Midpeninsula Regional Open Space District

Memorandum

DATE July 22, 2020

MEMO TO: Midpeninsula Regional Open Space District Board of Directors

THROUGH: Ana Ruiz, General Manager

FROM: Coty Sifuentes-Winter, Senior Resource Management Specialist

CC: Kirk Lenington, Natural Resource Manager
Jane Mark, Planning Manager

SUBJECT: Scoping Report for the Wildland Fire Resiliency Program

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BACKGROUND

The Wildland Fire Resiliency Program (Program) will address a strategic Board of Directors (Board) objective for the Midpeninsula Regional Open Space District (District) of working with wildland fire agencies and surrounding communities to strengthen the prevention of, preparation for, and response to wildland fires. The Program is designed to protect natural and cultural resources, expand landscape-level ecological resilience to changing climate and fire risk conditions, and facilitate ecologically sensitive wildfire response and training while enhancing public safety and education.

DISCUSSION

The District issued a Notice of Preparation (NOP) on April 27, 2020 to inform agencies and the public of its intent to prepare a Program Environmental Impact Report (EIR; see Attachment 1). The NOP also solicited comments on the scope of the Program EIR during the public review period. The public review began on April 27, 2020 and ended on June 18, 20201. Comments received during the scoping process are part of the public record.

The District expects that the Program could result in potentially significant environmental impacts in the following topic areas, which will be analyzed in the Program EIR:

- Aesthetics
- Air Quality
- Biological Resources

[1] On May 11, 2020, District staff learned that one of two web links to the comment form did not work. During the May 13th public scoping meeting with the Board, a request for a time extension was expressed. The District therefore extended the public comment period to Thursday June 18, 2020 at 5:00 pm.

- Cultural Resources
- Geology and Soil
- Greenhouse Gas Emissions
- Hazards and Hazardous Material
- Hydrology and Water Quality
- Noise
- Recreation
- Transportation
- Tribal Cultural Resources
- Wildfire
- Mandatory Findings of Significance

The District received scoping comment letters from three state agencies, five local agencies and organizations, 36 written comments from the general public, and six additional public comments received at the public scoping meeting. All comments and questions have been reviewed and considered by the District in identifying the scope of issues to be addressed in the Program EIR. See Attachment 2, Wildland Fire Resiliency Program Scoping Summary Report for more details.

NEXT STEPS

The EIR is currently under preparation. Once completed, staff will release the Draft EIR for an extended 45-day comment period (a 30-day comment period is typical for draft EIRs). The Draft EIR will discuss the potential environmental impacts, associated mitigation measures, and best management practices that have been identified for the Program. The Board will consider the findings of the EIR and public comments received as they deliberate on whether to certify the EIR and approve the Wildland Fire Resiliency Program, which is scheduled to occur in the spring of 2021.

Attachments:

1. Notice of Preparation
2. Wildland Fire Resiliency Program Scoping Summary Report

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Notice of Preparation

Midpeninsula Regional Open Space District

Wildland Fire Resiliency Program

San Mateo, Santa Clara, and Santa Cruz Counties, California

Date:	April 27, 2020
To:	Agencies and Interested Parties
From:	Midpeninsula Regional Open Space District
Subject:	Notice of Preparation of a Draft Program Environmental Impact Report for the Proposed Wildland Fire Resiliency Program
Review Period:	April 27, 2020 to May 28, 2020

Introduction

The Midpeninsula Regional Open Space District (Midpen) is initiating the process of preparing a Program Environmental Impact Report (EIR) for the Wildland Fire Resiliency Program (Program) to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). Midpen will serve as the lead agency for CEQA compliance.

In accordance with the State CEQA Guidelines (Title 14 California Code of Regulations [CCR] Section 15082), Midpen has prepared this Notice of Preparation (NOP) to inform agencies and interested parties that a Program EIR will be prepared for the above-referenced project. The purpose of a NOP is to provide sufficient information about a project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (14 CCR Section 15082[b]). Midpen is currently gathering public input regarding the scope of the Program EIR.

Midpen will hold a public scoping meeting on May 13, 2020. Invitations to the scoping meeting will be sent to all recipients of this NOP. Midpen appreciates scoping input from public agencies and individuals in response to this NOP and to the scoping meeting. The Program information, as well as Midpen contact information, are provided below.

Program Information

Title

Wildland Fire Resiliency Program

Lead Agency and Address

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022
(650)-691-1200

Contact

Coty Sifuentes-Winter, Senior Resource Management Specialist
csifuentes@openspace.org

Location

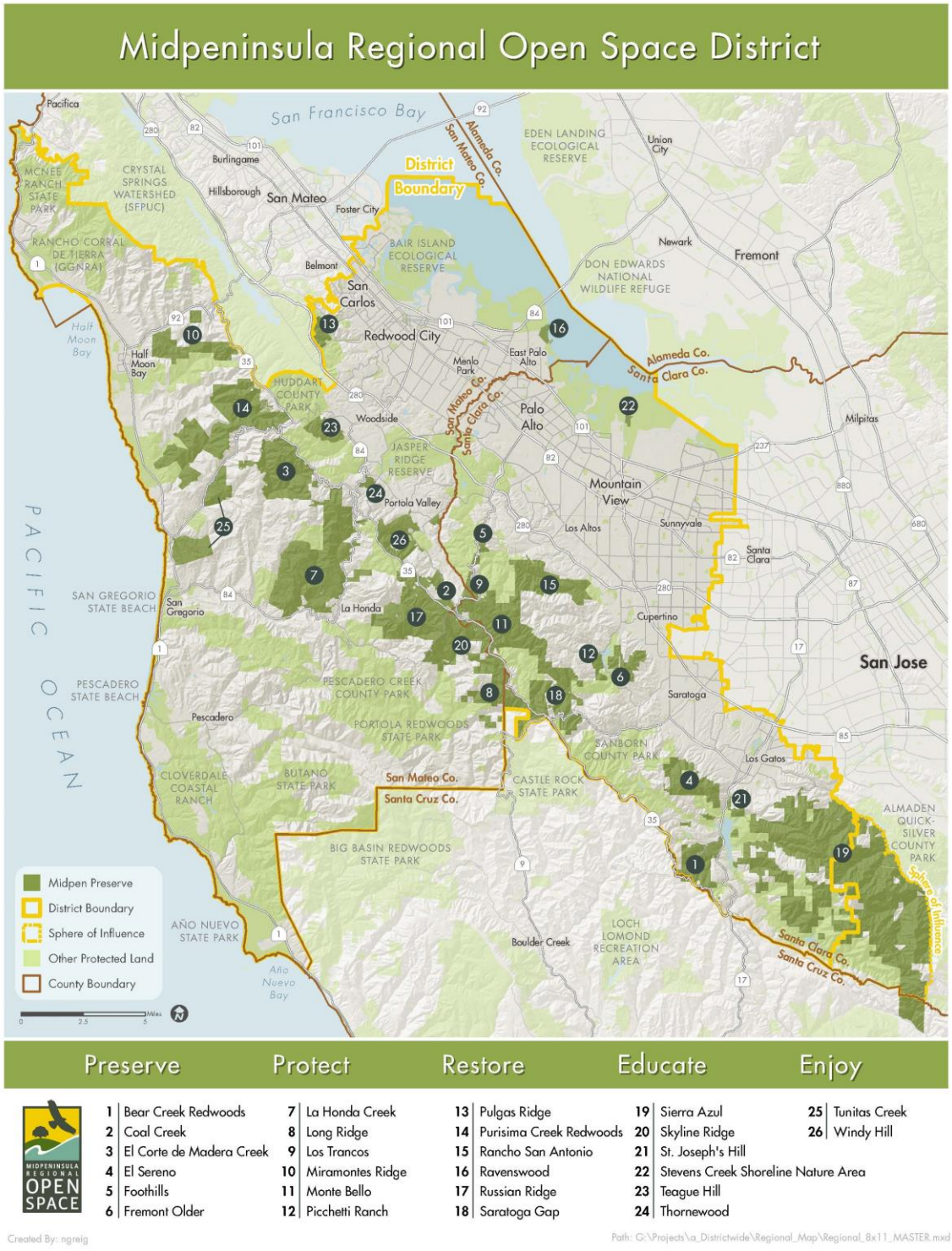
The actions under the Program would be applied on all Midpen's open space preserves (OSP) and other areas under Midpen management (collectively referred to as "Midpen lands"). Midpen is located along the western edge of the North American continent on a geologically active peninsula between the Pacific Ocean and San Francisco Bay, which limits migration of plants and animals. This unique location is contained within the Santa Cruz Mountain region. The region's Mediterranean climate is comprised of mild wet winters and long, hot, and dry summers cooled by cyclical coastal fog. Midpen's boundary extends along the San Francisco Bay from San Carlos to Los Gatos and along the Pacific coast from south of Pacifica to the Santa Cruz County line. Midpen lands permanently protect wildlife habitat, natural resources, watersheds, and a variety of ecosystems, as shown in Figure 1.

