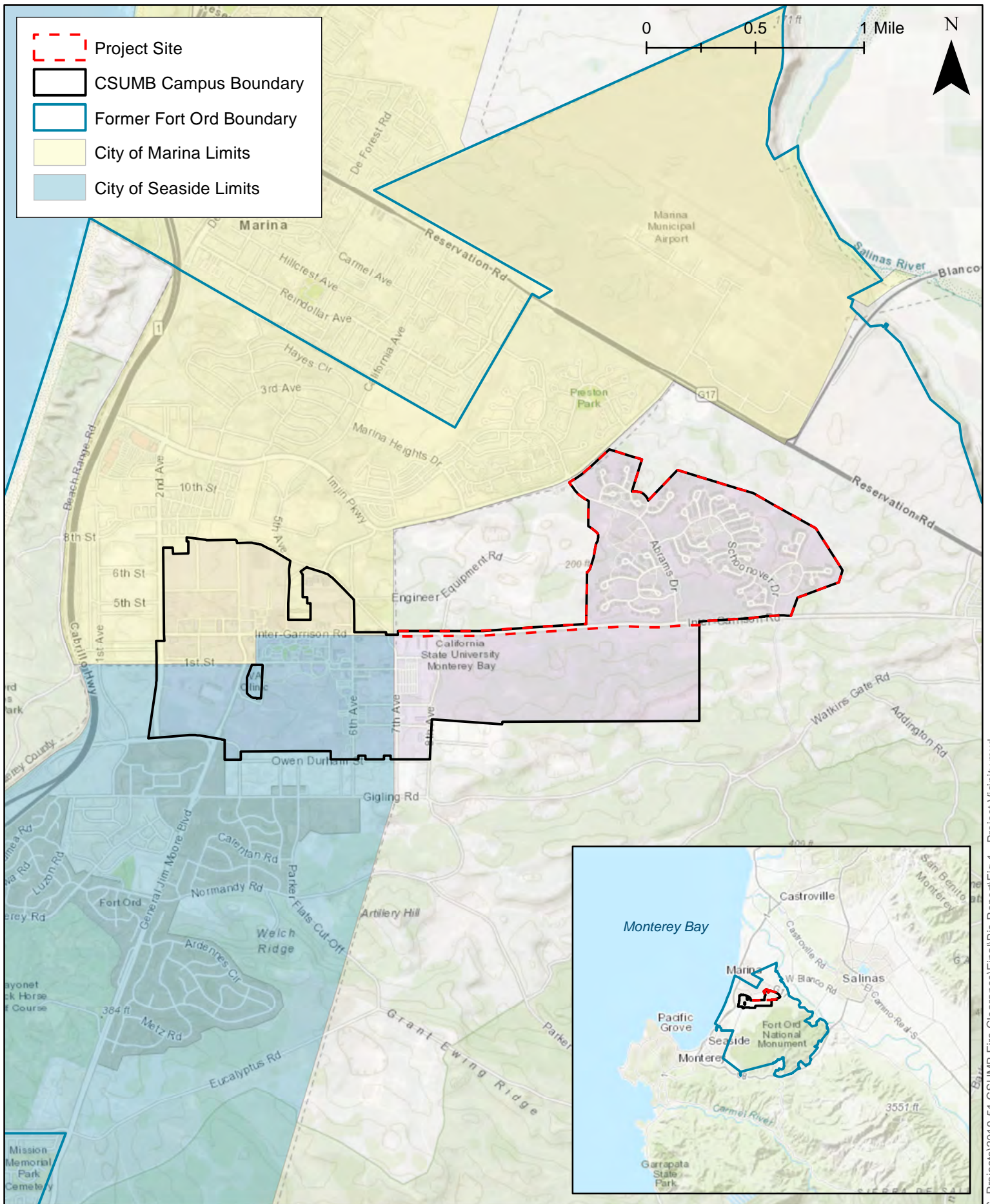
Project Location

The proposed project area is within the East Campus Housing Area south of Imjin Parkway, west of Reservation Road, and north of Inter-Garrison Road, and includes a 50-foot buffer on the north and south sides of Inter-Garrison Road from the campus core to the East Campus Housing Area of the CSUMB campus (**Figure 1**). The project area encompasses two parcels in the East Campus Housing Area: a 406.2-acre parcel (APN 031-101-032, Army Corps of Engineers [Army] Parcel S1.2.1) and a 20.3-acre parcel (APN 031-101-031, Army Parcel S1.2.2) (**Figure 2**), and the aforementioned 50-foot buffer, totaling approximately 9.3 acres, within the road right-of-way along Inter-Garrison Road (Army Parcel S1.3.3) (**Figure 2**). The project area site contains coast live oak woodland, maritime chaparral, coastal scrub, non-native grassland, and ruderal/disturbed habitat communities.

Regional access to the project area is provided by Highway 1, a six-lane arterial highway located approximately three miles west of the project area, or by Reservation Road, a four-lane arterial road approximately one mile east of the area. Local access to the project area is provided by: Abrams Drive, a local two-lane road; and Imjin Parkway and Inter-Garrison Road, which are two-lane collectors located north and south of the area, respectively. The local access roads are located approximately three miles west of Highway 1.

Wildland Urban Interface and Fire Hazard Severity Zones

Wildfires become especially dangerous when wildland vegetation begins to intermix with residential areas. This area is referred to as the Wildland Urban Interface (WUI), which is a zone of transition between wilderness (unoccupied land) and land developed by human activity, and where wildfires pose the greatest risk to people due to the proximity of flammable vegetation. The combination of increasing development in or near wildlands, the accumulation of wildland fuels,



