

**From:** Brian Wines <BWines@waterboards.ca.gov>  
**Subject:** Re: Alameda County Community Wildfire Protection Plan Final Draft Plan  
**Date:** May 16, 2012 12:38:04 PM PDT  
**To:** DFSCMiller <dfscmiller@comcast.net>, <MGrefsrud@dfg.ca.gov>

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I realize I never got back to you.  
Unfortunately, it usually takes 2 or 3 emails to an agency these days to get a response on a topic that is not related to our core duties.

So you should really have been more persistent.

Also, I don't see all of the permitting information that SFRWQCB and CDFG provided at the meeting reflected in this draft.

Here are areas that should really be fixed.

In Section 2.2.2, text under Factor 4, Local Watersheds, creeks, and riparian areas states that,  
"Replanting or revegetation may be required in some areas when vegetation is removed to reduce wildfire hazards."

This should be replaced with.

"In some cases, it may not be legal to remove riparian vegetation as part of a fuel management program. Prior to any fuel management along creek corridors (including intermittent and ephemeral creeks), the SFRWQCB and the CDFG should be contacted to determine whether or not there are legal restrictions on the proposed fuel management activities. In some cases, it may also be illegal to remove vegetation during some portions of the year. For example, riparian vegetation may not be disturbed during the nesting season, unless appropriate nesting surveys have been performed. In addition, there are restrictions on removing vegetation from the banks of fish-bearing streams, if habitat for endangered salmonids may be negatively impacted (e.g, loss of trees that provide shade to maintain stream temperatures below the lethal limits for salmonids, loss of trees that provide cover from predation, loss of trees that provide sources of allochthonous nutrients, etc.). Many recent housing and commercial developments were required to set up conservation easements as partial mitigation for impacts to the environment. The removal of vegetation from lands protected by these easements is usually restricted by the language of the conservation easements and the permits that required the conservation easements. The removal of vegetation that is not consistent with the vegetation management restrictions in a permit or associated conservation easement is not legal. Where vegetation may be removed or thinned for fuel management, replanting or revegetation may be required. Replanting usually includes a 5 to 10 year monitoring period to ensure the successful establishment of the replanted shrubs or trees. Where on-site replanting is not feasible, an off-site mitigation project should be identified and implemented."

In Section 4.4, in the first bullet list, "Porter Cologne" applies to Waste Discharge Requirements" There is only "Clean Water Act Section 401 Certification." There is no "Porter Cologne Certification"

Also, the list of factors that restrict vegetation removal should include "Conservation Easements and Permits that mandate Conservation Easements".

Please get these changes in the document before it goes final.

Thanks

>>> DFSCMiller <dfscmiller@comcast.net> 5/11/2012 7:59 AM >>>

**The Final Draft Plan is available!**

**Diablo Fire Safe Council invites you to attend the final stakeholder meeting for the**

**Alameda County Community Wildfire Protection Plan**

Save the Date – Friday May 25, 2012

Topics: Comments received and the Final Draft Plan

Time: 10:00 AM – noon

Place: Trudeau Training Center 11500 Skyline Boulevard Oakland

Attached please find the Final Draft Plan in redline format that incorporates the comments received during the April 4 - May 5, 2012 comment period. At the March stakeholder meeting participants were asked to have one final meeting. So come help us celebrate the final draft. We will review the comments received and the redlined version attached. Comment letters/emails and the final draft are being posted to the Diablo Fire Safe Council website [http://www.diablofiresafe.org/ala\\_co\\_CWPP.html](http://www.diablofiresafe.org/ala_co_CWPP.html)

Please RSVP by Wed May 23rd to DFSCMiller@comcast or call for more information (510) 536-0143