Program Setting

Midpen Lands and Recreational Resources

Midpen's purpose is to create a regional greenbelt of public open space lands to permanently protect natural resources and to provide for public use and enjoyment. In addition, through the Coastal Protection Area Service Plan, Midpen is committed to protecting coastal watershed and agricultural lands and preserving the rural character of the region. Midpen has preserved nearly 65,000 acres of open space lands, of which Midpen manages nearly 59,000 acres across 26 OSPs and through management agreements (e.g., Rancho San Antonio County Park). The remaining acreage that was preserved through Midpen action is managed by other entities. Each OSP ranges from 55 to over 18,000 acres. Of the total 26 OSPs, 24 are open to the public, 365 days a year from sunrise to one-half hour after sunset. The preserves are primarily visited for recreational and educational uses. Some preserves are leased for conservation grazing. There are a variety of rural residential and agricultural structures dispersed within preserves. Within the OSPs, there are over 240 miles of trails for hiking, mountain biking, nature study, and dog walking, as well as historical and cultural artifacts, horse stables and barns, a backpack campsite, scenic viewpoints, and picnic tables and benches. District visitor use regulations prohibit activities that can spark fires including possession of firearms, smoking, open campfires, and off-road vehicle use.

FIGURE 1 MIDPENINSULA REGIONAL OPEN SPACE DISTRICT OSPS AND OTHER MANAGED LANDS



Natural Resources

Located within the California Floristic Province (one of 25 internationally recognized biological hotspots), Midpen lands are rich with natural resources. Habitats found within OSPs include forested lands, grasslands, shrublands, and woodlands. Midpen lands include redwood, oak, and fir forests, chaparral-covered hillsides, riparian corridors, grasslands, and wetlands along the San Francisco Bay. Biological resources of special significance or importance, including species and habitats currently known to occur and those currently listed as sensitive or special-status by resource agencies, are found throughout Midpen lands.

Nearby Communities

Midpen's jurisdictional boundary encompasses 17 cities (Atherton, Cupertino, East Palo Alto, Half Moon Bay, Los Altos, Los Altos Hills, Los Gatos, Menlo Park, Monte Sereno, Mountain View, Palo Alto, Portola Valley, Redwood City, San Carlos, Saratoga, Sunnyvale, and Woodside) and unincorporated areas in San Mateo, Santa Clara, and northern Santa Cruz counties with a combined population of over 700,000 residents. Although use within the OSPs is primarily ecologically sensitive outdoor recreation, many of the OSPs abut low-density residential development in addition to open space owned and maintained by various agencies.

According to CALFIRE, almost 95 percent of fires in California are started by people. Many nearby communities lie within the wildland-urban interface (WUI); the area where structures meet or intermingle with undeveloped wildland vegetation. The WUI is thus an area of high human-environment interactions, and a potential source of fire ignition where fires can spread into wildland areas and impact homes located in the WUI. The majority of the WUI along the OSPs has a California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone rating of "High" or "Very High". The Program includes priority areas identified by Community Wildfire Protection Plans for fuel reduction at multiple OSPs.

Fire management enhancements on Midpen lands reduce the potential for catastrophic wildfires, as well as:

- Protect sensitive natural resources and habitat from long-lasting damage and loss;
- Benefit the local communities in the WUI by providing fuelbreaks and aiding fire suppression activities for emergency response to wildland fires; and
- Protect residents living further away and downwind who may be significantly affected by smoke and impacts to air quality within the larger Bay Area region.

Current Midpen Fuels Management Practices

Midpen undertakes several actions and activities on their lands to prepare for fire season. The actions related to fuel maintenance and reduction and fire management include:

- Maintaining existing fuelbreaks in OSPs;
- Defensible space clearing around 117 Midpen-owned structures;
- Maintaining hundreds of miles of fire roads; and
- Managing over 8,500 acres of grasslands through conservation grazing, which reduces fuel loads.

Description of Proposed Program

Purpose and Goals

Changing climatic conditions, past land uses, and years of fire suppression have increased fuel loads and fire-prone conditions that could contribute to larger and more intense wildland fires. Midpen seeks to protect the natural resources on its land and to make policy decisions that support local and state fire agencies to aid in the suppression of wildfire. The Program encompasses vegetation management, as well as planning, response, and monitoring. Vegetation management helps to restore ecosystems closer to pre-fire suppression conditions through the removal of dead and accumulated vegetation, and treatment of forest disease and invasive species. Prior to the mid- to late-20th century, landscapes in the San Francisco Bay Area were subject to periodic natural fire and Native American practices of prescribed burning that kept fuel loads down. Before European contact, the spread of invasive species that alter ecosystems and increase fire risks was a lower concern. Today, in the absence of decades of natural and prescribed fires, live and dead fuels have accumulated creating higher surface fuel loads, vegetation density, and varied species composition from what was seen prior to European contact. The Program would guide Midpen activities and be periodically updated, as needed, to adapt to changing conditions and improved knowledge. The primary objectives of the Program include the following:

1. Manage vegetation to establish healthy, resilient, fire-adapted ecosystems, furthering Midpen's mission to protect and restore the diversity and integrity of the ecological processes on Midpen lands and facilitating healthy post-fire recovery.
2. Integrate Native American cultural practices of vegetation management, particularly as they relate to prescribed fire, that promote ecological resiliency and enhance biodiversity.
3. Manage vegetation and infrastructure on Midpen lands to reduce wildland fire risks, improve wildland fire fighting capabilities and coordination, and improve overall safety to reduce the harmful effects of wildland fire on natural resources, people, and property.
4. Provide an adaptive framework for periodic review and adjustments of the Program based on a changing climate, improved knowledge, and improved technology over time. This framework will also recognize that annual implementation of the Program will need to be balanced with other competing Midpen priorities, capacity, and funding to determine the location, scale, timing, and scope of future vegetation management activities as part of annual workplans and approved fiscal year budgets.

Program Considerations

It is important to note that the Program EIR would be a programmatic document that is intended to help guide Midpen's vegetation and fuel management activities. As such, the Program provides a framework to guide decisions on the types, locations, and timing of vegetation and fuel management activities. The scope, scale, and level of focus that Midpen would be able to place on vegetation and fuel management activities would vary each year and would be dependent on other competing Midpen project and Program priorities, staffing capacity, and funding availability. Also, given the ongoing growth of Midpen land holdings, changing climate conditions that may affect fire risk levels across the landscape, and other factors, Midpen may shift their vegetation and fuel management priorities as needed in response to new or changed priority sites. Annual vegetation and fuel management projects and Program budgets would be reviewed in the context of

the larger agency-wide work plan with discretionary approval held by the Midpen Board of Directors as part of the annual budget and action plan development process.

Program Components

Program Overview

The Program would guide a comprehensive approach to vegetation management, including pre- and post-response activities to wildland fire on Midpen lands that integrates the following four plans:

1. Vegetation Management Plan (VMP)
2. Prescribed Fire Plan (PFP)
3. Wildland Fire Pre-Plan/Resource Advisor Maps
4. Monitoring Plan

The VMP and the PFP are the primary plans within the Program that could result in physical effects on the environment. In addition, the Wildland Fire Pre-Plan includes potential new infrastructure to support wildland fire response that also could result in physical effects on the environment. The Program EIR will focus on the elements of the Program that may result in physical effects on the environment.

Vegetation Management Plan

Overview

The VMP covers the creation of new vegetation treatment areas and maintenance of existing fuel treatment areas using various treatment methods (excluding the use of prescribed fire) to address ecosystem resiliency and/or to enhance fire management. Creation and maintenance of ecologically-sensitive vegetation management areas (VMAs) would reduce fuels by strategically and selectively thinning and removing vegetation to reduce the risk of extreme wildland fire behavior, slow the spread of a wildland fire, aid in the suppression and control of a wildland fire, and/or reduce the impacts of wildland fire should it occur. Treatment would also maintain healthy ecosystems, prioritizing treatment of invasive species over native species.

