

Supplemental Environmental Assessment
Vegetation Management Risk Reduction Project

City of Chula Vista

LPDM-PJ-09-CA-2009-004

March 2013



Federal Emergency Management Agency
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Acronyms and Abbreviations

APE	Area of Potential Effect
ASMD	Area Specific Management Directive
BMP	Best Management Practice
BO	Biological Opinion
CalEMA	California Emergency Management Agency
CEQ	Council on Environmental Quality
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
GCR	General Conformity Rule
LPDM	Legislative Pre-Disaster Mitigation
MBTA	Migratory Bird Treaty Act
MSCP	Multi-Species Conservation Program
NAHC	(California) Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NO _x	nitrogen oxides
PA	Programmatic Agreement
PEA	Final Programmatic Environmental Assessment for Typical Recurring Actions Resulting from Flood, Earthquake, Fire, Rain, and Wind Disasters in California
PMA	Preserve Management Area
SANDAG	San Diego Association of Governments
SDAB	San Diego Air Basin
SEA	Supplemental Environmental Assessment
SHPO	State Historic Preservation Office
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compound

**Supplemental Environmental Assessment (SEA)
to the Final Programmatic Environmental Assessment (PEA)
for Typical Recurring Actions Resulting from Flood, Earthquake,
Fire, Rain, and Wind Disasters in California**

Federal Emergency Management Agency

City of Chula Vista

Vegetation Management Risk Reduction Project

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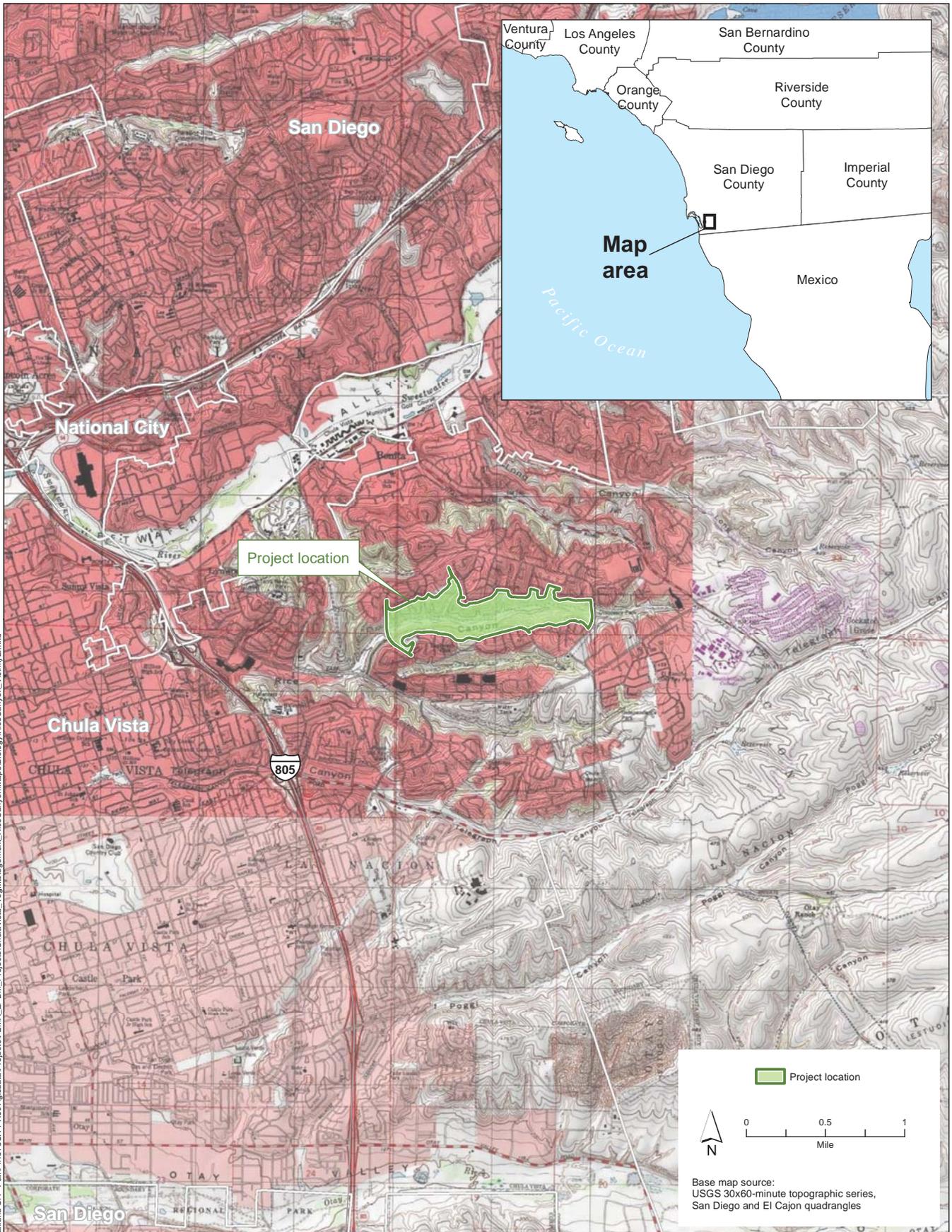
1. INTRODUCTION

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) proposes to provide Federal financial assistance (Federal action) to the City of Chula Vista (City), through the California Emergency Management Agency (CalEMA), to implement a vegetation management risk reduction project (Proposed Project). The Proposed Project would occur in a portion of open space area in City-owned Rice Canyon, which is in Chula Vista, San Diego County, California (Figure 1). The assistance would be provided through the Legislative Pre-Disaster Mitigation (LPDM) Program. The purpose of the Proposed Project is to mitigate the wildfire hazard to residents and structures in the City.

The LPDM Program is authorized by Section 203 (42 U.S.C. § 5133) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended, and provides funds to States and communities to implement sustained, pre-disaster, natural-hazard mitigation programs. The program is intended to reduce the hazard risk to the population and structures and reduce reliance on financial assistance from disaster declarations.

This Supplemental Environmental Assessment (SEA) has been prepared to comply with the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. §§ 4321–4327), and to tier from the Final Programmatic Environmental Assessment for Typical Recurring Actions Resulting from Flood, Earthquake, Fire, Rain, and Wind Disasters in California (PEA) (FEMA 2003). The PEA assesses common impacts of the action alternatives that are under consideration for the Proposed Project. The PEA adequately assesses impacts for some resource areas for the Proposed Project. This SEA fully assesses the additional potential impacts to resources that are not completely addressed in the PEA.

The PEA is incorporated into the SEA by reference in accordance with 40 CFR § 1508.28. The PEA is available at <http://home.fema.gov/plan/ehp/envdocuments/ea-region9.shtm>.



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1.1 PURPOSE OF AND NEED FOR ACTION

The City recognizes wildfires at its wildland/urban interface as the greatest natural hazard in the City (County of San Diego 2004). A wildfire in the wildland/urban interface poses a threat to public health and safety and to property. The purpose of the Federal action is to provide LPDM Program Federal financial assistance to the City, through CalEMA, to reduce the risk of death and injury to people and damage to property from wildfire.

The City classifies areas of Rice Canyon as having a “High or Very High Fire Hazard” (City of Chula Vista 2010b). The hazard classification is the result of the steep topography and density of wildfire fuel in the canyon. The fuel extends to the top of the canyon where residential structures are located.

The wildfire hazard poses a risk to the 230 homes on the perimeter of Rice Canyon. The existing 10-foot-wide defensible space between the boundaries of developed residential private properties and the canyon is not considered by the City to be adequate to defend at-risk homes from a wildfire in Rice Canyon. Approximately 18,500 homes are within ember-spotting distance (distance that embers can be blown by the wind, leading to spot fires) from the rim of Rice Canyon and are vulnerable to a wildfire in the canyon. Therefore, approximately 43,154 people (20 percent of the City’s population) are vulnerable to a wildfire in Rice Canyon. Several critical facilities near Rice Canyon, including power, communications, medical care, and emergency facilities, are also at risk from a wildfire in Rice Canyon.

The City has concluded that there is a need to reduce the wildfire hazard in Rice Canyon by increasing the width of the defensible space and reducing the wildfire fuel density along the rim of the canyon. Therefore, the purpose of the proposed Federal action is to reduce the risk of wildfire in Rice Canyon and help protect the health and safety of the public and public and private property within the City.

2. DESCRIPTION OF THE PROPOSED PROJECT AND ALTERNATIVES

2.1 NO ACTION ALTERNATIVE

A No Action Alternative is required to be included in the environmental analysis and documentation pursuant to the Council on Environmental Quality's (CEQ's) regulations implementing NEPA (40 CFR Parts 1500–1508). The No Action Alternative is defined as maintaining the status quo with no Federal financial assistance for any action alternative and is described further in Section 2.1 of the PEA. The No Action Alternative is used to evaluate the effects of not providing eligible assistance for the Proposed Project, thus providing a benchmark against which action alternatives can be evaluated.

Under the No Action Alternative, it is assumed that the City would be unable to implement wildfire mitigation in Rice Canyon because of the lack of Federal financial assistance. Therefore, under the No Action Alternative, the existing wildfire hazard would continue, and the health and safety risks to people and damages to property from wildfires in the open space area would not be reduced.

