

January 9, 2018

Board of Forestry and Fire Protection
Edith Hannigan, Board Analyst

By Email: VegetationTreatment@bof.ca.gov

RE: Comments on VTP Draft EIR November 2017

Submitted by Peter H. St. Clair
2341 Whitman St.
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Dear Board Members and Analyst:

VTP has not been demonstrated by analysis within the PEIR to be effective in meeting the Program Objectives.

Its potential environmental impacts have not been specified.

Actual mitigations have not been identified. While PSAs and SPRs are well drafted, their application truncates or precludes public involvement, especially from those with specific knowledge of the areas proposed for treatment.

Superior alternatives are not discussed. (See below).

As it stands, the No Project Alternative is environmentally superior, having demonstrated repeated success, outlined in the case studies presented in the Draft EIR.

According to the text of VTPEIR, the Vegetation Treatment Program is not integrated with other activities described within the PEIR and undertaken by BoF, CalFIRE and numerous other public and private entities in California to lessen the impact of wildfire. (Section 2.3 says VTP is not the solution to the problem of wildfire. The section describes "co-existing" programs. The programs can and should be integrated.)

The PEIR is advertising copy and a pre-announcement of success. It is not a scientific evaluation of the program (See 2.3.2 and comments on availability of grant funding conditioned upon the state adopting different means of vegetation treatment as well as the various case studies, none of which required VTP to be successful and many if not all of which involved multiple government jurisdictions and agencies, private land owners and completed project specific CEQA evaluation prior to implementation)

You will receive many comments from botanists and fire-behavior scientists that address very specific statements in the PEIR, including the selection of appropriate data bases for sensitive,

rare or endangered species, and whether the modeling used to develop WUI and fuel break treatment areas is or is not plausible.

If I hope to add anything to the discussion of VT PEIR it is to cut through hundreds and hundreds of pages of highly repetitive text and get to the point:

Does vegetation treatment reduce fire risk and what are the alternatives to VTP?

Section 3, Alternatives, is wholly deficient. VTPEIR mimics the Wizard of Oz, who says “Pay no attention to the man behind the curtain.” VTPEIR manipulates its audience by saying, in Section 2.2, “VTP must characterize the biodiversity of California....to provide...a tractable framework for environmental analysis at a statewide level.” This is hogwash.

Tractable is defined as “easy to control or influence”.

An EIR under CEQA is not meant to be manipulated by the lead agency, project proponent or authors. It is not meant to be controlled or influenced. It is there to evaluate whether the project or program can meet its objectives without damaging the environment, and if damage is done, whether mitigations can be successfully undertaken.

An EIR is not a cost/benefit analysis, but this PEIR says, flatly, “...preparation of a MND...is costly, time consuming, repetitive and unsustainable from a personnel standpoint.” Therefore, BoF has devised a VTP that attempts to reduce the state’s incalculable biological, cultural, hydrological, spatial, atmospheric, climatological and geological complexity to three vegetation types: trees, grasses and shrubs.

This is impossible. Individual projects under VTP using this PEIR will quickly encounter on-the-ground conditions not anticipated in the documents. You will be back to square one with MNDs or worse. Why not do the required work in each bio region based on actual circumstances? Consistency is not required in preventing wildfire. Knowledge is.

The PEIR is a fraud. Its lack of analysis is appalling. Its cheerleading for prescribed burning and mechanical mastication has appeared in the three previous versions of VTP—none of which passed muster. It expands vegetation treatment far beyond that required of private land owners under PRC 4291. It expands the definition of WUI without evidence. If more structures exhibited fire resistive characteristics, then WUI would not need to be 1.5 miles (or more) in depth. If a landscape capable of knocking down embers was in place, WUI would not need to be this deep. VT proposes in some cases to reduce the resiliency of the landscape to stop fire. Nowhere does VTP or the PEIR say treatments will be effective against wind driven wildfire in low humidity.