Although fuel reduction does not necessarily stop fires from spreading, reducing fuel loads lessens both fire intensity and severity, increasing resiliency to both the ecological and human communities. In addition, by slowing the spread of fire, additional time is afforded for fire personnel to respond and for private residents in the WUI to evacuate. The following VMAs would reduce wildland fire damage to natural resources, enhance fire suppression activities, and reduce fire spread:

- Fuel Reduction Areas (FRAs)
- Shaded and Non-Shaded Fuelbreaks
- Ingress/Egress Route Fuelbreaks
- Disclines
- Defensible Space
- Emergency Staging Areas, Emergency Landing Zones, and Other Fire Management Logistics Areas
- Eucalyptus and Acacia (Non-Native, Highly Combustible Plant) Removal

Types of VMAs

FRAs would be implemented for ecosystem resiliency. FRAs also enhance public safety when created in close proximity to the WUI and/or adjacent to existing fuelbreaks. FRAs are less permanent than fuelbreaks and are typically implemented in more natural areas (such as away from roads) where fuel load reduction achieves a combination of habitat enhancement goals and wildland fire risk reduction. Due to past land uses, fire management practices, and disease (such as Sudden Oak Death), reducing fuel loads in certain habitats can make the ecosystem more resilient to wildland fire. This reduction of fuels can reduce fire intensity, severity, and spread in case of a wildland fire. Vegetation management for ecosystem resiliency is performed at a considerably lower intensity than that for fire management.

Other types of VMAs include fuelbreaks. Fuelbreaks are linear strips of land where trees, vegetation, and dead material have been reduced or removed. A shaded fuelbreak is an area where the tree canopy would be thinned to reduce the potential for a fire to move quickly through and/or to reduce fire spread into or through the canopy. A non-shaded fuelbreak is a swath of land where fuels are reduced in areas without an existing tree canopy, typically at a change in vegetation type, such as from forest or shrubland into grassland, or within grasslands. Fuelbreaks can slow, and even stop the spread of a wildland fire because fewer fuels are present to combust. These areas also provide firefighters with zones to take a stand against or control the spread of a wildland fire, or retreat from fire if the need arises. For the purposes of the VMP, fuelbreaks encompass a range of fuel reduction intensities, depending on the resources being protected and the ecological setting. Fuelbreaks can vary in width from approximately 15 feet around minor ingress and egress routes and up to 200 feet around major routes of travel (e.g., highways) or associated with regional vegetation management treatments.

To enhance the safety of emergency staging areas and the safety of fire emergency personnel during an active wildland fire, the VMP would involve creation and maintenance of up to 200-foot shaded and non-shaded fuelbreaks around fire management areas (e.g., staging areas, landing zones), where feasible. Estimated maximum fuelbreak widths are shown in the following table.

TABLE 1 MAXIMUM FUELBREAK WIDTHS BY HABITAT TYPE

Habitat Type	Fuelbreak Width (feet)
Grass	100
Shrub	100
Oak woodland	200
Redwood or Douglas fir forest	200

An ingress/egress route fuelbreak is a 10- to 30-foot zone located on both sides of those roads identified as critical for emergency vehicle passage, typically designed to accommodate a Wildland Type 3 Fire Engine (a mid-sized fire engine built both for wildland mobility and large water capacity). Disclines are a type of mechanical vegetation treatment that would involve turning over the soil and leaving mostly a dirt surface that is intended to slow or stop progression of a fire. Defensible space is the area immediately surrounding a building(s) where vegetation management measures to reduce fuels are implemented, providing the key point of defense from an approaching wildland fire, or defense against escaping structure fires. Emergency

staging areas are key areas where fire suppression resources may safely park, gather crews, or land a helicopter during a wildland fire. These staging areas may also serve as a temporary refuge area during a wildland fire and must be of sufficient size to provide adequate safety for anticipated flame lengths, wind, and other factors. Emergency staging areas include existing parking areas and landing zones. Emergency landing zones allow helicopters to land in the event of an emergency. Eucalyptus and acacia trees would be removed from locations where these non-native and highly combustible trees pose a significant fire hazard.

Locations and Prioritization of VMAs

Several criteria would be used to determine the prioritization and location of new VMAs for both ecosystem resiliency and fire management. The criteria for ecosystem resiliency focus on natural resources, while the criteria for enhanced fire management focuses on infrastructure critical for emergency response, evacuation routes and protecting District managed structures. Prioritization will take into consideration projected staffing and financial resources to confirm long-term maintenance and management of fuel treatment areas. Each year, Midpen staff, with input from surrounding fire agencies, will identify the extent, scope, and location of the proposed VMAs to include in Annual Work Plans. The annual plan will be dependent upon numerous factors, including annual staffing capacity, funding availability, partnerships, and other resource availability, and be balanced with other Midpen priorities that also further Midpen's mission, annual *Strategic Goals & Objectives*, and the *Vision Plan*. District staff, with input from surrounding fire agencies, will annually prioritize areas for treatment and bring the anticipated budgets to the Board for review and approval as part of the annual capital improvement and action plan development process.

Cyclical Maintenance of VMAs

Frequency of maintenance can vary from annually, for vegetation management in grass-dominated vegetation types, to approximately once every 3 to 10 years depending on vegetation type, the fuel conditions, and regrowth. VMAs would be treated annually with Early Detection Rapid Response (EDRR) through Midpen's Integrated Pest Management Program (IPMP) to detect and remove invasive species that may arise. VMAs that border or traverse largely intact ecosystems still dominated by native species can be maintained with low-intensity brushing, performed as needed based on field inspections. In contrast, VMAs that are bordered or traversed by degraded ecosystems dominated by weeds need a different and more intensive maintenance prescription to reduce the spread of weeds in the VMA and into surrounding areas. VMAs with non-native species would be maintained with annual brushing, which removes invasive weeds; disposal of brush is accomplished via chipping, pile burning, or hauling. Invasive species treatment is addressed in Midpen's IPMP. The IPMP, however, does not address the acreages of mowing and the use of pesticides for VMA creation and maintenance; these are therefore included in the VMP.

Midpen annually mows over 100 miles of roadside to eliminate weeds, and unwanted vegetation and, where applicable, to allow access for Wildland Type 3 Fire Engines. These activities will continue on an annual basis, as defined in the IPMP and covered under that program and its certified EIR (2014; addendum 2019). The VMP would potentially expand on this existing treatment by creating and maintaining fuelbreaks along Wildland Type 3 ingress and egress routes and major routes, and widen the area of treatment, as appropriate.

Vegetation Management Methods for Creation and Maintenance of VMAs

As part of VMP implementation, Midpen would primarily rely on manual, mechanical, and grazing approaches to manage vegetation, consistent with existing vegetation management activities. These approaches currently account for approximately 90 percent of all vegetation management work, and similar percentages are expected to continue into the future even with the continual addition of newly protected open space acreage. Approximately 10 percent of all vegetation management work incorporates chemical methods under limited and controlled applications, supervised by State of California certified applicators. All vegetation management on Midpen lands prioritize invasive and non-native species removal over native species. Limited chemical control would involve use of the Midpen-approved pesticides listed in the IPMP and covered in the IPMP EIR and Addendum (Midpen, 2014; Midpen, 2019). For each type of vegetation management method, Midpen would continue to employ a series of best management practices (BMPs) to prevent, reduce, or mitigate potential impacts to ecological and/or human health and safety. All updates to the Board-approved pesticide list and associated BMPs would be incorporated into the Program.

Prescribed Fire Plan

The Program also includes a programmatic-level PFP. Prescribed burning is a specific activity in which fire is applied to most or all of a well-defined treatment area with discrete boundaries for the combined purpose of habitat improvement to restore and/or enhance ecosystem health and fuel load reduction. Prescribed fires would only be conducted with the agreement of the jurisdictional fire agency. Areas of Midpen land where prescribed fire would likely not be considered include those areas where burning is prohibited by law/regulation/ordinance, less than 0.25 miles of a smoke sensitive area (e.g., hospitals, schools, nursing homes), or where topography (e.g., slope, aspect) makes it unsuitable for a prescribed burn. The technique is particularly useful in grassland and oak woodland habitats, as it can both meet biological objectives by reintroducing natural ecological processes, including the regeneration of native fire-dependent vegetation, and reduce risk of wildland fire.