2.2 PROPOSED PROJECT

The Proposed Project falls under the Vegetation Management action alternative defined in the PEA, Section 2.5.1, Mechanical or Hand Clearing of Vegetation; and Section 2.5.2, Herbicidal Treatments. The City proposes to reduce the density of hazardous fuels (treatment or fuel reduction) in an approximately 25-acre portion of Rice Canyon (project area) (Figure 2). The project area is a corridor on City-owned property along the rim of the canyon that extends up to 80 feet from existing structures, such as houses and outbuildings, located on adjacent private properties.

This alternative would increase the width of the existing 10-foot-wide defensible space. Fuel reduction would focus on decreasing the density of non-native plants and removing dead wood. The Proposed Project would result in a defensible space with a mosaic pattern of vegetation.

Rice Canyon is managed by the City in accordance with the 2003 *City of Chula Vista MSCP [Multiple Species Conservation Program] Subarea Plan* (City of Chula Vista 2003) and 2010 amendments (City of Chula Vista 2010a). The MSCP Subarea Plan designates three brush management zones based on the distance from structures. The extent of fuel reduction is different in each zone.

The project area is in Zone 1 (minimum of 30 feet from existing structures) and Zone 2 (50 feet beyond Zone 1). Where the property line is more than 30 feet from a structure, an additional 5 to 10 feet of Zone 1 brush management may occur beyond the property line. However, fuel reduction in Zone 2 cannot extend beyond 80 feet from structures. The project area does not include Zone 3 (50 feet beyond Zone 2).

Before treatment, the Zone 1 and 2 boundaries would be flagged with the assistance of City Open Space District staff and Global Positioning System orthographic maps.

A qualified biological monitor would survey the project area and the area adjacent to it prior to treatment to determine whether any species addressed in the MSCP Subarea Plan or other sensitive species are present. If species are identified in or adjacent to the project area, the biological monitor would develop site-specific measures to ensure that impacts to the species are avoided.

The biological monitor would also mark shrubs and trees, likely using flagging tape, in the project area for thinning and/or pruning in such a way as to maintain the maximum allowable vegetation cover and native species diversity. Only shrubs identified by the biological monitor would be thinned and/or pruned.

The Proposed Project would be implemented in accordance with the MSCP Subarea Plan and the Area Specific Management Directives (ASMDs) for Preserve Management Area (PMA) 1 (City of Chula Vista 2004b). In Zones 1 and 2, non-native plants including shrubs (such as desert carpet [*Acacia redolens*]), grasses (such as pampas grass [*Cortaderia selloana*]), and weeds would be cut to a height of 2 inches and treated with herbicide by designated State-Licensed Qualified Pesticide Applicators, when appropriate, to reduce the potential for regrowth. In Zone 1, native shrubs would be reduced to a height of 18 inches; this zone contains no native trees.

In Zone 2, primary fuel reduction would be done by hand-clearing dead underbrush. Native shrubs would be thinned and/or pruned to a height of 2 to 4 feet. Non-native plants would be cut to a height of 2 inches and treated with an herbicide to prevent resprouting. Non-native trees in Zone 2 would be pruned to remove limbs up to 8 feet above the ground to reduce ladder fuels; native trees in this zone would not be pruned.

All equipment would be staged on an existing, disturbed unpaved parking area off North Rancho Del Rey Parkway. Work crews would access the project area from seven designated access points on public streets (Figure 2). Temporary dumpsters would be placed at some of the access points to minimize the distance required to haul cut materials out of the project area. After raking and picking up the cut materials, crews would haul the brush on foot to the temporary dumpsters through the parts of the project area where fuel has already been treated to avoid affecting untreated areas. A loader with a grapple may be used to help load the dumpsters. Green waste would be recycled at a local permitted landfill.

Work crews of approximately 10 people would clear the fuel using only hand tools such as loppers, chainsaws, and string trimmers. The Proposed Project would not involve activities that disturb soils such as discing or mowing with large mechanical mowers or removing rootballs of cut vegetation. The City would continuously monitor the work crews to ensure that the MSCP Subarea Plan guidelines are followed.

2.2.1 Proposed Project Schedule

Fuel reduction would be completed over approximately 550 days spanning 3 consecutive years. According to the ASMDs, fuel reduction should be scheduled for the summer and fall to avoid the rainy and growing seasons and to avoid the time when wildlife breeding takes place (City of Chula Vista 2004b). If fuel reduction must be conducted during the breeding season, a qualified onsite biologist (determined by the City) would assist with avoiding sensitive biological resources, such as active bird nests. Further, if fuel reduction must be conducted during the rainy season when soils may be moist, a qualified onsite biologist would ensure that soils are dry enough to minimize soil compaction. If the soils are not dry enough, the fuel reduction would be postponed.

After the Proposed Project has been implemented, the City would implement a long-term treatment plan to maintain low fuel loads. The City would determine the extent of maintenance that would be necessary to maintain the target fuel loads. Maintenance would occur in the 80-foot defensible space for 5 years. Prior to maintenance, a biological monitor would identify shrubs and trees that need to be pruned or thinned, and the City would continuously monitor work crews to ensure that the MSCP Subarea Plan guidelines are followed. A contract work crew of 10 people would apply selective herbicide treatments on non-native grasses and weeds in late January to early February of each year to avoid bird nesting seasons. Work crews would trim shrubs and trees with string trimmers and apply follow-up herbicide treatments in September and October. Maintenance procedures would be consistent with the MSCP Subarea Plan and ASMDs.

2.3 ALTERNATIVES

FEMA considered other alternatives in addition to the No Action Alternative and the Proposed Project. The other alternatives were fuel reduction using heavy mechanical equipment such as masticators, large-scale herbicidal treatments, prescribed burning, and biological controls such as grazing mammals. These alternatives are described in Section 2.5 of the PEA.

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The PEA describes the affected environment and the impacts of the Proposed Project on all resource areas except air quality, biological resources, historic properties, public services and recreation, hazardous materials and waste, visual resources, climate change, and cumulative impacts. The affected environment and environmental consequences for the resources not adequately addressed in the PEA are described in this section to supplement the information in the PEA.

Mitigation, minimization, and avoidance measures that are stipulated in the PEA or that are appropriate for the Proposed Project, based on the results of the impact analysis in the SEA, are discussed in Section 4.

The effects of the No Action Alternative for all resource areas are described in the PEA and in this SEA. The environmental consequences of the other alternatives considered by FEMA are described in Section 4 of the PEA and are not reiterated in this document.

3.1 AIR QUALITY

The Proposed Project is within the San Diego Air Basin (SDAB), which is regulated by the San Diego Air Pollution Control District. The U.S. Environmental Protection Agency (EPA) currently designates the SDAB as being in marginal nonattainment for the 8-hour ozone (O₃) National Ambient Air Quality Standard (EPA 2012a).

3.1.1 No Action Alternative

Under the No Action Alternative, no mechanical equipment would be used, no equipment emissions would occur, and no direct effects to air quality would occur.

The wildfire risk would remain unmitigated; therefore there is potential for indirect impacts to air quality in the event of a wildfire in the project vicinity. A wildfire would temporarily increase levels of most criteria pollutants and many hazardous air pollutants. In the long-term, particulate matter emissions could increase as a result of the soils in the project area that are exposed after a wildfire event. Therefore, the No Action Alternative could result in indirect, short- and long-term adverse effects to air quality if a wildfire occurred in the project area.

3.1.2 Proposed Project

FEMA calculated the predicted emissions of the Proposed Project to determine whether a conformity determination would be required under the General Conformity Rule (GCR) (40 CFR § 51.853). The calculations included a consideration of the direct and indirect emission rates of the precursors of O₃, nitrogen oxides (NO_x), and volatile organic compounds (VOCs) to determine whether the emission rates would equal or exceed any of the *de minimis* threshold emission rates specified in the GCR. The applicable *de minimis* threshold emission rates in the GCR are 100 tons per year for both NO_x and VOC (EPA 2012b).

Implementation of the Proposed Project would result in a temporary deterioration of air quality as a result of exhaust from the use of mechanical equipment including chain saws and from the transport of green waste. Impacts to air quality would only occur during treatment.

Table 3-1 shows the calculated annual estimated emissions for NO_x and VOCs from the implementation of the Proposed Project. The calculations conservatively assume that vegetation clearing would be performed by a team of 10 people working 8-hour days approximately 183 days a year using diesel equipment such as loaders and onsite haul trucks and that 12 truck trips per year would occur to move green waste from the onsite dumpsters to a nearby landfill. Emissions from hand-held gasoline equipment would result in negligible emissions and are not included in the calculations.

Table 3-1: Annual Estimated Emissions of Nonattainment Criteria Pollutants from the Proposed Project and the GCR *de Minimis* Thresholds

Emissions of Nonattainment Criteria Pollutants (Precursors)	Criteria Pollutant (tons/year)	
	VOC	NO _x
Proposed Project	0.03	0.18
GCR <i>de minimis</i> thresholds	100	100

GCR = General Conformity Rule

NO_x = nitrogen oxides

VOC = volatile organic compound

As shown in Table 3-1, implementation of the Proposed Project would result in substantially less than 100 tons per year of the applicable criteria pollutants. Therefore, the Proposed Project qualifies as a GCR exemption, and no further analysis is required to establish conformity with the State Implementation Plan.

The Proposed Project would have negligible short-term and no long-term impacts on air quality.

