

# California Native Plant Society

## Los Angeles / Santa Monica Mountains Chapter

15811 Leadwell Street, Van Nuys, California 91406

May 30, 2016

Edith Hannigan, Board Analyst  
Board of Forestry and Fire Protection  
P.O. Box 94426  
Sacramento, California 94244-2460  
e-mail: Vegetation Treatment PEIR <VegetationTreatment@bof.ca.gov>

RE: Program EIR for the Vegetation Treatment Program (VTP) , March 2016

Dear Edith Hannigan:

The Los Angeles / Santa Monica Mountains Chapter of California Native Plant Society (LASMM, CNPS) membership area covers the Santa Monica Mountains, western portions of the Los Angeles Basin, the San Fernando Valley west through the Simi Hills, and north to the Mojave Desert. We have commented both in writing and at public meetings over the years in the long process of updating the Board of Forestry and Fire Protection Vegetation Treatment Program.

General Comment: Why is the PEIR using a very outdated reference (DFG 1988) for defining the major plant alliances around California? The accepted reference, which took years of field surveys around California to assemble, is A Manual of California Vegetation, 2nd Edition, 2009, John O. Sawyer, T. Keeler-Wolf , J. M. Evens. It is a collaboration between CNPS and CDFW, published by CNPS.

We have many concerns with this Program Environmental Impact Report (PEIR) structure and avoidance of addressing serious issues of the 21st century, namely chaotic weather patterns, climate change, bare earth clearance in watersheds near houses in WUI zones and the serious losses of hardwoods, conifers and other trees to insect pests such as borers and to an out-of-control major plant pathogen: *Phytophthora ramorum* (Los Angeles Times, Tuesday, May 3, 2016, page B-2, "Oaks face unstoppable epidemic").

- 1.) Where does this PEIR address the problem of plant pests and pathogens?
- 2.) Why are only invasive plants considered a problem?
- 3.) Why doesn't Appendix B have proper directions for sanitizing equipment, tools, shoes, etc. when workers have been in contact with infested or infected plant material in the field?
- 4.) Why is Appendix B called "Biological Resources" when it is a manual on attacking invasive plants?
- 5.) Where does this PEIR indicate knowledge that chipping and grinding infected or infested trees also requires sterilizing the resulting mulch before it may be left onsite?
- 6.) Where does this PEIR indicate that California Department of Food and Agriculture (CDFA) must be included as one of the supervising agencies for any processing of cut trees or removal of those trees or understory plants when the site is in a quarantined area?

7.) Why isn't one of the VTP's primary objectives to map large occurrences of dead and dying trees with the objective of removing / thinning those trees, perhaps moving them to an open area where they can be chipped and processed in a nearby biofuel facility, with no greenhouse gas (GHG) emissions and the production of biofuel? Working with local land use jurisdictions and perhaps providing grant funding to site a biofuel facility near stressed forest areas, especially those in quarantine, and then supplying green waste from forest management activities is a far more useful vegetation treatment program than anything proposed in this PEIR.

8.) Why isn't one of the VTP's primary objectives to protect watershed health and the ability of soils in those watersheds to absorb rainwater through careful maintenance of mixed native shrubs which stabilize loose slopes with a network of deep and shallow roots, in concert with a range of soil organisms? Bare earth clearance in watershed areas near houses erodes hillsides and destroys watershed health. Why not clear from the houses in the WUI outward? We need absorptive hillsides, not runoff to storm drains.

9.) In Table ES-1 why does the PEIR assume no VTP effects on utilities or on climate change? Does this mean the VTP will not encourage utilities with power grids crossing SRAs to install power breakers all along their system that will shut power off when a short occurs, e.g. from wind-blown limbs hitting two lines or wind causing two lines to touch or to break and hit the ground? Does this mean the VTP will not move forward with any meaningful steps to adjust to climate change?

10.) Page E-12, E-10 Areas of Known Controversy: Isn't Bullet 8 actually two bullets put together? Bullet 8: "Impact to climate change and greenhouse gases Ability to address the ecological and social complexities of the state in a single Program." Perhaps "Ability to address the ecological and social complexities of the state in a single Program" should have been the first bullet in this section?