Project Vicinity

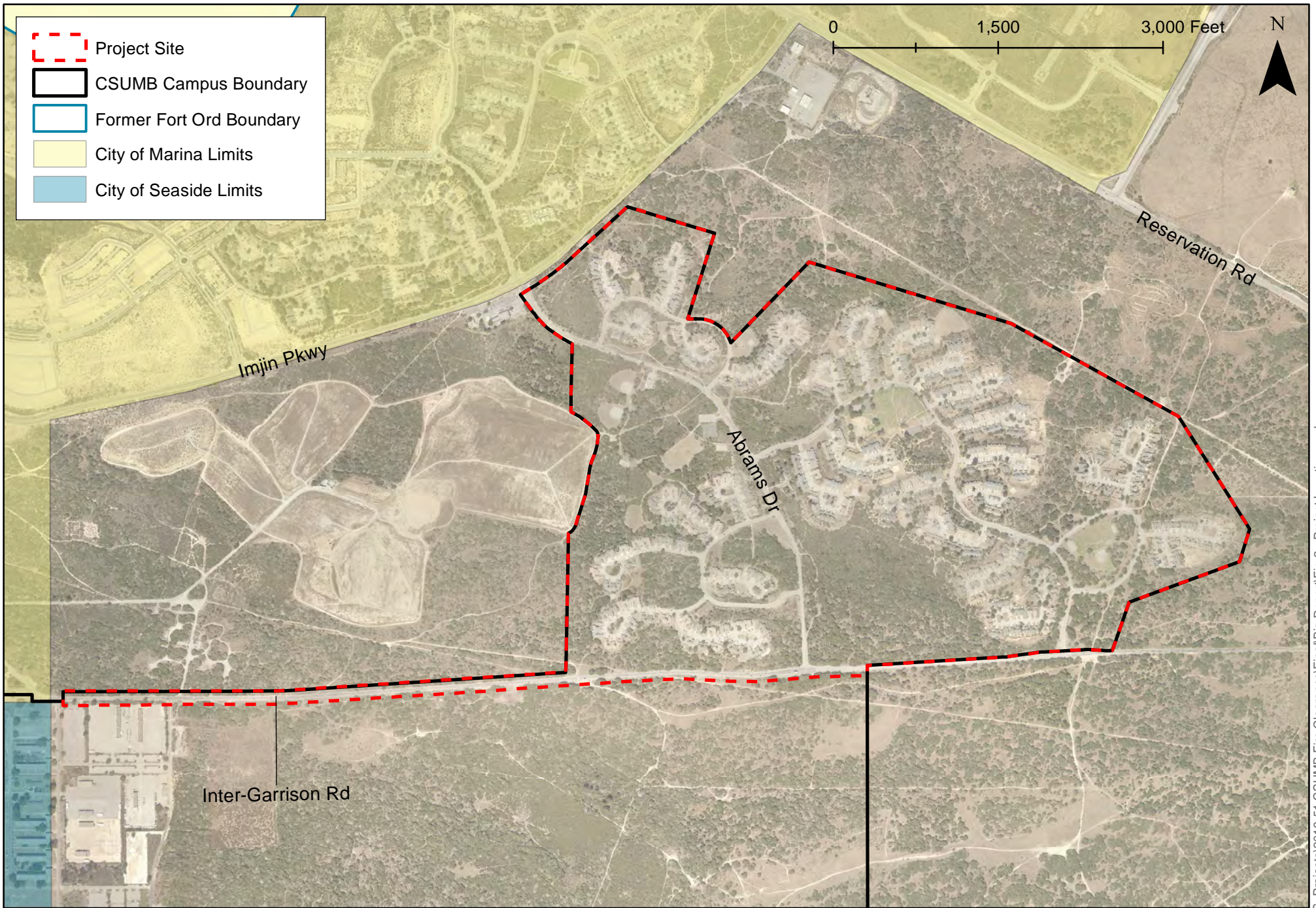
Date
1/28/2022

Scale
1 in = 3,000 ft



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Figure
1



Project Location

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1/28/2022
Scale
1 in = 1,000 ft



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Figure
2

a drying and warming climate, longer fire seasons, and rugged terrain has resulted in significant wildfire risk to communities located in or near the WUI. Wildfire in these WUI areas could result in substantial impacts to natural resources and substantial health, safety, and welfare impacts to the built/human environment adjacent to these areas.

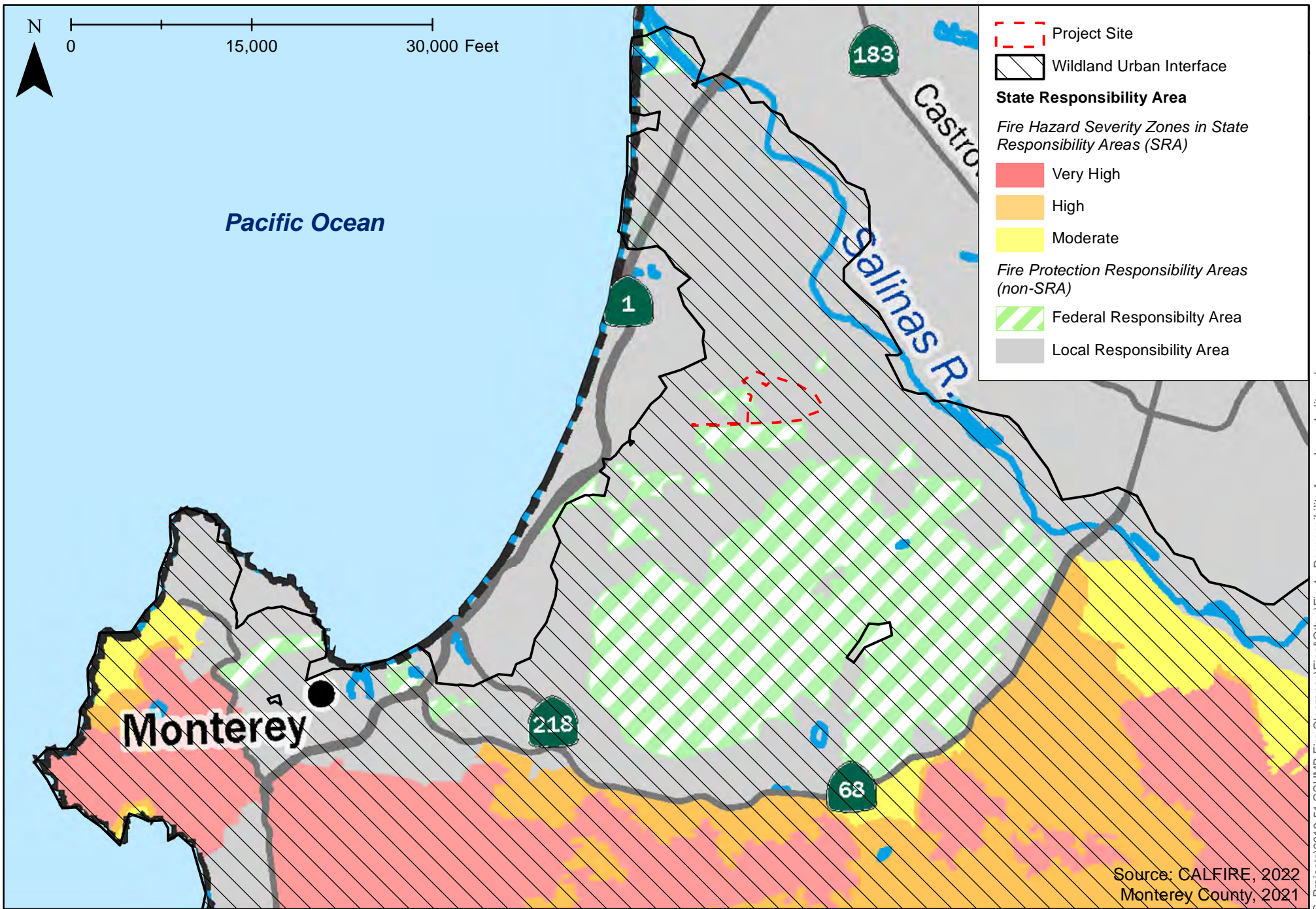
As shown in **Figure 3**, the East Campus Housing Area is located within the WUI. The project area is surrounded by undeveloped lands that are also located within the WUI, the most significant of which include approximately 14,650 acres of land managed by the Bureau of Land Management (BLM) (i.e., the Fort Ord National Monument) to the south.

