

ATTACHMENT B

Draft Resolution
(Coastal Development Permit)

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DRAFT RESOLUTION

Before the Board of Supervisors in and for the County of Monterey, State of California

In the matter of the:

Wildfire Prevention and

Eucalyptus Tree Removal Pilot Project

RESOLUTION NO. ----

Resolution by the Monterey County Board of
Supervisors:

- a. Finding the Pilot Project is statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15269(c) of the CEQA Guidelines because the Pilot Project includes specific actions intended to prevent or mitigate risks of fire;
- b. Approving a Wildfire Prevention and Eucalyptus tree Removal Pilot Project; and
- c. Approving a Coastal Development Permit for the areas covered by the pilot project that are located in the coastal zone.

[Wildfire Prevention and Eucalyptus Tree Removal
Pilot Project]

The Wildfire Prevention and Eucalyptus Tree Removal Pilot Project (“Pilot Project”) came on for public hearing before the Monterey County Board of Supervisors on June 4, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY/SITE SUITABILITY** – The Pilot Project is consistent with the applicable plans and policies which designate this area as appropriate for development. To be eligible for the Pilot Project funding, each site will be verified to be suitable for the activities covered in accordance with the terms of the Pilot Project before any work or development is performed.
EVIDENCE: a) The Pilot Project is intended to demonstrate the effectiveness of a public/private partnership to reduce the impacts of wildfire by creating a cost sharing program to fund the thinning, trimming, or removing of eucalyptus trees located within the defensible space of structures and roads in the northern portion of Monterey County (Supervisory District 2). This Pilot Project applies within the unincorporated areas of Supervisory District 2 in Monterey County. Within this area, the costs of thinning, trimming, or removing eucalyptus trees that are located within the defensible space of structures and roadways may be partially covered by grant funding. Guidelines for the Pilot Project are attached

to the staff report for the June 4, 2024 Board hearing and are incorporated herein by reference.

- b) Supervisorial District 2 covers lands regulated by the North County Land Use Plan in the coastal zone and the 2010 General Plan in the inland areas. Within the inland areas, removal of eucalyptus trees within the defensible space is allowed without a permit since eucalyptus trees are not native to the area and are therefore not protected. Within the North County Land Use Plan area, a Coastal Development Permit is required to authorize removal of trees and other major vegetation. Because this program involves the trimming and removal a trees (potentially as many as 200 trees based on an estimated cost of approximately \$5,000/tree), a Coastal Development Permit is included.
- c) The Pilot Project incorporates restrictions and measures that ensure that the work performed pursuant to the program is consistent with the text and policies of the North Monterey County Land Use Plan and Coastal Implementation Plan. The Guidelines for the program specifically exclude removal of eucalyptus trees associated with a development application, removal of trees in Monarch overwintering habitat, removal of trees within a wetland or riparian area, and removal of trees in proximity to active bird nests. A qualified biologist from the Resource Conservation District of Monterey County will conduct site inspections to verify eligibility conditions prior to any vegetation removal under this project. These measures assure consistency with the environmentally sensitive habitat regulations in the North County area. Additionally, stumps will not be removed on slopes or in areas susceptible to erosion consistent with Water Resources policies in the North County area.
- d) The Pilot Project is consistent with Policy 2.8.2.C.7 as an effort supported by the North Monterey County Fire Protection District and CalFire to identify and minimize fire hazards to the public.

2. **FINDING:** **NO VIOLATIONS** – Monterey County Coastal Implementation Plan Part 1 (Title 20 of the Monterey County Code), requires a finding in order to grant a Coastal Development Permit that “the subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.” The Pilot Project applies to a large geographic area and is not an entitlement on any specific property therefore this finding does not apply to these circumstances.

EVIDENCE: Guidelines for the Wildfire Prevention and Eucalyptus Tree Removal Pilot Project.

3. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the Pilot Project will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the Housing & Community Development Department, North Monterey County Fire, and Aromas Tri-County Fire. The respective agencies have recommended policies, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The purpose of the Pilot Project is to protect health, life and safety of the persons residing or working in the area by managing trees within the defensible of structures and roads which improves resiliency to the impacts of wildfire and reduces the potential impacts that can occur from fire.

4. **FINDING:** **CEQA (Exempt):** - The Pilot Project is statutorily exempt from environmental review.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15269(c), statutorily exempts specific actions necessary to prevent or mitigate an emergency including fires.
 - b) The Pilot Project is intended to mitigate the potential for catastrophic effects of a wildfire in the North Monterey County area. According to the California Department of Forestry and Fire Protection (CalFire), North Monterey County has large areas designated as High or Very High Fire Hazard Severity Zones. Within these areas, there are many acres of vegetation and a concentration of rural residences. Vegetation in this area generally includes oak woodlands, chaparral plant communities, agriculture, and eucalyptus stands. Eucalyptus represent a unique fire hazard due to natural oils in the trees, bark shedding, and flammable leaf canopies. Conditions in the area create the potential for catastrophic wildfire events. This Pilot Project will minimize fire hazards consistent with the Board of Forestry and Fire Protection Guidelines for Creating Defensible Space around structures and roads
 - c) In 2016, the Soberanes Fire burned over 130,000 acres and destroyed 57 homes in Monterey County. In 2017, the Tubbs Fire in Sonoma, Napa, and Lake Counties was the most destructive fire in history. This notorious distinction was surpassed the following year (2018) with the Camp Fire in Paradise. In 2019, Sonoma County was again impacted by the Kinkadee fire which burned nearly 80,000 acres and this was one of over 250 fires state-wide that year. In 2020, the River Fire, Carmel Fire and Dolon Fire impacted Monterey County destroying 122 structures including 77 homes. Monterey County and the State as a whole have experienced significant and increasing impacts of wildfires annually and it can be anticipated with some certainty that more fires will occur. The proposed Pilot Project is intended to reduce and minimize the potential for fire related emergencies by improving defensible space around homes and structures in an area prone to fire.

5. **FINDING:** **PUBLIC ACCESS** – The Pilot Project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program,

- and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:** a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, can be demonstrated.
- b) The project involves trimming or removal of eucalyptus trees within the defensible space of structures and roads on private property. No existing physical or visual access would be impacted by this effort.

6. **FINDING:** **APPEALABILITY** – The decision on this Pilot Project may be appealed to the California Coastal Commission.

- EVIDENCE:** a) The decision the Coastal Development Permit for the areas covered by the Pilot Project that are located in the Coastal Zone is appealable by/to the California Coastal Commission because tree removal is listed as conditionally allowed in each zone.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Monterey County Board of Supervisors does hereby:

1. Find the Pilot Project is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15269(c) of the CEQA Guidelines because the Pilot Project includes specific actions intended to prevent or mitigate risks of fire;
2. Approve a Wildfire Prevention and Eucalyptus tree Removal Pilot Project; and
3. Approve a Coastal Development Permit for the areas covered by the pilot project that are located in the coastal zone.

This project is approved with reference to the Wildfire and Eucalyptus Tree Removal Pilot Project Guidelines which are attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 4th day of June 2024 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ____ for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy