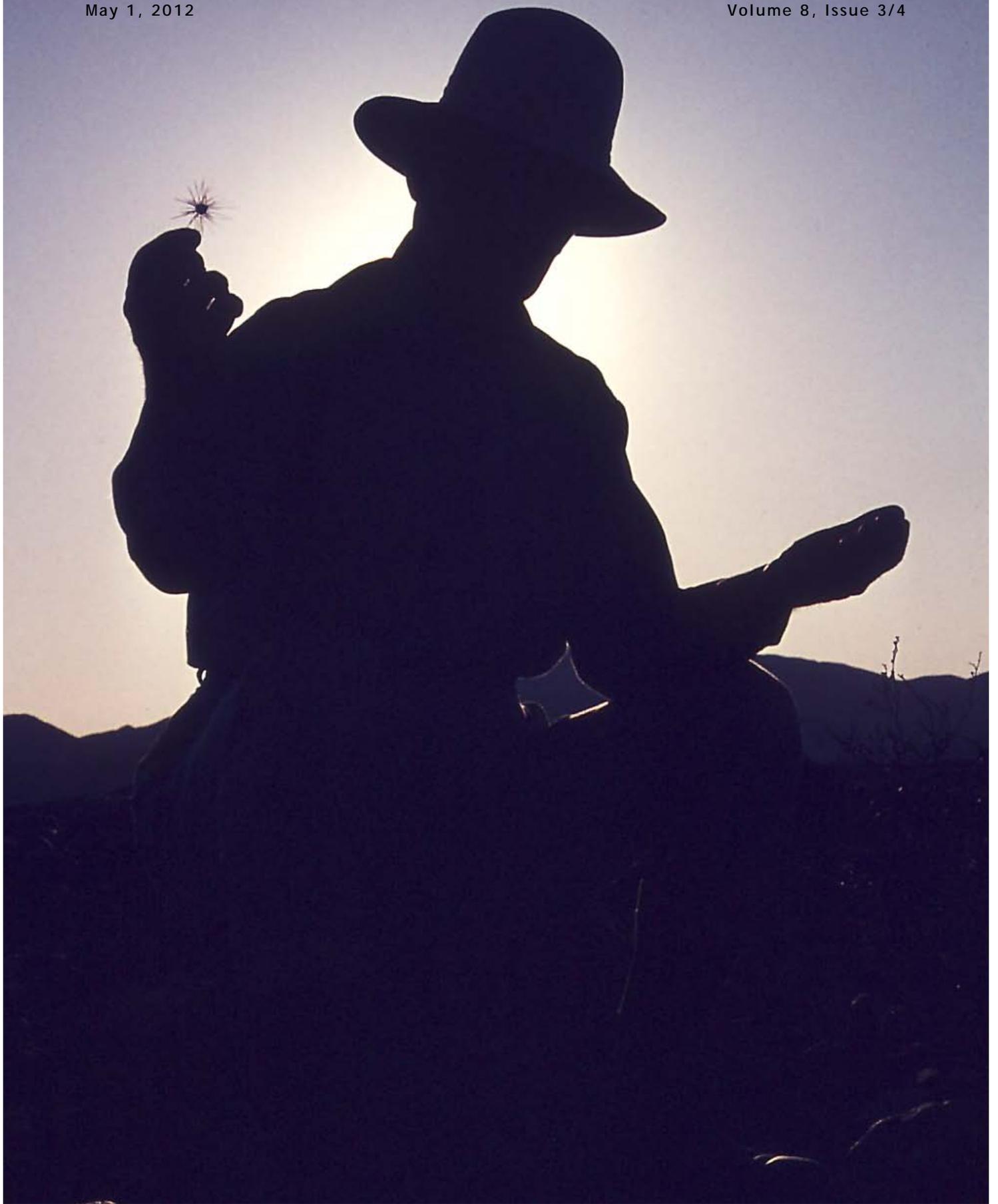


# THE CHAPARRALIAN

May 1, 2012

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# The Chaparralian #40

## Contents

- 3 NASCENT THOUGHTS
- 6 **The Politics of Fire, Shrubs, and Bureaucracies**  
Richard W. Halsey
- 21 **Poetry from a Kindred Spirit**  
Nancy Jordan
- 22 **Unfoldings**



*The Chaparralian* is the quarterly journal of the California Chaparral Institute, a 501(c)(3) nonprofit organization that is dedicated to the preservation of native shrubland ecosystems and supporting the creative spirit as inspired by the natural environment. To join the Institute and receive *The Chaparralian*, please visit our website or fill out and mail in the slip below. We welcome unsolicited submissions to *The Chaparralian*. Please send to: [naturalist@californiachaparral.org](mailto:naturalist@californiachaparral.org) or via post to the address below.

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Editor and Publisher.....Richard W. Halsey  
Copy Editor.....Bonnie Nickel

**Cover photograph:** General Westside T. Larson, US Army Air Corp., retired, in the Mojave Desert while exploring the Calico Early Man Site, an archeological excavation in 1973. The General was Richard Halsey's mentor and his father's commanding officer in WWII.

**Photo upper left:** Freedom of speech in Washington, D.C., 2012.

All photos by Richard W. Halsey unless indicated otherwise.

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## NASCENT THOUGHTS

### Shades of Truth

We have all confronted situations when the truth has been compromised or we ourselves have been challenged with the decision of whether to tell the truth, especially when doing so would cost us, either personally or professionally. While truth is a virtue that many celebrate, in practice it often falls victim to selfish pragmatism.

### Scarring the Land

In recent weeks, a surprisingly obvious and immediately counterproductive lie was stated and reaffirmed by Hank Rupp, the legal representative for Rancho Guejito. The rancho is a vast natural landscape in San Diego County that Californians have been trying to protect and preserve for decades without success. We have proposed designating it as part of the future Waheto National Park, which also includes a portion of the Cleveland National Forest. “Waheto” honors the word *Wixe'to*, which is the Payomkowishum Indian name for Pine Mountain, or “Sugar Pine Place,” a sacred mountain on the northern portion of the ranch. You can find out more by visiting the Rancho Guejito page on our website.

The corporate owners of Rancho Guejito intend to develop the massive property despite the unique national treasure it represents. In an attempt to establish a southern access point to the property, which rests on top of an expansive mesa, the corporation built an illegal road through a steep canyon alongside a pristine creek. When confronted with two Google Earth satellite images of the canyon, one from August 2010 showing a pristine wilderness, the other from 2012 showing the newly constructed road, Rupp responded that the “Google Earth images are not the last word in evidence,” and that the road “has been on the property for decades” and was merely “maintenanced last summer” (NCT 2012).

### Broken Promise

As you may remember, we have been battling the

County of San Diego for over a decade to stop them from conducting massive and unnecessary habitat clearing operations in the name of fire protection. Part of this ongoing effort was the creation of the county’s “Vegetation Management Report,” a document originally fraught with unsupportable assumptions and junk science.

In exchange for the Chaparral Institute’s positive consensus vote on the third draft of the document in 2008, the county representative promised to include our concerns in the next version. We voted yes, but our concerns were never included (see “The Politics of Fire, Shrubs, and Bureaucracies” in this issue).

### Moving Transects

Although I taught science for twenty years in the high school classroom, I really hadn’t ever *done* any – unfortunately, not an uncommon characteristic for secondary school science teachers. Once I left public education, I immersed myself in the world of science with the help of several wonderful individuals who believe strongly that helping others to understand is a critical part of the scientific process. I read the papers, started to think like a scientist, and eventually conducted my own investigations. I learned that skepticism and honesty are essential if one is to ever find the answers to the questions one asks. I also learned that not all science is conducted in this manner. Sometimes a scientist searches so hard to prove his or her hypothesis that contrary data is ignored and subjectivity replaces objectivity.

At what point does myopia over one’s own perspectives turn from unconscious delusion, to disingenuousness, to deceit? When the random placement of transects or study quadrants no longer becomes random and they are instead placed to capture a desired data set, someone failed to learn the lesson that cheating is wrong. It takes practice, but a sharp, critical thinker familiar with the field in question can usually identify questionable data. Unfortunately, most of us do not have the necessary experience and are thus vulnerable to confident talk and

impressive credentials.

Eventually the truth will come out and the fraudulent research dismissed, but it usually takes a very long time, sometimes not until the originator of the errant material dies. In the meantime, incorrect decisions can be made, decisions that can have devastating consequences, especially if they involve public policy.

