

**CALIFORNIA COASTAL COMMISSION**

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January 12, 2018

Board of Forestry and Fire Protection  
ATTN: Edith Hannigan, Board Analyst  
VTP Draft PEIR Comments  
PO Box 944246  
Sacramento, CA 94244-2460

Subject: Recirculated Revised Draft Program Environmental Impact Report Regarding  
the Proposed Statewide Vegetation Treatment Program

Dear Ms. Hannigan:

Coastal Commission staff has reviewed the Draft Program Environmental Impact Report and would like to provide comments to the Board of Forestry and Fire Protection in regards to Coastal Act issues related to the Vegetation Treatment Program in the coastal zone.

The California Coastal Commission (hereafter, the Commission) plans and regulates the use of land and water in the coastal zone, which generally extends 1000 yards inland from the mean high-tide line and up to 5 miles inland in some rural areas and includes a 3-mile-wide band of ocean. Under the California Coastal Act, the Commission is charged with upholding core coastal resource protection policies, including preserving maximum public access to and along the shoreline, protecting water quality and sensitive coastal resources such as rare species and habitats, protecting visual resources, including public views to and along the coast and scenic coastal areas, and providing for priority uses in the coastal zone, including coastal-dependent development, coastal agriculture, and visitor-serving land uses. In partnership with coastal cities and counties, Coastal Act policies are implemented primarily through the preparation of Local Coastal Programs (LCPs), which include a land use plan and the zoning ordinances, zoning district maps, and other legal instruments necessary to implement the land use plan. Coastal Act policies are the standards by which the Commission evaluates the adequacy of LCPs.

Development within the coastal zone may not commence until a Coastal Development Permit (CDP) has been issued by either the Commission or by a local government that has a Commission-certified LCP. After certification of an LCP, CDP authority is delegated to the appropriate local government, but the Commission retains original permit jurisdiction over certain specified lands, as well as appellate authority. Development activities in the coastal zone are broadly defined by the Coastal Act and include grading activities and removal of major vegetation. Thus, the activities in the Vegetation Treatment Program will in many cases require CDPs that will be evaluated for consistency with the LCPs, or where applicable, the Coastal Act. Further, the Coastal Act and LCPs include strong protections for habitat and water quality that are unique to the coastal zone and often go beyond other legal requirements, such as CEQA/NEPA and CESA/ESA.

**Coastal Commission Comments -- DEIR Proposed Statewide Vegetation Treatment Program  
January 12, 2018**

Therefore, we request that the EIR:

- (1) Explicitly state the requirement for a coastal development permit for development in the coastal zone;
- (2) Describe the Coastal Act requirements that would apply to the subject development, including, but not limited to, Public Resources Code Sections 30231 and 30240:

*30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

*30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

- (3) Recommend early coordination between the project applicant and the Coastal Commission to avoid delays in the permitting process.

We appreciate the Board of Forestry and Fire Protection's consideration of our comments. Please feel free to contact me if you have any questions at (831) 427-4890.

Sincerely,

  
Madeline Cavalieri, Statewide Planning Manager