11.) Page 1-11, 3rd Bullet: "The California Air Resources Board (CARB) and the California Department of Forestry and Fire Protection (CDFFP) shall work together and with federal land managers and the United States Environmental Protection Agency to expand the practice of prescribed burns, which reduce fire risk and avoid significant pollution from major wildfires, and increase the number of allowable days on a temporary basis to burn tree waste that has been removed in high hazard areas." Why, in a time of chaotic weather patterns is CDFFP seeking more days per year to burn tree waste? Why not chip the tree waste and take it to a biofuel plant to avoid increasing the amount of GHGs created by CDFFP VTP program? There is a real chance that more prescribed burns will become major conflagrations due to increasingly unpredictable wind and weather patterns as our climate changes.

12.) Page 1-17, 1.7.4 California Forest Improvement Program (CDFIP): Aren't two suggested activities missing from this list of bullets? After bullet 4: "Release from brush competition", shouldn't there be a bullet 5: "Release from non-native grass competition" and a bullet 6: "Release from non-native tree competition"?

13.) Page 2-56, **BIO-2**: "The project coordinator shall run a nine-quad search or larger search area (maybe required if a project is on the boundary of two USGS quad maps) of the area surrounding the proposed project for special status species, using at a minimum, the California Natural Diversity Database (CNDDDB) or its successor (e.g., DFW's Vegetation Classification and Mapping Program, VegCAMP)." In this time of climate change, how, without rigorous field surveys several times during the year, can the project coordinator be sure that the species are still present in those locations? Have they migrated to a wetter, drier, colder or more shaded niche? Have they died out? Have they hybridized or otherwise changed genetically? Are they dormant in a seed bank? The databases mentioned are limited to the accuracy and timeliness of information received.

14.) Page 2-56, **BIO-3**: “The project coordinator shall write a summary of all special status species identified in the biological scoping including the CNDDDB search with a preliminary analysis, identifying which species would be affected by the proposed project. A field review will then be conducted by the project coordinator to identify the presence or absence of any special status species, or appropriate habitat for special status species, within the project area.” How can one field review be enough? Many special plant species are annuals or short-lived perennials. Their blooming times may be very dependent on rain and temperatures.

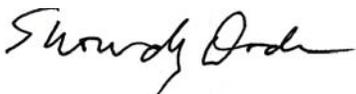
15.) Page 2-57, **BIO-6**: “In shrublands containing native oaks, treatments may incorporate retention of older, acorn producing oaks to create deer forage. CAL FIRE or applicants may plant other vegetation to promote species diversity and improve wildlife habitat when such practices are not in conflict with program goals.” Mature oaks provide forage for birds, small mammals, etc. Why is the only excuse to “provide deer forage”? Why plant “other vegetation”, perhaps non-native or not part of the natural native plant community? What is the program goal? Shouldn’t the goal be to have a healthy, diverse, native plant community? Does this PEIR have two contradictory sets of goals: one set to protect the natural plant and animal resources, water and air, and the other to promote non-native (highly flammable) grasslands for grazers, low diversity tree farms for easy timber harvesting, and to eliminate the highly biodiverse shrublands? Aren’t these two sets of goals incompatible in the 21st century, in a time of climate change and drought?

16.) Pages 2-56 & 2-57, Biological Standard Requirements; Where in this set of thirteen Biological Standard Requirements is there any mention of how CDFFP and Cal-Fire are going to plan and to put into action any program that covers the safe removal and decontamination of pest-killed and plant pathogen killed trees?

17.) The current VTP PEIR is not complete and is insufficient for achieving its stated mission and goals.

CDFFP and Cal-Fire must face the challenges of the 21st century with a new program capable of dealing with large populations of people, erosion of watersheds and loss of groundwater, new plant diseases and non-native plant invasions, changing climate, very erratic weather patterns, rising ocean levels and still preserve one of the world’s greatest centers of biodiversity: California.

Sincerely,



Snowdy Dodson  
President  
Los Angeles / Santa Monica Mountains Chapter  
California Native Plant Society

Information on *Phytophthora ramorum* in California as of May, 2016 is attached.