VTP creates a euphemism, “ecological restoration”. It is shorthand for burning, stomping, bulldozing and spraying trees, shrubs and native grasslands.

A very predictable outcome is more non-native grassland (type conversion). Another is movement of pests from nurseries and cultivated areas into wildlands. Another is exacerbation of climate change as fewer trees and shrubs exist to capture CO₂.

More grassland means more invasive species and flashy fuels. The most recent catastrophic wildfires in California appear to have started in weedy and grassy areas. In high winds the grass fires spread very rapidly to consume structures and homes, killing firemen and civilians.

While there is evidence that lands can be restored by removing invasives and exotics and keeping down weeds, it is not reasonable to think Californians will stand by for a 100% increase in the amount of prescribed burning. They already know too many such burns grow out of control or burn “too hot and too high”. Without analysis of the ratio of success to failure in “ecological restoration”, PEIR fails to alert its users to the clear risks involved.

San Diego Natural History Museum under the leadership of Philip Unitt published a scientifically valid volunteer staffed San Diego County Bird Atlas (2004). Many of the quadrants staffed and studied experienced subsequent severe wildfire. Some quadrants were treated under managed and monitored prescribed burns. I believe some follow up bird and habitat census was done. These are the kind of data that if collected and analyzed presented would enable the authors of PEIR to begin to understand whether “ecological restoration” can work. They are absent from VTPEIR.

A few (a very few) comments from on-the-ground experts from previous versions of VTP have been included in the most recent draft, including an implied emphasis on maintenance of previously treated areas. Thank you. But that’s about it.

The rest of the document is a more laborious justification of PSAs and SPRs that look reasonable on paper, but which cannot be implemented under the personnel and budget constraints noted in the document. (It is interesting that the state complains it lacks the people to do the job correctly, while VTP states clearly CalFIRE intends to subcontract most of the work, including work to be done on private lands that will benefit private owners—without mention of how CalFIRE will be reimbursed for these activities.)

Does wildland fuel reduction limit the impact of gigantic wildfires? At what level of treatment is the loss of biodiversity so great, the threat of erosion so high, the propagation of flashy fuels and invasive species on cleared land so overwhelming that the risks outweigh the benefits?

PEIR does not address this question nor does it provide adequate evidence that vegetation treatment can prevent, stop or lessen high-velocity wind driven wildfire in low humidity conditions.

We know defensible space and PRC 4291 works. It helps protect first responders, evacuees, lives and property.

We also know that it has been virtually impossible to predict when and where severe fire events will occur. We have a general understanding that severe fires occur in the fall, but we have now had gigantic fires occur in what is called the “rainy season”. We thought local government understood fire-risk in siting subdivisions, but neighborhoods within communities like the west side of Rancho Bernardo in San Diego—far from wildlands—burned in Santa Ana driven wildfires.

In San Diego’s two largest fires in 2003 and 2007, fires jumped over Interstate 15, which incorporates cleared medians and 8 to 16 concrete highway lanes together more than 400 ft wide from Kearny Mesa to Escondido. The freeway was not an effective fuel break.

Why then might we assume that VTPs 300 ft wide fuel breaks on ridgelines will be effective? A 300 ft fuel break consumes one acre of vegetation every 145 ft in length. The fuel breaks pictured in VTPEIR run tens of miles—consuming 363 acres every 10 miles. In some cases fuel breaks could constitute a significant portion of all vegetation treatment contemplated in a bio region in a year. But does this foster the Program Objectives? We do not know. VTPEIR is silent on wildfire risk management in the most dangerous situations.

There is no evidence in VTPEIR that fuel modification treatments distant from people or properties will reduce fire.

It is appalling that PEIR Alternatives do not focus on how to enhance the benefit of PRC 4291, GC 51182 ff and California Building Code Chapter 7A. While PEIR does mention that VTP is only one of many programs designed to benefit natural and human communities, the vast resources CalFIRE is putting into VTP could be better deployed in helping people harden structures and making sure defensible space rules are enforced—including its legislative mandates against wholesale clearance or elimination of habitat, rare or endangered species, etc.

