

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

From: City of San Luis Obispo
Community Development Department
990 Palm Street
San Luis Obispo, CA 93401-3218

County Clerk
County of San Luis Obispo
1055 Monterey Street
San Luis Obispo, CA 93408

Applicant Address:
Freddy Otte, City Biologist
990 Palm Street, San Luis Obispo, CA 93401
Email: fotte@slocity.org
Phone Number: (805) 781-7511

Project Title: Hazardous Tree Work/Fuel Reduction at Bowden Ranch

Project Location - Specific: Bowden Ranch, Terminus of Lizzie Street

Project Location - City: San Luis Obispo

Project Location - County: San Luis Obispo

Description of Project:

The project consists of hazardous tree removal, limbing and fuel reduction (fuel management activities) on the City-owned Bowden Ranch property, within the Reservoir Canyon Natural Reserve. The project is consistent with the Reservoir Canyon Natural Reserve Conservation Plan and associated fire hazard mitigation measure, which requires that "the large grove of eucalyptus trees in the area that poses a potential wildland-urban interface fire hazard will be periodically managed by City contractors and private landowners. This activity will continue on a regular basis, but with advance notice when possible and outside of nesting bird season." There have been two fires in the area that threatened proximate power transmission lines, a residential neighborhood, and school and government buildings, requiring evacuations during the fire response (October 2023 and August 2024).

The purpose of this project is to remove and maintain eucalyptus and dead (burned) trees to mitigate extra hazardous fire conditions associated with a currently persistent fire risk impacting adjacent PG&E transmission lines crossing the Bowden Ranch property and proximate structures including residences, a local high school, and several governmental buildings. The project includes pre-activity biological surveys to ensure no wildlife would be impacted, project oversight by the City Biologist, and implementation of a restoration plan, including the planting of native trees. Nineteen eucalyptus trees are proposed to be removed as part of this project. The project includes the planting of forty (40) coast live oak trees (*Quercus agrifolia*) adjacent to the lower riparian corridor and in the field on the downslope side of the work zone. The oak trees will be planted at a 2:1 ratio. To restore the riparian corridor that was burned immediately under the transmission line, thirty (30) Coulter willow (*Salix sitchensis*) cuttings will be installed along the creek area. Hand-broadcast seeding will also occur to prevent additional erosion along the banks of the drainage. The tree removals will occur in October 2024, outside of the nesting bird season. Refer to Attachment 1, Project Description for additional details. Refer to Attachment 2 for the City Fire Chief's determination of extra hazardous fire conditions.

Name of Public Agency Approving the Project: City of San Luis Obispo

Name of Person or Agency Carrying Out the Project: Freddy Otte, City Biologist, City of San Luis Obispo in partnership with the Fire Safe Council.

Email: fotte@slocity.org

Address: 990 Palm, San Luis Obispo, CA 93401

Phone: 805-781-7511

Exempt Status (check one):

- Ministerial (Section 21080(b)(1); 15268;
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption. Class 4, CEQA Guidelines Sec. 15304 Minor Alterations to Land
- Statutory Exemptions. State code number:
- General Rule Exemption (Sec. 15061(b)(3))

Reasons why project is exempt:

The proposed project qualifies for a Class 4 exemption (Minor Alterations to Land) because it consists of fuel management activities within tree clusters located 30-100 feet of structures to reduce the volume of flammable vegetation, and would not result in the taking of endangered, rare, or threatened plant or animal species, and would not result in significant erosion and sedimentation of surface waters. Fuel management activities would occur outside of the nesting bird season and would be monitored by the City Biologist. The project includes implementation of a restoration plan and erosion control measures as described in the Project Description.