From outright lies to protect one's personal interest, to lies of betrayal, to lies that justify cheating, the result is always the same: The truth is compromised, and we are all the lesser for it. The outrage each of us feels (or not) when we are in the presence of a lie most likely depends on the environment in which we were raised. I'm sure there's some genetic component to it all as well.

### **Little Lies**

And what of those "little lies" most of us tell to provide comfort or to avoid hurting someone else? Aren't such lies merely enabling behavior that should be called out anyway? What are the consequences of saying I can't visit someone because of a scheduling conflict, when in fact I actually just don't want to go? Is it a lie to change the subject in order to avoid answering a question you don't want to answer? When does a "little lie" become a big one? Is it acceptable when people convince themselves that they have the right to lie to protect something they think they have a right to, like Hank Rupp defending the decision of the property owners he represents to do as they want with the property they own? Is it a justified lie for government bureaucrats to manipulate documents that reflect ideology rather than truth? What about a prominent spokesperson who lies because he or she thinks those on the opposite side do the same? Is it a lie to not stand up for the truth because being honest has too many unforeseen consequences or risks?

During a recent meeting of a local conservation group, the actions of government workers were discussed. One attendee excused bureaucrats who failed to stand up for the truth because they're not responsible for the decisions made by "higher-

ups." The rationalization given was that, "We can only advise them and hope they will do the right thing." Visions of Nuremberg flashed through my mind.

Another attendee stated in ominous tones that a "major financial contributor" to the organization she belonged to had become upset over a recent email discussion concerning the possibility of political influence on the group. I asked what the donation amount had to do with it. I never received an answer.

Is it reasonable to think that if we accept rationalizations like "it's not my responsibility," "the issue is too complex", or "we may lose financial support" that we will eventually be led down the proverbial slippery slope, from little lies to gross, unethical behavior?

If so, what price are you willing to pay for the truth? Will you only stand up for what is right up until the price becomes too high? Will you turn your back on the truth to preserve your job, keep a friend, or keep your life comfortable? Or will you stand alone to speak your truth, willingly face termination from your job, loss of friends, and perhaps even jail time?

Julia Butterfly Hill would and did. She is the young woman who, starting in 1997, lived in the high, upper branches of Luna, a beautiful, old-growth redwood tree, for 738 days to protect it and the surrounding grove from logging. Regardless of what her detractors have said about what she did, Hill's determination and actions represent the principles enshrined in America's most sacred documents. She stood up for what she felt was right and was willing to pay the consequences. And she continues to do so. She is currently battling with the IRS as a war-tax resister. She is not against paying taxes. In fact, she pays what she owes, but redirects the money to causes she believes in. She wrote a letter to the IRS with her tax return that said in part, "when the US government starts choosing to use our tax money for the collective good, I will be more than happy to begin reinvesting."

When asked if she was fearless in an interview for the Sun Magazine this year, she responded, "People have said to me, 'You're so courageous. Aren't you ever afraid?' I laugh because it's not possible to be courageous if you're *not* afraid. Courage doesn't happen without fear; it happens in spite of fear. The word courage derives from *coeur*, the French for 'heart.' True courage happens only when we face our fear and choose to act anyway, out of love."

I don't know if I would have the courage to sit up in a tree for 738 days, or to spend nearly six years in jail as Gandhi did, or 27 years as did Nelson Mandela, to promote kindness, peace, and justice. But I do know that truth empowered by courage is the most powerful form of persuasion, especially when the risk of speaking out is shared by many. When San Diego County activists were able to rally more than 600 people to a public hearing on April 5 to protest San Diego Gas and Electric's attempt to charge ratepayers for the fires they caused, truth was empowered. When conservationists and scientists rallied to write letters and testify against San Diego County's attempt to ignore science and clear thousands of acres of habitat, the insular bureaucracy cracked and truth was allowed to seep in.

Science will prevail over ideology, nature will be valued and protected, and honesty will replace expediency when we all stand together and speak the truth. The destructive mechanisms of complacency, ego, and greed cease to function when we all have the courage to say, "No more."

Miraculously, it all starts with one. You're up.



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The new way in which I will call attention to the truth is by :

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My first step to do this is:

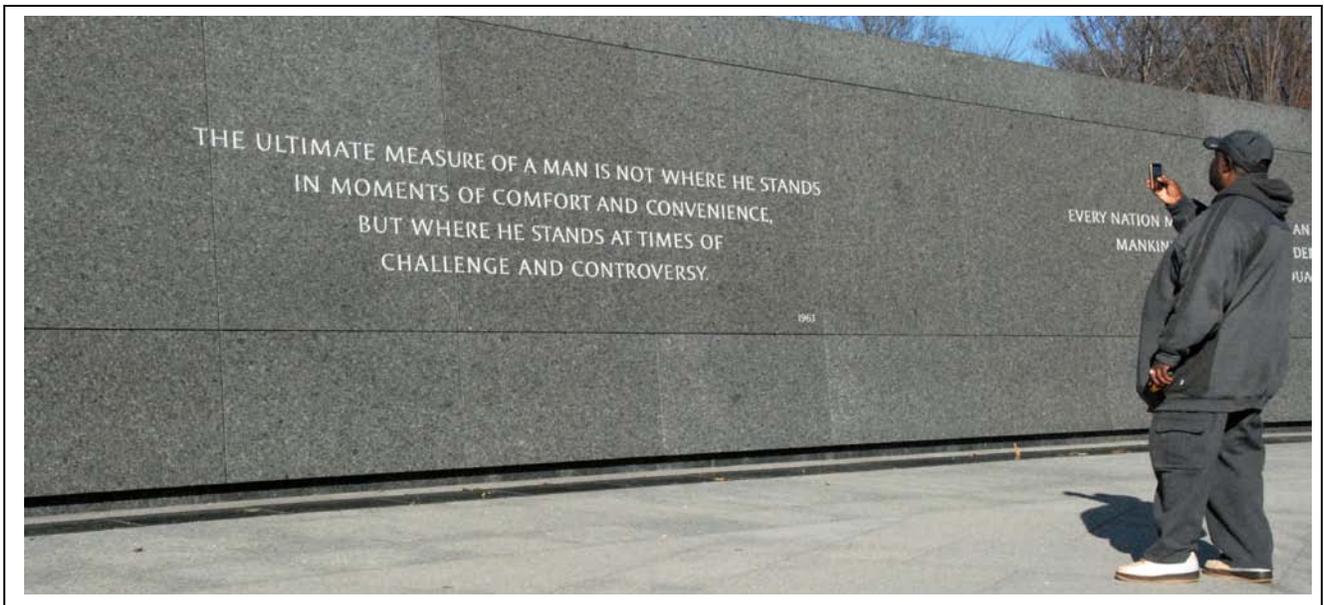
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I will take this action by (date):

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*A goal without a deadline is a dream.*  
- Margie Blanchard



# The Politics of Fire, Shrubs, and Bureaucracies

## The struggle between science and ideology in San Diego County

By Richard W. Halsey

*“We have allowed things to grow that turn into green. As you know, or may not know, 200 years ago our back hills were covered in redwood trees. Well, lumber companies came in and cut them all down. And they replaced those with pine trees.”*

- Supervisor Bill Horn, January 7, 2003, San Diego County Board of Supervisors meeting.

(Historically, redwood groves have never existed in San Diego County. The most southerly grove is in Big Sur, 400 miles to the north.)

The following article is the story of the decade-long effort to convince intransigent government officials in San Diego County that science matters and that the chaparral ecosystem has value. In the name of fire protection, the county attempted to establish a plan that could have allowed it to clear tens of thousands of acres of native habitat without proper oversight as required by the California Environmental Quality Act (CEQA). The story is timely because of the current politicization of science in the United States and the impact that process can have on public policy. The story also provides valuable lessons to activists dealing with the enforcement of environmental law.

Despite dedicated efforts by many in the conservation and scientific communities to help the public, government agencies, and political leaders understand that the West’s native shrublands provide important watershed (Rowe 1941, 1948), biodiversity (Keeley and Davis 2007), and cultural values (Louv 2005), tragic misunderstandings persist. These ecosystems are frequently considered not only worthless, but an “evil menace” due to their inherent flammability. Hence, many advocate that shrublands should be systematically reduced or eliminated through mechanical clearance or prescribed burning. Dense stands of chaparral are falsely seen as “unnatural” and in need of mitigation. Old-growth stands of manzanita and chamise that have not burned for decades are viewed only as dangerous concentrations of fuel rather than the increasingly rare plant communities they represent. Changing such perspectives has been incredibly difficult and frustrating for those who understand the importance of conserving native plant communities and the benefits that come from such preservation.

