Vegetation Management Program (VMP) Projects, Processes, Challenges and Permitting

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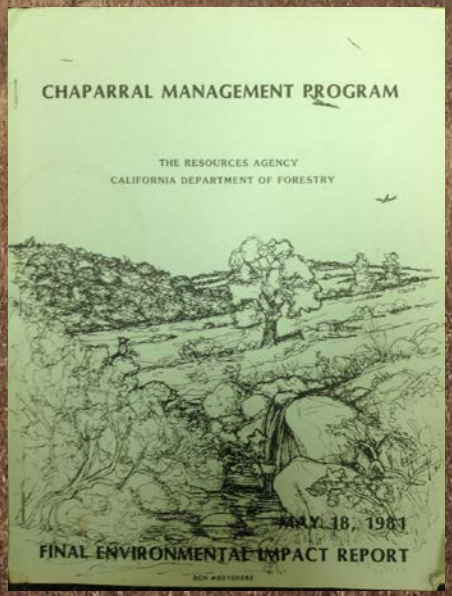

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VMP

The Vegetation Management Program (VMP) is a cost-sharing program that focuses on the use of prescribed fire, and some mechanical means, for addressing wildland fire fuel hazards and other resource management issues on State Responsibility Area (SRA) lands. The use of prescribed fire mimics natural processes, restores fire to its historic role in wildland ecosystems, and provides significant fire hazard reduction benefits that enhance public and firefighter safety.

Benefits of VMP Projects

Shaded Fuel Breaks

Inmate Hand Crew Spring Preparedness Exercises

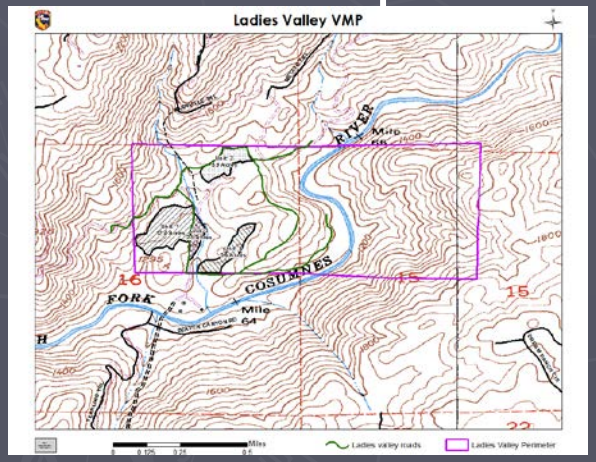
HFEO Training

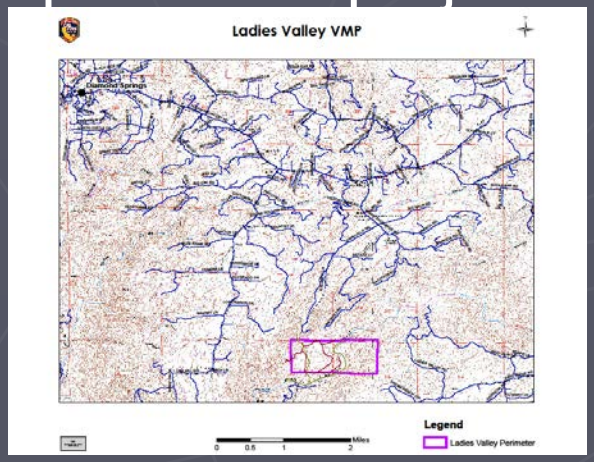
Firefighter Preparedness Exercises

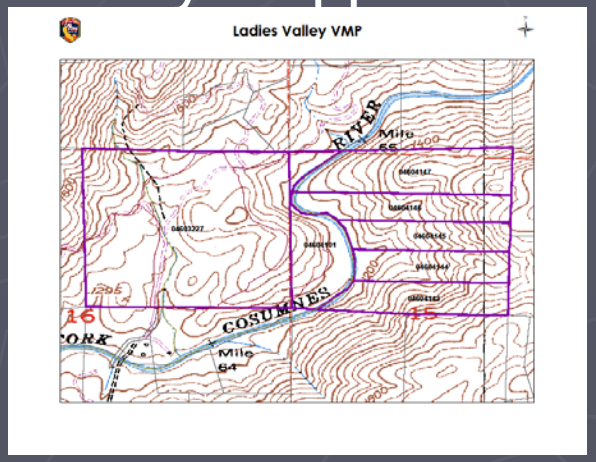
Faller Training and Recertification

Development Process

- New “Fire Plan Framework” is the future.
- Project map (topographic)
- Create a general location map which shows the project location and which contains major roads and towns in the vicinity.
- Create a parcel map with the project boundary mapped on