The City of San Luis Obispo Fire Chief determined that: "The vegetation in the area, including grasses and eucalyptus trees, presents an extra hazardous fire condition due to fuel load, the potential for wind and dry conditions, in addition to immediate proximity to residential areas, school facilities, and powerline infrastructure within this wildland-urban interface. Furthermore, the hillsides outside of the City limits within the Reservoir Canyon Natural Reserve are mapped by the California Department of Forestry (CalFire) as high and very high hazard severity." In addition, the City Arborist and Public Works Director determined that: "the condition of the eucalyptus trees on the Bowden Ranch side of Reservoir Canyon near Lizzie Trailhead threatens public safety, health and welfare because they have bark strips that encourage fire to travel up the tree and into the canopy where the oils in the leaves and existing branch dieback can greatly increase fire spread and ember cast in the surrounding area." Therefore, based on the determination of hazardous fire conditions, recent fires that required urban evacuations, the project's focus on trees identified as posing a significant fire risk, proximity to threatened structures, and the project's inclusion of pre-activity biological surveys, project oversight by the City Biologist, and implementation of a restoration plan and erosion control measures, the project qualifies for the Class 4 Categorical Exemption.

Lead Agency

Contact Person: Freddy Otte, City Biologist **Area Code/Telephone/Ext.** (805) 781-7511 **Email:** fotte@slocity.org



Signature: _____ Date: September 30, 2024

Title: Shawna Scott, Special Projects Manager



Public Works

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7200
slocity.org

September 27, 2024

Freddy Otte, City Biologist
Office of Sustainability and Natural Resources
990 Palm Street
San Luis Obispo, CA 93401

SUBJECT: Eucalyptus tree maintenance on Bowden Ranch side of Reservoir Canyon near Lizzie Trailhead

Dear Freddy Otte:

I have reviewed your request for maintenance work at Bowden Ranch, within the Reservoir Canyon Natural Reserve Conservation Plan, at the top of Lizzie Street and Woodland Court. The project is located on the hillside adjacent to a PG&E transmission line and requests the removal of nineteen (19) eucalyptus trees, the removal of dead trees along the drainage that runs under the transmission line and the creation of a shaded fuel break¹ for the eucalyptus trees downslope from the powerlines. These actions are being requested in response to the October 2023 and August 2024 fires and would significantly reduce fire fuels and the potential for fire spread in this area.

Per Municipal Code Section 12.24.090.I(2), the Public Works Director (Director) may waive application and notification requirements for a tree removal and immediately permit removal when the Director determines that a tree's condition threatens public health, safety or welfare such that an application and notice are not feasible. The owner of the property on which such a removal is requested shall produce sufficient proof to the Director's satisfaction that a notice and an application are not feasible. Removals authorized under this section are not appealable.

You have supplied the following reasons why the trees need to be removed (how they threaten public health, safety or welfare) and why it is infeasible to provide an application and notice for tree removal:

1. The Lizzie Incident fire occurred on October 30, 2023, in very close proximity to the built environment. In this area, the City has been working to reduce fire threat for many years. This current project will continue to support those fire prevention investments through vegetation, debris, and lower ladder fuel removal which will help prevent fire from getting into the upper canopy of the remaining eucalyptus

¹ A shaded fuel break is the removal of lower branches and debris or ladder fuels (fuel that allows fire to ascend to the upper portions of the tree) from trees to prevent fire from getting into the canopy and spreading.

trees. If a fire were to spread into the upper canopy of those trees, which occurred during the Lizzie Incident, flaming ember cast could cause significant damage to the community surrounding the Bowden Ranch Open Space.

2. These eucalyptus trees threaten public safety because they have bark strips that encourage fire to travel up the tree and into the canopy where oils in the leaves and existing branch dieback can greatly increase fire spread. Should a fire reach the canopy of the eucalyptus trees, embers could be cast into adjacent areas occupied by single family homes causing significant damage to property.
3. City of San Luis Obispo Fire Chief Todd Tuggle prepared a memo documenting the conditions the project will address. The vegetation in the area, including grasses and eucalyptus trees, presents an extra hazardous fire condition due to existing fuel load, potential for wind and dry conditions, and immediate proximity to residential areas, school facilities, and powerline infrastructure within this wildland-urban interface. Furthermore, the hillsides outside of the City limits within the Reservoir Canyon Natural Reserve are mapped by the California Department of Forestry (CalFire) as having high and very high hazard severity as identified in the Fire Resources Assessment Program (FRAP). (See attached memo).
4. The San Luis Obispo County Fire Safe Council has funding to support these protective efforts and needs to be spent by the end of October 2024. The partnership the City has with the Fire Safe Council allows for greater community protection efforts because of their access to funding for projects that can reduce the risk of fire in our community. As such, there is not sufficient time to apply for and notify for tree removals.