Why has the task proved to be so challenging? While science and logic can be effective when first developing objective policy or forming new opinions, it is often ignored when favored paradigms control the conversation (Kuhn 1962). These paradigms can be a product of prior learning, ideology, or what Eckhart

Tolle has so eloquently identified as the ego’s “pain-body,” old but still influential emotions shaped by unresolved, painful experiences (Tolle 2005). When these paradigms are challenged, arguments can be seen as personal attacks because believers become emotionally and/or professionally committed to the paradigm’s acceptance. It has in effect become their “intellectual child” (Chamberlin 1890).

When it comes to convincing others of the value of native plant communities, the tendency for some to see humans as separate from nature adds to the difficulty, especially when native ecosystems are seen as the source of fires that threaten lives and property. “Nature” is the problem, not us. Consequently, nature becomes the “other” that needs to be dealt with.

Blaming an entity beyond ourselves for a particular problem has been a common strategy throughout history, allowing leaders and those who follow them to ignore the real issues. Diane Conklin, a community activist in San Diego County, addressed this behavior pattern during a public hearing on the county’s proposed massive native vegetation treatment program. She testified, “Don’t drag the suburban sprawl out into the chaparral and say, ‘Oh my God, we have fuel out here!’” (Conklin 2009).

After working diligently for more than ten years to

help both the public and government agencies see the value in shrubland ecosystems and have a greater appreciation for the complexities of wildland fire as it relates to both natural and human communities, we have seen a significant amount of progress. However, there remain entrenched belief patterns that frequently frustrate our educational efforts. Consequently, if we intend to change the way native shrubland ecosystems and nature as a whole are viewed, it would be useful to consider the emotional basis of opinion as well as present the scientific data. Fear, ego, and the power of previously established paradigms can lead to the dismissal of data that challenges closely held views. This is especially true when millions of federal dollars are made available to reduce “hazardous fuels.” Unfortunately, one of the common targets of those “hazardous fuels” dollars is the plant species and their associated animal habitats that comprise California’s most extensive ecosystem, the chaparral.

“Don’t drag the suburban sprawl out into the chaparral and say, ‘Oh my God, we have fuel out here!’ ”

### The 2003 Task Force Report

After the 2002 Pines Fire, a blaze that burned more than 60,000 acres over a two-week period due to what many have characterized as mismanagement by CalFire (California’s state fire agency), San Diego County Supervisor Diane Jacob requested county staff to develop a “comprehensive plan for managing wildland vegetation to reduce the severity of wildfires and decrease their impact on residents” (SDCBS 2003). As with many political initiatives, this one was likely influenced by vested interests, such as those searching for federal dollars to fund vegetation clearance projects. There was also a growing sense of panic developing in the fire community over pines dying in the San Bernardino National Forest to the north due to drought and associated pine-beetle activity. Since Jacob’s request was stated in a way that dictated what the staff’s report would ultimately conclude, the results were predictable.

The final task force report, “Mitigation Strategies for Reducing Wildland Fire Risks,” was released August 13, 2003. Not surprisingly, 10 of the report’s 17 recommendations referred to vegetation management. Other recommendations dealt with policy reviews (4) and fire education efforts (2). Only one addressed fire-

safe construction. Community planning was ignored. In referring to wildfire behavior, the report claimed that, “the preponderance of evidence favors fuel as the limiting factor.” The supervisor obtained exactly the conclusion she wanted.

The report attracted little public attention until it was referenced by Jacob during the Board of Supervisors meeting on January 7, 2004 in response to the Cedar Fire two months earlier. Shortly thereafter, several of the scientists cited in the report wrote letters to the board disagreeing with its conclusions, pointing out that their work had been misrepresented (Keeley 2004a, Fotheringham 2004, Schoenberg and Peng 2004). In addition, the San Diego Fire Recovery Network (SDFRN), a local group of land management professionals, scientists, and concerned citizens, presented their own letter requesting that the county withdraw the report and “replace it with a new one that comprehensively and objectively reviews all available information” (Spencer et al. 2004).

Specifically, the scientists were concerned over what they saw as a bias in favor of demonstrating “that widespread fuel manipulations are the only way to protect property and lives” during wildfires by downplaying the importance of other variables like wind (Keeley 2004) and development patterns. Although the report claimed that Schoenberg et al. (2003) concluded that fuel was a more significant or the “limiting” factor compared to wind, the scientists themselves vigorously disagreed. They stated “that wind is a very significant factor in wildfire risk, and at no time did we ever claim that fuel age was a more significant factor. In fact, there is to our knowledge no basis whatsoever for such a claim” (Schoenberg and Peng 2004). The report was also seen as “lumping of chaparral and coniferous fire regimes as one phenomenon” instead of “considering the unique characteristics of each” (Fotheringham 2004).

The report’s approach and use of science was seen as amateurish. There was no support in the scientific literature for the vegetative fuels emphasis the county was championing. In their evaluation, SDFRN found the report “woefully inadequate and biased in its treatment of the available scientific information, and flawed in many of its assumptions, its treatment of published data, and its recommendations concerning vegetation management as part of a comprehensive fire-risk reduction strategy.” The intent of the report, SDFRN stated, was clearly “to support landscape-scale vegetation management.”

“Landscape-scale vegetation management” was code for clearing tens of thousands of acres of native habitat in the name of fire protection.

Many of the agencies and stakeholders listed as “participating” in the report were unaware the final document had ever been issued. Representatives from the California Native Plant Society (CNPS) wrote to Walter Ekard, the county’s Chief Administrative Officer, “Although members of our organization, Wayne Tyson and Virginia Moran, participated in the early meetings of the Wildland Task Force Committee, we were never given a final draft to review... We made comments on that draft, but never heard anything more. The process ended as far as we could tell. We have not received the final report. If we had been given the opportunity to comment, we would have had substantial issues of concern.”

CNPS requested that their name be removed from the task force report. The request was never honored.

After a detailed analysis, Dr. Jon E. Keeley, one of the leading fire scientists in the nation who works with the US Department of the Interior, concluded in his comment letter that, “I could provide a long litany of other mistakes in this report but it makes little sense to try and correct this document. It would be better to start from scratch with a more complete and balanced report.”

### **Academic BS**

When the scientists’ letters were sent to the county and leaked to the media, the county’s response was quick and severe. Supervisor Jacob reportedly said she wanted Wayne Spencer’s head on a platter in retaliation for SDFRN’s criticisms (Dr. Spencer was the lead signatory on SDFRN’s letter and a wildlife scientist with a national reputation for objective analysis). Officially, Jacob responded by saying the errors “don’t change the bottom line.” Bob Eisele, the county staff member who reportedly compiled the task force report, said it was scientifically sound (Balint 2004), contradicting the scientists he cited who indicated their work had been misrepresented.

Efforts by the report’s critics to establish a dialogue with the county were unsuccessful. During a phone call with Jeff Collins, a member of Supervisor Jacob’s staff, on March 9, 2004, Richard Halsey from the California Chaparral Institute was told that Jacob “has her mind made up” and that there was no interest in including outside scientists or their opinions in a new wildland

fire technical group the county would be establishing. The Chaparral Institute is a scientific and educational non-profit focusing on the preservation of native shrublands.

Then on May 25, 2004, Robert R. Copper, the general manager of the county’s Land Use and Environment Group, held a confrontational meeting with SDFRN members Spencer and Dr. Anne Fege, the former Supervisor for the Cleveland National Forest. Other attendees included Bob Asher (retired head of the county’s Multiple Species Conservation Plan - MSCP), Tom Oberbauer (the new MSCP head), and Ray Fernandez, a county manager.

Spencer and Fege entered the meeting with the intent of establishing a collaborative effort with the county to incorporate science into the process of developing a comprehensive fire management plan for the region. Things didn’t turn out that way.

Although Copper admitted that the task force report was “sloppy and inaccurate” and had no doubt that citations had been “fabricated,” he characterized the inaccuracies as “irrelevant” and the concerns raised by scientists as “academic BS.” He also stated that Jacob had already made the decision to promote vegetation management as the answer to wildfire risk and merely cited the report to justify her decision.