Project Maps & Scoping

- Generate a Natural Diversity Database (NDDB) run, look for any sensitive plant or animal species occurrences within the VMP area or adjacent to it.
- Get an archaeological records checks for the entire VMP area. (30 day process)
- Send all the Native American groups in the associated area a standard letter notifying them of the project, Include section, township and range. Invite them to share any information they have. Include a project and general location map. (30 day process)

Notifications

- Send your local regional water quality control board representative for your area a standard letter describing the project, project map and general location map and ask for any comments they have.

- Send the Department of Fish and Wildlife (DFW) biologist for your area a standard letter describing the project with Sections Township and Range, any sensitive species which occur in the project area as per your NDDB run and ask them to schedule a day to visit the project with you. Include copies of your NDDB run, project map, & general location map.

Burn Plan

- Write burn plan using the template. Fill in location, acres, environmental conditions, describe what activities you'll be doing. Go through the burn parameters with the Battalion Chief who will be operating the VMP.
- Provide a narrative of each of the soil types in the project area describing the important elements of each.
- Names who helped prepare the burn plan specifications will appear along with anyone else who contributed significantly to the plans development.

Cost Summary

- Using the VMP instruction book, figure out the public to private benefit ratio and plug those numbers in to the cost spreadsheet. The spreadsheet will then tell you how many dollars worth of “in kind” labor and equipment the cooperating landowner needs to provide.
- Work with cooperating landowner to figure out how they are going to come up with that amount of in kind labor and / or equipment time (Be creative). Then fill in Cooperator 1’s page of the spreadsheet and cooperator 2’s page of the spreadsheet, etc.

CEQA Compliance

5-Minute CEQA

for CAL FIRE Projects & Grants

CEQA is the **California Environmental Quality Act**. The Act came into effect in 1971, and requires state and local government agencies in California to identify the impacts their actions will have on the environment, and to avoid or mitigate those impacts if possible.

When does CEQA apply? Anytime a public agency is involved, directly or indirectly (funding source) in a ***project*** (PRC§21065 and 14 CCR §15378), that agency has to comply with CEQA. Also, when projects are supported by grants or contracts from public agencies, the people doing those projects have to comply with CEQA.

OK... *So what's a Project?*

Any activity which may cause a direct physical change in the environment.

or

Any activity which may cause a reasonably foreseeable indirect physical change in the environment. Prescribed burning and fuel reduction activities are always considered projects.

How do I get a CEQA permit? There is no such thing as a CEQA permit! CEQA is a *process* during which an agency evaluates the potential impacts of a project. Since there is not a permit, there are no inspections. CEQA is enforced by litigation: if a person or organization thinks a project is damaging the environment, they can file a lawsuit.

What environmental resources are considered during a CEQA analysis?

How do I decide which CEQA document to file?

1. Look at the list in the CEQA guidelines of types of projects that have been "determined to not have a significant effect on the environment." If the project fits one of these categories (Categorical Exemptions §15300-15333), and none of the exceptional circumstances contained in §153002.2 apply, then it is exempt from CEQA provisions. In this case, CAL FIRE requires you to prepare and file a Notice of Exemption (NOE)—this is your declaration to the public that your project is "Categorically Exempt" from CEQA. After you file this, you can start work on the project immediately, though there is a 35-day window during which the public can challenge your determination. Also, CAL FIRE requires the preparation of an Environmental Review Report Form as documentation. Before filing the NOE, CAL FIRE must conclude that the project would not cause significant environmental damage. And remember, you may need other permits for your project in addition to CEQA compliance.

2. If the project doesn't fit one of the Categorical Exemptions, you will complete the Initial Study(§15060) Checklist in Appendix G of the CEQA Guidelines. If you determine the project COULD NOT have a significant effect on the environment you prepare a **Negative Declaration**. If you determine the project COULD have a significant effect on the environment, revise the project or include mitigations so it WILL NOT have a significant effect, then you prepare a **Mitigated Negative Declaration**. There is a fee and a public comment period for Negative and Mitigated Negative Declarations(§15070).