Prescribed fire burn plans would be utilized to identify site specific aspects of the burn. Burn units would be generally selected to take advantage of natural control lines, such as reservoirs and service roads, and changes in habitat types. Prescribed burning occurs in four distinct phases: pre-treatment, the burn event, mop-up and patrol, and rehabilitation. Pre-treatment may include removal and scattering of vegetation in addition to installation of control lines, where existing control lines do not exist. The burn event would typically be a full-day activity when fire would intentionally be applied at one or more ignition points and allowed to run between control lines across the designated unit. The fire is monitored until completely out. The prescribed burn sites would be patrolled by Midpen Early Detection Rapid Response (EDRR) crews for 1 to 5 years as needed following a burn event to protect the newly disturbed area from invasive species becoming established.

The PFP lays out the parameters, resources, and factors to guide the implementation of prescribed burns on Midpen lands, including: burn methods, fire durations, fire regimes, seasonality, exclusion zones, priority/recommended locations, vegetation types, monitoring of fuel loads, best management practices, pre- and post-fire activities, personnel, and equipment. The PFP also identifies the priority activities and mapping of burn units. Although prescribed burns would likely focus initially on grasslands, all habitat types that occur within Midpen OSPs would be evaluated and prioritized.

Wildland Fire Pre-Plan/Resource Advisor Maps

The Wildland Fire Pre-Fire Plan/Resource Advisor Maps are geographic-based documents to assist responding fire agencies during emergency response activities in the event of a wildland fire by providing information on fire suppression resources like water sources and staging areas. In addition, the maps provide information on sensitive natural and cultural resources to avoid, if possible, during fire suppression activities or to minimize harm to natural ecosystems. This component of the Program primarily describes planning actions and preparation of maps that do not have physical effects on the environment. The Wildland Fire Pre-Plans and Resource Advisor Maps include the following elements:

- Existing conditions and infrastructure that may aid fire suppression activities, including access roads, fuel breaks, structures, and water sources (hydrants, water tanks, ponds, creeks, and springs);
- Known sensitive natural and cultural resources for fire personnel to avoid, if possible, during fire suppression activities;
- Structures that are inhabited or are historically significant that should have resources committed to their defense during a wildland fire;
- Potential locations for fire suppression activities and equipment staging for Midpen lands in the event of a wildland fire;
- Suggested BMPS for wildland fire response and suppression activities;
- Areas where suppression activities should be limited (if feasible); and
- Circulation and access roads, including designated evacuation routes.

The Wildland Fire Pre-Fire Plan and Resource Advisor Maps have been and would continue to be prepared with input from the local community.

Monitoring Plan

The Monitoring Plan describes and references generally accepted protocols that monitor vegetation, water, and wildlife on Midpen lands to establish and compare pre- and post-project conditions, vegetation treatment response, and fuels inventories. Monitoring results are used to identify any adaptive management techniques that should be considered and incorporated in subsequent fuel management work. The monitoring protocols are based on best practices used by adjacent or regionally based land management agencies (e.g., National Park Service, State Parks) and supported by published research. More specifically, a monitoring plan may include the following:

- Monitoring pre-project vegetation, soil, erosion, and water quality to establish baseline conditions for post project analysis;
- Monitoring Burned Area Emergency Response/Burned Area Rehabilitation, and post fire response;
- Monitoring the response to other vegetation management activities;
- Assessing the achievement of project objectives;
- Assessing impacts to vegetation, soil, erosion, and water quality from fire or other vegetation management activities; and
- Inventorying and monitoring fuels to track fuel accumulation over time.

Monitoring Plans do not typically include elements that could result in physical effects on the environment, as they simply provide the protocols to monitor the environment.

Other Approvals Required

The Program requires approval from the Midpen Board of Directors. For the purposes of CEQA compliance and project implementation, Midpen serves as the lead agency in completing and certifying the CEQA document. Prescribed burns also require approval from the Bay Area Air Quality Management District (BAAQMD). Approval may be required by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), and, if some activities occur within jurisdictional waters, the United States Army Corps of Engineers (USACE). Other permits and approvals may be identified during preparation of the Program EIR.

Potential Environmental Impacts

The Program EIR will describe the direct and indirect environmental impacts associated with implementation of the Program. The Program EIR will also evaluate the cumulative impacts of the Program when considered in conjunction with other related past, present, and probable future projects. All topics identified in the Appendix G Checklist of the CEQA Guidelines will be addressed in the Program EIR. Midpen expects that the Program could result in potentially significant environmental impacts in the following topic areas, which will be analyzed in the Program EIR:

Aesthetics	**Air Quality**	**Biological Resources**
Cultural Resources	**Geology and Soils**	**Greenhouse Gas Emissions**
Hazards and Hazardous Materials	**Hydrology and Water Quality**	**Noise**
Recreation	**Transportation**	**Tribal Cultural Resources**
Wildfire	**Mandatory Findings of Significance**	

Feasible mitigation measures will be identified to reduce any identified potentially significant impacts.

Alternatives to be Evaluated in the Program EIR

In accordance with the CEQA Guidelines Section 15126.6, the Program EIR will describe a reasonable range of alternatives to the proposed project that are capable of meeting most of the project's objectives but would avoid or substantially lessen any of the significant effects of the project. The Program EIR will identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the justification for this decision. The Program EIR will also provide an analysis of the No Project Alternative.

Documents Available for Public Review

A hard copy of the NOP is available for public review at:

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

The NOP is also available for public review online at: http://www.openspace.org/news/public_notices.asp

Opportunity for Public Comment

Interested individuals, groups, and agencies may provide Midpen with written comments on topics to be addressed in the Program EIR. Because of time limits mandated by state law, comments should be provided no later than 5:00 p.m. on May 28, 2020.

Agencies that will need to use the Program EIR when considering permits or other approvals for the proposed project should provide Midpen with the name of a staff contact person. Please send all comments to:

Midpeninsula Regional Open Space District
Attn: Coty Sifuentes-Winter, Senior Resource Management Specialist
330 Distel Circle
Los Altos, CA 94022
(650) 691-1200
Email: csifuentes@openspace.org

Comments provided by email should include "Wildland Fire Resiliency Program NOP Scoping Comment" in the subject line, and the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft Program EIR, which is anticipated to be available for public review in summer 2020.

Public Scoping Meeting

A public scoping meeting will be held by Midpen to inform interested parties about the proposed project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the Program EIR. The meeting time and location are as follows:

May 13, 2020
5:00 p.m.
Board Room, Midpeninsula Regional Open Space District Administrative Office
330 Distel Circle, Los Altos, CA 94022
(650) 691-1200

In the event of the continuance of the Shelter-In-Place order due to COVID-19, the scoping meeting may be conducted via teleconference in accordance with the March 17, 2020 Governor issued Executive Order N-29-20. The meeting space is accessible to persons with disabilities. Individuals needing special assistive devices will be accommodated to Midpen's best ability. For more information, please contact the District Clerk at (650) 691-1200 or clerk@openspace.org at least 48 hours prior to the meeting.

Midpeninsula Regional Open Space District
Wildland Fire Resiliency Program
Scoping Summary Report

July 2020

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PANORAMA
ENVIRONMENTAL, INC.

Midpeninsula Regional Open Space District
Wildland Fire Resiliency Program
Scoping Summary Report

July 2020

Prepared for:

Midpeninsula Regional Open Space District
330 Distel Circle
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Prepared by:

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1 Introduction

1.1 Program Summary

Wildland fire prevention, preparation, and response are a part of the Midpeninsula Regional Open Space District's (Midpen) land stewardship. The Wildland Fire Resiliency Program (Program) documents and permits the various planning efforts needed to meet Midpen's objectives for establishing wildland fire resiliency on its lands. The Program would create a comprehensive approach to wildland fire management, including pre- and post-response activities to wildland fire on Midpen lands. The Program identifies new fuel treatment activities to be implemented in addition to current fire and fuel management efforts. The Program does not have a specific life span; however, specific actions are identified for Program implementation, including an annual maximum level of effort. Program activities would depend on annual staffing capacity, funding availability, partnerships, and other resources and other priorities and projects that further the mission and the Midpen Board of Directors' (Board) strategic goals and objectives must also be considered. Upon adoption, the Program would guide Midpen's efforts concerning wildland fire management throughout its lands. The Program includes a detailed monitoring plan with an adaptive management framework so that the Program can be reviewed and revised, as necessary, to meet objectives. Should the maximum annual actions or conditions need to change significantly in the future, Midpen may opt to prepare an addendum to the Program to address those changes.