PRC Sections 4201-4204 directs CAL FIRE to classify lands within State Responsibility Areas (SRAs) into Fire Hazard Severity Zones (FHSZs) based on fuel loading, slope, fire weather, and other relevant factors, including areas where winds have been identified by the department as a major cause of wildfire spread. These classify a wildland zone as a moderate, high, or very high fire hazard based on the average hazard across the area within the zone. SRAs are lands that provide forest or range products, watersheds not owned or managed by the federal government or within the boundaries of incorporated cities, and where CAL FIRE has the primary financial responsibility for preventing and suppressing fires (PRC Sections 4113 and 4125) (**Figure 3**).

AB 337 (“Bates Bill”), Government Code Section 51175, was prompted by the devastating Oakland Hills Fire of 1991. This legislation calls for CAL FIRE to evaluate fire hazard severity in Local Responsibility Areas (LRAs) and to make a recommendation to the local jurisdiction where very high FHSZs exist. CAL FIRE uses an extension of the SRA FHSZ model as the basis for evaluating fire hazard in a LRA. LRAs include land in cities, cultivated agricultural lands, nonflammable areas in unincorporated areas, and lands that do not meet the criteria for SRA or Federal Responsibility Area (FRA). LRAs may include flammable vegetation and wildlife urban interface areas. The LRA hazard rating reflects risk of flame and ember intrusion from adjacent wildlands and from flammable vegetation in the urban area. LRA fire protection is typically provided by city fire departments, fire protection districts, and counties, or by CAL FIRE under contract to local governments. CAL FIRE released the LRA recommendation map for Monterey County in November 2008 and the recommended FHSZs in the project vicinity are shown in **Figure 4**.

Federal Responsibility Areas (FRAs) are fire-prone wildland areas that are owned or managed by a federal agency, as shown in **Figures 3** and **4**. Primary financial and rule-making jurisdiction authority rests with the federal land agency.

As shown in **Figures 4** and **5**, the project area is not located within a SRA. State law designates the majority of the project area as a LRA, and some of areas of the project area (a portion along the western boundary of the area and south of Inter-Garrison Road) are designated as FRAs (**Figures 3** and **4**). The East Campus Housing Area is within close proximity to a Very High FHSZ (or VHFHSZ) in a LRA (1.5 miles to the east) and a VHFHSZ in the FRA (0.5 mile south of Inter-Garrison Road) (**Figures 3** and **4**).



Fire Hazard Severity Zones and Responsibility Areas

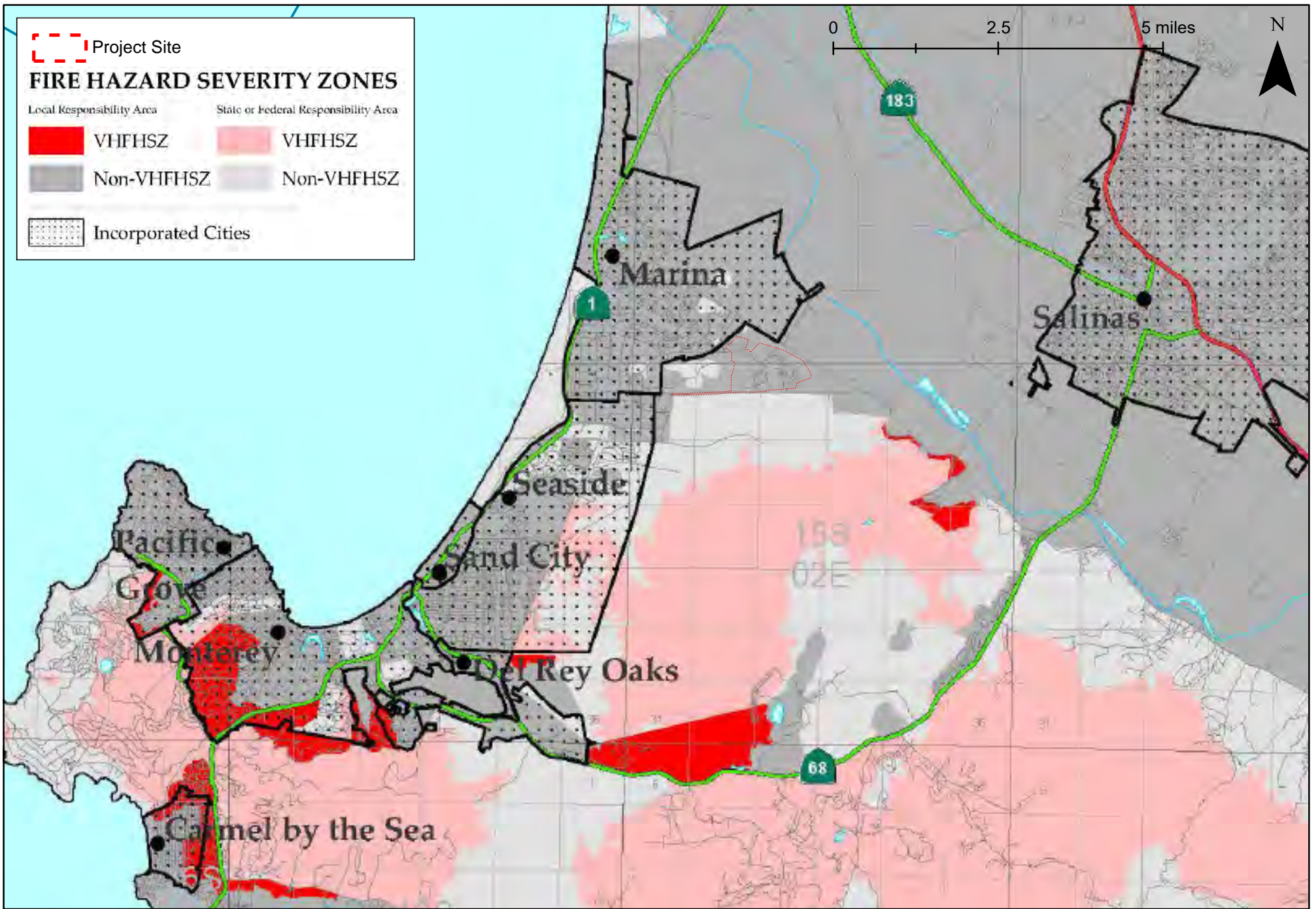
Date
4/13/2023

Scale
1 in = 10,000 ft



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Figure
3



Fire Hazard Severity Zone Map

Date
2/10/2022

Scale
1 in = 1.2 mi



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Figure
4

Project Background

The CSUMB Emergency Management Program provides the coordination and management of all stages of emergencies and disasters on a campus-wide basis. This is accomplished through the utilization of the phases of emergency management: prevention, mitigation, preparedness, response, and recovery. These phases are used to accomplish the tasks and associated mission and to ensure CSUMB's resilience to emergencies or a disaster through all-hazards and a whole-community approach. The CSUMB Emergency Management Program works and coordinates with CSUMB emergency responders, staff, faculty, facilities, the student population, fire departments, local, county, state and federal agencies, and the private sector to coordinate the needed resources to respond to and recover from an emergency or disaster affecting the CSUMB campus or its population.