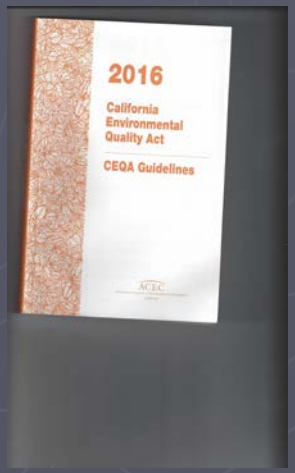
3. If you determine the project MAY have a significant effect on the environment, an **Environmental Impact Report** (§15080-15179.5) is required.

When does my CEQA evaluation expire? No, as long as no changes in the environment have occurred, CEQA doesn't expire. Archaeology expires after 5 years. This triggers a CEQA re-evaluation.

What if CAL FIRE is working with another state agency? One agency takes responsibility for the project and becomes the "Lead Agency." This can be the one that is most involved with the project or the agency that owns the land. Only one CEQA document is usually required for a project.

What about Federal land with NEPA? NEPA stands for the National Environmental Policy Act. It's the law and process by which the Federal Government evaluates environmental impacts associated with its projects. If CAL FIRE is funding a project with a Federal Cooperator where NEPA has been completed, CEQA may not be required. Projects need to be evaluated on an individual basis to determine if NEPA elements comply with CEQA (i.e. Archaeology). [§15221(a)]

DISCLAIMER: This document is meant to provide brief, helpful information about CEQA. To fully understand the law, please see the applicable portions of the Public Resources Code (§21000 *et seq.*) and Title 14 California Code of Regulations (§15000 *et seq.*)



Negative Declaration

- ***If needed (Currently VMP's in Timber do)***, prepare a Categorical Exemption or Negative Declaration and send it to CAL FIRE's Region & Cc: CAL FIRE's CEQA coordinator in Sacramento. The document will be posted at the states clearing house for a 30 day public comment period.

- When the Negative Declaration's 30 day public comment period passes, Sacramento will mail you a Notice of Determination (NOD). Put it in the file with the VMP.

Landowner Contracts

- Prepare two sets of RM-75 contracts for each cooperating landowner.
- Send the respective sets of contracts to each cooperator for their signature. The contracts have several parts to them and need to include copies of the burn plan and cost summary.

- CAL FIRE-719 Agreement for CAL FIRE or representative to work on Private Property

Timeframes

- Timeframe for writing a new VMP ranges from 3-4 months perhaps more if archaeological & biological surveys are required. You need a lot of people to get back to you with information, meet with you, sign contracts, arch reports, etc. That takes time as people have busy schedules.

- Timeframe for renewing a VMP is about 2 months as you need to send notifications to Indians and give them 30 days to respond, get the new RM 75's signed.

Air Quality Permit

- Coordinate getting an air quality permit prepared with your local Air Quality Management District.

- Smoke Management Plans

Permits

- LE-5 Permits – Pile burning or Agricultural burning Intended for Hazard Reduction around Homes 100’ Clearance.
- LE-7 Permits – Project type burning permit, Prescribed broadcast burning, require a burn plan and maps
- Site inspection (LE-8) may require additional containment prework or fire suppression equipment

Broadcast burning benefits

- Fuel reduction
- Plant ecology
- Insect and disease control
- Invasive plant control
- Forage improvement
- Wildlife habitat improvement
- Aesthetic enhancement
- Lower costs/acre
- Training opportunities

Challenges

- Public opinion
- Management objectives
- May need to “ring” leave trees
- May require fuel bed modification
- Smoke management
- Burn prescription/weather conditions
- Resource availability
- Region drawdown

VMP Project

Fuel bed modified and trees “ringed”

VMP

During

One day after

One Year After Burn

One Year After Burn

Improved wildlife habitat

Two Years After Burn

Pile Burning Benefits

- Burn window is wider
- More “surgical” – can remove specific vegetation
- Can burn with fewer resources
- Can burn in small increments
- Piles must have to mineral soil clearing to prevent escape

Liabilities

- Under a VMP project property owners are protected from Liability of fire damage and or escape (under CAL FIRE supervision).
- Private Property permit holders can be held responsible for allowing fire to escape, burning property of others, and may be charged a Felony for Recklessly Causing a fire.

Questions

- Thank you
- Additional Information Available on CAL FIRE Website search VMP