The Program is comprised of and integrates the following four plans:

- **Vegetation Management Plan (VMP):** Addresses creation and maintenance of fuel reduction areas (FRAs) for ecosystem health, fuelbreaks, and defensible space zones using vegetation management techniques addressed in Midpen's IPMP. These techniques include manual and mechanical removal of vegetation, use of herbicides, and prescribed herbivory.
- **Prescribed Fire Plan (PFP):** Addresses the methods and implementation of prescribed fire to manage fuel and improve ecosystem health, particularly in areas of Midpen lands that are interior and away from roads and structures.
- **Wildland Fire Pre-Plan/Resource Advisor Maps:** Describes the creation of Resource Advisor maps for each OSP and other managed land (or groups of managed lands) that would include information on existing conditions, infrastructure, and resources constraints. The plans would aid fire suppression activities and would identify sensitive resource areas that merit protection from potential damage due to fire or fire suppression activities.

- **Monitoring Plan:** Provides a framework for recording pre-project conditions, vegetation treatment response, and fuels inventories to inform future adaptive management techniques.

1.2 Scoping Process

This scoping report describes Midpen's scoping process pursuant to the California Environmental Quality Act (CEQA), and contains the comments received during the Program Environmental Impact Report (EIR) scoping period. The purpose of scoping under CEQA is to:

- Inform the public and responsible agencies about an upcoming project for which an EIR will be prepared;
- Inform the public about the environmental review process;
- Solicit input regarding the appropriate scope of issues to be studied in the EIR and potential alternatives to the proposed project;
- Identify issues of concern and areas of potential controversy; and
- Provide the public an opportunity to comment on the project and associated impacts.

Midpen will use scoping comments to:

- Refine the range of environmental issues to be evaluated in the Program EIR;
- Identify potential environmental impacts to be considered in the Program EIR;
- Identify potential mitigation measures to avoid significant impacts identified in the Program EIR; and
- Identify potential alternatives to the Program that would reduce or avoid significant impacts.

Comments received during the scoping process are part of the public record as documented in this scoping report. The comments and questions received during the public scoping process have been reviewed and considered by Midpen in determining the appropriate scope of issues to be addressed in the Program EIR.

The Notice of Preparation (NOP), public comments received, and scoping meeting materials are attached to this document.

1.3 Scoping Report Organization

The scoping report is organized into the following sections:

- **Section 1, Introduction:** Provides an overview of the scoping report.
- **Section 2, Program Scoping Process:** Describes Midpen's CEQA scoping process.
- **Section 3, Summary of Public Comments:** Lists commenters who provided comments during the Program EIR public review period and summarizes the key issues raised.

- **Section 4, Future Steps in the CEQA and Decision-Making Process:** Briefly describes the future steps in the CEQA and Midpen decision-making process, including consideration of approval of the Wildland Fire Resiliency Program.

The scoping report appendices contain materials and documents used and received during the Program EIR scoping process. The following appendices are included:

- **Appendix A, Notice of Preparation:** April 2020 NOP;
- **Appendix B, Scoping Meeting Materials:** Scoping meeting agenda and presentation slides;
- **Appendix C, Scoping Meeting Minutes:** Approved Board meeting minutes;
- **Appendix D, Press Release:** Press release for the scoping meeting, submitted to regional media contact list; and
- **Appendix E, Comments Received During Scoping:** Comment letters received during the public review period, including comments from the scoping meeting that were read into the record.

2 Program Scoping Process

2.1 Notice of Preparation

Midpen issued a NOP on April 27, 2020 to inform agencies and the public of its intent to prepare a Program EIR (see Appendix A). The NOP also solicited comments on the scope of the Program EIR during the public review period. Public review began on April 27, 2020 and ended on June 18, 2020[1]. Table 2-1 contains CEQA NOP requirements and describes how Midpen distributed the NOP to meet these requirements.

Table 2-1 Summary of CEQA NOP Requirements and Midpen Noticing

CEQA Requirement	Noticing Conducted by Midpen
To each responsible [a] and trustee [b] agency advising them of its intention to prepare an EIR (CEQA Guidelines § 15082).	• Mailed the NOP to the trustee agency (California Department of Fish and Wildlife) • Mailed the NOP to the responsible agency (California Department of Forestry and Fire Protection)
Consultation with persons and organizations prior to completing the Draft EIR is optional under CEQA. When such scoping occurs, it should be a part of agency consultation under Section 15082 to the extent that combining agency consultation and public scoping is feasible (CEQA Guidelines § 15083).	• Posted the NOP on the Midpen website • Sent an email notification to approximately 1,800 recipients regarding NOP publishing and follow up emails with details of the public scoping meeting and extension of the comment period • Sent postcards to approximately 3,500 property owners within 500 feet of the open space preserves regarding the public scoping meeting

Notes:

[a] Any public agency, other than the lead agency, which has discretionary approval power over a project (CEQA Guidelines § 15381)

[b] State agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of California (CEQA Guidelines § 15386)

[1] On May 11, 2020, Midpen staff learned that one of two web links to the comment form did not work. During the May 13th scoping meeting with the Board, a request for a time extension was expressed. Midpen therefore extended the public comment period to Thursday June 18, 2020 at 5:00 pm.

2.2 Public Scoping Meeting

Midpen held a public scoping meeting on May 13, 2020 online via teleconference, in accordance with the March 17, 2020 Executive Order N-29-20 issued by the Governor of California which suspended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. The purpose of this meeting was to 1) inform the public and interested agencies about the Program, 2) solicit public comment on the scope of the environmental issues to be addressed in the Program EIR, and 3) obtain Board approval of the Program scope. Midpen read public comments into the record during the public scoping meeting. The public scoping meeting presentation is included in Appendix B of this document. The meeting minutes from the public scoping meeting are provided in Appendix C.

2.3 Press Release

The date and teleconference format of the public scoping meeting was advertised in a press release issued to a regional media contact list. The press release provided a brief summary of the Program and Midpen's mission and referred its audience to Midpen's website (discussed in Section 2.5). The press release is provided in Appendix D.

2.4 Tribal Government and Agency Notification

2.4.1 Tribal Notification

Midpen sent notification letters regarding the Program NOP to eight tribal government contacts provided by the California Native American Heritage Commission on May 23, 2020. No tribes have requested formal notice of and information on projects within the Program area per Assembly Bill (AB) 52. The tribes that were notified of the Program and upcoming EIR preparation are listed in Table 2-2.

Table 2-2 Tribes Notified During Project Scoping

Tribes	
• Amah Mutsun Tribal Band	• Indian Canyon Mutsun Band of Costanoan
• Amah Mutsun Tribal Band of Mission San Juan Bautista	• Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
• Costanoan Ohlone Rumsen-Mutsun Tribe	• North Valley Yokuts Tribe
• Costanoan Rumsen Carmel Tribe	• Ohlone Indian Tribe

Midpen has engaged in informal consultation with the Amah Mutsun Tribal Band throughout the preparation of the Program. The Amah Mutsun Tribal Band provided comments on the policy aspects of the Program, which were incorporated into the Program development. The Amah Mutsun Tribal Band and the Muwekma Ohlone Indian Tribe of the San Francisco Bay

Area have expressed interest in the Prescribed Fire Plan component of the Program and requested to be informed when preparation of the detailed Prescribed Fire Plan begins.

2.4.2 Agency Notification

Midpen sent Program notification letters to various agencies. Midpen also notified local organizations who might be impacted by the Program or that have expressed interest in the Program environmental review. Agencies and organizations that were notified during the scoping process are listed in Table 2-3. The trustee agency is marked with an asterisk.

Table 2-3 Agencies and Organizations Notified During Project Scoping

Agencies and Organizations	
• California Air Resources Board	• California Native American Heritage Commission
• California Highway Patrol	• California Department of Parks and Recreation
• California Department of Transportation District 4 & 5	• California Department of Pesticide Regulation
• California Coastal Commission (North Central Coast and Central Coast District)	• California Regional Water Quality Control Board Regions 2 & 3
• California Department of Conservation	• California Natural Resources Agency
• California Department of Fish and Wildlife Region 3*	• California State Water Resources Control Board
• California Department of Food and Agriculture	• California Department of Toxic Substances Control
• California Department of Forestry and Fire Protection	• United States Army Corps of Engineers
• United States Fish and Wildlife Service	• National Oceanic and Atmospheric Administration

2.5 Internet Website

Midpen publicized information about the Program through a Program website. The website serves as an additional public venue to learn about the Program. During the public review period, the website included electronic versions of the NOP and Program-related documents. The website will remain a public resource throughout the development of the Program and EIR. Notices of any future public meetings and the Program EIR release and public review will be posted on the website. The website address is https://www.openspace.org/our-work/projects/wfrp.

