

CA HOME HARDENING HMGP PROGRAM PHASE “NO ISSUE” PROPERTY CONDITIONS

Program activities at all Phase I (“No Issue”) properties will conform to the following conditions. For all activities:

1. The property does not contain an identified archaeological site as verified by CHRIS records, a cemetery, or environmental mitigation area.
2. The vegetation clearance zone is not within 150 feet of a wetland or waterway.
3. Shrub and bush root balls may be removed within the 0 – 5 foot zone using hand tools; however, no grading or excavations will be conducted (e.g., water bars, tilling, discing).
4. Work shall be performed using hand-held tools, chainsaws, and/or small rubber-tired, non-tracked, mechanized equipment fitted with a mower or masticator deck. Equipment will be staged on improved surfaces to the maximum extent possible. Treatment areas will be accessed from existing roads and driveways. Small rubber-tired, non-tracked, mechanized equipment may include light equipment such as ATVs, chippers, or skid steers.
5. No structures will be demolished.

For structure hardening activities:

6. Buildings to be retrofitted are less than 45 years of age at the time the work will be conducted, as verified by County Tax Assessor’s records.
7. The property is not individually listed or eligible for listing in the National Register of Historic Places (NRHP) and is not in or adjacent to an NRHP-listed or NRHP-eligible historic district as verified by CHRIS records.
8. The property is not in or adjacent to a state or local historic district and is not a Mills Act property, as verified by County or other local sources.

For vegetation reduction activities:

9. Trees and limbs will be cut in place using a chainsaw or other hand tools, and all cut vegetation will be removed from the property by hand, not dragged, to a debris stockpile area for use as firewood, chipped, or hauled to and disposed of at an approved solid waste facility.

10. Cut or felled trees will be less than 12 inches in diameter at breast height, and stumps will not be ground below grade level.

11. Tree Root balls will be left intact, not removed. Shrub and bush root balls may be removed within the 0 - 5 foot zone.

12. No vegetation clearing work will occur during bird nesting season (February 1 through August 31). If work must occur during this time, for compliance with the Migratory Bird Treaty Act and California Fish and Game Code, nesting bird surveys must be conducted by a qualified US Fish & Wildlife (USFWS)-approved avian biologist no more than 7 days prior to planned work in order to locate nests within and adjacent to (150 feet beyond) the proposed work area. If no protected nesting birds are detected, the work may proceed, however if construction activities pause for more than 7 days, another nesting bird survey must be conducted before construction can resume.

If an active nest is detected during the survey, either work must be suspended until the young have fledged OR the following will apply:

a. An exclusionary buffer will be established around the nest. The buffer distance will be determined by the USFWS-approved biologist considering several factors: presence of natural buffers (vegetation/topography), nest height, location of foraging territory, nature of the proposed activities, and baseline levels of noise and human activity. The buffer may range from 50 feet to over 250 feet in width.

b. The biologist must monitor the nest during construction for signs of adverse effects including distress/disturbance (since "take" is not authorized). If adverse effects are detected, then the biologist will have the authority to stop all construction activity in the vicinity of the nest.

c. The biologist must continue to monitor the nest and will determine when young have fledged. Once the young have left the nest the buffer and exclusion zone may be removed and construction activities within these areas may resume.

No work will occur within 500 feet of an active Federally protected Threatened or Endangered species nest, for all other species, if an active nest of any bird species is identified, the project biologist will designate a species-specific no equipment/no activity buffer of a minimum of 100 feet (2,640 feet for eagles) around the nest. The biologist will assess each active nest for the species' tolerance to human activity, vegetation or other materials that may screen the nest from noise or view of the work, the nature of the work, or other environmental factors. Monitor the nest during construction for signs of species disturbance (since "take" is not authorized).

If adverse effects are detected, request that construction activity in the vicinity of the nest be halted. Continue to monitor the nest and determine when young have fledged. Once the young have left the nest OR the beginning of the nonbreeding season is reached, the exclusionary buffer may be removed and construction activities within these areas may resume.