3.2 BIOLOGICAL RESOURCES

The project area is located within the larger Rice Canyon open space area, which is managed in accordance to the MSCP Subarea Plan. The MSCP Subarea Plan is a long term conservation plan which directs development and natural resource conservation and over a 57,849-acre area (MSCP Subarea Plan study area). In this section, biological resources are described within the MSCP Subarea Plan study area and the Rice Canyon open space area as background information, and subsequently the biological resources in the project area are described specifically.

The MSCP Subarea Plan study area is dominated by a wide variety of vegetation communities, and the Rice Canyon open space area is dominated by coastal sage scrub, maritime succulent scrub, and chaparral. The project area is composed of disturbed, southern mixed chaparral, maritime succulent scrub, Diegan coastal sage scrub, and ornamental vegetation communities

and habitats. The disturbed component is the largest type of habitat in the project area given that it is located immediately adjacent to private residences. In 2012, FEMA identified these communities using photographic interpretation methods.

In the Rice Canyon open space area (which includes the project area), the City conducted baseline biological resources surveys and species-specific surveys for the federally listed coastal California gnatcatcher (*Polioptila californica californica*) in 2002 and 2003 (City of Chula Vista 2004a). The baseline surveys identified sensitive plant and wildlife species protected under the MSCP Subarea Plan. The observed sensitive species in the Rice Canyon open space area included species that are federally listed under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. §§ 1531–1544), and species that are not federally listed under the ESA but are specifically protected under the City’s MSCP Subarea Plan. The coastal California gnatcatcher was the only federally listed species observed in the project area and is the only federally listed species with suitable habitat in the project area.

Vegetation

Common plant species found within the chaparral/scrub communities include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), lemonadeberry (*Rhus integrifolia*) and other evergreen shrubs, cholla (*Opuntia* sp.), and non-native grasses and forbs. Invasive plants are scattered throughout the project area and adjacent open space areas but are found mostly in disturbed habitats. Four sensitive plant species were observed in the Rice Canyon open space area during the 2002 and 2003 surveys:

- San Diego thornmint (*Acanthomintha ilicifolia*), which is federally listed and protected under the City’s MSCP Subarea Plan;
- snake cholla (*Cylindropuntia californica*), which is federally listed and protected under the City’s MSCP Subarea Plan;
- Otay tarplant (*Deinandra conjugens*), which is federally listed and protected under the City’s MSCP Subarea Plan; and
- variegated dudleya (*dudleya variegata*), which is protected under the City’s MSCP Subarea Plan.

None of the sensitive plant species, or suitable habitat for these species, were observed in the project area. Common plant species identified within the chaparral/scrub communities in the Rice Canyon open space area may occur in the project area, but at a smaller scale given that the project area is more disturbed. In addition, the project area includes non-native species found in disturbed and ornamental communities, such as eucalyptus trees, pampas grass, non-native grasses and thistles.

Wildlife

Five sensitive wildlife species protected under the City’s MSCP Subarea Plan were observed in the Rice Canyon open space area during the 2002 and 2003 surveys: Belding’s orange-throated whiptail (*Aspidoscelis hyperythrus beldingi*), Cooper’s hawk (*Accipiter cooperii*), coastal cactus

wren (*Campylorhynchus brunneicapilla couesi*), coastal California gnatcatcher, and southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*).

In addition, many other sensitive wildlife species occur or have potential to occur in the Rice Canyon open space area even though they were not observed during the 2002 and 2003 surveys. The federally listed least Bell's vireo (*Vireo bellii pusillus*) and MSCP Subarea Plan-protected southern mule deer (*Odocoileus hemionus fuliginata*), have potential to occur in the Rice Canyon open space area. Non-federally or locally protected wildlife species such as western fence lizard (*Sceloporus occidentalis*), side-blotched lizard (*Uta stansburiana*), Pacific tree frog (*Pseudacris regilla*), black-tailed jackrabbit (*Lepus californicus*), striped skunk (*Mephitis mephitis*), and coyote (*Canis latrans*) may occur in the Rice Canyon open space area. Other birds commonly observed in the Rice Canyon open space area include red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), Bewick's wren (*Thryomanes bewickii*), Western scrub jay (*Aphelocoma californica*), Anna's hummingbird (*Calypte anna*), house finch (*Haemorhous mexicanus*), California towhee (*Melospiza crissalis*), yellow-rumped warbler (*Setophaga coronata*), and white-crowned sparrow (*Zonotrichia leucophrys*) (eBird 2013).

In the project area, the coastal California gnatcatcher is the only federally listed species that was observed during the 2002 and 2003 surveys and the only federally listed species with suitable habitat. The non-federally listed sensitive and common wildlife species that may occur in the Rice Canyon open space area that are described above have potential to occur in the project area. In addition, the sensitive bird species listed above could also occur within or adjacent to the project area and are protected under the Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. §§ 703–711), which prohibits take of migratory birds or any part, nest, or egg of any such bird.

3.2.1 No Action Alternative

Under the No Action Alternative, there would be no fuel reduction, and no direct effects to biological resources would occur. A wildfire in the project area could result in an indirect impact to biological resources. A wildfire could destroy terrestrial wildlife habitat, and mortality could occur to individual wildlife species. Additional indirect impacts would occur to aquatic habitat and resources because fire residue and eroded soils could be washed into local streams and reservoirs. The indirect impacts associated with the loss of existing vegetation would continue until adequate vegetation is re-established in the burned area. The re-establishment of vegetation after a wildfire could result in an increase of invasive species in the project area. Therefore, adverse short- and long-term indirect effects could occur to biological resources if a wildfire occurred in the project area.

3.2.2 Proposed Project

Effects to Wildlife and Vegetation

The Proposed Project would not convert project area habitats characterized by native plants, although the density of vegetation would be reduced. The Proposed Project would not include activities that directly involve planting or other revegetation activities of native plant species that would specifically result in habitat conversions.

The effects to sensitive biological resources would be limited to when vegetation clearing is taking place. Potential effects to sensitive biological resources would be avoided by developing and implementing site-specific avoidance measures for MSCP Subarea Plan-protected species and any other sensitive species that are identified during surveys conducted prior to treatment. To avoid affecting sensitive biological resources, workers would not encroach into the parts of the project area where sensitive resources have not yet been surveyed and flagged.

The Proposed Project would include removing non-native plants except for non-native trees in Zone 2. Treatment of native shrubs would be limited to pruning. The limitation of using hand tools instead of heavy mechanical equipment for treatment would avoid affecting soil stability in the project area, avoiding potential indirect effects to plants caused by erosion.

The use of hand tools and the presence of work crews in the project area have the potential to directly affect wildlife species in or adjacent to the project area through forced dispersal or behavior modification. The general disturbances associated with work crews in the project area, e.g. noise generation, visual, dust generation, ground vibrations, could disturb birds, mammals, and other wildlife using project area vegetation for cover, nesting, or foraging. Wildlife species disturbed by project activities could experience an interruption of their typical behavior and may disperse to adjacent quieter areas without human presence. The project area is adjacent to a developed, residential area; therefore, some resident wildlife may be adapted to a low level of disturbance and human presence. These effects would be temporary and would occur only when project activities are occurring.

Effects to nesting migratory birds would be minimized by restricting work, when feasible, to the non-nesting season. During the implementation of the Proposed Project, the City would implement the measures described in Section 2.2.1 of this document to avoid take of migratory birds compliance with the MBTA. The City is responsible for all necessary coordination with the U.S. Fish and Wildlife Service (USFWS) for compliance with the MBTA.

The Proposed Project is anticipated to result in direct, minor, short-term effects to wildlife and vegetation. Disturbance to wildlife, such as dispersal and behavior modification caused by human presence and vegetation removal, would be direct, minor, and short-term. It is unlikely that sensitive plant species that are not federally listed would be affected by the Proposed Project. However, in the unlikely event that a sensitive plant species may occur in the project area, the measures in the MSCP Subarea Plan would avoid and minimize those temporary, minor effects.

Site-specific measures designed by a biological monitor to reduce effects to sensitive species could also minimize impacts to other, non-protected wildlife. The small size of work crews (approximately 10 people) and the use of hand tools rather than motorized equipment would minimize noise disturbance to wildlife. The proposed work schedule, occurring primarily during summer and fall, would reduce the potential for effects on breeding and nesting behavior. No long-term direct or short- or long-term indirect effects to wildlife are anticipated.

Native vegetation would be allowed to regrow, but could be thinned or pruned, as determined by the City, to maintain the intended fuel loads. Thus, the Proposed Project would result in minor long-term direct or short- and long-term indirect effects to native vegetation. Major long-term direct effects are anticipated for non-native shrubs and herbaceous vegetation because this vegetation would be removed from the project area. No short- or long-term indirect effects to non-native vegetation are anticipated.

Endangered Species Act

The ESA provides for regulatory protection of federally listed species. The project area provides habitat suitable to support one federally listed species regulated by USFWS: the federally threatened coastal California gnatcatcher. FEMA determined that the Proposed Project would have no effect on other federally listed species, including the San Diego thornmint, snake cholla, Otay tarplant, and least Bell's vireo. The federally listed coastal California gnatcatcher is likely to use the project area and adjacent undeveloped areas of Rice Canyon for foraging and nesting. Species that are protected under the City's MSCP Subarea Plan but are not federally listed are not provided protection under the ESA.

