

Statewide Fuels Reduction Environmental Protection Plan

Prepared by:

California Natural Resources Agency
California Environmental Protection Agency
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SUMMARY

This Environmental Protection Plan (EPP) has been developed to fulfill Governor Newsom's [State of Emergency Proclamation](#) (SOE) signed on March 1, 2025 seeking to expedite fuels reduction projects that protect communities and reduce severe risks of catastrophic wildfire. This EPP enables critical wildfire safety projects to proceed expeditiously while protecting public health and the environment. It does so by identifying the protective measures that will be followed by projects that have received suspension from state permitting requirements under the SOE.

This EPP provides Best Management Practices (BMPs) and measures to minimize impacts to environmental resources while completing fuels reduction projects. Specifically, these BMPs have been designed to protect air quality, water quality, Tribal cultural resources, special-status species, their habitat, and other habitat resources.

The BMPs were jointly developed by the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), California Department of Forestry and Fire Protection (CAL FIRE), California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), State Water Resources Control Board (SWRCB) and Nine Regional Water Quality Control Boards (RWQCB) (collectively, Water Boards), and California Air Resources Board (CARB).

Please note that the SOE suspensions only apply to State statutes, rules, and regulations, and that compliance with all local and federal statutes, rules, and regulations is still required.

1. GENERAL BEST MANAGEMENT

- a. **Inspection Access.** Reasonable access to the property shall be provided whenever requested by the Water Boards, CDFW, CCC, CARB, and/or CAL FIRE staff for the purpose of performing inspections and conducting monitoring, including sample collection, measuring, and photographing, videotaping, and recording to determine proper implementation of management practices as described in the EPP. Agency staff may make recommendations regarding feasible BMPs and other measures during such inspections. Project proponents should incorporate recommendations into the project unless the project proponent presents a similarly protective alternative approved by the requesting agency.

- b. **Consultation.** As needed, consult with representative staff from the appropriate RWQCB, CDFW, CCC, CARB, and/or CAL FIRE programs to ensure effective implementation of the BMPs outlined in this EPP during the project's operations.
- c. **Supervision.** Work should be performed or supervised by a certified or licensed responsible party such as Registered Professional Foresters, Certified Rangeland Managers, qualified vegetation management contractors, qualified incident commanders, certified arborists, certified burn bosses and authorized cultural burners. The certified or licensed responsible party should be available during project activities to determine the presence of sensitive resources and ensure protection through avoidance, if possible.
- d. **Sensitive Resource Identification.** All sensitive resources identified in project scoping/planning should be flagged, painted, or otherwise marked prior to the start of project activities by the certified or licensed responsible party. For help identifying potential habitats and species, resources such as the [California Vegetation Treatment Program](#), [California Natural Diversity Database](#), [Areas of Conservation Emphasis](#), etc., as well as your [local CDFW](#) and Coastal Commission staff can be used. Sensitive Resources include: 1) Tribal Cultural Resources; 2) Coastal Zone sensitive habitat; 3) Riparian and Water Quality; 4) Biological Resources such as habitat and fish and wildlife species.
- e. **Clean Equipment.** Clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a project site or when leaving an area with infestations of invasive species. If possible, follow the guidelines in the [California Invasive Plant Council's Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers \(Cal-IPC 2012\)](#) to prevent the spread of invasive plant species.
- f. **Equipment Staging.** Stage equipment in areas free of invasive species if possible.

2. TRIBAL CULTURAL RESOURCES

- a. Tribal Cultural Resources are defined in [California Public Resources Code \(PRC\) section 21074](#) and may also include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe(s).
- b. Tribal Cultural Resources should be identified and protected prior to commencement of any activity.
- c. To identify Tribal Cultural Resources, contact California Native American tribes who may be impacted by the project as early as possible and consult with those who respond to request for consultation within 30 days. As part of this communication,

provide maps of the project location, a detailed description of the project activity, and contact information for the project operator. Project operator should maintain confidentiality of any sensitive information shared, including location of Tribal Cultural Resources.

