**Santiago Canyon Invasive Pest Mitigation And Fuels Reductions Project**

**Notice of Exemption (NOE)**

The Orange County Fire Authority (OCFA), as the lead agency under the California Environmental Quality Act (CEQA), has proposed the Santiago Canyon Invasive Pest Mitigation And Fuels Reductions Project (Proposed Project or Project) which involves the spraying of barrier insecticide to eliminate and slow the spread rate of pests, enhancing the survival rate of existing tree populations and removal of dead, dying and decaying vegetation, thus creating a fire safe condition in the area.

### Project Location:

### The Proposed Project would be located in western Orange County (OC or County), encompassing portions of the unincorporated communities of Trabuco Canyon, Modjeska Canyon, Silverado, and Santiago Canyon. The Proposed Project site consists of a 100-foot buffer along roads spurring off of County roads S-18 and S-19 to the northeast and east towards the Santa Ana Mountains. The Project site includes trees in both developed neighborhoods and uninhabited areas, covering a total of approximately 894.67 acres. Trees treated as a result of the Proposed Project are located in areas designated as Very High Fire Hazard Severity Zones (VHFHSZ).

### Existing Conditions:

Approximately 163,992 acres throughout the County are experiencing high tree mortality due to a recent severe drought conditions and tree pests. The Gold Spotted Oak Borer (GSOB) and Invasive Shot Hole Borer (ISHB) are weakening and killing native hardwood and ornamental species in the southern California wildland and urban landscapes. The California Board of Forestry and Fire Protection has declared some areas in the County as Zones of Infestation (ZOI) for the GSOB and ISHB. The Proposed Project site is located within the Zones of Infestation for the ISHB. Trees treated as a result of the Proposed Project are in areas designated as VHFHSZ within the County’s State Responsibility Area (SRA) (CalFire 2007) and spreads across portions the unincorporated communities of Trabuco Canyon, Modjeska Canyon, Silverado, and Santiago Canyon. The portion of the site in the vicinity of Trabuco Canyon is zoned Foothill/Trabuco Specific Plan Area and is designated within the County General Plan as Rural Residential. The portions of the Proposed Project site in the vicinity of Modjeska Canyon are zoned mainly General Agriculture (A1) and Open Space (OS), with smaller areas zoned Estates (E1), Residential Estates (RE), and Residential Hillside Estates (RHE) interspersed throughout. The County General Plan designates these areas as Rural Residential, Suburban Residential, Public Facilities, and Open Space. The last area of the Proposed Project site, in the vicinity of Santiago Canyon and Silverado, is zoned mainly General Agriculture (A1) with small areas zoned for Sand and Gravel Extraction (SG), RHE, and Local Business (C1). The County General Plan designates this portion of the Proposed Project site as Open Space, Rural Residential, and Suburban Residential (OC 2020).

### Description of Project:

### The Proposed Project site is designated as ZOI for the Invasive Shot Hole Borer (ISHB) and the Gold Spotted Oak Borer (GSOB).

### The ISHB pest mitigation and fuels reduction activities would include tree removal, branch removal, stump grinding, insecticide spraying, and soil injections. Insecticides would be applied either as soil injection or trunk sprays. For reproductive host trees with low to moderate levels of infestation, the insecticide Imidicloprid is applied as a soil injection, followed by a trunk spray with a combination of Cease and Pentra Bark. A combination of Bifenthrin and Nu Film P is then applied. For non-reproductive host trees, only the Bifenthrin and Nu Film P spray will be applied. The spray activities will involve the use of one to two diesel trucks that have attached booms with pressurized spray rigs.

### For the GSOB, pesticides would be applied using one to two diesel trucks that have attached booms with pressurized spray rigs. Contact spray would be applied to completely cover the trunk and any branches greater than 8 inches in diameter. Barrier spray application will be evaluated annually and, with consultation, be repeated as necessary. Contact insecticides kill adult beetles when ingested at emergence and also kill eggs laid on the bark surface. These sprays will not control larvae feeding in the tree but are effective at killing adult beetles as they directly contact the insecticide on the bark surface. The insecticide Carbaryl would be used because of its apparent effectiveness against GSOB under laboratory and field conditions (unpublished IRC data).

### The insecticide products would be applied by a registered pesticide applicator (Qualified Applicator Certificate or License) licensed for Forestry (Category E). IRC staff, as well as qualified contractors, have a Category E certification and the associated Operator IDs with the County Agricultural Commissioner to apply restricted chemicals. All pesticide applications would strictly follow label and label supplement specifications, and all pesticide use would be reported to the landowner and the Orange County Agricultural Commissioner at the end of each application month. Carbaryl is a restricted chemical and its use would be reported to the Orange County Agricultural Commissioner in advance of treatment.

### Applicability of Exempt Status:

The proposed activity is a project subject to CEQA. However, it is exempt from further environmental review under the following CEQA categorical exemption classes:

Minor Alterations to Land (Class 4)

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes (CEQA Guidelines §15304(a)).

Actions By Regulatory Agencies For Protection Of Natural Resources (Class 7)

Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption (CEQA Guidelines §15307).

Actions By Regulatory Agencies For Protection Of The Environment (Class 8)

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption (CEQA Guidelines §15308).