To comply with Section 7 (16 U.S.C. § 1536) of the ESA, as amended, FEMA requested formal consultation with the USFWS in a letter dated June 7, 2012, for the Proposed Project's effects on the coastal California gnatcatcher (see Appendix A). On August 1, 2012, the USFWS issued a Biological Opinion (BO) to FEMA for the Proposed Project (see Appendix B).

The USFWS acknowledged in the BO that the Proposed Project would be consistent with the City's MSCP Subarea Plan and would not result in take of coastal California gnatcatcher beyond what was anticipated and authorized in the BO and associated incidental take permit issued for the City in 2003 for the MSCP Subarea Plan (USFWS 2003). The USFWS concurred that the existing incidental take permit for the coastal California gnatcatcher in the 2003 BO covers activities in the City's Proposed Project and stated that the Proposed Project would not result in jeopardy to the coastal California gnatcatcher.

The effects of the Proposed Project on the coastal California gnatcatcher would be similar to those described for other wildlife in Section 3.2.1. There would be no effect on other federally listed species. Therefore, the Proposed Project is anticipated to result in direct, minor, short-term effects to the coastal California gnatcatcher and no long-term direct or short- or long-term indirect effects.

Executive Order 13112: Invasive Species

The Proposed Project would not result in the introduction or spread of invasive species and would therefore comply with Executive Order (EO) 13112, Invasive Species. The Proposed Project would reduce the density of invasive plant species in the project area.

Non-native plant species would be targeted for removal except for non-native trees in Zone 2. Several of the non-native plant species that would be targeted, such as desert carpet and pampas grass, are considered invasive species. The City's ASMD for PMA 1 contains measures and policies related to reducing the spread of and eliminating invasive species. Because the Proposed Project would be implemented in accordance with the City's ASMD for PMA 1, the City would implement the Proposed Project as a way of reducing the spread of invasive species.

The Proposed Project would result in a beneficial effect by reducing invasive plant species in the project area. Funding of the Proposed Project would comply with EO 13112.

3.3 HISTORIC PROPERTIES

Investigations were undertaken to identify historic properties in the Area of Potential Effect (APE) for the Proposed Project in compliance with Section 106 (16 U.S.C. § 470f) of the National Historic Preservation Act of 1966 (NHPA), as amended, and the 2005 First Amended Programmatic Agreement (PA) between FEMA, the California State Historic Preservation Office (SHPO), CalEMA, and the Advisory Council on Historic Preservation.

In accordance with 36 CFR § 800.4(a)(4), FEMA sent an informational letter to the California Native American Heritage Commission (NAHC) on February 22, 2011, to request a review of its Sacred Lands File and a list of the individuals and groups that the NAHC believed should be contacted regarding information or concerns related to the project area (see Appendix C). The NAHC responded on February 24, 2011, with negative results for its search of the Sacred Lands File (see Appendix D). On March 7, 2011, FEMA transmitted an informational letter to the potentially interested parties identified by the NAHC (see Appendix E). To date, no responses have been received.

FEMA-contracted archaeologists conducted a search of records at the South Coastal Information Center of the California Historical Resources Information System on December 30, 2010, and conducted an intensive pedestrian survey of the APE on October 18, 2011, to identify historic properties that may exist in the APE. No historic properties were identified in the search of records or during the survey.

3.3.1 No Action Alternative

Under the No Action Alternative, no impacts to historic properties would occur because no treatment would occur. No historic properties were identified in the APE, and no impacts to historic properties would therefore occur as a result of a wildfire.

3.3.2 Proposed Project

FEMA determined that the Proposed Project would result in “no historic properties affected.” In accordance with the PA, FEMA informed the SHPO of its determination that the Proposed Project would not affect historic properties in a letter dated March 13, 2012 (see Appendix F). In a letter dated June 18, 2012, the SHPO concurred with FEMA’s determination (see Appendix G). With SHPO’s concurrence of its determination, FEMA has complied with Section 106 of the NHPA.

3.4 PUBLIC SERVICES AND RECREATION

Rice Canyon is a part of the open space area preserve established in the City’s MSCP Subarea Plan (City of Chula Vista 2010a). Rice Canyon is also considered an open space area in the City’s General Plan, which allows for managed public recreational uses such as hiking (City of Chula Vista 2005). Rice Canyon has existing equestrian trails and informal use trails throughout the open space area and informal use trails and public access locations within the project area.

3.4.1 No Action Alternative

Under the No Action Alternative, no public facilities would be improved, and no public services or recreational opportunities would be affected. However, public services and recreational opportunities would not be protected from damage caused by future wildfires. Without fuel reduction, the No Action Alternative could result in disruptions to public services and indirect adverse impacts to recreational opportunities. Therefore, the No Action Alternative could result in adverse, indirect impacts to public services and recreation.

3.4.2 Proposed Project

Some of the public access points into Rice Canyon would be used to access the work sites during implementation of the Proposed Project. The public access points near or adjacent to work sites may be temporarily closed to the public while treatment is occurring. All areas where work is occurring would be temporarily closed to the public. All other public access and recreational opportunities would continue to be available throughout the rest of the open space area.

To minimize the inconvenience of the temporary reduction of public access to Rice Canyon, the City would notify the public prior to implementation of the Proposed Project, by posting signs at trailheads informing recreational users of work duration and safety measures.

The temporary closure of public access to the areas of Rice Canyon affected by the Proposed Project would not noticeably increase recreational use in other areas of Rice Canyon for the following reasons: only a limited number of areas would be closed to public access at any one time, many other public access points would be available to the public, and the public would likely distribute to the many available areas in the canyon.

The Proposed Project would not result in changes to recreation in Rice Canyon. After implementation of the Proposed Project, public access and recreation in the project area would return to the pre-project condition.

There would be minor, short-term, direct impacts to public access and the use of existing recreational resources. The impacts would be minimized by the use of minimization measures identified above and in Section 4.2. Indirect impacts are anticipated to be negligible, and no long-term impacts on recreational resources are anticipated.

3.5 HAZARDOUS MATERIALS AND WASTES

Hazardous materials are not currently used in the project area. There are no recorded hazardous materials or wastes sites in the project area (SWRCB 2013).

3.5.1 No Action Alternative

The No Action Alternative would not involve the transport, handling, or use of hazardous materials, including herbicides, and no releases of, or impacts to, hazardous materials would therefore occur.

3.5.2 Proposed Project

The Proposed Project would involve the periodic handling and use of hazardous materials in the form of herbicides and materials necessary for the operation of petroleum-powered equipment. In Zones 1 and 2, non-native species such as desert carpet, pampas grass, and other weeds would be cut to a height of 2 inches and treated with herbicide, when appropriate, to reduce the potential for regrowth. The primary active ingredients in the herbicides would be triclopyr, imazapyr, and/or glyphosphate. The herbicide mixture is anticipated to consist of a glyphosate-based herbicide such as RoundUp or Rodeo in a solution of esterified seed oil (a tackifier), water, and marking dye. Garlon 4 (triclopyr) and/or Stalker (imazapyr) may be used.

Herbicides would be applied by designated State-Licensed Qualified Pesticide Applicators, and the use of herbicides would adhere to the manufacturer's specifications and the applicable local, State, and Federal regulations; Integrated Pest Management guidelines; and the California Department of Agriculture pesticide regulations. The use of herbicides in accordance with the manufacturer's specifications and applicable laws would minimize the potential for accidental release.

The use or storage of petroleum-powered equipment would be accomplished in a manner to prevent the potential release of petroleum materials. The City would implement the following Best Management Practices (BMPs) to limit the effects of any accidental release:

- Vehicles and equipment would be inspected and approved before use to ensure that they will not leak hazardous materials such as oil, hydraulic fluid, or fuel.

- Fueling would take place in designated staging areas or at offsite, established fueling stations.
- The contractor would have emergency cleanup gear for spills (spill containment and absorption materials) and fire-suppression equipment available onsite at all times. The gear and equipment would be inspected before treatment begins.
- Leaks, drips, and other spills would be cleaned up immediately to avoid soil contamination.
- Spilled dry materials would be swept up immediately.

Implementation of BMPs would make hazardous material releases or accidents unlikely and would ensure that any accidental release would be finite, and localized. Therefore, the Proposed Project would result in minor, short-term, direct impacts as a result of the use of hazardous materials and would result in no long-term, direct or indirect impacts.

3.6 VISUAL RESOURCES

The visual character of the project area is defined by densely vegetated steep slopes. Grasses and dense, overgrown stands of sage scrub and chaparral shrubs make up most of the vegetation in the project area. Planted ornamental trees are present in a small portion of the project area.

The project area has three primary viewsheds: a vista-based viewshed where the project area is viewed from afar, such as from the streets of the City that border the open space areas; a foreground-based viewshed from backyards of residences whose properties are adjacent to the project area; and the viewshed experienced from within the project area along existing trails. All three viewsheds provide views of a homogenous pattern of organic textures dominated by tones of green and brown.