- d. In addition to consulting with potentially impacted California Native American tribes, a Native American archaeological resources records search of the [California Historical Resources Information System](#) should be conducted for the geographical extent of the project area. A request of a Sacred Lands Survey Inventory for the project area from the Native American Heritage Commission should also be made.
- e. If a Tribal Cultural Resource is identified from information shared by a consulting tribe, California Historical Resources Information System, and/or Sacred Lands Survey Inventory, project operator should maintain confidentiality of any Tribal Cultural Resources location, collaborate with tribes on the appropriate avoidance and mitigation measures, and provide written notice to the impacted tribe(s) of applicable avoidance and mitigation measures that will be followed. Appropriate mitigation measures may include avoiding certain areas of cultural significance, contracting with tribal cultural monitors, and working collaboratively with tribes in the implementation of the project.
- f. Upon discovery of any human remains the project manager shall comply with Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98.

3. SENSITIVE BIOLOGICAL RESOURCES

- a. Sensitive Biological Resources include:
 - i. Habitat that supports special-status [plant](#) and [animal](#) species, which includes: 1) Candidate, rare, threatened, endangered plants and wildlife; and 2) Federally listed species and their designated critical habitat (Take of federally listed species is not covered by this suspension. Please contact the USFWS or NOAA if take of federally listed species and/or critical habitat is anticipated.)
 - ii. Wildlife movement corridors (CalVTP [Appendix BIO-2](#)), including riparian corridors.
 - iii. Wildlife nursery sites, including nesting rookeries, spawning areas, fawning areas, maternal roosts, etc.
 - iv. [Environmentally Sensitive Habitat Areas](#) (ESHAs) within the [Coastal Zone](#).

- b. **General.** During project planning known sites of sensitive biological resources should be identified and either avoided or excluded from the project area or be included in project activities with BMPs designed to minimize impacts while achieving the project objectives of critical fuels reduction.
- i. To identify existing sensitive biological resources information sources such as the CDFW [California Natural Diversity Database \(CNDDDB\)](#), [Areas of Conservation Emphasis](#), the [California Vegetation Treatment Programmatic Environmental Impact Report \(CalVTP\)](#) or similar sources should be referenced.
 - ii. When known sites and/or suitable habitat for sensitive biological resources are present and avoidance is not possible, certified or licensed responsible parties should consult with the appropriate [CDFW staff](#) to obtain additional BMPs. When projects occur within the [Coastal Zone](#) where known sites and/or suitable habitat for sensitive biological resources are present and avoidance is not possible, CCC should also be consulted. Additional BMPs may include maintenance of habitat function and avoidance of special-status species. For example: **1)** Avoidance of habitat features within the project area, including the establishment of no-work buffers around nursery sites, roosts, rookeries, dens, etc.; **2)** Conducting fuels reduction activities outside of critical seasons when a sensitive biological resource would be present; **3)** Using hand or small engine tools instead of large equipment; **4)** Monitoring occupied habitat features and occupants while conducting project activities; **5)** Relocating special-status species after consultation with CDFW.
- c. **Botanical resources.** When project planning identifies known sites of rare plants within the project area, efforts should be made to identify those locations during the appropriate blooming season. Once found, the populations should be avoided by establishing either a seasonal work limitation or equipment exclusion buffer around the populations. If rare, threatened, or endangered plant species are found during operations, a 10-foot radius equipment exclusion buffer should be placed around the population to avoid impacts during treatment activities. If trees are to be removed within the buffer, trees should be felled away from the core plant populations.
- d. **Chaparral/Shrubland.** Project activities should avoid type conversion where native chaparral and coastal sage scrub are present. Type conversion is defined as a change from a vegetation type dominated by native shrub species that are characteristic of chaparral and coastal sage scrub vegetation alliances to a vegetation type characterized predominantly by weedy herbaceous cover or annual grasslands.
- e. **Grassland.** [Vernal Pools](#): To protect vernal pools, project activities should only be conducted after vernal pools are completely dry.