In keeping with the Emergency Management Program's Mission and Strategic Framework, the CSUMB Campus Community Wildfire Protection Strategic Plan (Strategic Plan) was developed as a guide to address the threat wildfires represent to the University. Community Wildfire Protection Plans (CWPPs) are a proven strategy for reducing the risk of catastrophic wildfires and protecting lives and property. A CWPP is unique in that it empowers communities to share the responsibility of determining the best strategies for protection against wildfire. CWPPs are also developed to mitigate losses from wildfires. Wildfires occur throughout the year and can pose a serious threat to the campus community. By developing a CWPP, the campus has outlined a comprehensive Strategic Plan to mitigate, prepare, respond to, and recover from a wildfire. It clarifies how the campus, projects, and funds will be connected to achieve the desired outcome with maximizing efficiency. It includes meaningful target measures and a sequence of activities that help focus on the key efforts that will implement the strategy to accomplish the mission.

CWPPs such as the Monterey County Community Wildfire Protection Plan (MCCWPP) and CSUMB's Strategic Plan have been prepared to address specific wildfire prevention and mitigation for the County and campus, respectively. These plans identify the need for fuel management and reduction activities to protect structures and roadside fuel treatment to remove any obstructions for evacuation and emergency access. Table 13 of the MCCWPP provides recommended prioritization of areas within Monterey County where wildfire hazardous fuel reduction work may be needed. The communities listed qualify as at-risk communities pursuant to the Healthy Forests Restoration Act (HFRA) and/or communities at-risk as listed by the California Fire Alliance. The CSUMB community is included in this list and identifies the CSUMB community as a high priority in terms of the need for fuel reduction work. The CSUMB community meets the definition of an at-risk community in the HFRA as a "group of homes and other structures with basic infrastructure and services, such as utilities and collectively maintained transportation routes, that are at risk of wildfire, and are within are adjacent to federal land, per 16 USC 6511(A)(ii)." In addition, former Fort Ord, in which the CSUMB campus is located, is included in this list and the MCCWPP identifies the former military base as a high priority in need of fuel reduction work. The former Fort Ord meets the definition of an at-risk community in the HFRA as it is "listed in the Federal Register, are at risk of wildfire, and are within or adjacent to Federal land, per 16 USC 6511(A)(i)."

The MCCWPP also states that roads are an essential part of any fire and fuels management plan, providing the principal access to the communities, homes, and wild places in the watershed. Additionally, roads may offer a defensible space from which firefighters can conduct direct attack on wildfires and provide strategic locations for roadside shaded fuelbreaks. Roadside fuelbreaks also represent a safe escape/evacuation route for residents in the event of a wildfire. Roadside

protection is recommended to be implemented within a corridor that extends up to 100 feet out from either side of the road.

PRC Section 4291 gives CAL FIRE the authority to enforce 100 feet of defensible space around all buildings and structures on non-federal SRA lands, or non-federal forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with flammable material. As described above, the project area is located within the WUI and contains these habitat communities, and, thus is required to maintain defensible space as outlined in PRC Section 4291 and Government Code 51175-51189. In addition, CSUMB's Main Campus is less than two miles from the East Campus Housing Area and wildland area. There are also PG&E powerlines running through the community and natural gas transmission lines running through the project area.

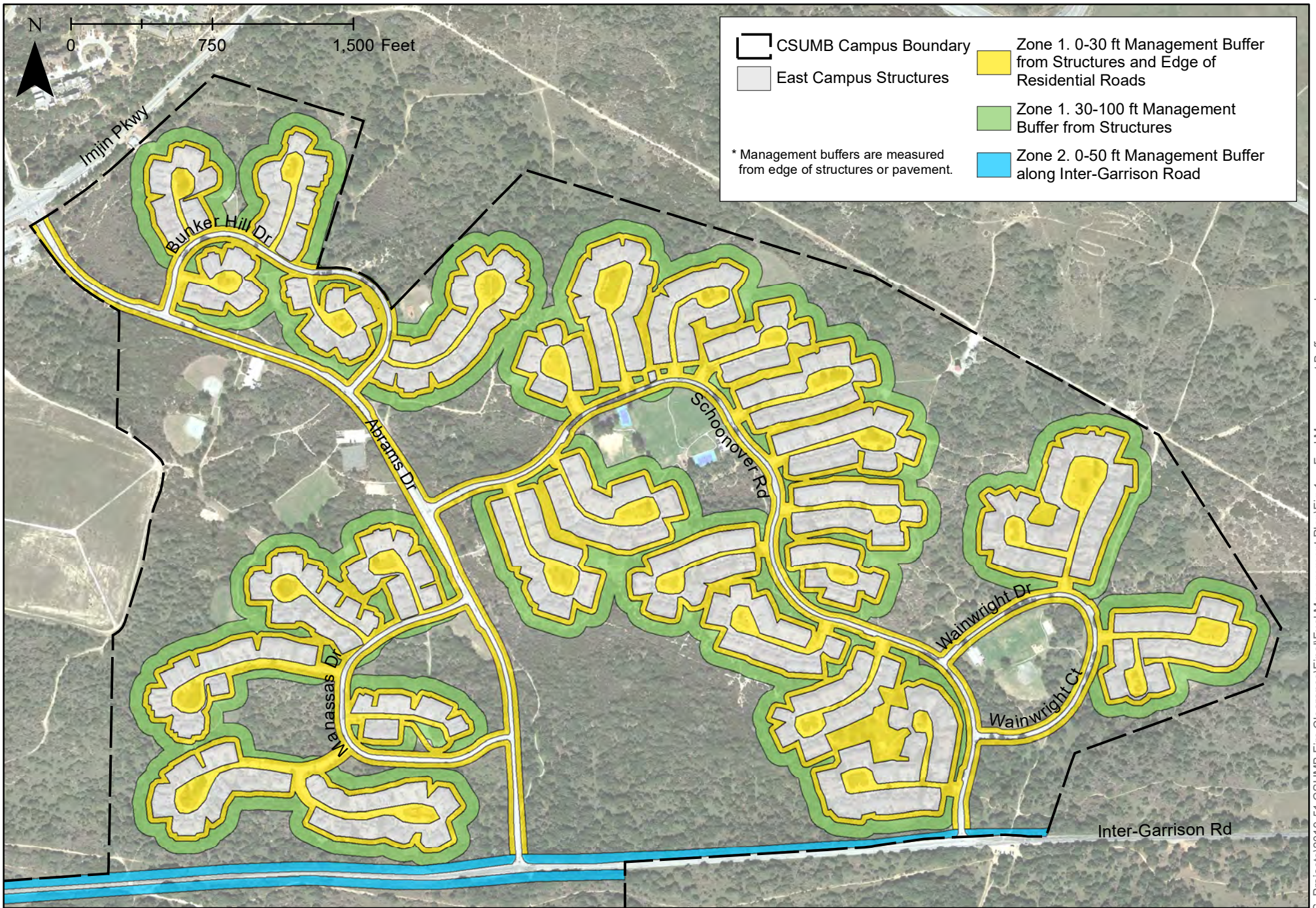
In response to the recommendations in the CWPPs and state regulations, CSUMB prepared the Draft FMP (proposed project) for the East Campus Housing Area. The proposed project is an objective of the Strategic Plan, which identifies wildfire safety strategies and objectives and determines specific tasks to be fulfilled by the Draft FMP. The proposed project would align with the goals and objectives of the Strategic Plan as a part of the CSUMB Emergency Management Program's Mission and Strategic Framework.