The vista-based viewshed and most of the foreground-based viewshed provide views of the densely vegetated steep slopes of the project area and other parts of Rice Canyon. The foreground-based viewshed provides closer views of the project area where individual plants are noticeable; in some locations, the densely overgrown shrub canopy is the dominant view. Where shrubs are tall and dense, views from the foreground-based viewshed are obscured. Existing trails in the project area provide views that are generally limited and confined to the narrow corridor provided by the trail because of the height and density of vegetation. There are occasional breaks in the vegetation that provide long vistas of the steep canyon terrain, surrounding open space areas, and nearby residential areas from these trails.

3.6.1 No Action Alternative

Under the No Action Alternative, fuel reduction would not occur, and the visual character of the project area and Rice Canyon would not change. Therefore, no direct impacts to visual resources would occur. The No Action Alternative would not reduce fuel loads in the project area; therefore, if a wildfire occurred, smoke could cause adverse, short-term, indirect impacts to

visual resources. Views of severely burned vegetation and bare ground from a wildfire could cause long-term, indirect impacts to visual resources in the project area.

3.6.2 Proposed Project

The primary component of the visual character of the project area (i.e., steep slopes ubiquitously covered in shrubs, scrub, grasses, and a few trees) would not be affected by the Proposed Project. However, the change in the vegetation density would be noticeable and would be a minor change and improvement to the visual character. The homogenous vegetation pattern would change to a mosaic pattern, but the texture and dominant tones would not change. The reduction in vegetation density would increase the vistas from the foreground-based viewshed and along existing trails in the project area.

Short-term impacts to views of the project area would occur during treatment when crews are working. Work crews and equipment are not typical components of the viewshed and would be moderately noticeable to viewers, especially viewers from adjacent residences who are most familiar with the visual character of the project area. Because the crews would be working among the vegetation, views of the work crews would be minimal and intermittent. Fugitive dust from work in the project area could potentially affect vistas during project work hours. Dust would be temporary and would result in minor short-term impacts.

The Proposed Project would result in minor, short-term, direct impacts and minor, long-term, negligible or beneficial, direct and indirect impacts to visual resources.

3.7 CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

On February 18, 2010, the CEQ released a memorandum, *Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions* (CEQ 2010), which provides guidance on how Federal agencies should consider climate change in their NEPA decision-making documents. The guidance advises that the consideration of climate change address the greenhouse gas (GHG) emission effects of a Proposed Project. The CEQ guidance states that “if a proposed action would be reasonably anticipated to cause direct emissions of 25,000 metric tons or more of [carbon dioxide] CO₂-equivalent GHG emissions on an annual basis, agencies should consider this an indicator that a quantitative and qualitative assessment may be meaningful to decision makers and the public” (CEQ 2010).

The guidance also advises that the Federal agency’s consideration of climate change address the effects of climate change on a Proposed Project. The CEQ advises the “analysis to be focused on the aspects of the environment that are affected by the Proposed Project and the significance of climate change for those aspects of the affected environment” (CEQ 2010).

3.7.1 No Action Alternative

The No Action Alternative would have no impacts on climate change and greenhouse gas emissions because no construction or other activities resulting in air emissions would occur.

However, under this alternative, no fuel reduction would occur and wildfire risk would remain high.

A wildfire would result in the release of CO₂ into the atmosphere from burning vegetative fuels. The project area is estimated to sequester approximately 75 metric tons of CO₂ per year. An intense wildfire in the project area would result in CO₂ emission below the CEQ annual threshold of 25,000 metric-tons. Therefore, the No Action Alternative could result in minor short- and long-term indirect effects on climate change and greenhouse gas emissions.

3.7.2 Proposed Project

The Proposed Project would result in minimal direct and indirect GHG emissions. Direct GHG emissions would result from the short-term use of vehicles and mechanical equipment during implementation of the Proposed Project and follow-up maintenance. Direct emissions during project implementation would be approximately 38 metric tons per year, and direct emissions during maintenance would be considerably smaller. Therefore, GHG emissions as a result of the Proposed Project would be well below the 25,000-metric-ton annual threshold described by the CEQ. Indirect emissions from the loss of carbon sinks resulting from the removal of vegetation from the project area would also be considerably smaller than the threshold dictated by the CEQ. Accounting for the regrowth and vegetation removal during maintenance in the project area, indirect GHG emissions would be negligible because young vegetation stands (i.e., regrowth) tend to sequester carbon at a faster rate than older vegetation stands. As treatment areas cycle through regrowth and maintenance, future carbon sequestration rates in the project area may meet or exceed the current sequestration rate.

The effects of global climate change on the Proposed Project would be negligible. The Proposed Project would be implemented over a relatively short period of time, and global climate change would not have a dramatic effect on fuel loads in the project area during this period. Maintenance would sustain the level of fuel loads resulting from the Proposed Project. Treatment would be adaptive to address the fuel loads in the specific area undergoing maintenance and would therefore be adaptive to how fuel loads may change as a result of global climate change.

The Proposed Project would be implemented in a manner that would have minimal effects on the environment. Avoidance and minimization measures would continue to be implemented during maintenance and would therefore also have minimal effects on the environment. Because of the adaptive nature of the Proposed Project and maintenance, global climate change is not expected to have a substantial effect on the resources affected by the Proposed Project.

The Proposed Project would have minor, direct and indirect, short-term impacts on GHG emissions. The Proposed Project would make a negligible contribution to long-term global climate change.

3.8 CUMULATIVE IMPACTS

CEQ defines a cumulative impact as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions...” (40 CFR § 1508.7). Past, present, and reasonably foreseeable actions were identified based on information obtained from the City and FEMA. Because the impacts associated with the Proposed Project would be minimal, primarily short-term, and localized to the Rice Canyon open space area, the analysis of cumulative impacts is focused on activities in the open space area or in the landscaped backyards of private residential properties immediately adjacent to the project area.

Past actions in the area include residential development in surrounding areas to the north and south of the project area and creation of a 10-foot defensible space on City-owned property adjacent to the private property along the rim of Rice Canyon and outside the MSCP-protected area. The past actions are assumed to have created the existing affected environment.

Current and ongoing projects are the maintenance of residences adjacent to the project area and two San Diego Association of Governments (SANDAG) projects. The City is currently implementing two habitat restoration and enhancement projects in Rice Canyon adjacent to the project area. Both 5-year projects are funded by grants from the SANDAG TransNet Environmental Mitigation Program. One of the projects, which began in 2010 and is scheduled to be completed in 2015, would restore and enhance habitat for the federally listed Otay tarplant (*Deinandra conjugens*) and San Diego thornmint (*Acanthomintha ilicifolia*). The other project, which began in 2008 and is scheduled to be completed in 2013, would restore and enhance habitat for the coastal cactus wren (*Campylorhynchus brunneicapillus*). Coastal cactus wren is a California State species of special concern.

3.8.1 No Action Alternative

As described in Sections 3.1 to 3.7 of this SEA and Sections 4.1 to 4.12 of the PEA, the implementation of this alternative would result in no direct impacts to social, cultural, or natural resources. This alternative would not reduce the risk associated with potential wildfire events in the project area; such events could have short- and long-term adverse indirect impacts to air quality, biological resources, recreation, and visual resources.

Maintenance of backyard landscaping on residential properties adjacent to the project area and the two SANDAG TransNet projects could result in short-term impacts to air quality (fugitive dust and other criteria pollutants), biological resources, recreation, and visual resources. These activities would not be anticipated to occur concurrently with a wildfire event. Therefore, The No Action Alternative, when considered along with other past, present, and reasonably foreseeable future projects could result in minor incremental indirect short-term impacts to each of these resource areas. These are not expected to result in a cumulatively substantial effect.

3.8.2 Proposed Project

The biological monitor for the Proposed Project would ensure that the boundaries of the project area do not overlap the boundaries of the SANDAG TransNet projects. This would ensure that the Proposed Project would not affect the habitats proposed for restoration and enhancement under the SANDAG TransNet projects. Additionally, according to Section 1.0 of the MSCP Subarea Plan (City of Chula Vista 2010a), the City can approve projects only if they are in conformance with the MSCP Subarea Plan. Thus, the two SANDAG TransNet projects are in conformance with the MSCP Subarea Plan because they have been approved and are being implemented by the City. Therefore, any potential effects to federally listed species resulting from the two SANDAG TransNet projects have been authorized through the City's incidental take permit (No. PRT-830421) issued by the USFWS, and the cumulative effects to federally listed species have been considered and accounted for by the USFWS.

Together, maintenance of backyard landscaping on residential properties adjacent to the project area, the Proposed Project, and the two SANDAG TransNet projects could result in temporary cumulative impacts to noise, air quality (fugitive dust and other criteria pollutants), biological resources, recreation, hazardous materials, and visual resources.

To comply with the incidental take permit issued by the USFWS to the City for the MSCP Subarea Plan, the City's activities in the Rice Canyon open space area must conform to the MSCP Subarea Plan. The activities would be implemented or permitted to occur in a manner that focuses on conserving MSCP-covered species and their habitat—a goal of the MSCP Subarea Plan. In the process of conserving MSCP-covered species and their habitat, noise impacts, impacts to biological resources, the use of heavy mechanical equipment that could result in large emissions of criteria pollutants and fugitive dust, and the use hazardous materials would be minimized. Additionally, the City's General Plan contains policies to preserve the visual resources of its open space areas, and therefore, the activities in the Rice Canyon open space area would be implemented in a manner that would minimize any long-term effects to visual resource (City of Chula Vista 2005). As a result, activities occurring in the open space area would have minor cumulative effects.