f. **Aquatic Habitat Protection:**

- i. Fish bearing water bodies: If possible, retain all existing large woody debris in a creek and on banks. If possible, avoid removing riparian vegetation, or retain a minimum of 75% of existing canopy. If vegetation is removed from the banks, leave roots in place for bank stability. Avoid working on banks and in wet channels.
 - ii. Non-fish Bearing water bodies: Avoid working on banks and in wet channels.
- g. **During Project Activities:** Daily Clearance Inspection: Before the start of daily project activities, the certified or licensed responsible party should walk and survey the work area to ensure no new active nests, nest cavities, roosts, dens, etc. are present, and that no wildlife is present that cannot move out of the project area on its own.
- i. Wildlife Detected: If any wildlife is encountered during project activities, the wildlife should be allowed to leave the area unharmed. **1)** If stopping project activities for fish or wildlife detections would result in danger to life or equipment, immediate action to prevent or mitigate loss of, or damage to, life, health, or equipment should be prioritized. **2)** When a wildlife habitat element such as active nests, dens, roosts, roost trees, nest cavities, etc. is detected, an exclusion buffer should be established around the wildlife habitat element. **3)** When avoidance of a special-status species is not possible relocation is allowed with CDFW consultation. If the wildlife is not a special-status species, then the certified or licensed responsible party may capture and relocate the wildlife to the nearest appropriate habitat outside the work area. **4)** For work activities requiring the removal of intact habitat, clear vegetation from disturbed areas towards intact habitat to allow wildlife to escape into undisturbed areas.
 - ii. If wildlife is trapped in any pits, ditches, or other types of excavations, and unable to escape on its own, the certified or licensed responsible party should capture and release it outside the work area into the most suitable habitat near the work area.

4. RIPARIAN AND WATER QUALITY

- a. **Heavy equipment.** Heavy equipment operations should not be conducted on slopes greater than 50%, nor should they be conducted on known slides or unstable areas. Additionally, they should not be conducted within the standard width of a watercourse and associated riparian habitat or waters of the state (e.g. wetlands), except for maintenance of roads and drainage facilities or structures.

- b. Roads.** Construction and reconstruction of new roads is prohibited. Should there be a need to use existing roads, actions should be taken to hydrologically disconnect any roads, landings, and skid trails, and be treated to minimize sediment delivery from road, landing, and trail surface runoff. Any roads used should be restored to pre-operation conditions upon completion of work and should be properly stabilized and/or decommissioned.
- c. Watercourse Crossings.** Permanent installation of new watercourse crossings is prohibited. Construction of temporary watercourse crossings should be avoided during fuel reduction activities. If temporary watercourse crossings (including skid trails) are required for access, necessary agencies should be notified prior to construction; the state water quality certification is suspended, but authorizations from the U.S. Army Corps of Engineers may be required under [Federal Clean Water Action Section 404](#). Crossings should be designed to meet a 100-year flood flow, including debris and sediment loads.
- d. Riparian Habitat.** Treatments should be designed to retain or improve riparian habitat function, and/or: **1)** Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian zone. **2)** Treatments should be targeted on overgrown vegetation outside the riparian zone. **3)** Shade-producing canopy within a watercourse and associated riparian habitat should be retained where waterbodies are listed as impaired for temperature. See [Clean Water Act Section 303\(d\)](#).
- e. Pollution Prevention.** Prevent pollutants, hazardous materials, and debris like petroleum products, sawdust, clay, rock, silt, soil, litter, felled trees and brush, slash, bark, and ash from entering surface water bodies by deploying silt barriers, such as straw bales, silt fences, or coir logs.
- f. Watercourse Protection.** Fuel break construction within the standard width of a watercourse and associated riparian habitat should be designed to avoid impacts to riparian and aquatic function. Watercourses involving anadromous salmonid habitat and/or where waterbodies are listed (impaired) for temperature or sediment should comply with the standards described herein and consult with CDFW and the Water Boards as needed. Removal of vegetation within a watercourse and associated riparian habitat should be limited to situations where it is necessary to create and maintain fuel break function and effectiveness. A certified or licensed responsible party will determine the need for removal of vegetation from within a watercourse and associated riparian habitat and practices to reduce impacts to biological resources.

- g. Water Drafting.** Water drafting for road and project dust control should be conducted so as not to dewater a watercourse. Water drafting should not occur if there is not adequate flow. Intakes on water drafting should be adequately screened to avoid uptake of aquatic wildlife ([see drafting guidance](#)).