In addition to the public health, safety or welfare concerns outlined above, the Reservoir Canyon Natural Reserve Conservation Plan includes specific mitigation measures regarding the management of the eucalyptus trees within this area. The Reservoir Canyon Natural Reserve Conservation Plan was approved and a Mitigated Negative Declaration (MND) was adopted by the City Council on November 19, 2013 (City Council Resolution No. 10479 (2013 Series)). The MND includes the following mitigation measure:

The large grove of eucalyptus trees in the area that poses a potential wildland-urban interface fire hazard will be periodically managed by City contractors and private landowners. This activity will continue on a regular basis, but with advance notice when possible and outside of nesting bird season.

Based on the information provided by the City Biologist and Fire Chief (referenced above) and the limited amount of time that funding is available, I have determined the proposed maintenance request is consistent with Municipal Code Section 12.24.090.I(2) because the condition of the eucalyptus trees on the Bowden Ranch side of Reservoir Canyon near Lizzie Trailhead threatens public safety, health and welfare. As such, the applicant may proceed to remove nineteen (19) eucalyptus trees, remove dead trees along the drainage that

runs under the transmission line, and create a shaded fuel break for the eucalyptus trees downslope from the powerlines, and I waive all application and noticing requirements.

Implementation of the proposed maintenance shall incorporate the following:

1. The removals are permitted with a required compensatory replanting plan of forty (40) native trees that shall include, but are not limited to, *Quercus agrifolia* (Coast Live Oak) and *Platanus racemosa* (Western Sycamore). These trees shall be planted by May 1, 2025. All trees planted as part of a compensatory plan shall survive and any trees that do not survive shall be replanted.
2. California Fish and Game Code Section 3503.5 and the Migratory Bird Treaty Act of 1972 prevents the removal of trees with active nests. To account for most nesting birds, removal of trees should be scheduled to occur in the fall and winter (between September 1st and January 31st) and after the young have fledged.

My decision is final and may not be appealed (SLOMC §12.24.090.I(2)). If you have any questions, or need additional information, please contact the City Arborist, Walter Gault, by phone at (805) 781-7578 or by email at wgault@slocity.org.

Sincerely,

DocuSigned by:

66761F37EDC541C...

Matt Horn
Public Works Director
City of San Luis Obispo

9/27/2024 | 12:45 PM PDT



City Administration

990 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7114
slocity.org

September 23, 2024

To: Todd Tuggle, Fire Chief
Matt Horn, Public Works Director
Walter Gault, City Arborist
Shawna Scott, Special Projects Manager

From: Freddy Otte, Biologist

Re: Hazardous Tree Work at Bowden Ranch

The City of San Luis Obispo is partnering with the San Luis Obispo County Fire Safe Council for hazardous tree removal, limbing and fuel reduction work on the City owned Bowden Ranch property. The Bowden Ranch is part of the larger Reservoir Canyon Natural Reserve property and is located along the western part of the Santa Lucia Wilderness and contains the Wildland Urban Interface for the northeastern part of the City of San Luis Obispo. The Reservoir Canyon Natural Reserve Conservation Plan identifies the eucalyptus grove at the end of Lizzie Street at the Bowden Ranch as being a significant wildfire hazard and recommends active management to reduce the threat of fire that could impact the built environment as well as the utility lines that traverse the ridge between groves of eucalyptus trees. This portion of the Reservoir Canyon Natural Reserve is located in the Very High Wildfire Severity Zone as identified by Cal Fire, Fire Resource Assessment Program (FRAP), (See Figure 1).

