

Board of Forestry and Fire Protection
ATTN: Edith Hannigan, Board Analyst
PO Box 944246
Sacramento, CA 94244-2460

May 31, 2016

RE: VTP Draft PEIR Comments

Dear Ms. Hannigan,

The Nature Conservancy is an international nonprofit organization dedicated to conserving the lands and waters on which all life depends. We have worked with a wide array of landowners, businesses, communities, governments, and other partners to successfully protect over 119 million acres worldwide. We seek to achieve our mission through science-based planning and implementation of conservation strategies that provide for the needs of people and nature.

The Nature Conservancy (the Conservancy) is pleased with the thoughtful inclusion of science used to prepare the Program Environmental Impact Report for the Vegetation Treatment Program (VTPEIR). The document includes a strong discussion of the differences in fire and disturbance ecology among different vegetation communities across the state. However, there still appear to be few well-defined limitations on fuel modification treatments designed to protect structures and human life while preventing habitat degradation in vegetation types with long fire-return-intervals and may be subject to type conversion or weed invasions following repeated fires, such as South Coast shrublands (e.g. Southern California chaparral and coastal sage scrub). Below we provide recommendations designed to address these concerns. Our recommendations fall into two broad categories: consideration for South Coast shrublands and recommendations about project review.

I. **Considerations for South Coast Shrublands**

As well described in chapter 4 of the VTPEIR, the fire ecology and natural fire return intervals in South Coast shrublands differ significantly from those of many other vegetation communities in the state. These differences are well described in the VTPEIR, but do not appear to result in significant differences in the overall conclusions drawn or recommendations made for how a project is evaluated or implemented. To address the differences among shrublands and other vegetation communities, we recommend a number of modifications to language throughout the VTPEIR.

First, the VTPEIR should eliminate broad generalizations about the influence of prescribed fire, crown fire, increase of fine fuels, and fire adapted ecosystems and rather present information for specific vegetation communities or groups of vegetation communities. These discussions could be strengthened by greater recognition of the importance of median fire return intervals in influencing how vegetation

communities are impacted or enhanced by fire and other management activities proposed in the VTPEIR. A few examples are discussed below.

The use of Condition Class to help guide selection of projects has limitations as presented in the VTPEIR with respect to South Coast shrublands. The Condition Class analysis is cited to be from 2003 using data from 2001. Large areas of the South Coast have burned since 2003, some multiple times, which would result in a misclassification of much of the region (e.g., burned versus unburned area) and overestimation of the time since last fire. This results in an overestimate of the need for prescribed fire and other management activities and increases the probability of negative impacts to these shrublands. Managing under this scenario may lead to type conversion to non-native annual grassland.

The Conservancy recommends that CalFire include a description of how Condition Classes are based on positive or negative deviations from the historic fire regime (as mentioned on page 4-44) and how these differences largely determine the enhancement or degradation potential of a particular vegetation treatment method. We recommend clarifying that under the current human-induced high fire frequency situation in the South Coast, there is no need to conduct ecological restoration in the region's shrublands. Language should be added that where Condition Classes 2 and 3 result from fires that occur too frequently only projects to remove non-native species can be implemented.

Two additional and related topics should be directly addressed during project evaluation within South Coast shrublands to ensure adequate protection of this ecosystem type under the VTP: effectiveness of altering landscape fuels; and the threat of type conversion. The effectiveness of altering landscape fuels to reduce fires that result in losses of life, property and natural resources for South Coast shrublands should be evaluated using the most up-to-date science. Peer-reviewed literature is available that assesses the influence of prescribed fire on wildfires in shrublands of the South Coast and similar biomes¹. Based on this literature, the most efficient and effective strategies appear to be focusing fuel treatments within direct structure protection zones and along evacuation routes.

The use of prescribed fire and other management methods described in the VTPEIR in South Coast shrublands that have burned within the past few decades are likely to result in conversion these areas to non-native grasslands. Administration of prescribed fire in these areas would subject them to fire return intervals that are significantly shorter than they have experienced historically, and studies in the region have shown reducing the fire/disturbance frequencies in South Coast shrublands below the median interval, noted in the VTPEIR, commonly results in type conversion. Too much fire is recognized in the VTPEIR as a threat to these vegetation communities. CalFire should focus activities that disturb native shrublands on direct human asset protection and should not consider these treatments ecological restoration without further analyses. An updated, region-wide analysis should be conducted to determine the time since last fire of shrublands. Treatment for ecological restoration should only be considered if a significant proportion of the region supports stands older than the median fire return

¹ Enright N. J. and Fontaine J. B. (2014) Climate Change and the Management of Fire-Prone Vegetation in Southwest and Southeast Australia. *Geographical Research* 52: 34–44. doi: 10.1111/1745-5871.12026.

Price O. F., Bradstock R. A., Keeley J. E., and Syphard A. D. (2012) The impact of antecedent fire area on burned area in southern California coastal ecosystems. *Journal of Environmental Management* 113: 301-307.

Penman T. D., Collins L., Syphard A. D., Keeley J. E., and Bradstock R. A. (2014) Influence of Fuels, Weather and the Built Environment on the Exposure of Property to Wildfire. *PLoS ONE* 9(10): e111414. doi:10.1371/journal.pone.0111414.

interval for each vegetative community. Pending such an analysis, these vegetation communities should only be available for treatment where there is direct benefit to structure and evacuation route protection within the Wildfire Urban Interface (WUI).