The Draft FMP and Strategic Plan were submitted along with a Fire Prevention Program Grant Application to CAL FIRE. Fire Departments for the City of Marina and the City of Seaside provided letters of support for the grant application and expressed their concern for the at-risk areas of the CSUMB campus, specifically the East Campus Housing Area and Inter-Garrison Road corridor. CAL FIRE awarded CSUMB the grant funding to implement the plan, recognizing the fire risk on the campus.

Project Description

CSUMB developed a comprehensive wildfire management program, the Strategic Plan, to guide and direct the personnel, operations, planning efforts, funding allocation, and resources to address the wildfire threat to the CSUMB campus community. The Strategic Plan identifies opportunities and actions to reduce risk of wildfires and to protect lives, property, and natural resources, as well as treatment areas within the CSUMB campus where the fire hazard is high due to high fuel loads.

The proposed project consists of the implementation of the Draft FMP, which involves the implementation of fuel management and reduction strategies and protective measures within designated treatment areas in the East Campus Housing Area and along Inter-Garrison Road as a component of, and in accordance with, Goal 1 of the Strategic Plan (**Figures 5a** and **5b**). The proposed project would involve the managed reduction of fire fuel hazards in the project area through implementation of the identified fuel management and reduction activities to create a defensible space, remove invasive plants, and thinning of vegetation while implementing prescriptive measures to maintain and protect natural resources.



Fuel Management Buffers

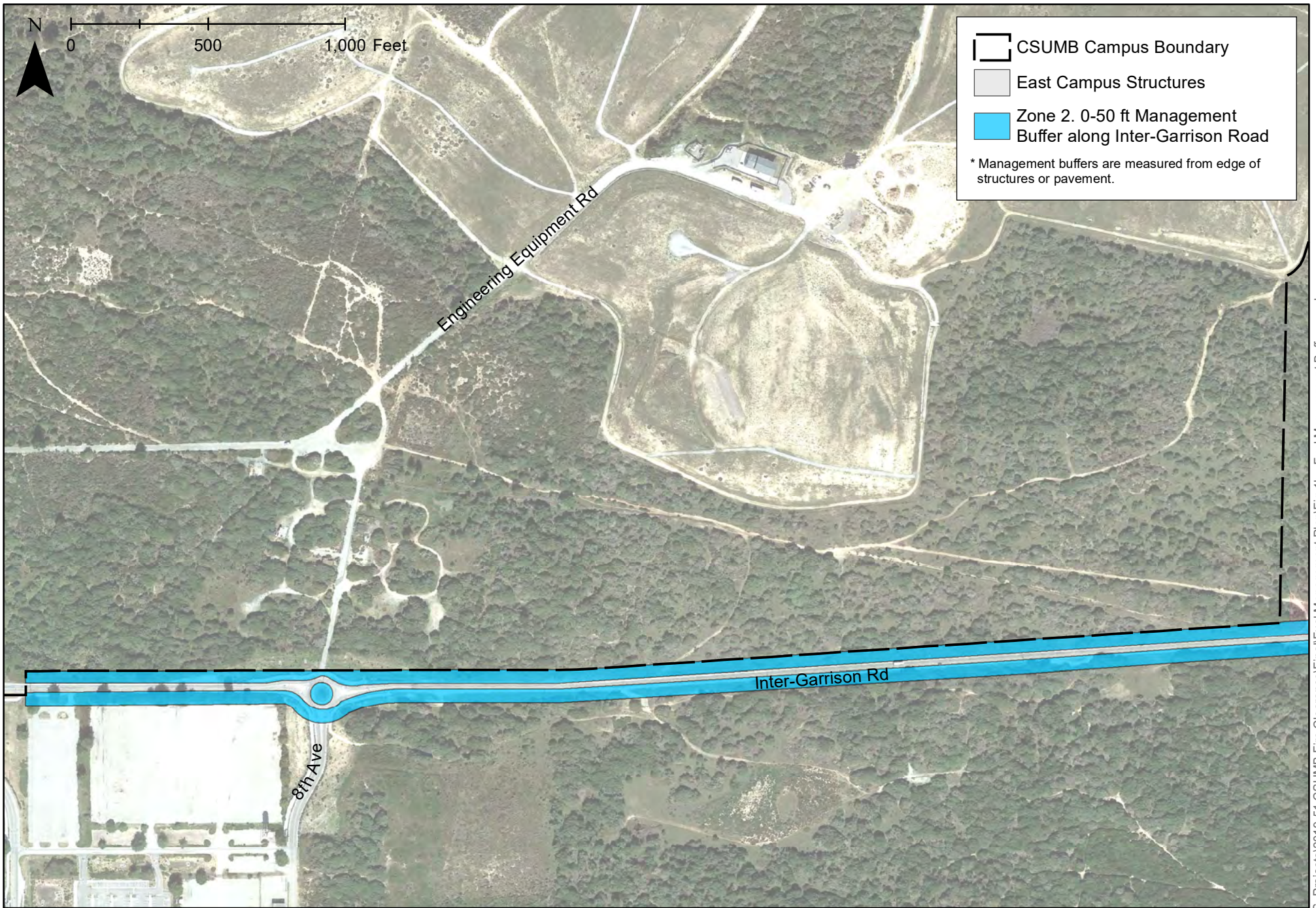
Date
8/23/2022

Scale
1 in = 700 ft



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Figure
5a



Fuel Management Buffers

Date
8/23/2022

Scale
1 in = 500 ft



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Figure
5b

There are approximately 1,200 residential units in the East Campus Housing Area housing approximately 4,000 – 5,000 residents, including students, staff, and faculty and family members of CSUMB. This area is surrounded by wildland areas at risk of wildfire. The proposed project would establish defensible space around the residential units. The primary access route (Inter-Garrison Road) in and out of the East Campus Housing Area is an emergency evacuation route, which is surrounded by wildland and at risk of a wildfire event. The proposed project would provide defensible space for this residential community and fuel reduction and management along the north and south sides of Inter-Garrison Road to ensure a safe evacuation route and emergency access to the East Campus Housing Area and wildland areas. Reducing the fuel load along the roadways will not only improve emergency vehicle access and evacuation safety, but will also reduce the amount of heat that evacuating residents might be exposed to during a fire, improve visibility, and expand the usable width of narrow roadways. The proposed project would reduce the fuel load of a potential wildfire to help slow or prevent the spread of a wildfire that could threaten this community. The proposed project would also protect the wildland habitat from potential fire starting within the community and along Inter-Garrison Road and spreading into the wildland areas.