Additional powerpoint and web references:

- 1) Brandeis U. show on bark beetle infestations: [people.brandeis.edu/~clewis/GIS\\_FireSeverity.ppt](http://people.brandeis.edu/~clewis/GIS_FireSeverity.ppt)
- 2) Pest Infestation Protocols: <http://www3.calrecycle.ca.gov/organics/Threats/BarkBeetle.htm>
- 3) WUI fire science: [http://www.nrs.fs.fed.us/pubs/gtr/gtr\\_nrs1/stewart\\_1\\_197.pdf](http://www.nrs.fs.fed.us/pubs/gtr/gtr_nrs1/stewart_1_197.pdf)
- 4) WUI fire science: [http://frap.fire.ca.gov/projects/wui/525\\_CA\\_wui\\_analysis.pdf](http://frap.fire.ca.gov/projects/wui/525_CA_wui_analysis.pdf)



United States  
Department of  
Agriculture

# Phytophthora ramorum Federal Quarantine Status

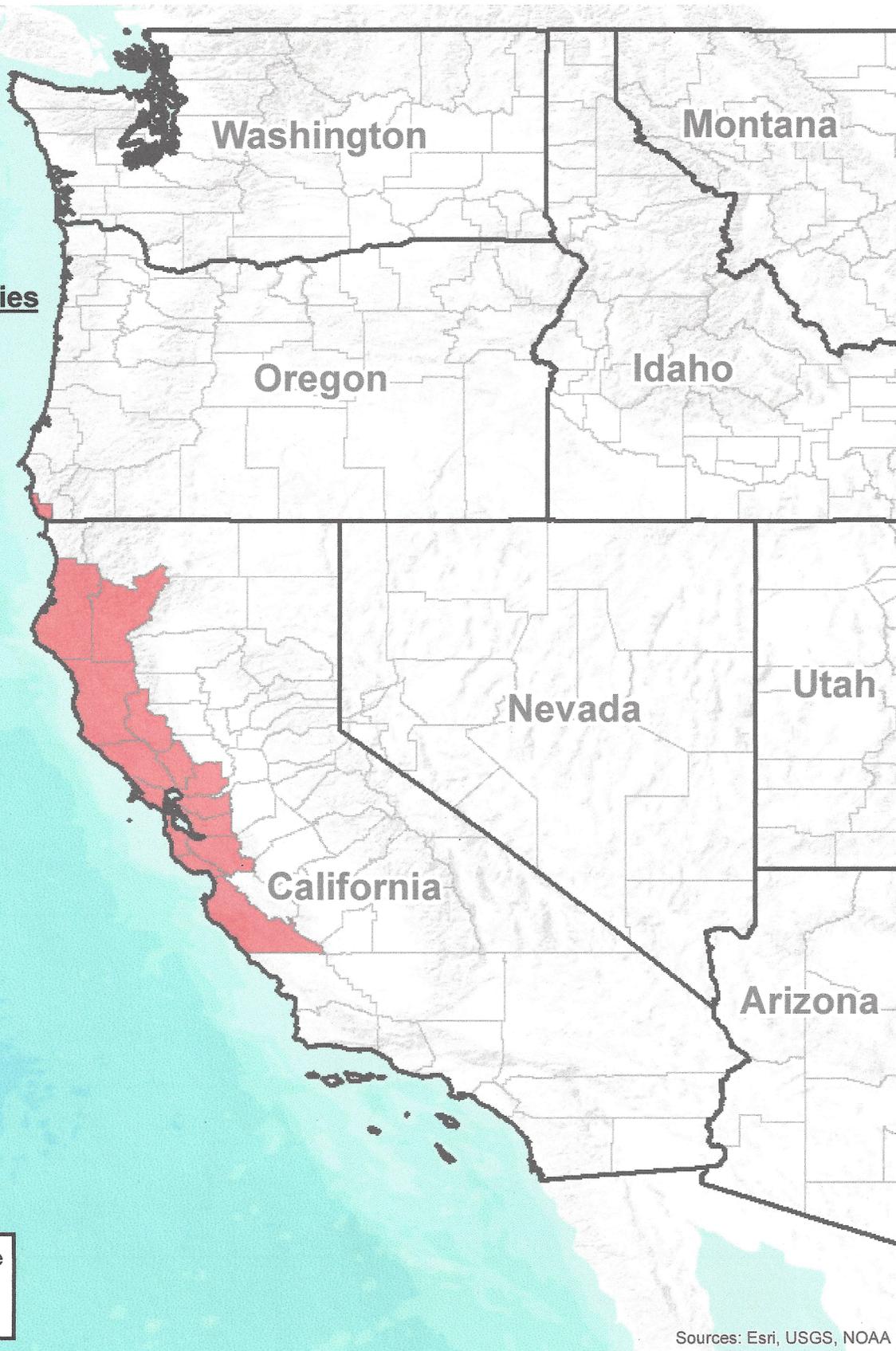
## Quarantined Counties

### Oregon

Curry (Partial)

### California

Alameda  
Contra Costa  
Humboldt  
Lake  
Marin  
Mendocino  
Monterey  
Napa  
San Francisco  
San Mateo  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Trinity



Sources: Esri, USGS, NOAA

0 55 110 220  
Miles

USDA, APHIS, PPQ  
GIS Specialist  
1506 Klondike Rd Suite 306  
Conyers, GA 30094

Coordinate System: GCS WGS 1984  
Datum: WGS 1984

Data Source: ESRI, PPQ



These data, and all the information contained therein, have been collected by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), or by its cooperators on APHIS' behalf, for restricted government purposes only and is the sole property of APHIS. Data may be disseminated on a need-to-know basis only and must be used for their intended government purpose(s). All information contained within these data are subject to required Federal safeguards and shall only be shared and/or used consistent with the Trade Secrets Act [18 U.S.C. 1905], the Privacy Act of 1974, as amended [5 U.S.C. 552a], the Freedom of Information Act [5 U.S.C. 552], the confidentiality provisions of the Food Security Act of 1985 [7 U.S.C. 2276], Section 1019 of the Food, Conservation, and Energy Act of 2008 [7 U.S.C. 8791], and other applicable Federal laws and implementing regulations, as well as with the confidentiality or non-disclosure provisions of any other agreement entered into between APHIS and a cooperator.

Document Path: H:\GIS\_Data\Hubs\2015\Maps\PPQ\_PramorumQuar\_20150304.mxd

Please also see Federal Domestic Quarantine 301.92 for regulations on the interstate movement of regulated articles.

