

California Native Plant Society

San Diego Chapter of the California Native Plant Society

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July 12, 2010

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego CA 92123-1666
Attention: Thomas Oberbauer
Email: Thomas.Oberbauer@sdcounty.ca.gov

Re: Negative Declaration for Dead, Dying, and Diseased Tree Removal in the Greater Julian Area and nearby Areas

Dear Mr. Oberbauer:

Thank you for the opportunity to comment on the Negative Declaration for Dead, Dying, and Diseased Tree Removal in the Greater Julian Area and nearby Areas.

The California Native Plant Society supports fuel management plans that minimize the risk to human life and property while maximizing protection of native plants and their habitats. These plans should be locally-adapted and account for all combustible materials, including building materials, ornamental vegetation, other landscaping materials, and adjacent native plant ecosystems.

The California Native Plant Society opposes the unnecessary destruction of California's native plant heritage for the purpose of wildfire fuel management. The California Native Plant Society supports protecting human lives, property and California's native plants from poor fuel management practices. California's superbly diverse native plants are its most valuable resource for erosion control and water conservation, and are vital to the long-term health of California.

CNPS supports the use of public and private funds to manage fuels in vegetation by practices consistent with the State of California Public Resources Code (see Appendix) and other State legislative acts affecting this issue. These codes regulate practices necessary to reduce risks of the chance of ignition of structures, or necessary to reduce risk of hazards to life and health by reducing risks on evacuation routes or as found by a fire-fighting professional to be necessary to achieve these purposes.

We find that a Negative Declaration is not appropriate, as it does not evaluate potential damage from the project.



Dedicated to the preservation of California native flora

The purpose of this San Diego County proposal is to remove dead, dying, and diseased trees out to 500' from structures and roads "to insure that during fires or other catastrophic events, dead trees do not fall, roll slide, or otherwise travel down slopes onto roads and become an impediment to evacuation or fire access...to create defensible space for fire fighters and improve forest health by removing fuels that transfer fires onto healthy trees..." (p. 10)

The San Diego Chapter CNPS finds that this proposal violates the spirit and the letter of the State regulations regarding effective practices to reduce fire risk. Removing trees at distances beyond 100' will not be effective in increasing the public safety except in particular locations (such as staging hubs for fire fighting), unusual conditions, or when extending the fuel management zone up to 200' in conditions specified by the Code.

The County proposal attempts to validate its 500' zone by referencing the section of the California Forest Practice Rules that deals with requiring notices where emergency removal of dead trees is desired. Note that compliance with the *Forest Practice Act* and Board *rules* apply to all commercial harvesting operations on 50K acre or larger property. The landholdings in the Julian area do not comply with this scale, nor are they dedicated to commercial harvest of timber. Many other statements about the reason for removing dead, dying, and diseased trees out to 500' (pp. 13-14) are similarly inappropriately justified. For instance, the statement that dead trees are more dangerous than live is dubious: dead trees are large dimension which does not ignite quickly. The loss of twigs and foliage reduced the biomass available to burn.

The use of helicopter logging to remove trees at a greater distance would be a gross waste of scarce public dollars that could be used much more beneficially for reasonable fire risk reduction within the first 30' of homes or out as far as 100'.

If such distant trees are instead removed by ground operations, the creation of haul-roads leading through undisturbed healthy vegetation would open the area to the growth of invasive weeds on disturbed soil, thereby greatly increasing the risk of fire as well as deterioration of sensitive species and habitats. The tree itself, if falling, would damage a fraction of such area.

Therefore, the CEQA Initial Study – Environmental Checklist Form Item IV. Biological Resources fails to adequately assess the potential of haul-roads to damage sensitive species and riparian habitat which may not be directly in the path of the haul-road but could be impacted for decades due to the construction of many lineal points of entry of exotic invasive and flammable species of plants, which could be a significant impact and not mitigable.

No mention is made of the fact that dead trees, or trees which may be declining (though with decades of life left) due to the various agents that ultimately bring about a tree's death, provide habitat for many animals, including cavities for bee colonies which pollinate many native species essential for sustaining a healthy ecosystem. Damage to its function by eliminating thousands of dead trees throughout the forest fails to adequately

assess the function these trees play in the ecosystem, which could be a significant impact and not mitigable.

In short, the position of the San Diego Chapter of CNPS is that this proposal should not be funded unless the horizontal dimension for the project is changed in the proposal to reflect the State's standard for fuel management to reduce wildfire risk to no more than 100' from structures and no more than 30' from roads, or within the minimum necessary area required for staging fire-fighting efforts at key fire-fighting nodes, which can be identified in advance. If this were the case the public would clearly derive benefit from the removal of those high-risk trees that could fall and roll.

The question of which trees to remove should be a decision made not solely by a forester, who has knowledge of how to manage a forest, but also by a certified arborist, who can assess the risks of falling posed by trees based on structural deficiencies, mechanical damage, or progression of disease that causes structural weakness.

The use of the undefined term "dying" to describe a tree is subjective in the extreme. The rainfall in 2009-2010 demonstrated that dormant buds on many oaks and sycamores were able to produce foliage on branches that had been without leaves. The lack of leaves may have indicated a state of "dying" to an untrained person, which might cause the tree to be removed using the percent foliage standard offered in the proposal. This is another reason why a certified arborist should be required to identify the trees that pose a risk of falling and causing damage, by using an arborist's criteria, not on a simple appraisal of amount of foliage remaining as suggested. The potential for destruction of valuable viable trees by this plan is unacceptable and could lead to County liability.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Kay Stewart". The signature is written in a cursive style with a large, prominent "K" and "S".

Kay Stewart

CNPS San Diego Chapter, Conservation Committee

Appendix

Public Resource Code 4291, Excerpt from General Guidelines (pages 5-6) –

“C. Fuel Treatment Guidelines

The following fuel treatment guidelines comply with the requirements of 14 CCR 1299 and PRC 4291. All persons using these guidelines to comply with CCR 1299 and PRC 4291 shall implement General Guidelines 1., 2., 3., and either 4a or 4b., as described below.

General Guidelines:

2. Dead and dying woody surface fuels and aerial fuels within the [30'] Reduced Fuel Zone shall be removed. This guideline is primarily intended to eliminate trees, bushes, shrubs and surface debris that are completely dead or with substantial amounts of dead branches or leaves/needles that would readily burn.

3. Down logs or stumps anywhere within 100 feet from the building or structure, when embedded in the soil, may be retained when isolated from other vegetation. Occasional (approximately one per acre) standing dead trees (snags) that are well-space from other vegetation and which will not fall on buildings or structures or on roadways/driveways may be retained.”

Source: Cal Fire. 2006