The Draft FMP includes management activities to remove hazardous vegetation and create defensible space around roadways and residential structures that have been identified by the campus and California Department of Forestry and Fire Protection (CAL FIRE) as at-risk areas. The campus would work with private contractors annually to inspect and manage vegetation in the East Campus Housing Area. A summary of the proposed activities identified in the Draft FMP is provided below:

- Implementing and monitoring fuel management and reduction activities within 5 feet (Zone 0), 30 feet (Zone 1), and 100 feet (Zone 2) of structures in the East Campus Housing Area to create a defensible space.
- Implementing and monitoring fuel management and reduction activities within 50 feet along Inter-Garrison Road to create a defensible space.
- Removal of leaves, dead/dying plants, and trees from the treatment areas at regular intervals would be implemented to help reduce low fuel moisture biomass and highly flammable fine fire fuels.¹
- Trimming of trees so that trees are not overhanging the roofline of any building, touching walls or other elements of a building.
- Removal of invasive plants would be implemented to help reduce the presence of undesirable species, enrich native coastal live oak stands, protect rare plants, and enhance thinning efforts aimed at reducing overall biomass accumulation.
- Thinning of vegetation to reduce woody biomass and to break-up horizontally- and vertically-continuous fuels would be implemented on an as-needed basis depending upon topography and vegetation type.

¹ As defined in the CSUMB Draft FMP (detailed in **Attachment A**), “fuel” means any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation. “Removal” consists of the elimination of specified vegetation and chipping or disposing of the vegetation. Eliminated vegetation may be placed on-site as directed by a biologist or hauled off-site in accordance with federal, state, and local regulations.

- Pressure washing and inspecting equipment prior to entering the project area to reduce the potential of spreading noxious weeds. If found, invasive species shall be removed and placed in a trash (not green yard waste intended for re-use) dumpster and taken to the landfill.
- Treated fire fuel materials would either be removed from the area or would be chipped and spread within the treatment area.
- Reducing vegetation to a maximum height of 4 inches and a minimum of 3 feet in all directions surrounding all street signs and fire hydrants to assist locating and access by emergency personnel.
- Cutting and mowing annual grass and herbs to 4-inch height and excluding sensitive species avoidance areas until permissible would avoid the exposure of bare soil, as this may cause erosion.

The proposed fuel management and reduction activities would be conducted year-round depending upon fire safety conditions and availability of labor and resources. In addition, the Draft FMP was developed and designed to avoid and minimize any potentially significant impacts to sensitive biological resources to a less than significant level under CEQA, as well as avoid the potential for incidental take under the California Endangered Species Act (CESA) and federal Endangered Species Act (ESA). As a component of the Draft FMP, Best Management Practices (BMPs) were identified and are required to be implemented at specified times to avoid and minimize impacts to special-status species and natural communities (CSUMB Best Management Practices Required for Fuel Reduction and Defensible Space Activities, as detailed in Attachment E of the Draft FMP). As a result, the timing of the proposed fuel management and reduction activities would be further dictated by the requirements of the BMPs.

A Biological Resources Report was prepared to describe the existing biological resources within and adjacent to the project area, including any special-status species or sensitive habitats which occur or have the potential to occur within and adjacent to the area (**Attachment C**). The report also assesses the potential impacts to biological resources that may result from implementation of the proposed project. The analysis determined that potential impacts to sensitive biological resources would be less than significant with implementation of the project's BMPs.

In addition, as a component of the Draft FMP, the following measures will be implemented in the treatment areas to limit dust and emissions (where feasible and appropriate):

- Prohibit all mastication or other activities causing fine particles or ground disturbance during periods of high wind (over 15 mph).
- Water all active work areas, where ground/soil disruption may occur, at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Maintain at least two feet of freeboard in haul trucks.
- Cover all trucks hauling dirt, sand, or loose materials.
- Cover inactive storage piles.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective

action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to ensure compliance with Rule 402 (Nuisance).

- Operation equipment shall conform to the MBARD's Tier 3 or 5 emission standards and, where feasible, operation equipment shall use alternative fuels such as compressed natural gas (CNG), propane, electricity, or biodiesel.

The proposed project would reduce the potential for future wildfire-caused greenhouse gas emissions by targeting and reducing the fuel load that would result in the greatest release of greenhouse gas emissions if burned. The proposed project would also result in added protection of public safety and health by reducing the risk of wildfire to the community and contribute to the resiliency of the campus community. With the BMPs and air quality control measures required for the proposed project, potentially significant environmental impacts are avoided and minimized. Removal of healthy, mature, scenic trees – typically those greater than six inches diameter at breast height (DBH) – is not proposed or anticipated as part of the project. The Draft FMP only proposes to remove dead, dying, or hazardous trees or trees under six inches DBH. As a part of the University's climate resiliency goals, if any trees over four inches DBH (but under six inches DBH per the Draft FMP) must be removed for public safety purposes, the trees will be replaced 2:1 as part of CSUMB's campus-wide habitat restoration program. The tree replacement efforts would be carefully considered so as to not impact future fuel load.

Project Goals and Objectives

The goal of the proposed project is to reduce the risk of wildfire in the project area through implementation of the Draft FMP. As discussed above, the proposed project is an objective of the Strategic Plan, which identifies wildfire safety strategies and objectives and determines specific tasks to be fulfilled by the Draft FMP. The proposed project would align with the goals and objectives of the Strategic Plan as a part of the CSUMB Emergency Management Program's Mission and Strategic Framework. The project's key objectives are to: 1) reduce the fire hazard within the East Campus Housing Area to an acceptable level of risk; and 2) implement fuel reduction and clearance activities while minimizing risk to natural resources.

EXEMPT STATUS

Statutory exemptions are projects specifically excluded from California Environmental Quality Act (CEQA) consideration as defined by the State Legislature and delineated in PRC Section 21080. The project qualifies for a CEQA Statutory Exemption under Article 18, *Section 15269(c) Emergency Projects*.

In addition, the project would qualify for a Class 1 Categorical Exemption under Article 19 (Categorical Exemptions) *15301(h) Existing Facilities*, and a Class 4 Categorical Exemption under Article 19 (Categorical Exemptions) *15304(i) Minor Alterations to Land* of the State CEQA Guidelines.

Finally, under CEQA Guidelines section 15061(b)(3), Review for Exemption (14 CCR Sec. 15061(b)(3)), activities are exempt from, and otherwise not subject to, CEQA under the “common sense” exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, the proposed project also qualifies under the “common sense” exemption.

Reason Why the Project is Statutorily Exempt

Article 18 (Statutory Exemptions) of the State CEQA Guidelines lists types of projects that are exempt to the requirements of CEQA. This section provides an analysis of why this project meets the conditions for a *Section 15269(c) Emergency Projects* exemption.

15269 Emergency Projects

Section 15269(c) consists of:

(c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.²

Statutory Exemption Analysis

Section 15269(c) of the CEQA Guidelines specifies that the CEQA statutory exemption for emergency projects exempts specific actions necessary to prevent or mitigate an emergency, including where “fire or catastrophic risk mitigation or modifications to improve facility integrity are proposed for existing facilities in response to an emergency at a similar existing facility.”

