November 18, 2020

Assemblymember Laura Friedman, Chair, Natural Resources Committee
Assemblymember Richard Bloom. Chair, Budget Subcommittee 3

Re: Prescribed burning damages California native chaparral shrublands

Dear Honorable Assemblymember Friedman and Assemblymember Bloom,

The scientific consensus is overwhelming — **California native chaparral shrublands**, one of the state's primary sources of biodiversity and carbon sequestration, **are being threatened by climate change and increased fire frequency** (Park and Jenerette 2019).

This consensus was clearly articulated by Michael O'Connell during his testimony to the Budget Subcommittee on October 20, 2020. Orange County Fire Chief Brian Fennessy also based his 2019 recommendations to Governor Newsom on this scientific consensus.

Yet, testimony provided to the California State Assembly Natural Resources Committee on November 9, 2020, contradicted this consensus, claiming that adding even more fire to native chaparral shrublands through prescribed burning is an acceptable policy — it is not.

Such testimony also contradicts both state and federal policies and recommendations:

- California's Climate Change Vulnerability Assessment of the state's terrestrial vegetation predicts **chaparral will likely disappear** throughout much of southern California within the next century if current trends continue (Thorne et al. 2016).
- The United States Forest Service established a new leadership intent to protect chaparral in California because human-caused fires have increased fire frequency to the extent that **chaparral can no longer survive** and is being replaced with non-native annual grasses at an alarming rate (USFS 2011).
- The California Board of Forestry's Vegetation Treatment Program (VTP) states that, "coastal sage scrub and chaparral, **are experiencing fires too frequently**, resulting in changes to their ecology."
- The California State Legislature amended the Public Resource Code (PRC 4483) to

mandate additional consideration for chaparral and coastal sage scrub plant communities that **are being increasingly threatened by fire frequency**.

To ensure that the State does not facilitate the loss of chaparral through its actions, PRC 4483 also states that, "prescribed burning, mastication, herbicide application, mechanical thinning, or other vegetative treatment of chaparral or sage scrub shall occur only if the department (Cal Fire) finds that the activity will not cause "type conversion" away from the chaparral and coastal sage scrub currently on site." Please see Attachment 1 for a more detailed explanation of type conversion.

Therefore, adding more fire to chaparral plant communities through prescribed burning is inconsistent with the State's efforts to reduce fire risk, increase carbon sequestration, and protect biodiversity.

Despite this consensus, the California Board of Forestry and Cal Fire indicated in their testimony on November 9th that they will add more fire to native shrublands through prescribed fire projects. This approach will,

- increase fire frequencies in native shrublands,
- increase the risk of type conversion and the consequent spread of highly flammable non-native weeds and grasses, and
- increase fire risk to our communities by facilitating the spread of such weeds and grasses.

Although the Board of Forestry and Cal Fire indicate they will follow the law and avoid causing type conversion in native shrublands, the action portion of the VTP says otherwise — the VTP uses an ambiguous definition of type conversion that allows for subjective criteria and permits local project proponents to ignore protective measures based on their own evaluations. Regardless, **it is a near certainty that many of Cal Fire's habitat clearance projects will cause type conversion**, especially after cool season prescribed burns.

To reduce fire risk, correct environmentally damaging practices in the VTP, and protect California's native shrublands from the serious threats they face, we urge the following legislative remedies:

1. Define type conversion. Although the Legislature provided excellent guidance to Cal Fire regarding the protection of our native shrublands, a definition of type conversion was lacking. This allowed Cal Fire to define type conversion in a manner that is so ambiguous that it allows the Department to justify any vegetation clearance/prescribed fire project it proposes.

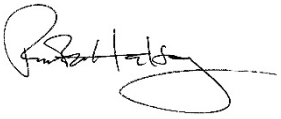
2. Mitigation. There is currently no penalty for violating PRC 4483. If Cal Fire eliminates a native shrubland through type conversion, the State has no mechanism to mitigate the damage. Projects

should be monitored for five years to determine if type conversion has occurred. If it has occurred, a 2:1 restoration ratio should be applied (1 onsite, 1 offsite).

3. Statewide standards. Type conversion is an easily measured phenomena. Despite the wide array of chaparral plant community types, the state can provide standardized statewide guidelines to local entities on ways to preserve native shrublands, prevent type conversion, and reduce fire frequency. The current VTP ignores this obligation and passes this responsibility on to local project proponents who are not capable of understanding the cumulative impact of type conversion on the state's most characteristic plant community, the chaparral.

We recognize one of the challenges is that fire agencies continue to view our natural lands as fuel, which is counter to the reason lands were protected — for their natural resource and intrinsic values. We remain ready to assist in legislative solutions and offer our experience and expertise.

Sincerely,



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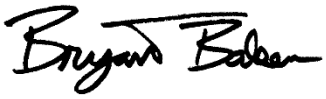

Bryant Baker
Los Padres Forest Watch

Dan Silver
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California Native Plant Society
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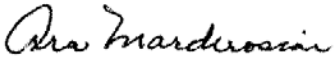

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Attachment 1: Type Conversion definition:
https://rest.edit.site/filestorage-api-service/d98729d2f1dc648487ef69b8c9ac1991/type-conversion-definition-v2.pdf?dl=1

References

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