II. Recommendations Related to Project Review

The Conservancy believes assessment and implementation of many of the standard project requirements (SPRs) and project specific requirements (PSRs) is too subjective to ensure cumulative impacts will be avoided as discussed on pages 5-29 through 5-31 with respect to invasive species mitigation in South Coast shrublands. Due to the subjectivity of some of the project assessment criteria, the project and/or California Environmental Quality Act (CEQA) coordinators appear to have too much flexibility in determining the need for further review or the implementation of certain mitigation measures.

Throughout the plan, it is stated that the project coordinator will be the lead on determining the project impacts and in completing the checklist. Under this system, if a project coordinator determines there is no need for additional review, there seem to be few checks to ensure further CEQA review if it is indeed warranted. Additionally, with approximately 230 projects anticipated to occur each year, additional staffing would appear necessary to allow adequate review. We are concerned that the large number of projects anticipated could outpace the ability of the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) to provide adequate review. There is also no discussion of the need for protocol level surveys, only “field review” even for listed species and it is unclear how this meets the requirements of California Endangered Species Act (CESA) and the Endangered Species Act (ESA).

Due to the intersection of biodiversity and threats in the South Coast, as recognized on page 4-91 of the VTPEIR, the Conservancy has concerns about the number of acres proposed for treatment in this region. Although 5,204 acres per year for regions with limited urbanization and few special status species may be insignificant, the potential cumulative loss or degradation of 52,000 acres of habitat in the South Coast over the ten-year period of the VTP is significant. The potential loss of habitat due to fire break construction and degradation from fuel treatment projects should be held to the same project review and mitigation standard as other projects that result in the loss of habitat as described in multiple Natural Community Conservation Planning/Habitat Conservation Plans in the region.

For BIO-5, which addresses treatments in much of the South Coast, the criteria definitions are unclear. To strengthen the Mitigation and Standard Project Requirement, both “old-growth chaparral” and “critical infrastructure” should be clearly defined. In addition, a maximum width for fuel breaks should be included to remove subjectivity around what can be defined as a fire break. Given the large size of the Wildland Urban Interface (WUI) for the South Coast, as defined in the VTPER, language should be added to focus projects on direct structure and evacuation route protection. Further, as a result of the many recent and large fires in the South Coast, projects outside of the WUI and fire breaks should be restricted to those that treat non-native species, but do not disturb native species.

We recommend that CalFire reconcile inconsistencies with respect to BIO-8 and clarify that this practice must be implemented for all projects. Under its definition on pages 4-148 and 7-24 there is no mention of this practice being at the discretion of the project coordinator, but on pages 4-124, 4-130, and 4-146 it states it must be implemented only “*if needed to prevent inadvertent introductions*” or “*mitigate project impacts*”. As a result, it is unclear if this measure is at the discretion of the project coordinator

or must be implemented on all projects as implied by its definition. We recommend this practice be implemented for all projects.

BIO-9 allows the project coordinator to determine if there is a significant risk of introducing invasive plants, and if so to develop mitigation measures. This level of subjectivity does not appear appropriate based on the conclusion drawn on page 4-124 that *“The establishment of invasive plants within fuel treatments is a serious concern because many treated areas extend into remote, pristine wildland areas.”* The BMPs should be implemented on all projects to limit the spread of non-native species.

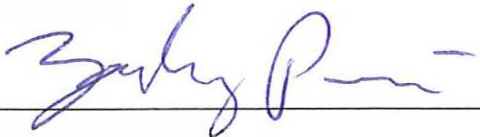
Questions 18, 19 and 20 on the checklist are very difficult to answer because of the large degree of uncertainty associated with burning in chaparral that reflects site specific disturbance histories, current composition, seedbank makeup, unpredictability of fire behavior, and climate conditions following the prescribed fire. As a result, we can offer no scientifically based metrics that can easily be applied to assess the potential impacts of prescribed fire on chaparral. Instead we recommend that treatments in chaparral be restricted to projects focused on direct structure and evacuation route protection and not be carried out to alter landscape fuel characteristics.

Question 28 appears to provide project reviewers too much discretion to conclude the VTP has no significant impacts to biological resources. Virtually any project within the WUI could be considered, even if it is to occur far from the closest structure and results in take of special status species. As a result, there is no way to adequately assess the level of impact under consideration, nor identify mitigation measures. To allow for such a question to be on the checklist, the Conservancy recommends including maximum distances of vegetation treatments to structures or evacuation routes, and based on these distances, evaluating a maximum area or threshold that could be impacted with “detrimental impact to a biological resource”.

In conclusion, the Conservancy recommends that vegetation treatments in the South Coast should be reviewed under different criteria than those for other vegetation types. The VTPEIR discusses the unique characteristics and threats faced by these vegetation communities following fires and disturbance treatments, but does not address these differences adequately in the criteria for projects review. Modifications to the language of the criteria, project requirements and guidance presented in the VTPEIR could address these problems and provide the protections and mitigation measures necessary for South Coast shrublands.

We would be happy to further discuss our recommendations for conservation and management of South Coast shrublands and for a robust science-driven project review process. Thank you for your consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Zachary Principe", is written over a horizontal line.

Zachary Principe
Stewardship Ecologist