The proposed project meets these conditions. The proposed project would be statutorily exempt from environmental review under CEQA because it consists of fuel management activities in the East Campus Housing Area and along Inter-Garrison Road and all other roadways in the East Campus Housing Area, which would be used for both emergency access and evacuation in the event of a wildfire. The structures and roadways in the project area do not currently meet the defensible space requirements under PRC Section 4291 and Government Code 51175-51189.

² CCR Title 14, Division 6, Chapter 3, Article 18. Statutory Exemptions, Section 15269 Emergency Projects. Available at: <https://www.law.cornell.edu/regulations/california/14-CCR-15269>

This statutory exemption applies to the activities outlined in the Draft FMP because the project is being implemented as fire or catastrophic risk mitigation to create a defensible space around residential structures and roadways, and to improve the integrity of the access roads, thereby improving both access for fire equipment and evacuation safety for residents. This statutory exemption is applicable if measures are “*in response to an emergency at a similar existing facility*” and if there is substantial evidence in the record to prove an emergency situation exists. Due to increasing risk of wildfire in Wildland Urban Interfaces or WUIs in California, CSUMB intends to begin the fuel management activities as soon as possible and before the peak of the next fire season occurs to reduce the vulnerability of residents to wildfire.

The CSUMB campus and former Fort Ord are located within the WUI and listed as at-risk communities by the Monterey County Community Wildfire Protection Plan (MCCWPP). Wildland fires have occurred not far from the CSUMB campus and region. Analysis of the Fire and Resource Assessment Program (FRAP) fire history maps shows historic high wildfire activity in the Monterey Bay area. The 1997 and 2003 Eucalyptus Fires burned 264 acres and 819 acres (respectively) on former Fort Ord lands approximately 2.5 miles southwest of the project area. Additional wildfires in the region include the 2008 Basin Complex, 2016 Soberanes, and 2022 Colorado Fires in Big Sur; and the 2020 River, Carmel, Dolan, and Coleman Fires in Monterey County. The 2020 River Fire burned for 19 days, burning over 48,000 acres, destroying 30 structures, and damaging 13 more. The 2020 River Fire western boundary reached within 5 miles of the project area. There have been numerous brush fires north of Reservation Road and within the Marina Municipal Airport (40 acres in 2017 and 49 acres in 2019) approximately less than a half-mile from the project area.

There is evidence to show that rising temperatures and low seasonal precipitation associated with climate change are increasing fire activity in the Monterey Bay area. There is also evidence that suggests fire risk is increased where development expands in the WUI. Wildfire fuel management is recognized as an important strategy for managing future fire risk to people and structures.

A statutory exemption applies to any given project that falls under its definition, regardless of the project’s potential impacts to the environment. However, it is important to note that any CEQA exemption applies only to CEQA and not any other state, local, or federal laws that may be applicable to a proposed project, including, but not limited, to CESA and ESA. As described above, the Draft FMP was developed and designed to avoid and minimize any potentially significant impacts to sensitive biological resources to a less than significant level under CEQA, as well as avoid the potential for incidental take under the California Endangered Species Act (CESA) and federal Endangered Species Act (ESA). As a component of the Draft FMP, Best Management Practices (BMPs) were identified and are required to be implemented at specified times to avoid and minimize impacts to special-status species and natural communities (CSUMB Best Management Practices Required for Fuel Reduction and Defensible Space Activities, as detailed in Attachment E of the Draft FMP). A Biological Resources Report was prepared to describe the existing biological resources within and adjacent to the project area, including any special-status species or sensitive habitats which occur or have the potential to occur within and adjacent to the area (**Attachment C**). The report also assesses the potential impacts to sensitive biological resources that may result from implementation of the proposed project. The analysis determined that potential impacts to sensitive biological resources would be less than significant with implementation of the project’s BMPs. As a result, potentially significant impacts to sensitive

biological resources will be avoided and minimized with implementation of the project's BMPs and any incidental take of listed species under CESA and ESA will be avoided.

Reason Why the Project is Categorically Exempt

Article 19 (Categorical Exemptions) of the CEQA Guidelines lists classes of projects that are exempt from the requirements of CEQA. This section provides an analysis of why this project meets the conditions for a *Section 15301(h) Class 1 Existing Facilities* and *Section 15304(i) Minor Alterations to Land* exemption, together with the reasons why none of the possible exceptions to Categorical Exemptions, found in *Section 15300.2 Exceptions*, apply to this proposed project.

Section 15301 Existing Facilities:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or other minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

Section 15301(h) consists of:

*Maintenance of existing landscaping, native growth, and water supply reservoirs.*³

Section 15304 Minor Alterations to Land:

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

Section 15304(i) consists of:

*Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to 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.*⁴

Categorical Exemption Analysis

The proposed project meets the conditions described in Sections 15301(h) and 15304(i). The proposed project would be categorically exempt from environmental review under CEQA because it involves the maintenance of existing landscaping and native growth and would not involve the expansion of use of any existing facilities. The removal of dead, dying, and hazardous trees constitutes a maintenance activity for an existing public facility (e.g., campus housing and roadways) involving no expansion of use. The buildings and roadways within the project area do

³ CCR Title 14, Division 6, Chapter 3, Article 19. Categorical Exemptions, Section 15301 Existing Facilities. Accessible at: <https://www.law.cornell.edu/regulations/california/14-CCR-15301>

⁴ CCR Title 14, Division 6, Chapter 3, Article 19. Categorical Exemptions, Section 15304 Minor Alterations to Land. Accessible at: <https://www.law.cornell.edu/regulations/california/14-CCR-15304>

not currently meet the defensible space requirements under PRC Section 4291 and Government Code 51175-51189. Maintenance of the existing landscaping and native vegetation in accordance with the Draft FMP would meet the key project objectives, which are to: 1) reduce the fire hazard within the East Campus Housing Area to an acceptable level of risk; and 2) implement fuel reduction and clearance activities while minimizing risk to natural resources.

The proposed project would also be categorically exempt from environmental review under CEQA because it involves minor alterations of land, including fuel management activities to reduce the volume of flammable vegetation within 30 and 100 feet of structures and 50 feet of Inter-Garrison Road, as determined necessary by the CSUMB Emergency Management Program and CAL FIRE. No healthy, mature, scenic trees would be removed as part of this project.

The proposed fuel management and reduction activities would be conducted year-round depending upon fire safety conditions, availability of labor and resources, and the need for avoidance of sensitive biological resources. A Biological Resources Report was prepared to describe the existing biological resources within and adjacent to the project area, including any special-status species or sensitive habitats which occur or have the potential to occur within and adjacent to the area (**Attachment C**). The report also assesses the potential impacts to sensitive biological resources that may result from implementation of the proposed project. The Biological Resources Report concluded that potential impacts to sensitive biological resources would be less than significant with implementation of the project's BMPs. As a result, potentially significant impacts to sensitive biological resources will be avoided and minimized with implementation of the project's BMPs and any incidental take of listed species under CESA and ESA will be avoided.