3 Summary of Public Comments

3.1 Overview

This section summarizes the comments raised by the public, agencies and organizations during the scoping process for the Program EIR. Midpen received a total of 36 written comment letters and comment forms during the public review period and received comments from six additional commenters at the public scoping meeting. All comments received during the scoping process are entered into the Program administrative record and considered during the preparation of the Draft Program EIR.

A summary of the main issues raised in public comments is provided in Section 3.3. All written comments received during the scoping process are provided in Appendix E. Oral comments recorded during the public scoping meeting are included in the meeting minutes, provided in Appendix C.

3.2 Public Review Period Commenters

Midpen received scoping comment letters from three state agencies and five local agencies and organizations. Table 3-1 lists the agencies and organizations that provided comments during the scoping process. The trustee agency is marked with an asterisk.

Table 3-1 Agency and Organization Commenters

Agency / Organization Name	Date Received
State Agencies	
California Department of Fish and Wildlife*	5/20/2020
California Native Plant Society	6/18/2020
Native American Heritage Commission	4/27/2020
Local Agencies and Organizations	
County of San Mateo Planning and Building Department	6/18/2020
Portola Valley Ranch	6/18/2020
San Jose Water	4/30/2020
Santa Clara Valley Audubon Society	6/18/2020
Sierra Club, Loma Prieta Chapter	5/13/2020 and 6/18/2020

Members of the public submitted a total of 24 written comment letters. Copies of all comment letters are provided in Appendix E.

3.3 Issues Raised During Scoping Process

Public and agency commenters expressed a wide range of concerns and/or opinions regarding the potential effects of the Program on various environmental resource topics (e.g., air quality, biology, etc.). Table 3-2 provides a summary of the comments received and the number of commenters who expressed concern regarding each summarized comment. A single comment letter often contained multiple individual or discreet "comments." A response with factual information to raised concerns and/or options will be included as part of the Final EIR. Comments provided during the May 13, 2020 public scoping meeting are marked with an asterisk.

Table 3-2 Summary of Comments Received During Scoping

Comment Summary	Number of Comments
Project Description	
Program seems to focus on clearance around buildings.	1
What determines the upper limits for acreage to be treated?	2
Disappointed that a risk analysis considering proximity to communities, geographical features (upslope), and proximity to human ignition sources was not considered in the determination of Tier 1 and Tier 2 areas.	1
More fuel reduction work should be included near Portola Valley in Thornewood, Windy Hill, and the Hawthorns Property.	7
The Program does not mention use of grazing goats, which do an excellent job of chewing thistle patches and might be useful in special locations across Midpen lands where thistle is particularly problematic.	1
Pleased to see the Board move in the direction of a comprehensive plan for fire management.	1
Unhappy that no controlled burning nor vegetation removal seems to be planned for Windy Hill, Montebello, Coal Ridge, Long Ridge, and other OSPs.	1
Exotic animal grazing is not beneficial for many reasons including animals eat native species before weeds, animals produce methane, and grazing will not convert weeds back to natives.*	1
Program focuses almost exclusively on fuel reduction, but other methods should be considered as well, including home hardening or increasing the number of large trees.	3
Program should be expanded to include the hardening of Midpen's 117 buildings against fire as well as encouraging neighbors to make their homes safer.*	1
How will Midpen prioritize the treatments as there are several different potential fuel treatments planned across Midpen lands?	1

3 SUMMARY OF PUBLIC COMMENTS

What is standard about the Program versus what is new as compared to what other agencies are doing?	1
How will treated vegetation will be disposed?	1
How will neighbors and fire agencies be informed of the pre-plan maps and distribution?	2
How will pre-plan maps be updated?	1
How will the document continue to be current and updated with best practices and techniques available?	1
Why are disclines expressed in areas instead of miles?	1
What is the difference between pile burns and broadcast burns?	1
Hope that large firebreaks and improved ingress/egress and mapping for firefighters are implemented immediately.	1
Provide full Project Description of project features in Draft EIR.	1
Suggest working with Woodside Fire Department to, at least once in the summer, have a fire drill on the Hawthorne Property in Portola Valley.	1
Suggest grassland fire break cutting to be 200 feet at Hawthorn Property in Portola Valley.	1
Consider 1) A wider fuel break than the existing disc-line near Fremont Older and clear dead branches and low shrubs/grass and 2) Clear the dead/fallen pine trees that prevent the existing disc-line from being plowed higher on the ridge to the top of Arrowhead Lane.	1
Objectives 1 and 4 of the Program are not clear or concise.	1
Recommend map revisions such as adding named roads and creeks, differentiating between existing and planned treatment areas, showing proposed new infrastructure, and editing colored features so they are readable for blind people.	1
When will work be performed (timeline/frequency) and how will it be monitored and maintained?	1
Request explanation of "FRA for ecosystem resiliency" and comment that it could not be found in the program.	1
Confirm no fuel reduction planned in Windy Hill OSP near Alpine Road where small bays and oaks are creating ground level deadwood.	1
Controlled burns during winter months should be included.	1
Goats may be useful in certain preserve locations.	1
Program should include the installation of cameras for early detection and decision-making during fire fighting.*	1
Priority should be focused on increasing the number of large trees.	1
Discuss integration with existing Midpen Policies and Programs.	1
Midpen has fences within the roadway right of way line that prevents mowing and masticating by others and prevents creation of the minimum clearance needed for shaded fuelbreaks; Portola Valley has very few escape routes.	1

Urge Board to include a risk-based approach, which considers proximity to populated communities to establish Tier structure.	1
Suggest expanding the Program to include vegetation management and removal around areas of potential lightning strikes and powerlines as well as along roads and trails.	1
All roads used by the public that are within or adjacent to Midpen property should be cleared of dead, dying, or highly flammable vegetation to the full extent of the road right-of-way.	1
The recent catastrophic wildfires in California have highlighted the hazard that exists in the wildland-urban interface.	6
Another large fire in the Bay Area would be devastating.	3
Concerned that Midpen has not made fire resiliency a large enough priority and should dedicate more resources and funding.	4
Accumulation of fuel in Thornewood has been ignored.	4
Large amounts of downed wood and brush has accumulated near trails.	2
Portola Valley has a high fire danger, with presence of aggressive fuels like coyote bush and dead oaks that need to be cleared from Windy Hill.	1
Residents near Portola Valley are doing all they can on individual properties to mitigate fire risk.	2
Significant fire event is highly likely near Portola Valley and Thornewood and risk is higher than in other OSPs.	6
Will a fuelbreak be completed between Portola Valley Ranch and Hawthorns preserve?	1
TOTAL	***76***

Alternatives	
Alternative is mowing when weed seeds are still green, and weeds will be replaced by dormant native seeds in the soil.*	1
How are alternatives determined?	1
Scope of project and alternatives should be expanded to focus on preserving and enhancing the character of Midpen's lands, such as through increasing carbon sequestration and maintaining soil moisture, biodiversity, and habitat.	3
Requests evaluation of "Craig Dremann's Meadow-Whisperer Method" alternative.	2
Evaluate "Craig Dremann's Mowing that Unearths Dormant Native Seed" alternative method.	3
Evaluate the impact of no activity/no project.	2
Add alternative wildfire vulnerability reduction options.	1
Alternatives to vegetation removal and ways of reducing the demand and scope of vegetation removal should be evaluated in the EIR.	1
Avoid or minimize removal of eucalyptus to minimize effects on species that use eucalyptus.	1

Currently, Midpen has zero studies that can be used to evaluate alternatives that reduce fire fuels in the grasslands.	1
Midpen should conduct the proper studies for each alternative method to achieve the goal of measured pounds-per-acre fire-fuel reduction in the native grasslands and wildflower fields of the preserves.	1
Include an analysis of the different methods, along with reduction of fire fuel, which produce the least damage to the native wildflower and native grass resources.	1
TOTAL	***18***