There is a history of fire within and immediately adjacent to the Bowden Ranch property. Two fires have recently occurred on the Bowden Ranch property; the first on October 30, 2023 and a more recent one occurred on August 20, 2024. The October 30 fire began in the eucalyptus grove behind San Luis Obispo High School and that fire spread quickly up the slope, behind adjacent homes and made it to the top of the ridge before being extinguished. Two of the power poles that hold a smaller PG&E transmission line were burned and one pole needed to be completely replaced. The purpose of this project is to remove and maintain eucalyptus and dead (burned) trees adjacent to the transmission lines to prevent a future fire from impacting the PG&E asset crossing the Bowden Ranch property (See Figure 2). There is a grove of approximately nineteen (19) Blue gum eucalyptus trees (*Eucalyptus globulus*) in the south-eastern corner of the property upslope from the transmission line that would be removed to prevent wildfire spread. These trees were burned and several of them are standing dead and pose a significant threat if another fire was to come through the area. Along the small ephemeral drainage that comes through the property, twenty (20) burned, standing dead trees and shrubs (willow, toyon and coyote brush) along the drainage will be removed to reduce the fuel present immediately underneath the transmission line. Maintenance trimming/safety pruning will occur on several of the eucalyptus trees further downslope from the transmission line and adjacent to several residences for additional resiliency and protection. A shaded fuel break methodology will be employed on approximately fifteen (15) large Blue Gum eucalyptus trees (*Eucalyptus globulus*) in this location.

In the adopted Reservoir Canyon Natural Reserve Conservation Plan, a Mitigated Negative Declaration was prepared and certified for the plan and identifies active management of the eucalyptus trees around the Bowden Ranch area. As these trees are removed, new, native trees will be planted to increase the natural diversity and restore, enhance and expand the oak woodland that is currently on site. Monarch butterflies (*Danaus plexippus*) have been recorded in the eucalyptus grove in the past and special consideration for replacement trees will be taken as the restoration plan is developed.

This project will help support the Conservation Plan Goals and Policies for community protection through risk reduction and eucalyptus grove management:

Policy: 3.10.1: The City will monitor and manage vegetation to meet prescribed goals for the land. Management strategies such as the following will be implemented where necessary: physical pruning/removal of unwanted or problematic vegetation – especially non-native species; erosion and sediment control; and application of Integrated Pest Management practices.

Point 5, of Section 2, under Environmental Review: The adoption of the Mitigated Negative Declaration says, “The large grove of eucalyptus trees in the area that poses a potential wildland-urban interface fire hazard will be periodically managed by City contractors and private landowners. This activity will continue on a regular basis, but with advance notice when possible and outside of nesting bird season.”

In addition to the recent fire history on the property, the San Luis Obispo County Fire Safe Council has funding to support the project and it needs to be spent by the end of October, 2024. The City has maintained an active partnership with the Fire Safe Council to protect the community through collaborative efforts and projects over the years. This timing is very short but also fits within appropriate time outside of active nesting season for birds for the tree work to be completed without impacting birds. As identified in the Conservation plan, this project needs to be completed with the opportunities presented by the Fire Safe Council to again continue the investment made on the property for community protection and fuel reduction activities presented in the Plan.

This project will be completed under the CEQA Class 4 Minor Alterations to Land exemption (non-emergency). See attached Notice of Exemption filed with the County Clerk Recorder. None of the trees to be removed are sensitive or protected species and the trimming work will not impact any sensitive or protected species. The Municipal Code for the City of San Luis Obispo has a provision for the removal of hazards for community protection; Section 12.24.090.I(2). This provision, where the Public Works Director can authorize that a hazard needs to be abated, will be utilized for this project.

These provisions, along with a pre-activity biological resource surveys, will prevent any significant impacts from occurring as part of this project. The project will occur with oversight by the City Biologist. The project will include replanting of native species in two different habitat areas where the project is to occur (See Figure 3). Nineteen (19) eucalyptus trees will be removed as part of this project, and forty (40) Coast live oak trees (*Quercus agrifolia*) will be planted adjacent to the lower riparian corridor and in the field on the downslope side of the work zone. The oak trees will be planted at a 2:1 ratio. To restore the riparian corridor that was burned immediately under the transmission line, thirty (30) Coulter willow (*Salix sitchensis*) cuttings will be installed along the creek area. Hand-broadcast seeding (Coyote brush (*Baccharis pilularis*), California sagebrush (*Artemisia californica*), Purple needle-grass (*Nassella pulchra*) and California brome (*Bromus carinatus*)) will also occur to prevent additional erosion along the banks of the drainage.