5. SEDIMENT AND EROSION CONTROL

- a. Consultation.** Seek advice from the relevant RWQCB ([see map for the appropriate office](#)) prior to operations for project activities that may threaten discharges of sediment or other materials into waters of the state.
- b. Debris.** Spoils, burn piles, and wood chips should be placed/constructed in a manner that will prevent their entering surface water bodies due to flood or overland flow. Logs and other large woody debris should not enter surface water bodies as part of vegetation management activities. Permanent spoil storage sites should be located away from a stream or lake, to avoid spoil washing back into a stream or lake, and away from aquatic or riparian vegetation, intact upland vegetation, and areas documented with sensitive species.
- c. Ground Disturbance.** Work should be planned to minimize ground disturbing activities and/or creation of bare areas and to prevent discharge of sediment to waters of the state.
- d. Saturated Soils:** Operations should be limited or halted when saturated soil conditions are present (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials.
- e. Drop Inlets.** Protect drop inlet structures near work areas. Drop inlets should be protected with an appropriately sized inlet [filter bag or other BMPs](#) that prevent sediment from entering the drop inlet. The drop inlet BMPs should be inspected and maintained on a frequent basis.
- f. Equipment Operation, Maintenance, & Fueling.** Equipment should be checked and maintained daily and not be stored within a water of the state or a floodplain. Use drip pans if equipment is near a water of the state. Maintenance, fueling, and storage should occur in staging, storage, or parking areas.

- g. **Erosion Control Materials.** Only clean materials that are free of trash, debris and not deleterious to aquatic life should be used in bank stabilization. Only wildlife-friendly, 100 percent biodegradable erosion and sediment control products that will not entrap or harm wildlife should be used. Erosion and sediment control products should not contain synthetic (e.g., plastic or nylon) netting. At no time should bank stabilization methods incorporate grouting, rock riprap and bank armoring. Use of materials containing asphalt and/or concrete is prohibited.
- h. **Bank Stabilization** Bank stabilization features should be constructed with suitable non-erodible materials that should be installed to withstand wash out during high flows. Bank stabilization materials should extend above the ordinary high- water mark. Bioengineering, conducted primarily using native vegetation and minimal rock, should be the preferred bank stabilization methodology, if possible.
- i. **Reseeding.** If the project site is seeded, native species or a sterile seed mix and mulch should be used.

6. CHEMICAL TREATMENT

- a. **Discharge.** Herbicides should not be applied in a manner, or at rates that would cause or threaten to cause a discharge of waste to waters of the state at levels that cause or contribute to an exceedance of water quality objectives.
- b. **Application.** Herbicide applications should comply with all laws and regulations that are not suspended. If herbicide treatments are needed, consultation with a licensed Pest Control Advisor should occur.
- c. **Weather.** Herbicide application should not occur in the following conditions: in winds that exceed seven miles per hour, during a Precipitation Event or in violation of any label directions related to precipitation.

7. PRESCRIBED HERBIVORY

- a. **Prescribed Herbivory:** Prescribed herbivory should be excluded from sensitive resources (such as wetlands and creeks, habitat of listed species, and the like). Where prescribed herbivory treatment is used, temporary fencing should be used. When permanent fencing is installed, it should be [wildlife friendly](#). Prescribed herbivory should maintain a buffer of 50 feet from sensitive resources.

8. COASTAL ZONE

Projects located within the [Coastal Zone](#) should do all of the following:

- a. **Ecosystems.** Projects should maintain relative vegetation cover and composition to avoid post-project habitat conversion and provide for a mosaic of native plants (by age, size, and species). Recommend alignment with the standards (membership rules) set forth in the online edition of the [Manual of California Vegetation \(MCV\)](#).
- b. **Vegetation Removal.** Except for prescribed fire projects, vegetation removal should be prioritized as follows: (1) thinning and removal of dead, dying and diseased trees and shrubs; (2) removal of non-native and invasive species; (3) removal of native species that are not listed or sensitive and (4) removal of sensitive native species where it is the minimum necessary to achieve project goals.
- c. **Public Access.** Projects should preserve public recreational access opportunities (including by minimizing closures of public access and parking, posting informative signage, etc.), and following project completion, such opportunities should be reestablished.
- d. **Public Views.** Projects should use feathering and gradient techniques to blend with surrounding landscapes and avoid the loss of screening vegetation.
- e. **Coastal Wetlands.** Coastal wetlands identifiable by one-parameter or more of [hydrology, hydrophytic vegetation, or hydric soils](#) should be avoided.

9. PRESCRIBED FIRE AND AIR QUALITY

- a. The CAL FIRE Burn Permit and local Air District permit requirements are not waived.
- b. Coordination and communication should occur as needed, between the land manager or their designee and the Air District or CARB for multi-day burns that may affect smoke-sensitive areas, to confirm the burn stays within the smoke management plan conditions or if contingency actions are needed.
- c. Burns should only occur on permissive burn days, as declared by CARB or the Air District.
- d. Information should continue to be submitted as required to the local Air District when applying for permits.