

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), Department of Conservation (DOC), 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, DOC, 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, DOC, 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 shall 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. Depending upon the mix of treatments being

performed (e.g., timber harvest, prescribed burn, etc.), more than one certified or licensed responsible party may be needed to ensure compliance with the EPP. All relevant responsible parties [shall be noted in the project file](#) before groundwork commences. The certified or licensed responsible party, and / or their designee, shall be available during project activities to determine the presence of sensitive resources and ensure protection through avoidance. Designees shall be provided training on this EPP prior to commencement of project activities.

- d. **Sensitive Resource Identification.** Flag, paint or otherwise mark all sensitive resources identified in project scoping/planning 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](#), [DOC](#), [Water Boards](#), 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; 5) Geologic Hazards related to public safety, and environmental and cultural resources.
- 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.
- g. **Public Safety.** Vegetation removal projects have the potential to exacerbate or initiate landslide processes or disturb areas of naturally occurring asbestos. Resources such as the California Vegetation Treatment Program (Sections [3.4](#) and [3.7](#)) and the [California Geological Survey](#) should be utilized to identify and minimize potential landslide impacts to public safety.

2. TRIBAL CULTURAL RESOURCES

- a. **Identify Resources.** Identify and protect Tribal Cultural Resources prior to commencing any activity. 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).

To identify Tribal Cultural Resources, [contact California Native American](#) tribes (recommend applicant start with the Native American Heritage Commission's tribal consultation link provided) 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 shall maintain confidentiality of any sensitive information shared, including location of Tribal Cultural Resources.
- b. **Search Records.** In addition to consulting with potentially impacted California Native American tribes, conduct a records search for Native American archaeological resources via the [California Historical Resources Information System](#) for the geographical extent of the project area. Request a Sacred Lands Survey Inventory (using the NAHC's tribal consultation list request form) for the project area from the Native American Heritage Commission.

- c. **Records Confidentiality.** 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 shall 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.
- d. **Human Remains.** 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 \(link to California districts\)](#) or [NOAA](#) if take of federally listed species and/or critical habitat is anticipated.)
 - ii. Wildlife nursery sites, including nesting rookeries, spawning areas, fawning areas, maternal roosts, etc.
 - iii. [Environmentally Sensitive Habitat Areas \(ESHAs\)](#) within the [Coastal Zone](#).
- b. **General.** During project planning and immediately prior to on the groundwork or progression of treatments, identify known sites of sensitive biological resources and either avoid or exclude them from the project area when possible.
 - i. To identify existing sensitive biological resources information sources such as the CDFW [California Natural Diversity Database \(CNDDDB\)](#), [Areas of Conservation Emphasis](#), [Terrestrial Connectivity ACE Dataset for wildlife corridors](#), the [California Vegetation Treatment Programmatic Environmental Impact Report \(CalVTP\)](#) or similar sources should be referenced. In addition, please contact appropriate [local CDFW](#) staff for assistance.
 - ii. When known sites and/or suitable habitat for sensitive biological resources are present and avoidance is not possible, certified or licensed responsible parties shall consult with the appropriate [CDFW staff](#) to obtain guidance. 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](#) shall also be consulted for assistance. 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 California-listed plants within the project area, efforts should be made to identify those locations during the appropriate blooming season. If found, avoid the plant populations by establishing either a seasonal work

limitation or equipment exclusion buffer around the populations. If California-listed plant species are found during operations, place a 10-foot radius equipment exclusion buffer 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. When impacts to known sensitive botanical resources cannot be avoided, or placing a buffer is not feasible, certified or licensed responsible parties shall consult with the appropriate CDFW staff to obtain guidance. 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](#) shall also be consulted for assistance.

