

NOTICE OF EXEMPTION

TO: County Clerk
County of Lake
Lakeport, CA 95453

Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814-3044

FROM: Lake County Community Development Dept.
255 North Forbes Street
Lakeport, CA 95453

PROJECT TITLE: Benmore Valley Hazardous Fuel Reduction Project – CE22-08

PROJECT LOCATION: 3245, 3275, 3295, 3290, 3303, 3417, 3521 & 3561 Benmore Valley Rd,
Lakeport CA. 95453

APN(s): APNs 007-001-34, 007-001-28, 007-001-27, 007-001-26, 007-001-06,
007-001-25, 007-001-07, & 007-001-31. See attached Project Map in
Appendix A of Project Proposal.

COUNTY: Lake

EMERGENCY AUTHORITIES:

California experienced the deadliest and most destructive wildfires in its history in recent years. Fueled by DROUGHT, an unprecedented buildup of dry vegetation and extreme winds, the size and intensity of these wildfires caused the loss of more than 100 lives, destroyed thousands of homes and exposed millions of urban and rural Californians to unhealthy air.

While wildfires are a natural part of California's landscape, the fire season in California and across the West is starting earlier and ending later each year. Climate change is considered a key driver of this trend. Warmer spring and summer temperatures, reduced snowpack, and earlier spring snowmelt create longer and more intense dry seasons that increase moisture stress on vegetation and make forests more susceptible to severe wildfire. The length of fire season is estimated to have increased by 75 days across the Sierras and seems to correspond with an increase in the extent of forest fires across the state.

Climate change is acting as a force-multiplier that will increasingly exacerbate wildland fire issues over the coming decades. The state can expect to experience longer fire seasons, increased frequency and severity of drought, greater acreage burned and related impacts such as widespread tree mortality and bark beetle infestation. Decades of fire suppression have disrupted natural fire cycles and added to the problem.

Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface (WUI) magnify the threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over half the state. Certain populations in our state are particularly vulnerable to wildfire threats. These Californians live in communities that face near-term public safety threats given their location.

California's forest management efforts have not kept pace with these growing threats. Despite good forest management work completed by the state and federal government and private landowners each year, our collective forest management work each year is currently inadequate to improve the health of millions of acres of forests and wildlands that require it. It is estimated that as many as 15 million acres of California forests need some form of restoration.

Certain residents are further vulnerable given factors such as age and lack of mobility. The tragic loss of life and property in the town of Paradise during the Camp Fire demonstrates such vulnerability.

As wildfire threats have worsened over the last few years, wildfire response, preemptive fire prevention, and vegetation management to reduce fire severity and contain erratic wildfire have been intensified. Further action is imperative.

On April 12, 2021, May 10, 2021, July 8, 2021 and October 19, 2021, the Governor of California, **proclaimed states of emergency to exist throughout California due to severe drought conditions.** The proclamation stated "the increasing frequency of multiyear droughts presents a significant risk to California's ability to ensure adequate water supplies for communities". The proclamation goes on to state that "**the extreme drought conditions through most of the State present urgent challenges, including greatly increased wildfire activity**" and it is "**necessary to expeditiously mitigate the effects of the drought conditions to ensure the protection of health, safety and the environment**". Three operative orders of the proclamation apply to this project. Operative paragraphs 2, 6 and 12 would be appropriately applied to this project.

Paragraph 2 states, "the orders and provisions contained in the April 21, May 10 and July 8 Proclamations remain in full force and effect. State agencies shall continue to implement all direction from those Proclamations and accelerate implementation where feasible."

Paragraph 6 states, "As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of the drought."