### 3700. OAK MORTALITY DISEASE CONTROL

#### State Miscellaneous Ruling

Restrictions are hereby established against this pest, its hosts, and possible carriers.

**A. Pest.** A fungus, *Phytophthora ramorum*, which causes oak mortality disease (sudden oak death).

**B. Regulated Area.** The regulated area for the pest is:

- (1) The entire counties of Alameda, Contra Costa, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma and **Trinity**.

**C. Articles and Commodities Covered.** The following are declared to be hosts or potential carriers of the pest:

- (1) Plants and plant parts (except acorns or seed and a \* includes the bole) of:

*Acer macrophyllum* (bigleaf maple)  
*Acer pseudoplatanus* (planetree maple)\*  
*Adiantum aleuticum* (Western maidenhair fern)  
*Adiantum jordanii* (California maidenhair fern)  
*Aesculus californica* (California buckeye)  
*Aesculus hippocastanum* (horse chestnut)\*  
*Arbutus menziesii* (madrone)  
*Arctostaphylos manzanita* (manzanita)  
*Calluna vulgaris* (Scotch heather)  
*Camellia* spp. (includes all species, hybrids and cultivars)  
*Castanea sativa* (sweet chestnut)  
*Cinnamomum camphora* (camphor tree)  
*Fagus sylvatica* (European beech)\*  
*Frangula californica* (= *Rhamnus californica*) (California coffeeberry)  
*Frangula purshiana* (= *Rhamnus purshiana*) (cascara)  
*Fraxinus excelsior* (European ash)\*  
*Griselinia littoralis* (Griselinia)  
*Hamamelis virginiana* (witch hazel)  
*Heteromeles arbutifolia* (Toyon or Christmas berry)  
*Kalmia* spp. (includes all species, hybrids and cultivars)  
*Laurus nobilis* (bay laurel)  
*Lithocarpus densiflorus* (tanoak)\*  
*Lonicera hispidula* (California honeysuckle)  
*Magnolia doltsopa* (= *Michelia doltsopa*) (Michelia)  
*Maianthemum racemosum* (= *Smilacina racemosa*, false Solomon's seal)  
*Parrotia persica* (Persian ironwood)  
*Photinia fraseri* (red tip or Fraser's photinia)  
*Pieris* spp. (includes all species, hybrids and cultivars)  
*Pseudotsuga menziesii* var. *menziesii* and all nursery grown *P. menziesii* (Douglas-fir)  
*Quercus agrifolia* (coast live oak)\*  
*Quercus cerris* (European turkey oak)\*  
*Quercus chrysolepis* (canyon live oak)\*  
*Quercus falcata* (Southern red oak)\*  
*Quercus ilex* (Holm oak)