- d. **Chaparral/Shrubland.** Avoid project activities that could lead to 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. **Vernal Pools.** To protect [vernal pools](#), avoid project activities in these areas.
- f. **Aquatic and Riparian Habitat Protection:**
 - i. Fish bearing water bodies: Avoid use of heavy equipment on banks and in wet channels. If possible, retain all existing large woody debris in a creek and on banks. Design treatments to retain or improve riparian habitat function, and: 1) Retain at least 75% of the overstory and 50% of the understory canopy of native riparian vegetation within 100 feet of perennial streams and 50 feet of intermittent streams. 2) Treatments should target overgrown vegetation outside the riparian zone. 3) Shade-producing canopy within a watercourse and associated riparian habitat shall be retained where waterbodies are listed as impaired for temperature. See [Clean Water Act Section 303\(d\)](#).
 - ii. Non-fish Bearing water bodies: Project activities shall avoid heavy equipment use on banks and in wet channels.
 - iii. When sensitive resources cannot be avoided, certified or licensed responsible parties shall consult with the appropriate [CDFW staff](#) to obtain guidance.
- 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, allow the wildlife 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, establish an exclusion buffer around the wildlife habitat element. 3) When avoidance of a special-status species is not possible relocation is allowed with CDFW guidance. 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 shall capture and release wildlife to a location outside the work area into the most suitable habitat near the work area or [contact CDFW](#) for assistance.

4. RIPARIAN AND WATER QUALITY

For purposes of this EPP, the following definitions apply:

- A **perennial stream** is a stream that flows continuously throughout the year. This means it maintains a continuous water flow, not just during wet periods or after precipitation events. Perennial streams may be classified as Class I watercourses under the California Forest Practice Rules, if they are fish-bearing streams during any part of the year.
 - An **intermittent stream** is a channel that carries flowing water only during certain times of the year, specifically when groundwater or runoff from precipitation provides enough water to maintain flow. During dry periods, these streams may not have any flowing surface water. Intermittent streams may be classified as Class II watercourses under the California Forest Practice Rules, as they may contain habitat for non-fish aquatic species.
 - An **ephemeral stream** is a channel that only flows during and for a short duration after precipitation events, typically when the ground is saturated. These streams are above the water table year-round and lack a defined channel or riparian vegetation. They are primarily fed by surface runoff from rainfall. These are typically classified as Class III watercourses under the California Forest Practice Rules.
- a. **Heavy Equipment.** Do not use heavy equipment on slopes greater than 50%, or on [known slides or unstable areas](#). Should this requirement be infeasible please contact the appropriate [RWQCB](#) and [CGS](#) office. Additionally, do not use heavy equipment within the standard width of a watercourse and associated riparian habitat or waters of the state (e.g. wetlands). For the purposes of this EPP, standard width is the delineated width as determined by the Army Corps of Engineers or Water Boards. For watercourses without such approved delineation, perennial stream standard widths are 100 feet, and intermittent stream standard widths are 50 feet.
 - b. **Roads.** Construction and reconstruction of roads is prohibited. General blading to remove small vegetation and water bars is allowed to make the road drivable for service equipment for the machinery conducting the fuel management activities. Actions should be taken to hydrologically disconnect any roads, landings, and skid trails to minimize sediment delivery from road, landing, and trail surface runoff. Any roads used shall be restored to pre- operation conditions upon completion of work and shall be properly stabilized and/or decommissioned.
 - c. **Watercourse Crossings.** Permanent installation of new watercourse crossings, or reconstruction of existing watercourse crossings, is prohibited. Construction of temporary watercourse crossings should be avoided during fuel reduction activities, and if necessary, should be limited to ephemeral streams. If temporary watercourse crossings (including skid trails) of perennial or intermittent streams are required for access, they shall be clearly mapped as part of the suspension request, and 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](#). Temporary crossings of ephemeral streams do not require mapping and description. All temporary crossing materials

(e.g., pipes, drains, rock, fill, etc.) shall be removed and stabilized prior to October 15, or in advance of precipitation events that may cause increased stream flows.