Air Quality	
How will air quality be evaluated and what equipment will be used?	1
Why will past data be used for the baseline for air quality instead of current data at the time of the NOP?	1
Suggested studying air quality impacts in relation to the current health pandemic and the impact of COVID-19 as a way to set a higher standard for air quality.	1
TOTAL	***3***

Biological Resources	
Potentially significant impacts to biological resources may be associated with the Project if fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Program area may be impacted.	1
Include list of species that are known to occur or have potential to occur in project site in the EIR.	1
Include project baseline species habitats in Draft EIR.	1
Recommended mitigation measures for special-status wildlife, special-status plant species, nesting birds, state fully-protected species, bats, Marbled Murrelet California Red-legged frog, Western pond turtle.	1
Recommend the Draft EIR address habitat fragmentation and potential impacts to habitat connectivity from significant vegetation clearing and creation of edge effects.	1
Provide a summary of permitting and regulatory requirements related to biological resources.	2
Actions need to be weighed carefully to protect endangered and other wild species in Program areas.	1
Eucalyptus trees and other non-native species (French broom) need to be addressed aggressively.	1
Live oaks on Windy Hill have been declining over the past winter months and now are dead and quite a lot of Douglas fir is declining as well; this vegetation should be removed to reduce fire risk.	1

Concern that coyote bush is covering at least half the open meadows, which used to be more diverse, and should be removed under the Program to reduce invasive species.	1
Expand on the benefits and potential harmful impacts of prescribed burns to existing ecosystems, habitats and species.	2
Assess harm to olive-sided flycatchers nesting habitats from Program activities.	1
The Draft EIR should specify the methods and protocols for rare plant surveys in areas identified for vegetation treatment and removal.	1
Draft EIR should clearly identify measures to control invasive species encroachment during and following project activities.	1
Minimizing native vegetation removal should be considered to help limit the spread of damaging invasive plants.	1
Any successful grassland management project in Central California should be producing a 20-25% increase in native plant cover each year, until you achieve between 90-98% native cover within 4-5 years. And when you get to that performance standard of 90-98% native cover, you essential have very close to zero fire-fuel.	1
Plowing fire breaks is ineffective – it drives native seeds in soil too deep, so they can never sprout, producing permanent weed-covered areas.	1
Fire or prescribed burns are not beneficial because weeds can take advantage faster than the natives can, like occurred with the five prescribed fires at Russian Ridge.	1
Fires pyrolizes surface organic matter and nutrients, lowering levels below native seedling survival.*	1
Requested before-and-after vegetation transects data to show the success of prescribed burn, grazing, and no project alternative on native species growth.	1
Burn at Russian Ridge in July 2007 illegally destroyed 2 million native plants and the burn created empty spots where 3 million weeds moved in to fill. Native grasslands in Russian Ridge are recovering on their own after burn in 2007.	1
TOTAL	***23***

Cultural Resources	
Summary of SB 18 and AB 52 tribal consultation requirements.	1
Recommend contacting the California Historical Research Information System Center for archaeological records search and contacting the Native American Heritage Commission for a Sacred Lands File search for adequate cultural resources analysis.	1
How can the impact on cultural resources be determined if staff does know what resources are present, including currently undiscovered cultural resources?	1
TOTAL	***3***

Geology and Soils

3 SUMMARY OF PUBLIC COMMENTS

The EIR must address how fire management can increase landslides, especially in the rainy Santa Cruz mountains or similar areas, because vegetation helps stabilize slopes and most of Midpen's preserves are located in areas susceptible to significant rain events and earthquakes.	2
How would increased landslide risk be mitigated?	1
TOTAL	***3***

3 SUMMARY OF PUBLIC COMMENTS

Greenhouse Gas Emissions	
Fuel reduction can promote or inhibit carbon sequestration. Increasing the number of large trees increases carbon sequestration, whereas removal of too much competition can result in less diversity and no significant increase in size of trees.	1
TOTAL	*1*

Traffic	
Include the need to ensure safe passage during a wildfire for all vehicles that pass through or adjacent to Midpen properties.	1
TOTAL	*1*

Cumulative	
Program will enhance the fire resiliency work San Jose Water is planning for its own properties.	1
TOTAL	*1*

CEQA Process	
Online comment form not functioning, extend the public comment period.*	1
Request that the District clearly identify the manner in which project-level activities tiering off the program-level Draft EIR will be reviewed and noticed, so that the public and interested organizations will have opportunities to review and comment on the specific future activities occurring under the program.	1
Request investigation of how long the comment form was not available to the public.*	1
TOTAL	*3*

Non-Project Related	
Midpen should take proactive steps to ensure that PG&E's equipment on their property is safe since antiquated PG&E equipment has caused many of the more serious fires.*	1
Requests the trees along the road in front of the Windy Hill parking lot meadow be removed so people can feel the open space meadow as a foreground experience.	1
Make fencing along Alpine Road near Hawthorns property more transparent and wildlife friendly.	1
TOTAL	*3*

3 SUMMARY OF PUBLIC COMMENTS

Comment Summary	Number of Comments
Project Description	
Program seems to focus on clearance around buildings.	1
What determines the upper limits for acreage to be treated?	2
Disappointed that a risk analysis considering proximity to communities, geographical features (upslope), and proximity to human ignition sources was not considered in the determination of Tier 1 and Tier 2 areas.	1
More fuel reduction work should be included near Portola Valley in Thornewood, Windy Hill, and the Hawthorns Property.	7
The Program does not mention use of grazing goats, which do an excellent job of chewing thistle patches and might be useful in special locations across Midpen lands where thistle is particularly problematic.	1
Pleased to see the Board move in the direction of a comprehensive plan for fire management.	1
Unhappy that no controlled burning nor vegetation removal seems to be planned for Windy Hill, Montebello, Coal Ridge, Long Ridge, and other OSPs.	1
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Program should be expanded to include the hardening of Midpen's 117 buildings against fire as well as encouraging neighbors to make their homes safer.*	1
How will Midpen prioritize the treatments as there are several different potential fuel treatments planned across Midpen lands?	1
What is standard about the Program versus what is new as compared to what other agencies are doing?	1
How will treated vegetation will be disposed?	1
How will neighbors and fire agencies be informed of the pre-plan maps and distribution?	2
How will pre-plan maps be updated?	1
How will the document continue to be current and updated with best practices and techniques available?	1
Why are disclines expressed in areas instead of miles?	1
What is the difference between pile burns and broadcast burns?	1
Hope that large firebreaks and improved ingress/egress and mapping for firefighters are implemented immediately.	1
Provide full Project Description of project features in Draft EIR.	1

3 SUMMARY OF PUBLIC COMMENTS

Suggest working with Woodside Fire Department to, at least once in the summer, have a fire drill on the Hawthorne Property in Portola Valley.	1
Suggest grassland fire break cutting to be 200 feet at Hawthorn Property in Portola Valley.	1
Consider 1) A wider fuel break than the existing disc-line near Fremont Older and clear dead branches and low shrubs/grass and 2) Clear the dead/fallen pine trees that prevent the existing disc-line from being plowed higher on the ridge to the top of Arrowhead Lane.	1
Objectives 1 and 4 of the Program are not clear or concise.	1
Recommend map revisions such as adding named roads and creeks, differentiating between existing and planned treatment areas, showing proposed new infrastructure, and editing colored features so they are readable for blind people.	1
When will work be performed (timeline/frequency) and how will it be monitored and maintained?	1
Request explanation of "FRA for ecosystem resiliency" and comment that it could not be found in the program.	1
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Goats may be useful in certain preserve locations.	1
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Priority should be focused on increasing the number of large trees.	1
Discuss integration with existing Midpen Policies and Programs.	1
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Urge Board to include a risk-based approach, which considers proximity to populated communities to establish Tier structure.	1
Suggest expanding the Program to include vegetation management and removal around areas of potential lightning strikes and powerlines as well as along roads and trails.	1
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The recent catastrophic wildfires in California have highlighted the hazard that exists in the wildland-urban interface.	6
Another large fire in the Bay Area would be devastating.	3
Concerned that Midpen has not made fire resiliency a large enough priority and should dedicate more resources and funding.	4
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Significant fire event is highly likely near Portola Valley and Thornewood and risk is higher than in other OSPs.	6
Will a fuelbreak be completed between Portola Valley Ranch and Hawthorns preserve?	1
TOTAL	***76***