Accusing Spencer and Fege of “tail-gunning” the county, Copper, along with Oberbauer and Asher, said SDFRN should have consulted with them prior to writing any letter to the county. Spencer was shocked by this statement because he had begun discussing the nature of the letter and the scientific reviews with Oberbauer, Asher, and other county employees weeks before anything was released. In fact, Oberbauer had advised Spencer to send the letter and had suggested to whom it should be addressed.

“It was ugly,” Spencer said. “We went in hopes of mending fences and finding out how we can work with the county to improve their approaches to land management based on science. That was not their agenda. The county’s agenda appeared to be intimidation.”

Copper also reportedly stated during the meeting that the board’s reaction to the scientists’ reviews were just the opposite of SDFRN’s intentions. According to him, the board’s sentiment was, “Let’s clear the backcountry just to spite them.”

Although Jacob told the press that she would call for an examination of the scientist's allegations, none of the reviewers were ever contacted about the matter.

Despite the serious questions raised about the task force report, the county refused to withdraw it. During the May 25 meeting with Spencer and Fege, Copper indicated that the county had to "act in real time, in real space" and "didn't have time for peer review, information input, or workshops" to fine tune policy. He considered "the perfect is the enemy of the good."

"It was clear that they had a preordained conclusion, and they just sort of cobbled together supposed support for it," Spencer said later. "It was dressed up as if it was a scientific discussion" (Carless 2008).

Afterwards, Copper followed through on his threat made during the meeting that no signatories to the SDFRN letter should ever again expect consulting funds from the county. He ordered all county staff to disassociate themselves from SDFRN and do what they could to "marginalize" those who were involved in what he labeled as a "radical fringe group." Spencer, who at the time had significant consulting agreements to assist the county with environmental issues, has never since received county funds.

"It was clear that they had a preordained conclusion, and they just sort of cobbled together supposed support for it."

The controversy continued through the summer of 2004. During a phone conversation on July 19, Halsey asked Oberbauer how the county was planning on moving forward. Oberbauer repeated Collins' earlier point that there was going to be some kind of science advisory board that would be looking into fire-related issues. Halsey asked if any of the scientists who provided input on the task force report would be included. Oberbauer responded by saying that those involved in the letter to the county had "poisoned the well" and made it impossible for the county to deal with them. The county thinks these individuals are a "bunch of whackos," he continued, who had complicated the process. "People need to understand the ramifications of their actions," he said. "Those scientists don't know anything about politics."

Oberbauer's comment about political inexperience

was unusual in that Fege was the former supervisor of the Cleveland National Forest, Keeley had testified in numerous Congressional hearings, and Spencer advised high-level planning/research groups such as the National Academy of Sciences on how to improve agency decision-making on often politically charged planning issues.

When Halsey asked if the county could just forget about the individuals and focus on the data provided in the research, Oberbauer indicated that all the papers do is "spend half the time criticizing the other side" and only provide simple "observations" (In order to have a science paper published, it must go through an anonymous peer-review process in which the author's data and hypothesis testing are examined and evaluated. The scientists' methods and conclusions must be defensible in order for the paper to be accepted by the scientific journal's editors.).

On August 23, the task force report was quietly removed from the county's website after Supervisor Ron Roberts was informed during a private conversation with Halsey that court action was possible over the misrepresentation of the scientists' work if the report was not taken out of circulation.

Unfortunately, Supervisor Jacob has cited the report several times since it was removed from the county's website during county board meetings to support her contention that "clearing brush" is the single best way to protect lives and property. This, despite repeated testimony by scientists and submitted research papers demonstrating that successfully reducing wildfire risk requires a holistic approach (land planning, fire safe building codes, retrofitting older structures, financial support for fire protection services, public education, *and* vegetation management). Vegetation management alone is not adequate due to the fact that embers, blowing as far as two miles ahead of the fire front, are one of the primary reasons homes ignite.

Dr. Jack Cohen, a research scientist with the US Forest Service and whose work Jacob was made familiar, has concluded after extensive investigations that home ignitions are not likely unless flames and ember ignitions occur within 120 feet of the structure. His findings have shown that,

*...effective fuel modification for reducing potential WUI (wildland/urban interface) fire losses need only occur within a few tens of meters from a home, not hundreds of meters or more from a home. This research indicates that home losses can be effectively*

reduced by focusing mitigation efforts on the structure and its immediate surroundings (Cohen 1999).

County residents paid a heavy price for their regional government's policy focus on wildland vegetation rather than community fire safe planning. Three years and a few weeks after the task force report was removed from circulation, the 2007 Witch Creek Fire in San Diego County burned more than a thousand homes and killed two people. A comprehensive study after the 2007 fire concluded that, "there were few, if any, reports of homes burned as a result of direct contact with flames" (IBHS 2008).

If the homes had been properly retrofitted with fire safe features (such as attic vents and garage door seals) and yards had been cleaned of flammable materials (wood piles, palms trees, etc.), it is likely the loss in 2007 would have been significantly less.

### The Science

The assumption upon which San Diego County bases its approach to fire risk reduction is that past fire suppression activities had stifled the "natural" pattern of small fires, allowing "unnatural" levels of vegetation to accumulate, leading to unnaturally large, catastrophic fires. The 2003 task force report promoted the idea of burning off or "masticating"

native vegetation to create a "mosaic" of different age classes which presumably would create a landscape that "tended to limit the size of fires because young brush is generally less dense and less likely to burn."

The three basic problems with the "fire mosaic" hypothesis are:

1. Large fires in shrubland ecosystems represent a historic pattern and not a consequence of past fire suppression activities.
2. Fires that cause the most damage are wind-driven events that typically burn through, around, or over fuel treatment areas and younger-aged stands of vegetation.
3. The process of burning, masticating, and spraying herbicides on native plant communities to create mixed-aged mosaics would have a devastating impact on the natural environment.

Extensive research has shown that large fires are an inevitable part of the Southern California landscape (Keeley and Zedler 2009, Lombard et al. 2009, Mensing et al. 1999) and will likely continue to occur. The difference now is that fires are occurring more frequently due to human-caused ignitions. An article from the *Los Angeles Times* describes the impact of the 1889 Santiago Canyon Fire that burned at least 300,000



An ember rain during a wildfire in Southern California. Since embers can travel three miles or more from the fire front, creating a fire-safe environment in and around the home is best way to prevent home loss due to wildfire. Photo provided by Joe Carstensen.

acres in San Diego and Orange Counties, long before the era of fire suppression:

*SAN DIEGO, Sept. 28 (1889): The forest fires in the mountains of this county, which have been raging for the past two weeks are the worst fires known here. Reports today from Palomar Mountain give graphic descriptions of the great devastation of timber in that beautiful park region. Men and women have been fighting fire day and night, many going two or three days without food or sleep. About five miles square of the choicest timber lands of Smith Mountain (Palomar Mountain) are utterly destroyed, and many settlers had to fight bitterly to save their houses. Many cattle are known to have been burned. Deer, snakes and mountain lions have been driven down to the settlements. The fire is now partially under control, though those burning on the Cuyamaca Mountains, twenty miles south, are still raging.*

Reminiscent of comments made during the 2003 and 2007 firestorms in California, another article reported that,

*“During the past three or four days destructive fires have been raging in San Bernardino, Orange and San Diego...It is a year of disaster, wide-spread destruction of life and property – and, well, yes, a year of horrors” (The Daily Courier 1889).*

Research has clearly demonstrated that urban sprawl and ignitions during severe fire weather, not past fire suppression and fuel buildup, are responsible for large wildfires that occur in the shrublands of Southern and central-coastal California (Keeley et al. 1999; Keeley and Fotheringham 2003).