Thank you for your consideration and partnership,

Freddy Otte
City Biologist



Figure 1.

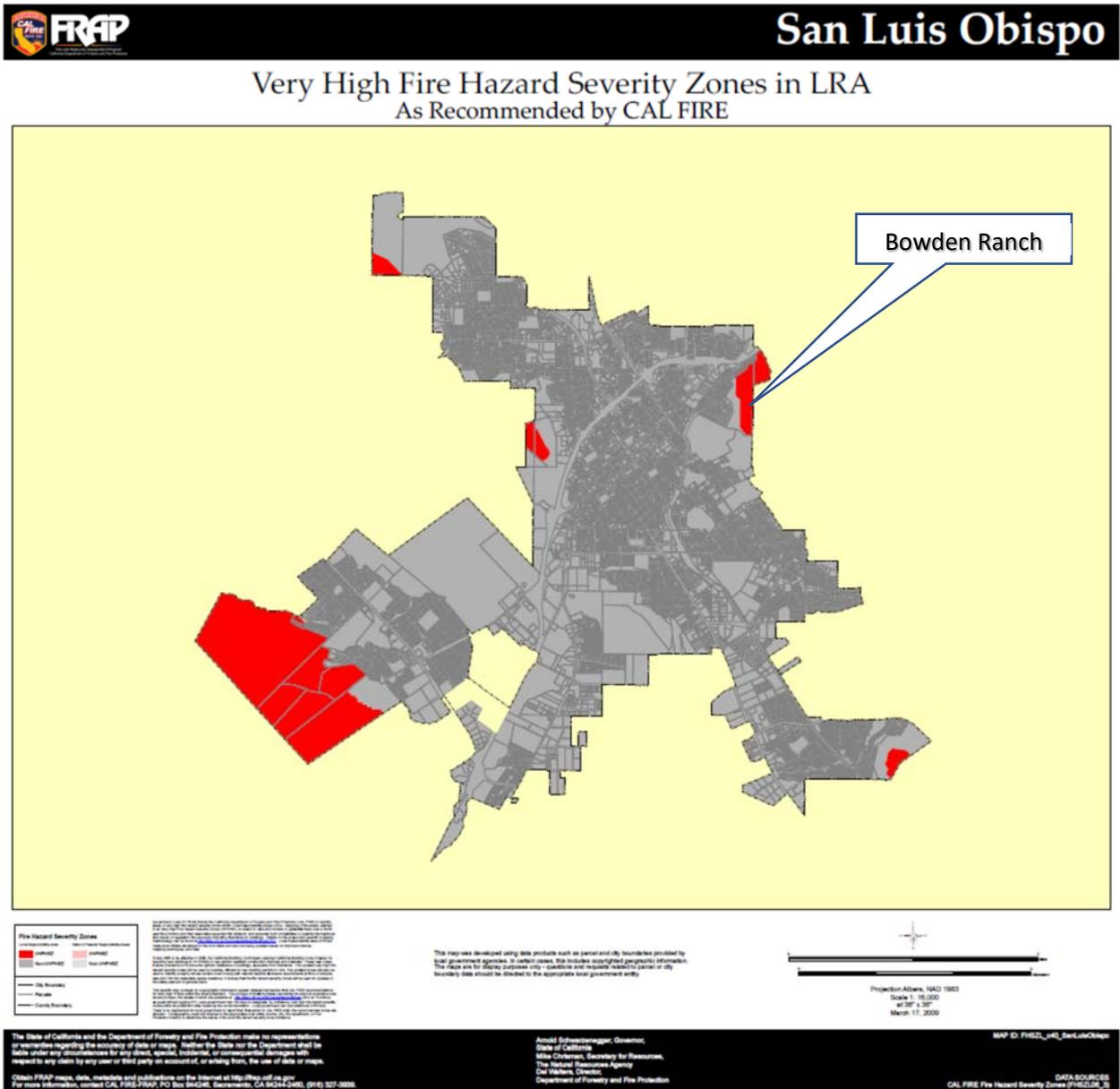


Figure 2. Map of tree removal and maintenance areas. PG&E transmission line and City/County boundary.