Cumulative effects would be most intensive if dramatic landscaping maintenance on adjacent private property, such as relandscaping a backyard, occurs simultaneously with the other three projects (including the Proposed Project) in the open space area. However, because residents are required to comply with all applicable and appropriate Federal, State, and local regulations and local codes and ordinances, effects to these resources would be minimal and would not have a large and long-term incrementally cumulative effect in combination with the Proposed Project and the other reasonably foreseeable activities in the Rice Canyon open space area. No substantial, permanent, adverse, cumulative impacts are expected to occur.

The GHG emissions and reduction in carbon sinks as a result of the Proposed Project would have a negligible impact on global climate change. However, added to all other GHG emissions and carbon sink reductions in the past and present, they would create a perceptible change in the

climate (International Panel on Climate Change 2007). Because of the extended amount of time that GHGs remain in the atmosphere, any amount of GHG emissions or reduction in carbon sinks can be reasonably expected to contribute to future climate change. The amount of GHG emissions from the Proposed Project would be small. On a global scale, the Proposed Project is expected to contribute a negligible amount to global cumulative effects to climate change because vegetation would likely grow back, nullifying effects.

4. MITIGATION, MINIMIZATION, AND AVOIDANCE MEASURES

The mitigation, minimization, and avoidance measures discussed in this section are from Section 4 of the PEA or were developed for this SEA based on site-specific impacts.

4.1 HISTORIC PROPERTIES

If a discovery of an artifact is made during the implementation of the Proposed Project, and in compliance with Stipulation X (Unexpected Discoveries) of the PA, the City will cease all activity and notify CalEMA immediately. CalEMA will notify FEMA and ensure that all reasonable measures are taken to avoid or minimize harm to the resource until FEMA completes additional consultation with the SHPO and the appropriate tribes. If human remains are found, the City will also contact the San Diego County Coroner/Medical Examiner and the local law enforcement office. Pursuant to the California Health and Safety Code, if the Coroner/Medical Examiner determines that the human remains are or may be of Native American origin, the discovery will be treated in accordance with Section 5097.98 (a-d) of the California Health and Safety Code.

4.2 PUBLIC SERVICES AND RECREATION

The City will be responsible for notifying the public before implementation of the Proposed Project. Notification may include posting fliers at information centers and in public restrooms in the open space areas and at trailheads to inform recreational users of the work duration and safety measures.

4.3 NOISE

The City will be responsible for ensuring that noise from the implementation of the Proposed Project does not exceed the noise standards in the City's zoning ordinance and that noise-generating activities, such as the operation of equipment, take place only between 7 a.m. and 10 p.m. on weekdays and weekends. In addition, all noise-producing project equipment and vehicles using internal combustion engines will be equipped with properly operating mufflers and air inlet silencers, when appropriate, that meet or exceed original factory specifications. This measure will ensure that noise emissions from vehicles and other equipment are limited to the minimum feasible levels.

4.4 HAZARDOUS MATERIALS AND WASTES

To prevent the release of petroleum materials into the environment from the use or storage of petroleum-powered equipment, the following BMPs will be implemented:

- Vehicles and equipment will be inspected and approved before use to ensure that they will not leak hazardous materials such as oil, hydraulic fluid, or fuel.

- Fueling will take place in designated staging areas or at offsite established fueling stations.
- The contractor will have emergency cleanup gear for spills (spill containment and absorption materials) and fire-suppression equipment available onsite at all times. The gear and equipment will be inspected before treatment begins.
- Any leaks, drips, or other spills will be cleaned up immediately to avoid soil contamination.
- Any spilled dry materials will be swept up immediately.

During herbicide treatment, the City will ensure that Integrated Pest Management guidelines and California Department of Agriculture pesticide regulations are followed. Herbicide will be applied in accordance with the manufacturer's specifications and Federal and State laws.

5. IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES AND SHORT-TERM USES OF THE ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

5.1 IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES

For the purposes of this document, irreversible commitment of resources is interpreted to mean that once resources are committed, the production or use of those resources would be lost for other purposes throughout the life of the alternative being implemented. An irretrievable commitment of resources defines the resources that are used, consumed, destroyed, or degraded during the life of the alternative that could not be retrieved or replaced during or after the life of the alternative.

The No Action Alternative would not directly require the commitment of human or fiscal resources. However, ongoing wildfire risk and its potential to damage facilities and result in loss of social, natural, historic property, and cultural resources within the City would continue.

The Proposed Project would require the commitment of human and fiscal resources. The additional expenditure of labor required for this alternative would occur predominantly during implementation. However, maintenance would continue throughout the life of the alternative. Funding for the Proposed Project would not be available for other uses and would therefore be irretrievable.

Nonrenewable and irretrievable fossil fuels and construction equipment (e.g., hand tools) would be required. Labor and materials are also irretrievably committed during the preparation and distribution of materials and equipment. However, the Proposed Project would require only a small amount of these materials, the materials are abundant, and use would not result in a measurable impact to the availability of these resources.

Although the Proposed Project would result in the commitment of resources as described above, the alternative would decrease the risk of loss to critical facilities and residential properties in the City.

5.2 SHORT-TERM USES OF THE ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Implementation of the Proposed Project would result in short-term uses of and short- and long-term impacts on the environment, as documented in Sections 3.1 through 3.8. However, the uses of the environment would be balanced by the long-term reduction in the risk of damage to critical facilities and residential properties as a result of wildfire. The vegetation management would enhance the long-term productivity of resources by appropriately addressing wildfire risks.

6. PUBLIC PARTICIPATION AND AGENCY COORDINATION

FEMA is the lead Federal agency for conducting the NEPA compliance process for this Proposed Project. The lead Federal agency is responsible for expediting the preparation and review of NEPA documents in a way that is responsive to the needs of City residents while meeting the spirit and intent of NEPA, and complying with all NEPA provisions.

The public will be notified of the availability of the SEA through the FEMA website and publication of a public notice in *The Star-News*. During the public comment period, FEMA will accept written comments on the SEA addressed to FEMA Region IX Environmental and Historic Preservation Office, 1111 Broadway, Suite 1200, Oakland, California 94607 or donna.meyer@fema.dhs.gov.

At the end of the comment period, FEMA will review the comments and consider them in its determination of a finding (either a Finding of No Significant Impact or a finding that an Environmental Impact Statement must be prepared). FEMA will publish the finding on its website and in *The Star-News*.

7. REFERENCES

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8. LIST OF PREPARERS

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Appendix A:
FEMA Consultation Letter to USFWS



FEMA

June 7, 2012

Jim Bartel
Field Supervisor
Carlsbad Field Office
U.S. Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009
Attn: Eric Porter

**Re: Vegetation Management Risk Reduction Project
LPDM-PJ-09-CA-2009-004
Subapplicant: City of Chula Vista**

Dear Mr. Bartel:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) proposes to provide Federal financial assistance (Federal action) to the City of Chula Vista (subapplicant or City), through the California Emergency Management Agency (Cal EMA), to conduct wildfire risk reduction in an open space area known as Rice Canyon in Chula Vista, San Diego County, California (proposed project). The proposed project involves vegetation management within 80 feet of existing structures on residential private properties, and the purpose is to reduce the potential for loss or damage from a wildfire in Rice Canyon. The assistance would be provided under the Legislative Pre-Disaster Mitigation Program.

FEMA has prepared this submittal to address compliance with Section 7 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. § 1536) for species that are regulated by the U.S. Fish and Wildlife Service (USFWS). Potential effects of the proposed project on federally listed species have been evaluated in accordance with the legal requirements in the 2003 *City of Chula Vista MSCP (Multiple Species Conservation Program) Subarea Plan* and 2010 amendments (MSCP Subarea Plan). The MSCP Subarea Plan was prepared pursuant to the general outline developed by the USFWS and California Department of Fish and Game (CDFG) to meet the requirements of Section 10 of the ESA (16 U.S.C. § 1539) and the California Natural Community Conservation Planning Act of 1991.

As part of Section 7 compliance, FEMA conducted research to obtain information on species that are listed or proposed for listing as endangered or threatened under the ESA and that may occur in the project area. The research methods included:

- Search of the CDFG's California Natural Diversity Database (CNDDDB) for federally listed species occurrences within 10 miles of the project area
- Search of the USFWS Carlsbad Office website for San Diego County
- Review of the MSCP Subarea Plan
- Review of the 2004 *Chula Vista Central City Preserve Area Specific Management Directives (ASMDs) for Preserve Management Area 1 (PMA 1)*
- Review of the 2004 *Baseline Biological Resources Report for the Chula Vista Central City Preserve Baseline Biological Survey, City of Chula Vista*

The general habitat characteristics in the project area were evaluated during surveys in 2002 and 2003 conducted by the City's consultant, RECON Environmental, Inc., and vegetation was mapped on April 12–14, 2005, by FEMA's consultant, URS Group, Inc. (URS). In 2011, URS reviewed available literature to identify the habitat requirements and distribution of species that would likely occur in the project area. In addition, URS conducted a site reconnaissance survey of the project area on February 9, 2011. During this survey, habitats were assessed qualitatively to determine which of the identified species, if any, are likely to occur in the project area. Subsequently, URS conducted an aerial photography interpretation of the vegetation communities in the project area in May 2012 to confirm that the habitats provided in this report reflect current conditions onsite.