Tim Chavez, a wildland firefighter, offered his perspective on these matters in a letter to the *San Diego Union-Tribune* on November 8, 2008:

*I was sure that the repeated burning of land in both the Cedar and Witch/Harris fires had laid to rest the myth that large expanses of "old" brush was causing large, damaging fires. The only thing that will stop a Santa Ana wind-driven fire is the wind stopping - not the "mosaic" of old and young fuels. This is a myth, and it has been discounted by serious scientists.*

*I am a firefighter with 31 fire seasons - 29 in Southern California - and I am tired of fire suppression being*

*blamed for large wind-driven fires. Without the wind, the fires would not get big. Period. Fire suppression has nothing to do with it. The myth of small fires in Baja California as a proof of this concept was pretty much belied by the large fire in Ensenada last month. The so-called mosaic did not stop that fire from burning to the sea.*

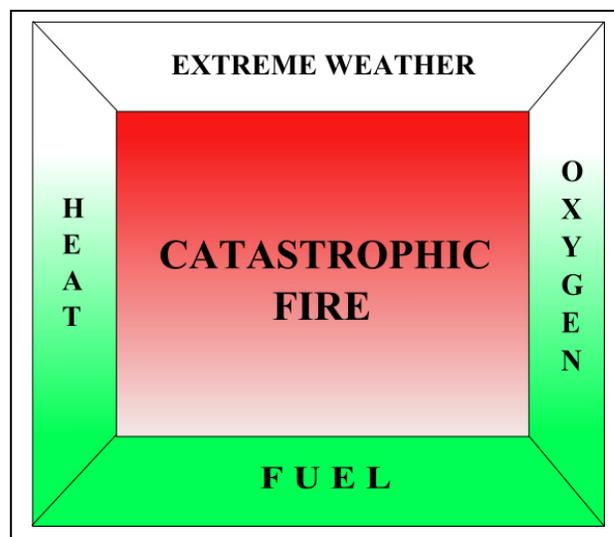
*Please stop blaming me and my colleagues for large fires.*

Regarding the large-scale prescribed burns of the type envisioned by the county's task force report, the 1996 California Fire Plan indicated such an approach was not productive:

*The typical vegetation management project in the past targeted large wildland areas without assessing all of the values protected. Citizen and firefighter safety and the creation of wildfire safety and protection zones are a major new focus of the new prefire management program. The vegetation management program will shift emphasis to smaller projects closer to the new developments.*

For a full discussion about large wildfires and why the mixed-aged mosaic hypothesis should be rejected, please see:

[http://www.californiachaparral.org/images/Resolving\\_the\\_Controversy\\_Updated.pdf](http://www.californiachaparral.org/images/Resolving_the_Controversy_Updated.pdf)



During extreme fire weather, the traditional "fire triangle" is better represented by the catastrophic fire square.

## Here We Go Again

Five years after San Diego County's first attempt to promote broad-scale prescribed burns and other vegetation treatments in the backcountry, the Board of Supervisors tried again. This time, Supervisor Bill Horn resurrected the idea during a May 14, 2008, board meeting. He advocated burning habitat preserves protected under the County's Multiple Species Conservation Plan (MSCP), burning the largest old-growth chaparral habitat remaining in the region (approximately 150,000 acres - 25% at a time), and to repeat burns continuously, claiming such action would prevent flammable vegetation from returning. Supervisor Diane Jacob and Pam Slater-Price voiced agreement and supported waiving any kind of environmental review of such a burning program. Slater-Price stated that an "EIR (Environmental Impact Report) seems not to be necessary to go in and do something that is preventative in nature. What you are doing is actually preserving the wildland by taking this measure because it is, as all of us know, is a natural part of our ecology."

Slater-Price's misunderstanding of state environmental laws and her incorrect statement about the role of fire in the region's ecology was disappointing considering all the previous efforts scientists had made warning the board of the ecological damage and increased fire danger that would likely occur if more fire were artificially added to the landscape. The fact that chaparral is not adapted to fire per se, but rather to particular fire patterns, was made very clear to the members. Change the pattern (frequency, season, intensity) and chaparral can be severely damaged or eliminated.

Despite a private meeting with board staff and several letters from conservation organizations that again revealed significant problems with the board's approach, the supervisors voted unanimously to request county staff to "develop a comprehensive vegetation management program that would include mechanical, biological, and prescribed burns to be incorporated into the land management plans for all existing and future county owned lands and Multiple Species Conservation Program lands." Staff was directed to return the completed plan to the board within 90 days.

### The 1st Draft

On July 18, 2008, the plan's first draft was released. The document started with the assumption that "to

prevent the start, slow the rapid spread, and moderate the intensity of all but the most intensely wind-driven massive wildfires," lands set aside for habitat preservation need to be managed with masticators, goats, and controlled burns (SDCBS 2008). Unfortunately, as with the 2003 task force report, there was no attempt to present a science-based analysis of all the available data in order to consider viable alternatives. No scientific references were cited to support the document's recommendations.

The new plan repeated two of the same assumptions found within the county's earlier 2003 task force report that had been repudiated by fire scientists: large chaparral fires are the result of "unnatural" accumulations of vegetation due to past fire suppression activities, and mixed-aged mosaics are the "natural" condition of chaparral. The plan also introduced two new perspectives that were again not supported by scientific evidence: it is "critical" to begin "managing" chaparral when it reaches 30-40 years old for its own "health," and there is a "debate" over whether or not high fire frequency can in fact type-convert chaparral to non-native grasslands.

Denying scientific evidence or giving equal time to discredited ideas has been a pervasive problem in how San Diego County deals with fire issues as it has been in national discussions concerning climate change and evolution. In fact, in an April 2, 2010, comment letter to the California Board of Forestry on the development of a new California state fire plan, San Diego County's Department of Planning and Land Use made a definitive claim that chaparral is *not* threatened by type-conversion and urged the state not to consider climate change in developing long-range fire management plans. Recognizing type-conversion, they wrote, "would impact our ability to obtain funding to carry out important vegetation treatment programs here."

Fortunately, the Board of Forestry ignored the county's request to ignore the science. The new plan acknowledges the earth's climate is changing and that such change may impact fire patterns. In addition, the plan stated that "many chaparral shrubland ecosystems may be impacted by a too-frequent fire interval, especially in Southern California," and as a result, "these areas may be at risk of conversion from native to non-native species, which can pose an increased fire threat" (CFP 2010).

The county's notion that old-growth chaparral

“needs” to be “managed” for its own “health” after 30-40 years (i.e., burned) comes from earlier range management literature that saw chaparral as a “problem” because it was not conducive to ranching or deer hunting. For example, Harold Biswell (1954), a professor of forestry at the University of California, Berkeley, whose viewpoint has been characterized as seeing chaparral as merely degraded grassland, wrote, “The brush problem in California has been “pin-pointed” as one of lost acres – once productive acres now lost to invading brush. Because the brush has increased in abundance, the production capacity of many lands has gone downward. The problem now is how to control the brush...”

The reference to “vegetative health” to justify burning or masticating increasingly rare stands of old-growth chaparral habitat is nothing new. A similar argument has been used to justify the logging of old-growth forests in the Pacific-Northwest. A decade ago, the US Forest Service insisted that, “A mature stand of timber is largely stagnant. Some liken it to a desert. Decay

and death of individual trees diminish what’s there. Nothing much happens until management begins” (USFS visitor information at the Olympic National Park in Washington state).

A proposal that had not been part of the county’s previous approach was to re-establish forests burned during the 2003 Cedar Fire by doing “specific treatments for removal of the invading chaparral shrubs and modifying the understory of replanted and seedling conifers as they grow.”

Once again, the county ignored the scientific research. Ceanothus shrubs, the primary so-called “invading” species the plan was referring to, are in fact a natural part of the successional process. Ceanothus species are nitrogen-fixers (they facilitate the movement of atmospheric nitrogen into soluble soil forms) and are hence critical to restoring the soil’s nitrogen balance in post-fire environments (Conard et al. 1985, Binkley et al. 1982, Youngberg et al. 1979, Hellmers and Kelleher 1959). Removing them would negatively impact the



Old-growth chaparral in northern San Diego County, a stand considered in need of “treatment” to improve its “health” by the Vegetation Management Plan.



A "treatment" in Cuyamaca State Park to get rid of the "invading chaparral." Note piles of dead ceanothus and manzanita in the foreground and background.

ecosystem's recovery and would likely compromise the growth of conifer seedlings the county wanted to foster.

Numerous scientists and conservationists submitted comments after the draft plan was released. Wayne Spencer, who had been involved in reviewing the county's ill-fated 2003 task force report, summed up the views of many by writing, "It is extremely frustrating to see the same unsupported, unjustified, opinions stated as facts after all these years of accumulating science, observation, and discussion of the realities of fire in Southern California."