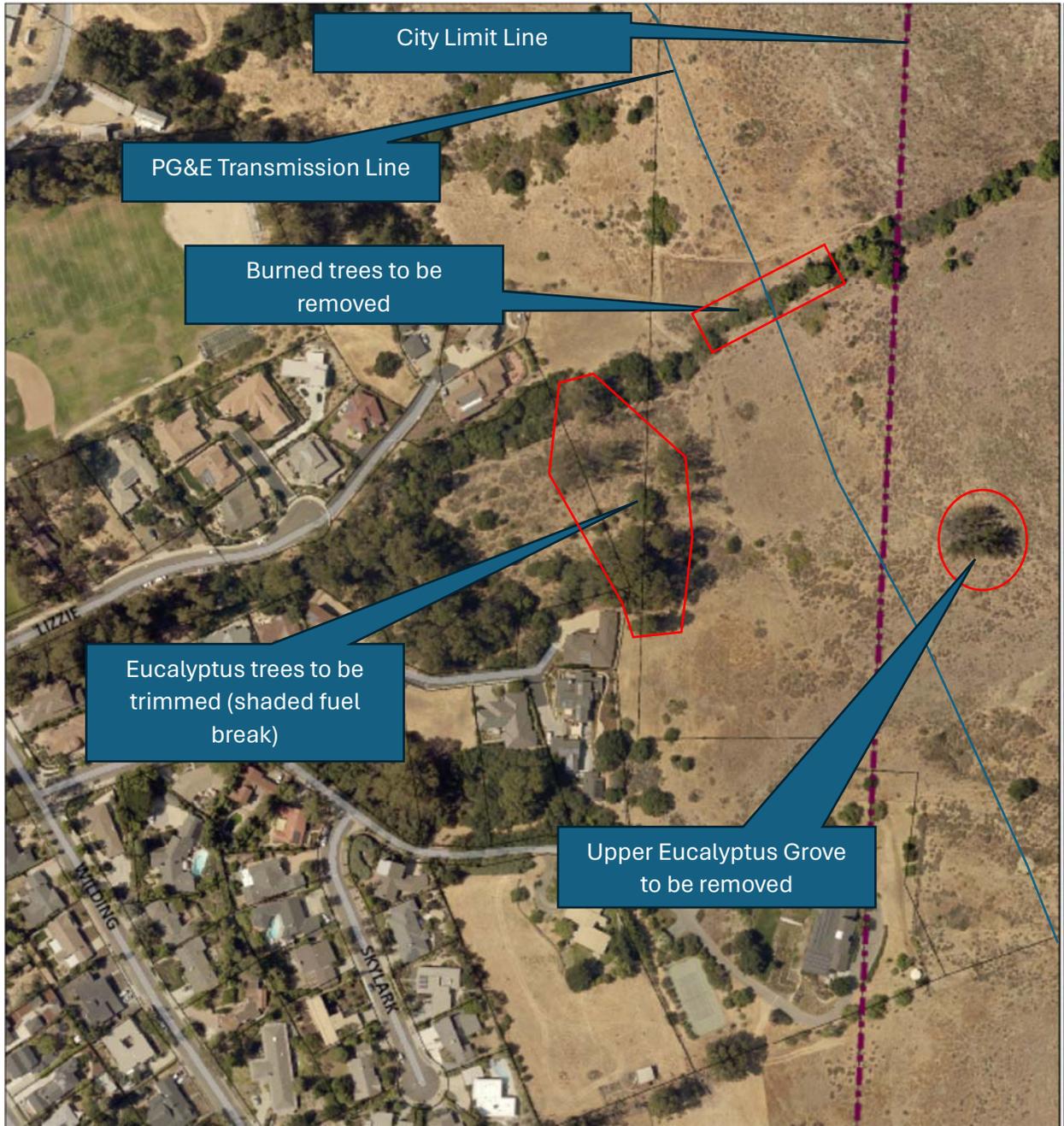
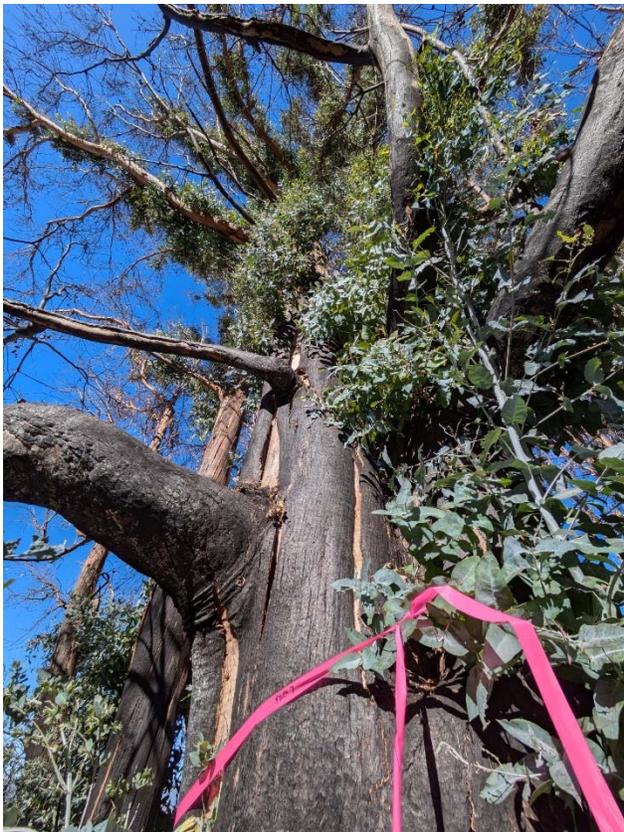