Alternatives	
Alternative is mowing when weed seeds are still green, and weeds will be replaced by dormant native seeds in the soil.*	1
How are alternatives determined?	1
Scope of project and alternatives should be expanded to focus on preserving and enhancing the character of Midpen's lands, such as through increasing carbon sequestration and maintaining soil moisture, biodiversity, and habitat.	3
Requests evaluation of "Craig Dremann's Meadow-Whisperer Method" alternative.	2
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Alternatives to vegetation removal and ways of reducing the demand and scope of vegetation removal should be evaluated in the EIR.	1
Avoid or minimize removal of eucalyptus to minimize effects on species that use eucalyptus.	1
Currently, Midpen has zero studies that can be used to evaluate alternatives that reduce fire fuels in the grasslands.	1
Midpen should conduct the proper studies for each alternative method to achieve the goal of measured pounds-per-acre fire-fuel reduction in the native grasslands and wildflower fields of the preserves.	1
Include an analysis of the different methods, along with reduction of fire fuel, which produce the least damage to the native wildflower and native grass resources.	1
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Air Quality	
How will air quality be evaluated and what equipment will be used?	1
Why will past data be used for the baseline for air quality instead of current data at the time of the NOP?	1

Suggested studying air quality impacts in relation to the current health pandemic and the impact of COVID-19 as a way to set a higher standard for air quality.	1
TOTAL	*3*

Biological Resources	
Potentially significant impacts to biological resources may be associated with the Project if fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Program area may be impacted.	1
Include list of species that are known to occur or have potential to occur in project site in the EIR.	1
Include project baseline species habitats in Draft EIR.	1
Recommended mitigation measures for special-status wildlife, special-status plant species, nesting birds, state fully-protected species, bats, Marbled Murrelet California Red-legged frog, Western pond turtle.	1
Recommend the Draft EIR address habitat fragmentation and potential impacts to habitat connectivity from significant vegetation clearing and creation of edge effects.	1
Provide a summary of permitting and regulatory requirements related to biological resources.	2
Actions need to be weighed carefully to protect endangered and other wild species in Program areas.	1
Eucalyptus trees and other non-native species (French broom) need to be addressed aggressively.	1
Live oaks on Windy Hill have been declining over the past winter months and now are dead and quite a lot of Douglas fir is declining as well; this vegetation should be removed to reduce fire risk.	1
Concern that coyote bush is covering at least half the open meadows, which used to be more diverse, and should be removed under the Program to reduce invasive species.	1
Expand on the benefits and potential harmful impacts of prescribed burns to existing ecosystems, habitats and species.	2
Assess harm to olive-sided flycatchers nesting habitats from Program activities.	1
The Draft EIR should specify the methods and protocols for rare plant surveys in areas identified for vegetation treatment and removal.	1
Draft EIR should clearly identify measures to control invasive species encroachment during and following project activities.	1
Minimizing native vegetation removal should be considered to help limit the spread of damaging invasive plants.	1
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Plowing fire breaks is ineffective – it drives native seeds in soil too deep, so they can never sprout, producing permanent weed-covered areas.	1
Fire or prescribed burns are not beneficial because weeds can take advantage faster than the natives can, like occurred with the five prescribed fires at Russian Ridge.	1
Fires pyrolizes surface organic matter and nutrients, lowering levels below native seedling survival.*	1
Requested before-and-after vegetation transects data to show the success of prescribed burn, grazing, and no project alternative on native species growth.	1
Burn at Russian Ridge in July 2007 illegally destroyed 2 million native plants and the burn created empty spots where 3 million weeds moved in to fill. Native grasslands in Russian Ridge are recovering on their own after burn in 2007.	1
TOTAL	***23***

Cultural Resources	
Summary of SB 18 and AB 52 tribal consultation requirements.	1
Recommend contacting the California Historical Research Information System Center for archaeological records search and contacting the Native American Heritage Commission for a Sacred Lands File search for adequate cultural resources analysis.	1
How can the impact on cultural resources be determined if staff does know what resources are present, including currently undiscovered cultural resources?	1
TOTAL	***3***

Geology and Soils	
The EIR must address how fire management can increase landslides, especially in the rainy Santa Cruz mountains or similar areas, because vegetation helps stabilize slopes and most of Midpen's preserves are located in areas susceptible to significant rain events and earthquakes.	2
How would increased landslide risk be mitigated?	1
TOTAL	***3***

3 SUMMARY OF PUBLIC COMMENTS

Greenhouse Gas Emissions	
Fuel reduction can promote or inhibit carbon sequestration. Increasing the number of large trees increases carbon sequestration, whereas removal of too much competition can result in less diversity and no significant increase in size of trees.	1
TOTAL	*1*

Traffic	
Include the need to ensure safe passage during a wildfire for all vehicles that pass through or adjacent to Midpen properties.	1
TOTAL	*1*

Cumulative	
Program will enhance the fire resiliency work San Jose Water is planning for its own properties.	1
TOTAL	*1*

CEQA Process	
Online comment form not functioning, extend the public comment period.*	1
Request that the District clearly identify the manner in which project-level activities tiering off the program-level Draft EIR will be reviewed and noticed, so that the public and interested organizations will have opportunities to review and comment on the specific future activities occurring under the program.	1
Request investigation of how long the comment form was not available to the public.*	1
TOTAL	*3*

Non-Project Related	
Midpen should take proactive steps to ensure that PG&E's equipment on their property is safe since antiquated PG&E equipment has caused many of the more serious fires.*	1
Requests the trees along the road in front of the Windy Hill parking lot meadow be removed so people can feel the open space meadow as a foreground experience.	1
Make fencing along Alpine Road near Hawthorns property more transparent and wildlife friendly.	1
TOTAL	*3*

4 Future Steps in the CEQA and Decision Process

4.1 CEQA Process After Scoping

Scoping is the first step of the Program EIR process. This section describes the steps of the CEQA process that will occur following the conclusion of the Program EIR public review period, summarized in Table 4-1.

Table 4-1 Steps in the CEQA Process

Item	Description	Approximate Date
Completed Events/Documents		
NOP	Notice to inform agencies and the public of the Midpen's intent to prepare a Program EIR for the Program	April 27, 2020
NOP Public Review Period	Opportunity for agencies and the public to submit comments to Midpen on the scope of the Program EIR	April 27 to June 18, 2020[a]
Scoping Meeting	Meeting to provide agencies and the public information about Midpen's review process, the Program, and to hear and accept comments on the scope of the Program EIR	May 13, 2020
Scoping Report	Report that describes the scoping process; includes public comment opportunities, as well as who commented, and a summary of comments received during scoping	July 2020
Upcoming Events/Documents		
Draft Program EIR	Document that describes the Program, Program need, alternatives, impacts and mitigation measures, and other CEQA topics	Fall 2020
Draft Program EIR Public Review Period	Opportunity for agencies and the public to submit comments to Midpen on the content of the Draft Program EIR	45 days, beginning the day of Draft Program EIR release, in Winter 2020
Draft Program EIR Public Meeting	Meeting to provide agencies and the public information about the content of the Draft Program EIR and to hear and accept comments on the content of the Draft Program EIR	During the 45- day Draft Program EIR public review period, in Winter 2020
Final Program EIR and Mitigation, Monitoring, and Reporting Plan (MMRP)	Public comments on the Draft Program EIR, responses to comments, and any changes to the Draft Program EIR	Spring 2021

Item	Description	Approximate Date
Certification of Final Program EIR and Board Decision and approval of the Program	Midpen's Board of Directors will decide on whether or not to certify the Program EIR and MMRP as being prepared pursuant to CEQA and issue a Notice of Decision (NOD). If certified by the Board, a 30-day appeal period is triggered. Upon certification of the EIR, the Board will also consider approval of the Program.	Spring 2021

Note:

[a] On May 11, 2020, Midpen staff learned that one of two web links to the comment form did not work. During the May 13th public scoping meeting with the Board, a request for a time extension was expressed. Midpen therefore extended the public comment period to Thursday June 18, 2020 at 5:00 pm.

4.2 Board of Directors Decision Process

The Program EIR is an informational document and does not include a decision on whether to approve the Program. Midpen's Board of Directors will decide whether to proceed with approval of the Program or an alternative to the Program after considering the findings of the EIR, public comments received and certification of the Final Program EIR at a future public meeting currently anticipated in the spring of 2020. This decision will be informed by the disclosure of environmental impacts provided in the Final Program EIR.