VTPEIR includes maps of prospective fuel treatments that when enlarged show work being done in federal, state and local parks and nature preserves, and on private lands set aside for protection of endangered species. In NCCP communities under MSCPs, HCPs and other land set-asides, brush management zones were carefully created so that all brush management would occur on private lands and away from sensitive habitat and resources. VTPEIR mapping appears to permit treatment within set-aside lands. This would be in violation of the NCCP permits issued by USFWS, CDFG , RWQCB, and ACOE to state and local government.

Thus VTPEIR has a fatal flaw: it attempts to fit our actual landscape into a “...preferred model and treatment program...”.

The model makes a lot of assumptions. The maps created from the model(s) show potential treatment over vast areas of the state. The text of VTP indicates that actual treatment (subsequent activity) will be based on a matrix (Figure 2.2.9). This is good, but why not combine the other fire-management techniques given short-shrift in passing in PEIR with vegetation treatment to really begin to provide protection to these high priority areas?

This kind of alternative is absent from VTPEIR and needs to be included.

Another class of alternative would be an amendment to or expansion of VMP, CFIP and other existing programs to cover timberlands and forested lands, to allow mastication on precisely defined fuel breaks close to communities, and to allow herbicide application, again in very specific circumstances.

Mastication as a program tool is largely unsupportable based on its horrific impacts but can provide a means of creating specific fuel breaks above communities where no such break exists (probably a rare occurrence) or fuel break maintenance.

Herbicides are commonly used in Southern California to treat weeds and invasives. They are met with significant resistance in coastal and Northern California, but have existing protocols and state and federal application requirements that are well understood. Federal officials and timber management professionals have learned how to work with communities that were opposed to herbicides.

Until such alternatives are defined and evaluated, the No Project alternative is environmentally superior, and, based on the myriad case studies in the PEIR, still allows significant action to be taken on a multi-jurisdictional basis among many land owners.

There are existing protocols for timberlands and forested lands under state and federal ownership, management or oversight whose applications are clearly understood and largely agreed upon among all parties. Why reinvent the wheel with VTP?

There is no justification for VTPEIR to decree that all impacts are mitigated by PSAs and SRAs.

For example, ADM 1 and 2, BIO 1, 5 and 6 require complex understanding of natural systems, specific species and their prevalence and protections, and understanding of geology and hydrology—among other areas of expertise.

You would have us believe a few individuals possess enough knowledge of the thousands of places in which vegetation treatment might occur to avoid impacts to riparian areas, wetlands, sensitive plants, animals and habitat and important cultural areas and artifacts. If that were true we would not have the processes in place throughout our state to do project specific CEQA investigations using professionals trained in very specific fields. While the form of checklists at least appear in this version of VTPEIR, and they are reasonably complete, they are based on assumptions that are not validated by this PEIR.

PEIR does not adequately address climate change and its actual or potential impact on wildfire.

PEIR now includes a section, Appendix I, on adaptive management and in theory invites public participation, but using a checklist approach to CEQA compliance, such expertise and interest is

excluded from the get-go if PEIR is approved and vegetation treatments on the vast scale anticipated in the program commence.

Finally, Section 2.6, Areas of Controversy, is an interesting inclusion in the document. The items and issues identified in this section are the heart of an EIR. Isolating and analyzing them in the specific areas to be treated is one of the most important elements of an EIR. Yet this document seems to believe that by listing these critical areas of concern it has done its job.

It has not.

Please consider the many suggestions you have received since 2013 (or even earlier under other versions of a similar project). Foremost among them request you to drop the idea that you can classify our state's lands into three neat categories. We do not need consistency. We need effective treatments. Next are the myriad requests for more feasible alternatives. Finally, the public demands analysis that has not already arrived at a conclusion, and is based on what researchers, practitioners and scientists actually wrote or experienced-- not misleading excerpts.

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