*Quercus kelloggii* (California black oak)\*  
*Quercus parvula* var. *shrevei* and all nursery grown *Q. parvula* (Shreve's oak)\*  
*Rhododendron* species (azaleas and rhododendrons)  
*Rosa gymnocarpa* (wood rose)  
*Salix caprea* (goat willow)  
*Sequoia sempervirens* (coast redwood)  
*Syringa vulgaris* (lilac)  
*Taxus baccata* (European yew)  
*Trientalis latifolia* (Western star flower)  
*Umbellularia californica* (California bay laurel)  
*Vaccinium ovatum* (huckleberry)  
*Viburnum* spp. (All species of viburnum);

(2) Associated articles (nursery stock) of the following plants:

*Abies concolor* (white fir)  
*Abies grandis* (grand fir)  
*Abies magnifica* (red fir)  
*Acer circinatum* (vine maple)  
*Acer davidii* (striped bark maple)  
*Acer laevigatum* (evergreen maple)  
*Arbutus unedo* (strawberry tree)  
*Arctostaphylos columbiana* (manzanita)  
*Arctostaphylos uva-ursi* (Kinnikinnick)  
*Ardisia japonica* (Ardisia)  
*Berberis diversifolia* (= *Mahonia aquifolium*) (Oregon grape)  
*Calycanthus occidentalis* (spicebush)  
*Castanopsis orthacantha* (Castanopsis)  
*Ceanothus thyrsiflorus* (blue blossom)  
*Cercis chinense* (Chinese redbud)  
*Choisya ternate* (Mexican orange)  
*Clintonia andrewsiana* (Andrew's clintonia bead lily)  
*Cornus kousa* (Kousa dogwood)  
*Cornus kousa x Cornus capitata* (Cornus Norman)  
*Corylopsis spicata* (Spike Winter hazel)  
*Corylus cornuta* (California hazelnut)  
*Daphniphyllum glaucescens*  
*Distylium myricoides* (myrtle-leaved distylium)  
*Drimys winteri* (Winter's bark)  
*Dryopteris arguta* (California wood fern)  
*Eucalyptus haemastoma* (Scribbly gum)  
*Euonymus kiautschovicus* (spreading euonymus)  
*Fraxinus latifolia* (Oregon ash)  
*Garrya elliptica* (Silk tassel tree)  
*Gaultheria procumbens*  
*Gaultheria shallon* (salal, Oregon wintergreen)  
*Hamamelis x intermedia* [(*H. mollis* and *H. japonica*) (hybrid witchhazel)] *Hamamelis mollis* (Chinese witchhazel)  
*Ilex aquifolium* (European holly)  
*Ilex cornuta* (Buford holly, Chinese holly, horned holly)  
*Ilex purpurea* (Oriental holly)  
*Illicium parviflorum* (Yellow anise)  
*Larix kaempferi* (Japanese larch)  
*Leucothoe axillaries* (fetter-bush, dog hobble)  
*Leucothoe fontanesiana* (drooping leucothoe)  
*Lithocarpus glaber* (Japanese oak)  
*Loropetalum chinense* (Loropetalum)  
*Magnolia cavaleri* (Michelia)  
*Magnolia denudata x salicifolia* (magnolia)  
*Magnolia denudate* (lily tree)  
*Magnolia ernestii* (= *Michelia wilsonii*) (Michelia)