Dr. Keeley reminded the county in his comment letter that, "I believe there is incontrovertible evidence that any sustainable solution must involve a multi-prong approach that considers all of the factors contributing to the fire problem in San Diego. This perhaps is the major failing of the 7/18/08 draft."

The first gathering to discuss the draft was held on July

24 during the Forest Area Safety Taskforce (FAST) meeting at a Rancho Santa Fe Fire Department station. FAST was a group composed of representatives from fire, wildlife, and conservation organizations charged with evaluating the county's plan.

During the initial review by county representative Thomas Oberbauer, there appeared to be an effort to minimize controversial sections and emphasize conservation values despite the fact that such values were generally ignored in the document. Oberbauer stated that one of the plans main focuses was to "maintain habitat values" and that "sensitive species are of primary focus." Neither goal was stated in the document.

On August 8, 2008, a hearing on the draft was held by the San Diego County Planning Commission. Seven individuals testified against the county's plan including Kurt Roblek from the US Fish and Wildlife Service, Michael Beck (a commissioner on the Planning

Commission itself), and Dr. Anne Fege. No one who provided public testimony voiced support for the county's approach.

### **The 2nd Draft**

A second draft was released on August 13. It was a major disappointment to the scientific and conservation communities. Nearly all of the criticisms of the first draft, including testimony given to the Planning Commission, were completely ignored. In fact, many of the first draft's perspectives that most reviewers had found to be erroneous were expanded upon.

Although the document now had a list of citations, only two from the more than thirty-five scientific papers suggested in the Chaparral Institute's comment letter were included. The Institute was taking the lead in organizing public comment on the county's plan.

In an apparent misunderstanding of how scientific research is used, Oberbauer made a point of stressing that the report had an equal number of citations for Dr. Richard Minnich, a professor of geography at the University of California, Riverside, who supported the county's views, and Dr. Keeley, whose research did not.

Probably the most bizarre feature of the second draft (and reminiscent of what occurred with the county's 2003 task force report), was the inclusion of quotations taken from papers by scientists who had published data and/or conclusions that either rejected or raised serious questions about the county's preferred "mosaic" approach (Conard and Weise 1998, Keeley 2004b, Mensing et al. 1999, Witter and Taylor 2008a). Most of the quotations were taken out of context and positioned in a way that appeared to support the county's perspective.

During a limited, two-hour Department of Planning and Land Use meeting on August 14 with county representatives and invited participants, Oberbauer claimed that Dr. Scott Mensing's work demonstrated that small fires had historically created a fine-grained mosaic across the landscape. When alerted to this afterwards, Mensing wrote back saying, "Whoever is stating that about our paper is misinterpreting it. We wrote about very large fires, not small fires."

Along with Mensing, two other scientists wrote to the county indicating their work had been misrepresented (Mensing 2008, Witter and Taylor 2008b). The letters plus additional testimony caused the San Diego County

Planning Commission to decide on August 22 to send a memorandum to the Board of Supervisors expressing their concerns about the draft and, as per the Chaparral Institute's suggestion, indicated that the staff should be given more time to complete the plan.

### **The 3rd Draft**

The third draft was issued on August 27. At first, it appeared to be a significant improvement. Nearly all mention of mixed-aged mosaics had been removed and most of the misconceptions about fire and nature had been eliminated. However, many reviewers concurred that the document's authors continued to misunderstand several important ecological principles, favor unproven vegetation management techniques, and still failed to address the entire fire risk equation.

In addition, despite being rejected by reviewing scientists, the plan continued to erroneously insist that old-growth chaparral needed to be treated in order to improve "vegetative health."

The draft was discussed during a Forest Area Safety Taskforce (FAST) meeting the following day at the US Forest Service Palomar Ranger District Office in Ramona. The intent of the meeting was to try and reach a consensus vote of approval for the document.

Concerns were again expressed by Kurt Robleck (US Fish and Wildlife Service), David Lawhead (California Department of Fish and Game), Halsey, and Fege. The plan still pushed for the burning of protected, native landscapes. It insisted that within the county's protected Multiple Species Conservation Plan lands, "Controlled burns are the favored management tools in the areas that are not part of the urbanizing fringes."

Robleck called the assumption "questionable." "Who is this according to?" he asked. "Is this statement valid for all habitat types and fuel loads?"

Oberbauer promised, in exchange for a group consensus vote to approve the document, that he would incorporate changes discussed during the meeting. Besides recording the changes himself, he also requested the changes be submitted in writing by those who expressed them.

The vote to approve was unanimous except for Lawhead. He abstained due to a number of concerns including the fact that he had not been able to properly

review the document. The county had not sent out the draft until 4 pm the day before the meeting. Considering the short time frame, it was likely many of the others who voted to approve the plan didn't have time to read it either.

Robleck, Halsey, and Fege submitted in writing the changes they had requested during the meeting to Oberbauer.

At this point it became clear that the plan (now called a report) could not be completed by the board's 90-day deadline. After a brief summary was presented to the Board of Supervisors on September 24, 2008, county staff requested another six months to complete the work. Reluctantly, the board approved the extension.

### Workshops?

With the additional time, the County Planning Commission directed that a group be formed to discuss "vegetation management options" during two workshops. The workshop participants would include two commissioners, Michael Beck and Adam Day, invited scientists and fire experts, and a facilitator, Tom Scott from the University of California, Riverside. The goal of the first workshop was to come up with a "short list" of vegetation treatments. The second workshop would create a "product including the short list of vegetation management options and criteria for their use."

The narrow focus of the workshops became an immediate concern. In an email to the county, Halsey wrote, "... it is essential we begin by asking the right question. Namely, 'How do we protect lives, property, and natural resources from wildfire?' If we ask instead, 'How do we do vegetation management?' we are both limiting and biasing the discussion. This piecemeal approach has plagued our county for a very long time. If we really want to do it right, we need to examine the entire fire-risk reduction equation."

When the list of 27 invitees was released, there was an immediate negative reaction. The invitee list was skewed in favor of the county's position. There were five representatives from the county, six fire managers, and seven individuals from the University of California, Riverside, all of which were connected to proponents of the county's viewpoint. In contrast, there was only one scientist, Dr. Keeley, who had conducted research that raised questions about the county's favored approach; only one representative from the conservation

community, Richard Halsey; and no one from the county's many land conservancies. There were three representatives from park and wildlife agencies.

After receiving complaints about the composition of the list, the county reconsidered and invited a number of others. The one glaring omission was Wayne Spencer. It appeared as if the county's boycott of his services after his criticisms of the task force report in 2004 was still in force. When invitee Anne Fege informed the county she would be out of town on the days of the workshops and requested Spencer replace her, the county continued to refuse. However, after several invited participants expressed their outrage and suggested organizing a workshop boycott of their own, the county relented and allowed Spencer to participate.

"It is essential we begin by asking the right question. Namely, 'How do we protect lives, property, and natural resources from wildfire?'"

Prior to the first workshop, a survey was sent to the invitees asking for their views on the county's options for vegetation management. Many felt the questions reflected an unfortunate bias. Keeley wrote in an email to the facilitator, Tom Scott, "This questionnaire you sent doesn't give me confidence that science will play a sufficient role in what you have labeled 'a science advisory panel.' It seems to suggest decisions have already been made about what is to be done and mostly what is needed at this point is how to do it; crushing, burning or trimming. In short the focus is on tactics for completing work already decided upon and less on whether or not it is even appropriate."

Dr. Max Moritz, a fire scientist from the University of California, Berkeley, who was one of the added invitees but who couldn't attend, wrote, "The materials sent so far suggest a quite narrow focus, which will benefit greatly from a more comprehensive and science-based assessment of: 1) all factors related to fire occurrence/behavior, 2) the expected performance of various mitigation efforts, and 3) all of the public goods that both fire and hazard mitigation can impact."

The first workshop was held November 20, 2008, at the Cleveland National Forest supervisor's office.

More than twenty invitees attended. With Oberbauer taking notes on a large flip chart, the participants discussed a wide range of topics. However, the group did not fulfill the county's original objective of making a "short list" of vegetation treatments. Instead, the participants forced a discussion to address broader questions.

Although there were definite disagreements, there was consensus on a number of major issues. In particular, the participants felt that, 1) the county must consider the entire fire risk equation because wildland vegetation management alone will not be effective and, 2) that the most effective use of vegetation treatments is directly around communities, not in the backcountry. Unfortunately, neither of these consensus points were reflected in the summary notes Oberbauer wrote and distributed to the participants three weeks later. The participants were never given the opportunity to review and suggest changes to those notes.