The Draft FMP was developed and designed to avoid and minimize impacts to sensitive resources, including take of endangered, rare, or threatened species. The Draft FMP requires the implementation of biological resource avoidance measures and tree pruning recommendations during activities. As a component of the Draft FMP, Best Management Practices (BMPs) were identified and required to be implemented at all specified times to avoid and minimize impacts to special-status species and natural communities (CSUMB Best Management Practices Required for Fuel Reduction and Defensible Space Activities, as detailed in Attachment E of the Draft FMP). Therefore, the proposed activities would not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion.

There would be no impact to cultural resources or hazardous materials (i.e., unexploded ordinance) due to the lack of ground disturbance. There are no surface waters within or adjacent to the project area, and, therefore, the implementation of the proposed Draft FMP would not result in sedimentation of surface waters.

The proposed project would reduce the potential for future greenhouse gas emissions by avoiding and reducing wildfire-caused emissions by targeting and reducing the fuel load that would result in the greatest release of greenhouse gas emissions if burned. The proposed project would also result in added protection of public safety and health by reducing the risk of wildfire to the community, and would contribute to the resiliency of the campus community. With the BMPs and air quality control measures required for the proposed project, potentially significant environmental impacts are avoided and minimized. Removal of healthy, mature, scenic trees are not proposed or anticipated as part of the project. Healthy trees greater than six inches diameter DBH may be considered mature or scenic. However, the Draft FMP only proposes to remove dead, dying, or hazardous trees or trees under six inches. As a part of the University's climate resiliency,

if any trees over four inches DBH (but under six inches DBH per the Draft FMP) must be removed for public safety purposes, the trees will be replaced 2:1 as part of CSUMB's campus-wide habitat restoration program. The tree replacement efforts would be carefully considered as to not impact future fuel load.

Conclusion

Under CEQA Guidelines section 15061(b)(3), Review for Exemption (14 CCR Sec. 15061(b)(3)), activities are exempt from, and otherwise not subject to, CEQA under the "common sense" exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As analyzed above, the proposed project would not result in any significant effects on the environment. Therefore, in addition to the statutory and categorical exemptions identified above, qualifies under the "common sense" exemption.

As described above, the proposed project would not result in a significant impact to environmental resources. Therefore, the project is eligible for the identified categorical exemptions under CEQA.

Exceptions to Categorical Exemption Analysis

CEQA Guidelines Section 15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, including documentation as to why each exception does not apply to the proposed project.

Location

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception does not apply to the proposed project. A Biological Resources Report was prepared to describe the existing biological resources within and adjacent to the project area, including any special-status species or sensitive habitats which occur or have the potential to occur within and adjacent to the area (**Attachment C**). The report also assesses the potential impacts to sensitive biological resources that may result from implementation of the proposed project.

While sensitive biological resources, including sensitive habitat, are known to occur in the project area, the Draft FMP was developed and designed to avoid and minimize impacts to sensitive resources, including take of endangered, rare, or threatened species and sensitive habitats. The Draft FMP requires the implementation of biological resources avoidance measures and tree pruning recommendations during activities. As a component of the Draft FMP, Best Management Practices (BMPs) were identified and required to be implemented at all specified times to avoid and minimize impacts to special-status species and natural communities (CSUMB Best Management Practices Required for Fuel Reduction and Defensible Space Activities, as detailed in Attachment E of the Draft FMP).

The Biological Resources Report concluded that potential impacts to sensitive biological resources would be less than significant with implementation of the project's BMPs. As a result, potentially significant impacts to sensitive biological resources will be avoided and minimized with implementation of the project's BMPs and any incidental take of listed species under CESA and ESA will be avoided. Therefore, the proposed project would not result in impacts to a sensitive environment.

Cumulative Impact

All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

This exception does not apply to the proposed project. The Draft FMP involves conducting fuel management activities in the East Campus Housing Area. These activities would be conducted year-round depending upon fire safety conditions and availability of labor and resources. In addition, as a component of the Draft FMP, Best Management Practices (BMPs) were identified and are required to be implemented at specified times to avoid and minimize impacts to special-status species and natural communities (CSUMB Best Management Practices Required for Fuel Reduction and Defensible Space Activities, as detailed in Attachment E of the Draft FMP). As a result, the timing of the proposed fuel management and reduction activities would be further dictated by the requirements of the BMPs. As described above, the Biological Resources Report concluded that potential impacts to sensitive biological resources would be less than significant with implementation of the project's BMPs.

There are no other projects of the same type proposed in the East Campus Housing Area, and, therefore, no cumulative impacts would occur.

Significant Effect

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

This exception does not apply to the proposed project. There are no unusual circumstances related to the project that would create a reasonable possibility of significant effects to the environment. The Draft FMP outlines fuel management and reduction activities in accordance with PRC Section 4291, which identifies activities to create defensible space. The proposed project is not unusual in size or location as evidenced by the issuance of the grant by CAL FIRE. Therefore, impacts would be less than significant.

Scenic Highways

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway. This does not apply to improvements which are required as mitigation by and adopted negative declaration or certified EIR.

This exception does not apply to the proposed project. According to the California Scenic Highway Mapping System, the closest eligible State Scenic highway is State Route 1, approximately 1.68 miles west of the project. Because the proposed project would manage vegetation in residential areas and on local roads and outside of the proposed scenic highway designation, there would be no damage to scenic resources due to project implementation. No impact would occur.

Hazardous Waste Sites

A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.

This exception does not apply to the proposed project. The proposed project area is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Historical Resources

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

This exception does not apply to the proposed project. The proposed project would remain on or adjacent to existing roads and residential structures. Fuel management activities would not impact any structures. Therefore, no impact to historical structures would occur.

References

- California Department of Forestry and Fire Protection (CAL FIRE). 2021. Welcome to Fire Perimeters. Accessible at <https://www.arcgis.com/apps/mapviewer/index.html?webmap=529ab6d2d92c4908b57168182f55ba56>. Accessed January 2023.
- CAL FIRE. 2023. Welcome to Communities at Risk. Accessible at <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/fire-plan/communities-at-risk/>. Accessed January 2023.
- CAL FIRE. 2023. Fire and Resources Assessment Program Database. Available at: <https://frap.fire.ca.gov/mapping/pdf-maps/>. Accessed February 2023.
- California Department of Transportation. 2023. California State Scenic Highway Mapping System. Accessible at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 2023.
- California Environmental Protection Agency. 2023. Cortese List Data Resources. Accessible at: <https://calepa.ca.gov/sitecleanup/corteselist/>. Accessed January 2023.
- California Governor Office of Emergency Services. 2018. *2018 State of California Hazard Mitigation Plan*. Available at: <https://www.caloes.ca.gov/cal-oes-divisions/hazard-mitigation/hazard-mitigationplanning/state-hazard-mitigation-plan>. Accessed February 3, 2023.
- California State University Monterey Bay. 2019. CSUMB Campus Community Wildfire Protection Strategic Plan
- Denise Duffy & Associates, Inc. 2023. CSUMB Fuel Reduction Plan for the East Campus Housing Area.
- Monterey Fire Safe Council. 2010 (updated 2019). Monterey County Community Wildfire Protection Plan. Available at: http://www.firesafemonterey.org/uploads/1/0/6/5/10653434/mccwpp_november_2010_v2_signed_updated_appx-d_6-3-2019.pdf