As a result of the field surveys and background review, FEMA has determined that the project area provides habitat suitable to support one federally listed species regulated by USFWS, the Coastal California gnatcatcher (*Polioptila californica californica*).

Three federally listed plant species are known to occur in Rice Canyon but do not have the potential to occur in the project area because there is no suitable habitat. The species are San Diego ambrosia (*Ambrosia pumila*), San Diego thorn-mint (*Acanthomintha ilicifolia*), and the Otay tarplant (*Deinandra conjugens*). Therefore, these species are not discussed further.

According to the City, the proposed project would be implemented in a manner consistent with the MSCP Subarea Plan. Potential effects to the Coastal California gnatcatcher or other federally listed species resulting from the proposed project are authorized through the City's incidental take permit (No. PRT-830421) issued by the USFWS.

Based on FEMA's review of the biological resources in the project area, analysis of the proposed project, and review of the MSCP Subarea Plan, FEMA has determined that the proposed project is consistent with the MSCP Subarea Plan. FEMA requests concurrence

Mr. Jim Bartel
June 7, 2012
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of its determination from the USFWS and requests that the take coverage already allowed under the City's incidental take permit be extended to FEMA for the proposed project. For your review, FEMA is attaching documentation (Attachments 1 and 2) to support its determination.

If you require any additional information about the proposed project or FEMA's request, please do not hesitate to contact me at (510) 627-7728 or Donna.Meyer@fema.dhs.gov. FEMA requests written concurrence or questions from your office within 30 days. Thank you in advance for your assistance.

Sincerely,



Donna M. Meyer, CEM/HPS
Deputy Regional Environmental Officer
Non-Disaster Grant Programs

Enclosures

Attachment 1: Documentation of Findings

Attachment 2: Photographs of the Project Area

Figures

Figure 1: Project vicinity

Figure 2: Project area

Figure 3: Vegetation communities in the project area

cc: Paul Sirois, City of Chula Vista
Ricardo Castillo, Cal EMA
Dennis Castrillo, Cal EMA

**Appendix B:
USFWS Biological Opinion**



United States Department of the Interior



FISH AND WILDLIFE SERVICE

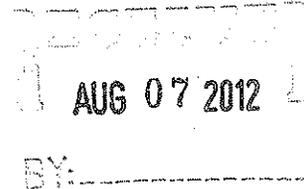
Ecological Services

Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011

In Reply Refer To:
FWS-SDG-12B0241-12F0407

AUG 01 2012

Ms. Donna M. Meyer
Deputy Regional Environmental Officer
Federal Emergency Management Agency
1111 Broadway, Suite 1200
Oakland, California 94607-4052



Subject: Formal Section 7 Consultation for the Vegetation Management Risk Reduction Project (LPDM-PJ-09-CA-2009-004), City of Chula Vista, San Diego County, California

Dear Ms. Meyer:

This document transmits our biological opinion based on our review of the proposed Vegetation Management Risk Reduction project (LPDM-PJ-09-CA-2009-004) and its effects on the federally threatened coastal California gnatcatcher (*Poliioptila californica californica*, "gnatcatcher"), in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). Your agency proposes to fund the City of Chula Vista to conduct wildfire risk reduction activities (e.g., vegetation thinning and removal) within approximately 25 acres of land in the area known as Rice Canyon, located within the plan area boundary of the City of Chula Vista's Subarea Plan under the Multiple Species Conservation Program (MSCP), San Diego County, California. We initiated formal consultation on June 8, 2012, the date we received your agency's request for consultation.

This biological opinion is based on information provided with your initiation request, Intra-Service Biological and Conference Opinion (FWS-SDG-882.1) for Issuance of an Incidental Take Permit to the City of Chula Vista pursuant to the MSCP dated July 18, 2003 (2003 biological opinion), and other information in our files. The complete project file addressing this consultation is maintained at the Carlsbad Fish and Wildlife Office.

The status of the gnatcatcher and the effects of implementing the City of Chula Vista's Subarea Plan were previously addressed in our 2003 biological opinion for issuance of an Incidental Take Permit under section 10 of the Act to the City of Chula Vista. Our 2003 biological opinion concluded that the effects of the Subarea Plan and level of incidental take were not likely to jeopardize the continued existence of the gnatcatcher. Given that the proposed vegetation management (e.g., brush management) is consistent with the City of Chula Vista's Subarea Plan, we do not anticipate any adverse effects to the gnatcatcher that were not previously evaluated in

our 2003 biological opinion. Thus, no incidental take beyond that anticipated in the 2003 biological opinion will occur as a result of the proposed action. Therefore, we conclude that implementation of the proposed vegetation management within Rice Canyon will not result in jeopardy to the gnatcatcher.

By this consultation, we are extending to the Federal Emergency Management Agency the incidental take exemption for the gnatcatcher already provided to the City of Chula Vista through their incidental take permit for their Subarea Plan. Extension of this take exemption to your agency is limited to the proposed action described in this biological opinion for activities that are consistent with the City of Chula Vista's Subarea Plan, implementing agreement, and incidental take permit.

This concludes formal consultation on the proposed action. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: 1) the amount or extent of incidental take is exceeded; 2) new information reveals effects of the proposed action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; 3) the agency action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in this opinion; or 4) a new species is listed or critical habitat is designated that may be affected by the proposed action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions regarding this biological or conference opinion, please contact Eric Porter of this office at 760-431-9440, extension 285.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor

cc:

Kyle Dutro, California Department of Fish and Game, San Diego, CA
Paul Sirois, City of Chula Vista, Chula Vista, CA
Glen Laube, City of Chula Vista, Chula Vista, CA

Appendix C:
Records Request to NAHC

Facsimile Transmittal

Transmitted By:

Name: Meredith Pecora
Company: URS, Oakland, CA
Fax #: (510) 874-3268

Date: February 22, 2011
Number of Pages: 1
Phone #: (510) 874-3197

Please Deliver To:

Name: Ms. Debbie Pilas-Treadway
Company: NAHC
Fax #: (916) 657-5390

Office Phone #: (916) 653-4040

Subject: NAHC Records Request for City of Chula Vista Vegetation Management Risk Reduction Project, Chula Vista, San Diego County, California

Dear Ms. Pilas-Treadway,

The purpose of this letter is to apprise you that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) proposes to provide Federal financial assistance to the City of Chula Vista, through the California Emergency Management Agency (CalEMA), to help with vegetation management.

The project is located on the following USGS 7.5' quad and Townships, Ranges, and Sections:

San Diego County

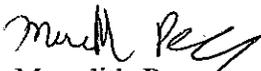
Quad: National City **Township:** 18S **Range:** 1W **Section:** 6

I am requesting the following information:

- Groups or individuals the NAHC believes should be notified regarding this project.
- Identification by the NAHC of any sacred lands within the subject lands that are listed within the Sacred Lands File.

Thank you for your attention to this request.

Sincerely,



Meredith Pecora
URS Corporation
1333 Broadway, Suite 800
Oakland, CA 94612
Phone: (510) 874-3197
Fax: (510) 874-3268

Appendix D:
NAHC Response to Records Request

STATE OF CALIFORNIA

Edmund G. Brown, Jr. Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 384
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



February 24, 2011

Ms. Meredith Pecora

URS Corporation

1333 Broadway, Suite 800
Oakland, CA 94612

Sent by FAX to: (510) 874-3268

No. of Pages: 5

Re: Request for a Sacred Lands File Search and Native American Contacts list for the:
"City of Chula Vista Vegetation Management Risk Reduction Project;" located
in Chula Vista; San Diego County; California

Dear Ms. Pecora:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources. The NAHC Sacred Lands File (SLF) search resulted in the following: **Native American cultural resources were not identified within ½ mile of the areas of potential effect (e.g. APE).** However, there are Native American Cultural resources in close proximity to the APE.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources. Lead agencies should consider avoidance as defined in §15370 of the CEQA Guidelines when significant cultural resources may be affected by a proposed project.

Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) for pertinent archaeological data within or near the APE, at (916) 445-7000 for the nearest Information Center.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*, 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation.

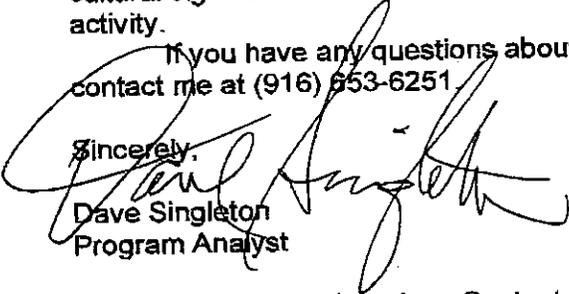
Also, California Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code 5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code 6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

Attachment: Native American Contact List

Appendix E:
FEMA Native American Notification Letters



FEMA

March 4, 2011

Kenneth Meza, Chairperson
Jamul Indian Village
P.O. Box 612
Jamul, California 91935

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Meza:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

FEMA contacted the California Native American Heritage Commission (NAHC) for a review of its Sacred Lands File. The NAHC's review failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC also provided a list of groups or individuals that may have specific knowledge of cultural resources or have other concerns in the specific project area. Your name was on this list.