The second workshop was held December 2, 2008, at the same time as the Association for Fire Ecology conference was held in San Diego. This time the county was able to maintain the focus on specific vegetation treatment options, from prescribed burning to herbicides. One issue that continued to be stressed by a number of participants was the need for the scientific monitoring of the effectiveness and impacts of any treatment. Such an effort requires money, however, and thus far, long-term monitoring of vegetation treatments has never been accomplished in San Diego County.

As with the first workshop, the session became more a collection of personal opinions instead of a process by which the county could learn from and use the knowledge provided by participating researchers and consultants. For some, the county appeared to be more interested in the number of experts they consulted rather than actually listening to what they had to offer.

The fourth and final draft was released on December 23, 2008.

### **The Final Round**

To many, the final draft was another disappointment.

Of the more than 30 changes submitted by the California Chaparral Institute, only one was incorporated into the fourth revision. The change was basically grammatical (CCI 2008). "In exchange for our approval, the county promised to incorporate our requested changes," Halsey

wrote afterwards in a private email. "I honestly do not know if this failure is a lie by design or incompetence, but any way you look at it, the county deceived us."

Although the draft included a mention of the workshop process, it listed ten "consensus points" that were never reviewed during the workshops nor given to the participants afterwards to review prior to their inclusion into the document. Several participants expressed the opinion that the points were "inaccurate, misleading, and un-useful."

The Conservation Biology Institute, a respected scientific consulting firm specializing in the conservation and recovery of biodiversity, wrote,

*Although this fourth draft is an improvement over previous drafts, it reflects partial and piece-meal updating based on various submitted comments and the workshop discussions rather than the comprehensive re-write that is necessary. This results in the report being internally inconsistent, confusing, and often self-contradictory. Moreover, despite scientific facts and logic presented to the county by numerous individuals, the report continues to perpetuate disproved myths about fires and fire management in southern California (CBI 2009b).*

"Despite scientific facts and logic presented to the county by numerous individuals, the report continues to perpetuate disproved myths about fires and fire management in southern California."

On January 9, 2009, the County Planning Commission held another hearing to consider the final draft. Not surprisingly, the frustration and disappointment over the county's intransigence was clearly communicated. Of the twenty-two individuals who offered testimony, none filed an "in favor" speaker's slip, a fact that was noted as "interesting" by John Riess, the Commission's Chair.

During the initial presentation, Department of Planning and Land Use manager Jeff Murphy repeated the staff's longstanding refusal to acknowledge that large-scale vegetation treatments were part of the county's plans. "It is not anyone's intention on staff to perform landscape-level modifications."

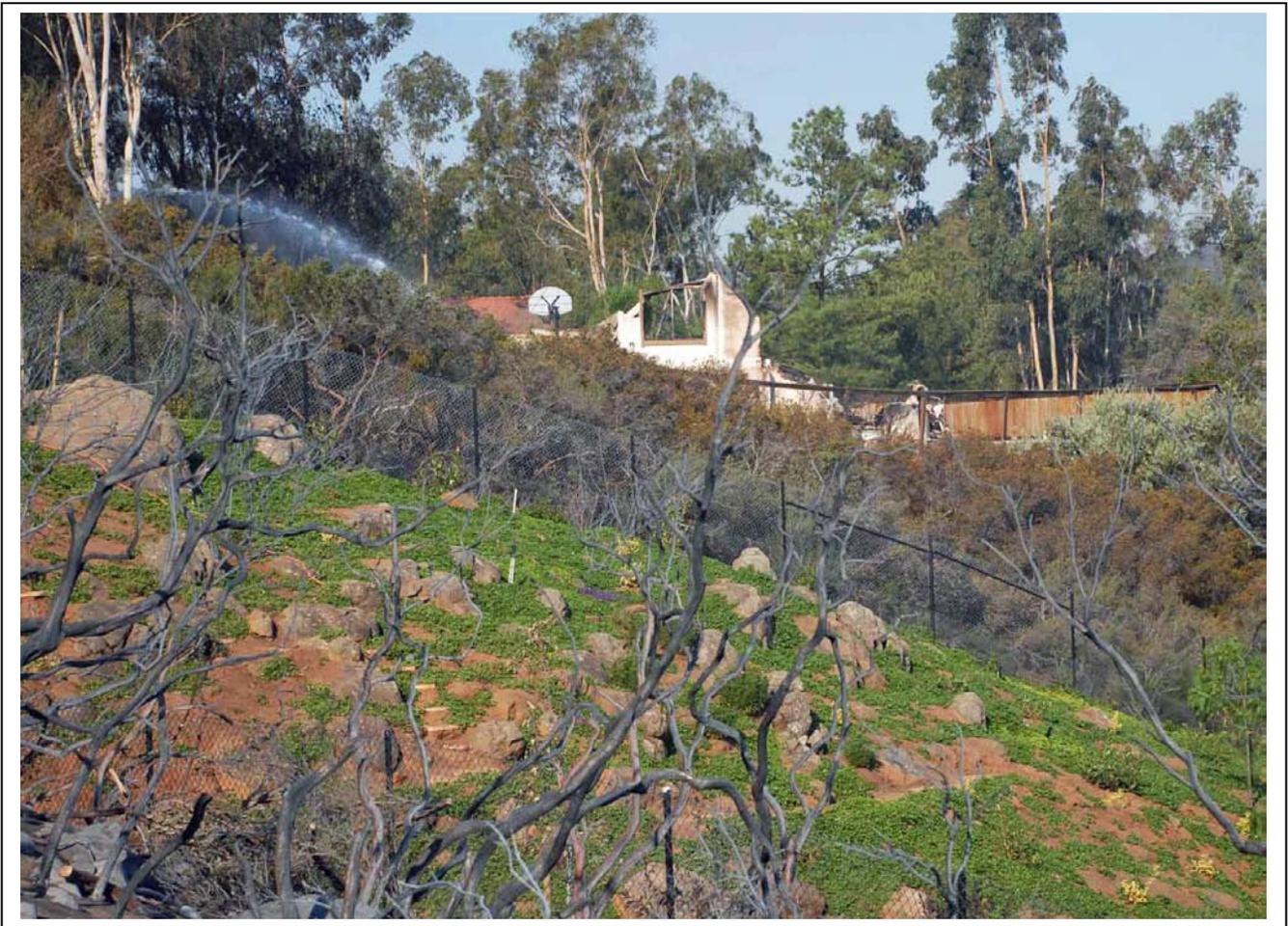
Commissioner Adam Day, who was appointed by Supervisor Bill Horn and had been one of the Commission's representatives during the report's development, repeated the contention by saying, "There's no proposal to do wholesale burning throughout the county."

"I beg to differ," Halsey testified. "In the report it says, and I quote, 'large chaparral expanses may need to be treated through controlled fire to restore health.' The second thing, 'fuel treatments to break-up old swaths of old class vegetation are possible.'"

Commissioner Michael Beck addressed the issue of embers entering through attic vents of homes during the 2003 and 2007 firestorms, causing the structures to ignite and burn to the ground, noting that newly designed vents are now available that can prevent this from occurring. "It's a few hundred dollars to retrofit the vents on a house," Beck said. "I think

that was the primary cause of most of these fires on these homes. And if we had a million dollars to spend on one of these treatment areas, or just gave the money away and said here's a million dollars to retrofit the vents on these houses. Which would be more effective in achieving our goals? I don't understand why we're so backwards in this."

Beck's comments touched on a fundamental issue that divides people regarding the natural environment – do we adapt to nature or do we try to force nature to adapt to us? For some, wildland fire is outside us, not part of us. It is something to be controlled. Hence, solutions focus on modifying the natural landscape, removing the "fuel," fighting the fire. For others, wildland fire is part of the environment, something we need to learn to live with. The search for solutions turns inward. How can we make our homes and our communities safer from the flames? How do we allow fire to burn around us instead of through us so we can protect our families



A home ignited by blowing embers during the 2007 Witch Creek Fire. Note the burned sticks in the foreground where the wildland fire stopped, the green iceplant, then the dense, unburned patch of chamise chaparral.

without damaging the natural environment?

