

To: Fire Chief Daniel Farrell (dfarrell@oaklandnet.com)
From: The Restoration Committee of the Friends of Sausal Creek
Re: Vegetation Management in the Wildfire Prevention District
Date: July 26, 2006

The Friends of Sausal Creek (FOSC) is a community organization dedicated to enhancing Oakland's biodiversity and neighborhood appreciation of nature. We are concerned about several significant and on-going problems with the Oakland Fire department's vegetation management in the urban/wildland interface. Brush clearing to prevent wildfire is a critically important tool of your department, and we support its prudent use throughout the Wildfire Prevention District.

However, these important fuel load reduction practices have raised several problems. Vegetation management by brush clearing without discrimination includes a high environmental cost. The program as currently practiced is destructive and not sustainable.

- 1) The Fire Department's vegetation inspectors make no discrimination between natives and non-natives; they are unable to determine the importance and rarity of native plants. Current methods remove vegetation, often in ways that encourage the spread of French broom and other invasive, fire-prone, non-native species.
- 2) Brush clearing has resulted in the destruction of federally listed endangered pallid manzanita plants over the last several years of roadside clearing. After the accidental, uninformed cutting and goat browsing of several manzanitas in 2003, FOSC exerted a considerable educational effort to inform members of your department about this important issue. It was therefore especially disconcerting to us when we learned that an OFD compliance inspector purposefully ordered that pallid manzanitas be cut on private property this July. This is a repeated violation of Federal law.
- 3) Other examples of poor vegetation management include erosion-causing clearcuts, clearing on steep slopes and cutting plants in ephemeral creeks without regard to the Oakland's Creek Ordinance. Recent clearing in Dimond Canyon in the Sausal Creek watershed (below Park Blvd from Monterey to Leimert) illustrates disregard for Environmentally Sensitive Vegetation Management guidelines [Watershed Improvement Program's website, <http://www.oaklandpw.com/AssetFactory.aspx?did=1751>]. The guidelines recommend crews "leave 'islands' of vegetation to prevent landslides and protect nesting habitat". They also recommend crews "err on the side of caution. If you don't know if a plant or tree or area is sensitive, ask for a second opinion before you cut." We know of additional violations of the Creek Protection Ordinance in Shepherd Canyon in 2004 and 2005, in Butters Canyon in 2003, and on Peralta Creek, where the creek banks at Wisconsin and Rettig were cleared in October 2005.

Last year the City Council committed to preparing a new IPM plan and a Vegetation Management Plan for the Wildfire Prevention District with CEQA review of both plans. If the Plans and CEQA review had been completed, we would not be having these problems. FOSC has tried to be of service to your department, offering plant identification and training. Sadly, the department's actions convince us that we cannot trust you to "err on the side of caution", and manage Oakland wildlands with

environmental sensitivity, as your website promotes.

In response to these repeated blunders, we urge you to complete a vegetation management plan with CEQA review. We ask that the Fire Department apply for and receive Creek Protection Permits prior to clearing operations near any Oakland creek channels, and consult with the staff of the Watershed Improvement Program on all creek parcels. (See Section 13.16.120 Creek Protection Permit Requirements: “No Person shall commit or cause Development or Work within the boundaries of a creekside property, or within the public right of way fronting a creekside property, unless a Creek Protection Permit has first been obtained from the Chief of Building Services.”) Our reading of the Creek Protection Ordinance does not allow exceptions. Vegetation management performed by the Fire Department is clearly within the scope of the ordinance.

Since we have lost confidence that expertise exists within the Department as currently staffed, we call on you to hire or seasonally appoint a qualified botanist or biologist as a vegetation manager to supervise the annual fuel load abatement activity. We fear that without expertise, uninformed crews will cut down our own restoration efforts in the Sausal Creek watershed that have been maturing over the last ten years. We ask that an environmentally sensitive company, such as Shelterbelt Builders, who have worked in Butters Canyon and in areas with the endangered Presidio Clarkia, be contracted for future work in Dimond Canyon. We also request that FOSC be notified at least one month before any clearing in the Dimond Canyon so that we can meet with vegetation inspectors and assist in tagging protected and desirable natives.

Unless significant progress is made in the Fire Department’s environmental awareness, current management practices that harm the health of the watershed will continue. A knowledgeable vegetation consultant is required if the Fire Department is to sustainably manage Oakland wildlands with environmental sensitivity and avoid legal complications of endangered species “take.”

Thank you for your consideration. I look forward to your prompt response.

Sincerely,

Mark Rauzon
For the
Restoration Committee,
Friends of Sausal Creek

cc: Leroy Griffin, Assistant Fire Marshal (lgriffin@oaklandnet.com)
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