*Magnolia figo* (= *Michelia figo*) (banana shrub)  
*Magnolia foveolata* (Michelia)  
*Magnolia grandiflora* (Southern magnolia)  
*Magnolia kobus* (kobus magnolia)  
*Magnolia liliiflora* (= *M. quinquepetala*) (purple magnolia)  
*Magnolia maudiae* (= *Michelia maudiae*) (Michelia)  
*Magnolia salicifolia* (= *M. proctoriana*) (anise magnolia)  
*Magnolia stellata* (star magnolia)  
*Magnolia x loebneri* (Loebner magnolia)  
*Magnolia x soulangeana* (saucer magnolia)  
*Magnolia x thompsoniana* (*M. tripetala* and *M. virginiana*) (magnolia)  
*Mahonia nervosa* (Creeping Oregon grape)  
*Manglietia insignis* (red lotus tree)  
*Molinadendron sinaloense*  
*Nerium oleander* (oleander)  
*Nothofagus obliqua* (Roble beech)  
*Osmanthus decorus* [(= *Phillyrea decora*; = *P. vilmoriniana*) (Osmanthus)]  
*Osmanthus delavayi* (Delavay Osmanthus)  
*Osmanthus fragrans* (sweet olive)  
*Osmanthus heterophyllus* (holly olive)  
*Osmorhiza berteroi* (sweet Cicely)  
*Parakmeria lotungensis* (Eastern joy lotus tree)  
*Physocarpus opulifolius* (Ninebark)  
*Pittosporum undulatum* (Victorian box)  
*Prunus laurocerasus* (English laurel)  
*Prunus lusitanica* (Portuguese laurel cherry)  
*Pyracantha koidzumii* (Formosa firethorn)  
*Quercus acuta* (Japanese evergreen oak)  
*Quercus petraea* (Sessile oak)  
*Quercus rubra* (Northern red oak)  
*Ribes laurifolium* (bayleaf currant)  
*Rosa* cultivars: Royal Bonica (tagged: "MEImodac"), Pink Meidiland (tagged: "MEIpoque"), Pink Sevillana (tagged: "MEIgeroka")  
*Rosa rugosa* (rugosa rose)  
*Rubus spectabilis* (salmonberry)  
*Schima wallichii* (Chinese guger tree)  
*Taxus brevifolia* (Pacific yew)  
*Taxus x media* (Yew)  
*Torreya californica* (California nutmeg)  
*Toxicodendron diversilobum* (poison oak)  
*Trachelospermum jasminoides* (Star jasmine, Confederate jasmine)  
*Vaccinium myrtillus* (bilberry)  
*Vaccinium vitis-idaea* (cowberry, lingon berry, mountain cherry)  
*Vancouveria planipetala* (Redwood ivy)  
*Veronica spicata* Syn. *Pseudolysimachion spicatum* (Spiked speedwell)

- (3) Unprocessed wood and wood products (including but not limited to bark chips, mulch and firewood- except when completely free of bark) of the plants listed in paragraph (C)(1) as bole hosts and plant products of the plants in paragraph (C)(1), including but not limited to dried or preserved wreaths;
- (4) **Any other product**, article or means of conveyance when it is determined by the secretary, based upon generally accepted scientific principles, that it presents a risk of spreading the pest because it is a host or potential carrier of the pest.

#### D. Restrictions.

- (1) Articles and commodities covered in subsection (C) are prohibited movement from the regulated area except as provided in paragraph (a), (b) or (c) below:
- a) If accompanied by a certificate issued by an authorized agricultural official affirming that the articles and commodities have been:
1. Produced and maintained in an area which has been surveyed by an authorized agricultural official in a manner approved, based upon generally accepted scientific principles, by the secretary to detect the pest and the area has been found to be free of the pest; or,
  2. Grown, produced, manufactured, stored, or handled in a manner approved by the secretary, based upon generally accepted scientific principles, by the secretary to prevent infestation by the pest; or,
  3. Tested in a manner approved, based upon generally accepted scientific principles, by the secretary to detect the pest and found to be free of the pest.
- b) If the article or commodity does not meet the conditions in paragraph (D)(1)(a), it may nevertheless be moved if a permit is issued by an authorized agricultural official specifying the required containment conditions necessary to prevent potential spread of the pest; the article or commodity covered; the destination; and the handling, utilization, or processing which is authorized by the official and the conditions under which this shall be conducted. If the issuance of a permit is denied, an appeal may be filed with the department as provided in subsection (E).
- c) If the article or commodity is being moved from outside the regulated area and is being moved through the regulated area by direct route and without delay.
- (2) At the retail level, articles and commodities covered are prohibited movement from the regulated area except when the person in possession has proof of purchase showing the commodity was purchased from a seller who is in compliance with paragraph (D)(1)(a).