Beck was looking inward. Focusing on wildland vegetation is looking outward. He reinforced one of the Chaparral Institute's primary messages regarding the reduction of fire risk: start at the house and then move outward, not the other way around. While vegetation management is certainly an important component of the total fire-risk reduction equation, it becomes less effective the farther away it is from the structure. Interestingly, starting from within and moving out is a metaphor for the world view that allows us to remove ourselves from the egotistical center and adapt to our surroundings, no matter where we might be.

Beck's point was lost on the other commissioners. Despite the overwhelming opposition, the Commission voted 5:1 to "acknowledge the report, to send it to the board as a draft, a work in progress, directing staff to incorporate the changes as they were stated publicly here as well as in writing..."

Beck cast the sole dissenting vote.

Referring to the Commission's request that the Board "incorporate the changes," Beck warned, "It is the responsibility of county government to find a solution to this problem and this is not it. It's part of it and it's almost there. So for us to say it's incomplete, but here it is anyway. I know what's going to happen when that comment gets to the board."

As Beck had predicted, the board ignored warnings that the report was incomplete because it failed to address the entire issue. The final Vegetation Management Report was submitted to and accepted unanimously by the Board of Supervisors on March 25, 2009.

An edited audio portion of the January 9 Planning Commission hearing can be found here:

<http://youtu.be/OTUctKbNvfY>

### **Attempting an End Run**

By the time the final report reached the board on March 25, the scientific and conservation communities had succeeded in convincing the county to correct most of the remaining scientific errors. Overt references to creating mixed-aged mosaics across the landscape had been removed. The recognition that vegetation management was only part of the solution was acknowledged.

However, one major problem remained. The report maintained the recommendation that the county pursue legislative changes to exempt "controlled burns" from environmental review under the California Environmental Quality Act (CEQA). This, despite the fact that Oberbauer and several supervisors insisted, as Supervisor Jacob stated at the March 25 board meeting, that staff would "conduct the appropriate environmental, CEQA review for any new, proposed projects which would implement actions identified in the Vegetation Management Report."

On April 22, the county acted in the manner many had feared. With its very first, post-report vegetation treatment project, the county tried to avoid the protective environmental regulations within CEQA by claiming an "emergency exemption." The project was to be a \$7 million effort "to remove dead, dying and diseased trees and thin hazardous brush" in the backcountry that the county claimed constituted an "emergency" that needed to be dealt with immediately.

After public outrage over the attempt to avoid environmental oversight and a thorough comment letter from Anne Fege, county staff pulled the proposal from the agenda. However, the relief was short-lived.

On May 13, the county returned with a modified project that was limited to tree removal, but still contained the "emergency exemption." The board passed the proposal unanimously.

If the county was successful in avoiding state environmental laws by claiming an "emergency exemption" for this project, a precedent would be set that might encourage it and other local governments to claim that every fuel treatment project was exempt from proper environmental review. As a consequence, on June 10, 2009, the Chaparral Institute, with support from the California Native Plant Society, took the matter to court.

The Chaparral Institute's opening court brief led with a statement referring to the county's attempt to use a loophole in CEQA to avoid environmental review:

*The wildfires are always raging out of control.*

*More than two years after the October 2007 wildfire, respondent County of San Diego claims wildfires are always raging out of control for purposes of CEQA review, and it can declare all projects designed to reduce the conditions which may contribute to the*

*occurrence of wildfires exempt from CEQA under the emergency exemption. The claim has no merit.*

On March 4, 2010, the court agreed with the Chaparral Institute and ruled against the county, indicating their project was not exempt from CEQA and ordered them to follow the law.

Despite the court order, the county continued to resist. On July 1, 2010, the county issued a “negative declaration” on the project. A negative declaration is a government’s way of avoiding a full environmental review because they have determined a project will have no “significant environmental impacts.” In this case, however, the county’s approach was contradictory because, by claiming an “emergency exemption” earlier, they had already acknowledged that there may in fact be significant environmental impacts, but those impacts didn’t matter due to the “emergency.”

Ironically, the very same day the county was issuing its “negative declaration,” County Deputy Chief Administrative Officer Chandra Waller and Oberbauer were at the California State Capitol lobbying to exempt all of the county’s future habitat clearance projects from CEQA. This was a threat to the basic foundations of California’s environmental protection laws. Staff members from the State Senate recognized this and made it clear to the county that such an approach was unacceptable.

In its July 23, 2010, comment letter on the county’s negative declaration determination, the Chaparral Institute reaffirmed its position that the project “may cause significant environmental impacts.” This was a clear signal that the Institute would go back to court if the county failed to conduct a full environmental review through an Environmental Impact Report (EIR) as required by law.

On November 8, 2010, the county relented and finally issued a notice of intent to produce an EIR. On February 29, 2012, the board voted to approve the completed EIR for their \$7 million tree removal project.

### **What of the Big Plan?**

During post-trial settlement negotiations with the Chaparral Institute in 2010, Deputy County Chief Waller indicated that the county was in the beginning stages of initiating a full EIR on the entire countywide vegetation management plan as outlined in the Vegetation Management Report approved in 2009. The effort would be monumental: burning, masticating, and spraying more than 300 square miles of backcountry habitat over a five-year period.

The county issued an invitation for consultants to submit their qualifications by September 1, 2010 to prepare the EIR. Reportedly, two consulting firms were short-listed. However, the procurement process for the EIR was terminated shortly thereafter. Thus, the countywide habitat clearance plan died a quiet death. The official reason for the plan’s cancellation was “budget constraints” (Reddick 2012).

Thomas Oberbauer, who led the plan’s development, retired December, 2010. The members of the county’s Board of Supervisors and Planning Commission have all remained the same.

Cited references are available here:

[http://www.californiachaparral.org/images/References\\_for\\_Politics\\_of\\_Fire.pdf](http://www.californiachaparral.org/images/References_for_Politics_of_Fire.pdf)

All relevant documents can be found here:

<http://www.californiachaparral.org/dsdcountyslashburn.html>



# Poetry from a Kindred Spirit

Nancy Jordan

## Integrity

Intention is the place to start  
 Noticing what others feel  
 Taking time to listen  
 Ever willing to  
 Go the extra mile,  
 Responding with a smile,  
 I'll be as true as I can be  
 To the values that we hold.  
 Your honor won't be sold.



## Limitations No More

Tonight  
 He sat beside me  
 On the sofa.  
 Was totally present.  
 Read my stuff.  
 Made offerings  
 From his heart  
 And well-trained mind.  
 Then blew the lids  
 Off all the boxes  
 Labeled 'Limitations'

# UNFOLDINGS

There's this organism called a sea squirt, that's related to the vertebrates. You may have heard of it. When young, it has a primitive notochord (spinal cord), and it swims around. Then it is ready to mature, so it glues its butt to a rock and metamorphoses into a filter feeding adult. It doesn't need its notochord anymore, so it eats it. Some say that's what happens to certain bureaucrats too.  
-Anonymous government employee

So often we think we have got to make a difference and be a big dog. Let us just try to be little fleas biting. Enough fleas biting strategically can make a big dog very uncomfortable.  
-Marian Wright Edelman

The great enemy of the truth is very often not the lie, deliberate, contrived and dishonest, but the myth, persistent, persuasive and unrealistic.  
-John F. Kennedy

Dare to do things worthy of imprisonment if you mean to be of consequence.  
-Juvenal

You cannot make yourself feel something you do not feel, but you can make yourself do right in spite of your feelings.  
-Pearl S. Buck

An error does not become truth by reason of multiplied propagation, nor does truth become error because nobody sees it.  
-Mahatma Gandhi

I honestly do not know if civil disobedience has any effect on the government. I can promise you it has a great effect on the person who chooses to do it.  
-Martin Sheen

There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.  
-Elie Wiesel

Concepts should relate as directly as possible to observation and measurements, and be distorted as little as possible by explanatory elements."  
-Max Kleiber (The Fire of Life, 1961)

Activism is my rent for living on this planet.  
-Alice Walker

There is a cult of ignorance in the United States, and there always has been. The strain of anti-intellectualism has been a constant thread winding its way through our political and cultural life, nurtured by the false notion that democracy means that "my ignorance is just as good as your knowledge."  
-Issac Asimov

It's the fuels.  
-Bob Eisle (email signature)

Everyone is entitled to their own opinion, but not to their own facts.  
-Daniel Patrick Moynihan  
(Jon E. Keeley's email signature)