- d. **Pollution Prevention.** Operations shall [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.
- e. **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 shall comply with the standards described herein and consult with CDFW and the Water Boards as needed. Removal of vegetation within perennial and intermittent streams and associated riparian habitat shall 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.
- f. **Water Drafting.** Water drafting for road and project dust control shall be conducted so as not to dewater a watercourse. Water drafting shall 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.** Place and/or construct spoils, burn piles, and wood chips in a manner to help prevent their entering surface water bodies due to flood or overland flow. Do not allow logs and other large woody debris to enter surface water bodies as part of vegetation management activities. Locate permanent spoil storage sites 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.** Minimize ground disturbing activities and/or creation of bare areas and prevent discharge of sediment to waters of the state.
- d. **Saturated Soils.** Operations involving mechanical treatment and high ground pressure vehicles, prescribed herbivory, and herbicide application shall be 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 (i.e., dam on side of road for drainage) near work areas. Utilize 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.** Check and maintain equipment daily and do not store within a water of the state or a floodplain. Use drip pans if equipment is near a water of the state. Conduct maintenance, fueling, and storage in staging, storage, or parking areas.
- g. **Erosion Control Materials.** Use clean materials that are free of trash, debris and not deleterious to aquatic life in bank stabilization. Only wildlife-friendly, 100 percent biodegradable erosion and sediment control products that will not entrap or harm wildlife should be used. Do not use erosion and sediment control products that 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 can 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, use native species or a sterile seed mix and mulch.

6. CHEMICAL TREATMENT

- a. **Discharge.** Herbicides shall 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 shall comply with all laws and regulations that are not suspended. If herbicide treatments are needed, consultation with a licensed Pest Control Advisor shall occur.
- c. **Weather.** Herbicide application shall 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 shall 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 shall be used, and to the extent feasible should have smooth, highly visible wire with the top wire no higher than 40-42 inches from the ground and the bottom wire at least 16 inches from the ground, when possible. When permanent fencing is installed, it should be [wildlife friendly](#) (examples and guidance in link provided). Permanent fencing shall include smooth, highly visible wire with the top wire no higher than 40-42 inches from the ground and the bottom wire at least 16 inches from the ground, when possible. Prescribed herbivory should maintain a buffer of 50 feet from sensitive resources.

8. COASTAL ZONE

Projects located within the [Coastal Zone](#) shall carry out the following requirements (for questions or assistance with projects in the coastal zone, please contact FireResiliency@coastal.ca.gov):

- a. **Ecosystems.** Project proponents shall consult with a qualified biologist to the extent necessary to ensure that relative vegetation cover and composition is maintained to avoid post-project habitat conversion and provide for a mosaic of native plants (by age, size, and species). To achieve this,

the consulting biologist shall, to the extent feasible, ensure projects protect habitats in alignment with the standards set forth in the online edition of the [Manual of California Vegetation \(MCV\)](#). For more information, see the CCC Wildfire Resilience [webpage](#).

- b. **Vegetation Removal.** Except for prescribed fire projects, prioritize vegetation removal 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 shall preserve public recreational access opportunities (including by minimizing closures of public access and parking, posting informative signage, etc.), and following project completion, such opportunities shall be reestablished.
- d. **Public Views.** Projects shall thin and feather adjacent vegetation to break up or screen linear edges of clearings and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance. The contrast of a distinct clearing edge will be faded into this transitional band. This applies to mechanical and manual treatment activities.
- e. **Coastal Wetlands.** Coastal wetlands identifiable by one-parameter or more of [hydrology](#), [hydrophytic vegetation](#), or [hydric soils](#) shall be avoided to the extent feasible.

9. PRESCRIBED FIRE AND AIR QUALITY

- a. **Permits.** The CAL FIRE Burn Permit and local Air District permit requirements are not waived.
- b. **Coordination.** Coordination and communication shall 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. **Burn Days.** Burns shall only occur on permissive burn days, as declared by CARB or the Air District, unless otherwise authorized.
- d. **Submitting Information.** Information shall continue to be submitted as required to the local Air District when applying for permits.