#### E. Appeal/Hearing Procedures.

- (1) An appeal pursuant to paragraph (D)(1)(b) may be filed with the department within seven (7) calendar days of the date of denial of the permit. A hearing shall be conducted within 48 hours of an appeal that is timely filed. An appeal that is not timely filed shall be denied and no hearing shall be conducted in connection therewith.
- (2) Hearings shall be conducted pursuant to Chapter 4.5 (commencing with section 11400) of Division 3

of Title 2 of the Government Code and these regulations.

- (3) Hearings shall be presided over and conducted by a hearing officer designated by the secretary.
- (4) Hearings may be conducted by telephone, at the discretion of the secretary.
- (5) The decision of the hearing officer shall be in writing. The decision shall be in minute order form, containing only a brief statement of the conclusion and findings to support the conclusion. It may be handwritten.
- (6) The decision shall be issued within 24 hours after the conclusion of the hearing and may be issued orally at the conclusion of the hearing subject to written confirmation.
- (7) The written decision shall be served on the appellant or designated representative either by personal service or, if available, by facsimile transmission.
- (8) The hearing officer's decision shall be final and not appealable to the secretary or any other officer of the Department.
- (9) The appellant may seek judicial review of the hearing officer's decision by filing a petition for a writ of administrative mandamus in the appropriate court pursuant to Code of Civil Procedure section 1084 *et seq.*
- (10) Hearings shall be recorded by audiotape.

**NOTE:** Authority: Sections 407, 5321 and 5322, Food and Agricultural Code.

**Reference:** Sections 24.5, 5321, and 5322, Food and Agricultural Code; Sections 11425.50 and 11440.10, Government Code; Section 1084 *et seq.*, Code of Civil Procedure.

**ADDITIONAL HOSTS  
APPENDIX 1**

**05/07/12**

**At this time, there are no additional hosts.**

**ADDITIONAL INFESTED AREAS  
APPENDIX 2**

**09/03/04**

**At this time, there are no additional infested areas.**

# United States Department of Agriculture Treatment Manual

## Domestic Treatments

Phytophthora ramorum

5-8-20 Treatment Manual 04/2015-121

PPQ

**D301.89-13(c)** Treatment: D301.89-13(c)—Hot water and high pressure  
Clean with a solution of detergent and water at a minimum temperature of 170 °F. Apply under pressure of at least 30 pounds per square inch.

## **D301.92** *Phytophthora ramorum*

### **Soil**

**D301.92-10(a)** Treatment: D301.92-10(a)—Heat Treatment

Heat to a temperature of at least 180 °F at the center of the load for 30 minutes in the presence of an inspector.

## **Wreaths, garlands, and greenery of host material**

**D301.92-10(b)** Treatment: D301.92-10(b)—Hot water

Dip for 1 hour in water that is held at a temperature of at least 160 °F.

## **Bay leaves**

**D301.92-10(c)** Treatment: D301.92-10(c)—Vacuum heat  
(formerly T111-a-1)

1. Place bay leaves in a vacuum chamber.
  2. Starting at 0 hour, gradually reduce to 0.133 Kpa vacuum at 8 hours.
  3. Maintain the vacuum until the end of the treatment, 22 hours.
  4. Gradually increase the temperature in the vacuum chamber from ambient temperature at 0 hour to 60C at 5 hours.
  5. After 5 hours, gradually lower the temperature to 30C at 22 hours.
- The total length of the treatment is 22 hours.