Figure 2. View of trees to be removed and have maintenance performed.



View of eucalyptus trees in the upper grove to be removed. Most of these trees are dead from being burned in the October 2023 fire. There is some trunk sprouts but the trees are damaged and pose a danger should another fire come through the area.



View of eucalyptus trees to be maintained (trimmed) as part of this project. These trees will have lower branches and bark debris (ladder fuels) (red arrow in top photo) removed to create a shaded fuel break. This will prevent a fire from getting into the upper canopy of the trees which could cause ember cast to the adjacent residential neighborhood significantly improving safety.

Figure 3. Map of Coast live oak tree and drainage riparian restoration area.





Fire Department

2160 Santa Barbara Avenue, San Luis Obispo, CA 93401-5240
805.781.7380
slocity.org

September 24, 2024

Freddy Otte, City Biologist
Office of Sustainability and Natural Resources
990 Palm Street
San Luis Obispo, CA 93401

SUBJECT: Determination of Extra Hazardous Fire Conditions

The City of San Luis Obispo is the public agency that has fire protection responsibility within the City limits; areas outside of the City limits are within the California Department of Forestry and Fire Protection (CalFire) State Responsible Area.

On October 30, 2023, the hillside adjacent to Lizzie Street was the site of an approximately 100-acre vegetation fire (Lizzie Incident). Prior to containment, the fire threatened the adjacent residential neighborhood, school campus, and power line infrastructure, which prompted evacuations in the area.

A second fire occurred in August 2024 and with the current vegetation make-up, there is a persistent fire risk.

Vegetation in the area includes perennial grass crops and brush creating an optimal ladder fuel load from several mature eucalyptus groves in close proximity to residential neighborhoods, a local high school, powerline infrastructure and several governmental buildings as part of the SLO County Health Agency campus in the Wildland Urban Interface. Furthermore, the hillsides outside of the City limits within the Reservoir Canyon Natural Reserve are mapped by the California Department of Forestry (CalFire) as high and very high hazard severity according to the Fire Resource Assessment Program (FRAP) maps.

Implementation of fuel management and the strategic removal of the burned eucalyptus trees (down to stump), on the slope and limbing of the eucalyptus trees downslope of the PG&E transmission line would reduce the potential for a catastrophic fire in the area and potential loss of property, critical power infrastructure, or human life.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Tuggle".

Todd Tuggle
City of San Luis Obispo Fire Chief