### Exceptions to Use of a Categorical Exemption (CEQA Guidelines Section 15300.2):

The proposed activity is a project subject to CEQA. However, it is exempt from further environmental review under the following CEQA categorical exemption classes:

1. **Location.** The Project activities will occur within portions of the unincorporated communities of Trabuco Canyon, Modjeska Canyon, Silverado, and Santiago Canyon. The Proposed Project site has been identified as partially overlapping with an inactive hazardous waste site pursuant to Section 65962.5 of the Government Code (DTSC 2020). Though, there is no ground disturbance associated with the Proposed Project that could increase hazard-related risks. A review of biological records of reported occurrences of federal- or state-listed endangered or threatened species, California Species of Concern (SSC), or otherwise sensitive species or habitats, and critical habitat that may occur within or in the immediate vicinity of the Proposed Project site, revealed the presence of thirty-eight rare and listed plant species, thirty-one rare and listed wildlife species and critical habitat for coastal California gnatcatcher located within the proposed treatment areas. However, the Proposed Project activities would comply with all parameters for operational constraints and employ best management practices to avoid impacts to any biological resources or associated habitats. Treatment of infected trees will reduce infestation, reduce risk of fire, and improve the quality of habitat for biological resources. No ground disturbance would occur during the Project activities which might result in any significant erosion into or sedimentation of creeks or long-term impacts. The Proposed Project would not impact environmentally sensitive areas or an environmental resource of hazardous or critical concern. This exception does not apply to the Proposed Project.
2. **Cumulative Impact.** As further discussed below under (c) Significant Effects, the Proposed Project would not have a significant effect on the environment, including those due to unusual circumstances. The potential for cumulative impacts occurs when the independent impacts of the Proposed Project are combined with the impact of related projects in proximity to the Project such that impacts occur that are greater than the impacts of the Project alone. As discussed above, it has been determined that the Project would have no impact, or impacts would be less than significant, with respect to the environmental issues. Where the Project would have no impact or a less than significant impact, it would not contribute to cumulative impacts. The Project is only for maintenance activities and not growth-inducing; thus, it would not contribute to the cumulative effects of population growth. This exception does not apply to the Proposed Project.
3. **Significant Effect.** The Proposed Project involves the spraying of pesticide, using up to two large diesel trucks with attached pressurized rigs, on beetle-infested trees in the designated Project area. As a part of Project activities, removal of trees or branches might be required, including felling, limbing, bucking, chipping or stump grinding of infested trees. As a result of the Project activities, as analyzed in the Initial Study, the Project would have no impacts, or less than significant impacts, with respect to the environmental issues. In some cases, the Project activities would be beneficial to improve the visual quality, access and safety in the site and its surroundings. None of the impacts on the environment, due to the implementation of the Project, will be significant or will require mitigation measures. Therefore, this exception does not apply to the Proposed Project.
4. **Scenic Highways.** The Proposed Project activities would result in the treatment and subsequent removal of beetle-infested vegetation in the Project site and would not directly or indirectly affect an officially designated scenic highway or scenic resources near a scenic highway. Therefore, this exception does not apply to the Project.
5. **Hazardous Waste Sites.** According to the State Water Resources Control Board’s GeoTracker database, there are no recent hazardous materials sites that have open cases within one-quarter mile of the Proposed Project site (SWRCB 2020). The Department of Toxic Substances Control’s EnviroStor database shows that the Formerly Used Defense Site (FUDS), Trabuco Bombing Range, is overlapping with the Trabuco Canyon portion of the Proposed Project site (DTSC 2020). However, The site is labeled as inactive and there is no record of injuries caused by unexploded bombs and rockets. Additionally, the Proposed Project only involves spraying pesticides on pest-infested trees along the FUDS property line, thus, contracted workers would remain on the outer edge of the FUDS boundary; the Project activities would be highly temporary in nature and no ground disturbance would result from the Proposed Project that could potentially unearth a buried ordnance. Therefore, this exception does not apply to this Project.
6. **Historical Resources.** The Proposed Project activities comprise of spraying of barrier pesticide and limited mechanized removal of beetle-infested trees, based on their types, as assessed by an OCFA hand crew or a qualified contractor. Subsequent fuel reduction and maintenance activities might require limited mechanized removal of dead and decaying trees. All felled tree parts will be hand-carried and chipped at predetermined locations that will not cause ground disturbance. Chippers onsite would remain on pavement or would be used off-pavement only on previously disturbed ground, when the ground is not wet, in order to avoid ground disturbance. Haul trucks required for the removal of tree material and green waste bins would remain on existing roadways, also avoiding ground disturbance. The Proposed Project is located along roads in both habited and uninhabited areas but will additionally not include any construction or modification of buildings or structures of historical significance. Thus, this exception does not apply to the Project.

### References:

CalFire

2007 Fire Hazard Severity Zones in SRA. Available online at: <https://osfm.fire.ca.gov/media/5899/county30_orange_vhfhsz2_unincorp3.pdf>

Orange County (OC)

2020 Public Works Land Records Map. Accessed April 2020. Available online at: <https://www.ocgis.com/ocpw/LandRecords/>

Department of Toxic Substances Control (DTSC)

2020 EnviroStor. Accessed April 2020. Available online at: <https://www.envirostor.dtsc.ca.gov/public/>

State Water Resources Control Board (SWRCB)

2020 GeoTracker. Accessed April 2020. Available online at: <https://geotracker.waterboards.ca.gov/>