Paragraph 12 states, "For purposes of carrying out or approving any actions contemplated by the directives in operative paragraphs 5, 6 and 9, **the environmental review by state agencies required by the California Environmental Quality Act (CEQA) in Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought.**"

DESCRIPTION OF PROJECT:

This project is being funded by a CAL FIRE, Forest Health Grant utilizing funding from the Greenhouse Gas Reduction Fund. The project proposes to remove hazardous vegetation in CAL FIRE's highest priority areas in Lake County, where Wildland Urban Interface (WUI) fuel loads have created dangerous conditions and increased risk of catastrophic wildfire. Some of the identified fuel loads are a result of previous catastrophic wildfires; the Valley Fire (Sept. 2015) and the Mendocino Complex Fire (July 2018).

The goals of this forest health and fire resilience project are to remove dead and downed wood in the treatment areas outlined in *Appendix A* that were burned in the 2018 Mendocino Complex Fire; to replant certain burned areas with native oak; and to thin underbrush in certain areas to the point where

they can be safely broadcast burned. The purpose of this work is to reduce wildfire severity and rate of spread in the event of a wildland fire, and to improve the ecosystem health of forested and woodland areas.

The 2018 Mendocino Complex Fire burned through part of the treatment area and has caused oak and conifer mortality. Removing dead and downed wood in these areas will allow access for reforestation. Preparing areas for safe broadcast burning, and employing low intensity prescribed fire, in treatment areas that have not yet burned could prevent the scale of vegetation mortality seen in the Mendocino Complex Fire from happening again. It will also protect structures in the Benmore Valley area. No healthy, living trees larger than 16" dbh will be removed unless they pose a serious threat to life or property.

Fuel reduction activities will avoid:

- Sensitive habitat, including riparian areas or wetlands.
- Cultural and historic sites.
- Disturbance to individual specimens of rare, threatened, or endangered species.
- Ground disturbance that could result in sediment delivery to watercourses.

Fuel reduction activities will be carried out using a variety of methods including mastication, hand crews, chipping, grazing, hand piling and machine piling, and prescribed burning. Overall ground disturbance will be kept to a minimum and stumps will not be removed or disturbed. No more than 1 cubic meter of soil will be disturbed per acre, in conformance with CAL FIRE's guidelines. Any trees removed will be removed using the Tree Mortality Task Force Guidelines, 2016. No new roads or trails will be constructed. There will be no disturbance of known rare, threatened or endangered species or significant cultural resources.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Lake County Community Development

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Clear Lake Environmental Research Center (CLERC); a Lake County based 501c3 nonprofit organization. CLERC has been working with a network of partners to collaborate on improving fire resilience in Lake County through community-wide planning and projects.

EXEMPT STATUS:

Emergency Exemption - 14CCR 15269 (a) - Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.

Emergency Exemption - 14CCR 15269 (b) - Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency.

Emergency Exemption - 14CCR 15269 (c) - Specific actions necessary to prevent or mitigate an emergency.

REASONS WHY PROJECT IS EXEMPT:

This fuel reduction project focuses on management of the excessive fuel loads around the Wildland Urban Interface in Lake County. It is directly related to several catastrophic wildfires that the County has endured, two of which were declared emergencies. The Valley Fire was declared an emergency on September 13, 2015 and The Mendocino Complex was declared an emergency on July 28, 2018.

Additionally, the existing and prolonged drought conditions in the State are contributing to the increased risk of catastrophic stand-replacing wildfire and increased risk of loss of life and property. Several Proclamations of State of Emergency related to extreme DROUGHT conditions and increased risk of catastrophic wildfire have been issued by Governor Gavin Newsom.

The project meets the criteria for emergency exemptions because it will maintain and repair property damaged by wildfire, protect public facilities essential to public health and safety, and will prevent or mitigate future and imminent wildfire emergencies. The Lake County Community Development Department finds that this project complies with the intent and overall direction of the State Proclamations of Emergency and is thereby exempt from the provisions of CEQA.

CONTACT PERSON: 707-263-2221 **TELEPHONE NUMBER:** 707-263-2221

Signature: _____
Title: Resource Planner

Date: February 22, 2022