A location map of the project area is enclosed with this letter. Should you have any knowledge of historic or cultural resources in the project vicinity, or if you have other concerns, please contact me at (510) 627-7270, fema-rix-ehp-documents@dhs.gov, or the letterhead address within 30 days of receipt of this letter. If you need additional time, please contact me; otherwise, if I do not hear back from you within 30 days, I will assume that you have no comment regarding the Subgrantee's proposal and FEMA's Undertaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna M. Meyer", written over a horizontal line.

Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Mark Romero, Chairperson
Mesa Grande Band of Mission Indians
P.O. Box 270
Santa Ysabel, California 92070

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Romero:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

FEMA contacted the California Native American Heritage Commission (NAHC) for a review of its Sacred Lands File. The NAHC's review failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC also provided a list of groups or individuals that may have specific knowledge of cultural resources or have other concerns in the specific project area. Your name was on this list.

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Sincerely,

A handwritten signature in black ink, appearing to read "Donna M. Meyer", written over a horizontal line.

Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Paul Cuero
Kumeyaay Cultural Herigage Preservation
36190 Church Road
Suite 5
Campo, California 91906

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Cuero:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

A handwritten signature in black ink, appearing to read "D. Meyer", written over a horizontal line.

Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Carmen Lucas
Kwaaymii Laguna Band of Mission Indians
P.O. Box 775
Pine Valley, California 91962

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Ms. Lucas:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Rebecca Osuna, Spokesperson
Inaja Band of Mission Indians
2005 South Escondido Boulevard
Escondido, California 92025

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Ms. Osuna:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Steve Banegas, Spokesperson
Kumeyaay Cultural Repatriation Committee
1095 Barona Road
Lakeside, California 92040

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Banegas:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Will Micklin, Executive Director
Ewiiapaayp Tribal Office
4054 Willows Road
Alpine, California 91901

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Micklin:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Michael Garcia, Vice Chairperson
Ewiiapaayp Tribal Office
4054 Willows Road
Alpine, California 91901

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Garcia:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Clint Linton, Director of Cultural Resources
Ipai Nation of Santa Ysabel
P.O. Box 507
Santa Ysabel, California 92070

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Linton:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Leroy J. Elliott, Chairperson
Manzanita Band of the Kumeyaay Nation
P.O. Box 1302
Boulevard, California 91905

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Elliott:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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Sincerely,

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Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

M. Louis Guassac, Executive Director
Kumeyaay Diegueno Land Conservancy
P.O. Box 1992
Alpine, California 91903

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Guassac:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

FEMA contacted the California Native American Heritage Commission (NAHC) for a review of its Sacred Lands File. The NAHC's review failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC also provided a list of groups or individuals that may have specific knowledge of cultural resources or have other concerns in the specific project area. Your name was on this list.

A location map of the project area is enclosed with this letter. Should you have any knowledge of historic or cultural resources in the project vicinity, or if you have other concerns, please contact me at (510) 627-7270, fema-rix-ehp-documents@dhs.gov, or the letterhead address within 30 days of receipt of this letter. If you need additional time, please contact me; otherwise, if I do not hear back from you within 30 days, I will assume that you have no comment regarding the Subgrantee's proposal and FEMA's Undertaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna M. Meyer", written over a horizontal line.

Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure



FEMA

March 4, 2011

Frank Brown
Viejas Kumeyaay Indian Reservation
240 Brown Road
Alpine, California 91901

Re: City of Chula Vista Vegetation Management Risk Reduction Project
FEMA-LPDM-PJ-09-CA-2009-004
Subgrantee: City of Chula Vista

Dear Mr. Brown:

The City of Chula Vista (Subgrantee) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Region IX, through the California Emergency Management Agency, to conduct vegetation management in an open space area known as Rice Canyon to reduce fire hazard potential in Chula Vista, San Diego County, California. The proposed project would reduce brush within a 60 foot buffer area from the private property boundary. The providing of Federal financial assistance in support of the Subgrantee's proposal is a Federal Undertaking, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

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A location map of the project area is enclosed with this letter. Should you have any knowledge of historic or cultural resources in the project vicinity, or if you have other concerns, please contact me at (510) 627-7270, fema-rix-ehp-documents@dhs.gov, or the letterhead address within 30 days of receipt of this letter. If you need additional time, please contact me; otherwise, if I do not hear back from you within 30 days, I will assume that you have no comment regarding the Subgrantee's proposal and FEMA's Undertaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna M. Meyer", with a long horizontal flourish extending to the right.

Donna M. Meyer
Deputy Regional Environmental Officer

Enclosure

Appendix F:
FEMA Consultation Letter to SHPO



FEMA

March 13, 2012

Mr. Milford Wayne Donaldson, FAIA
State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816
Attention: Ms. Susan Stratton

**Re: Vegetation Management Risk Reduction Project
LPDM-PJ-09-CA-2009-004
Subapplicant: City of Chula Vista**

Dear Mr. Donaldson:

The City of Chula Vista (subapplicant) has applied for Federal financial assistance from the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA), through the California Emergency Management Agency, to conduct vegetation management to reduce the fire hazard potential in an open space area known as Rice Canyon in Chula Vista, San Diego County, California. The assistance would be provided under the Legislative Pre-Disaster Mitigation Program.

FEMA's action of providing Federal financial assistance meets the definition of a Federal Undertaking in accordance with 36 CFR § 800.16(y) and therefore requires the compliance with Section 106 in accordance with the National Historic Preservation Act of 1966 (16 U.S.C. § 470f).

FEMA has identified an area of potential effect and has reviewed the proposal in compliance with Section 106 and the 2005 First Amended Programmatic Agreement (PA) among FEMA, your office, the California Emergency Management Agency, and the Advisory Council on Historic Preservation. FEMA has determined that the subapplicant's proposal and FEMA's subsequent Undertaking would result in no historic properties affected, pursuant to 36 CFR § 800.4(d)(1).

FEMA requests your concurrence on our finding in compliance with Stipulation VII.C of the Agreement. For your review, FEMA is attaching documentation in accordance with 36 CFR § 800.11(d). FEMA will authorize funding for the subapplicant's proposal unless

Mr. Milford Wayne Donaldson
March 13, 2012
Page 2

you notify FEMA of your nonconcurrency within 21 days of your receipt of this documentation.

If you require any additional information about FEMA's request, please do not hesitate to contact me at (510) 627-7027 or fema-rix-ehp-documents@dhs.gov.

Sincerely,



Alessandro Amaglio
Environmental Officer

Enclosure

cc: Paul Ransom, California Emergency Management Agency
Dennis Castrillo, California Emergency Management Agency
Justin Gipson, City of Chula Vista

Appendix G:
SHPO Concurrence Letter

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



June 18, 2012

Reply In Reference To: FEMA120314A

Alessandro Amaglio
Regional Environmental Officer
FEMA Region IX
U.S. Department of Homeland Security
1111 Broadway, Suite 1200
Oakland, CA 94607-4052

Re: Vegetation Management Risk Reduction Project, LPDM-PJ-09-CA-2009-004, City of Chula Vista

Dear Mr. Amaglio:

Thank you for the March 13, 2012, letter requesting my review and comment with regard to the proposed undertaking in the City of Chula Vista, California in compliance with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended, and its implementing regulation found at 36 CFR Part 800 and the 2005 First Amended Programmatic Agreement between FEMA, the California State Historic Preservation Officer, CalEMA, and the Advisory Council on Historic Preservation. Along with your letter, you also submitted maps, the results of a records search, and correspondence regarding the Undertaking. On May 9, 2012, you submitted additional materials consisting of a report titled "City of Chula Vista Vegetation Management Risk Reduction Project - LPDM-PJ-09-CA-2009-004—Finding of No Historic Properties Affected."

The proposed undertaking, as I understand it, involves vegetation management to reduce the fire hazard potential in an open space area known as Rice Canyon, located in Chula Vista. Brush clearing would be conducted using hand tools, including loppers, chainsaws, and string trimmers. The project would not involve discing, mowing with mechanical mowers or other ground disturbance. A long-term maintenance plan would also be implemented for five years, which would include selective herbicide treatment on non-native grasses and weeds in late January to early February. Shrubs and trees would be trimmed with string trimmers and follow-up herbicide treatments applied in the fall. FEMA proposes an Area of Potential Effect (APE) that includes the area of proposed fuel load reduction, the seven designated access points, and the staging area. Following an archaeological survey of the APE, FEMA determined that no historic properties are present. Therefore, FEMA proposes a finding of No Historic Properties Affected. After reviewing the information submitted with your letter, I offer the following comments:

- I concur that this action qualifies as a federal undertaking as defined in 36 CFR 800.
- I concur that the Area of Potential Effect (APE) as represented in the report you submitted is appropriate.
- Although I concur with the results of the identification and evaluation efforts, the survey report did not include the survey methodology; identify the staff who performed the survey, or state whether those staff met the Secretary of the Interior's Professional Qualifications Standards, as

required by Section III(A)(1) of the PA; or update the site record for the existing archaeological site in the buffer area that abuts the APE. In the future, this information needs to be included in the consultation package.

- I concur with the proposed finding of No Historic Properties Affected pursuant to 36 CFR § 800.4(d)(1).
- Please be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, you may have future responsibilities for this undertaking under 36 CFR Part 800.

Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Kathleen Forrest, at (916) 445-7022 or kforrest@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

2012 JUN 19 PM 2 00