

April 9, 2014

Board of Directors  
San Miguel Consolidated Fire Protection District  
2850 Via Orange Way  
Spring Valley, CA 91978

RE: Proposed Ordinance 2014-1– An Ordinance of the San Miguel Consolidated Fire Protection District – Relating to the Declaration of Certain Waste Matter and/or Vegetation Matter as a Public Nuisance and Providing for the Abatement and/or Removal Thereof and Replacing Ordinance 94-3.

Dear Directors of the San Miguel Consolidated Fire Protection District,

We respectfully request that you please postpone the approval of the proposed ordinance that claims,

A majority of all native vegetation within the San Miguel Consolidated Fire Protection District constitutes a seasonal and recurrent nuisance.

We request this for three reasons.

**1. CEQA is required.** The implementation of the proposed ordinance may cause significant environmental impacts. As a consequence, a thorough environmental review under the California Environmental Quality Act (CEQA) is required.

**2. The proposed ordinance is not based on the best available science.** Although we agree with the staff report that the current ordinance needs to be updated, the proposed change does not update the ordinance with the best available science regarding fire risk reduction. The proposed ordinance appears to be based on outdated perceptions about fire risk and the cause of home ignitions. The proposed ordinance focuses primarily on native vegetation on a district wide basis.

Research has clearly shown that beyond the 100 foot defensible space zone, the clearance of vegetation can cause more problems that it is supposedly solving (i.e. erosion, increase in flammable weeds, habitat loss, etc.). In a comprehensive study of the 2007 Witch Creek Fire, it was found that houses in Rancho Bernardo started burning by ember contact when the fire front was three miles away. Two thirds of the burning homes were

set on fire by embers, not contact with flames from burning native vegetation. (Maranghides, A. and W. Mell. 2009. A Case Study of a Community Affected by the Witch and Guejito Fires. National Institute of Standards and Technology Technical Note 1635. US Department of Commerce.)

**3. The proposed ordinance may encourage the abuse of citizen rights by Fire Prevention Services, Inc. (FPS).** As you may be aware, FPS has been involved in a significant number of instances where citizens have complained about unfair treatment. In fact, such complaints have led to the cancellation of FPS's contracts with a number of fire agencies including the Escondido Fire Department, North County Fire, and the San Diego Rural Fire Protection District.

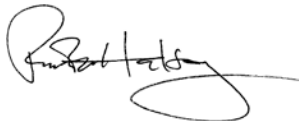
FPS has also been involved in actually crafting clearance ordinances that were adopted and later reformed after citizen complaints. This occurred in the San Diego Rural Fire Protection District.

We are sensitive to the fact that the district would like to save financial resources by hiring a clearance contractor that costs the district nothing. However, FPS only makes money if they conduct forced abatements. Such an arrangement is clearly prone to abuse.

Part of the review process to develop a more successful fire risk reduction ordinance, we respectfully suggest the district consider following vegetation management programs that have been successfully implemented in similar districts such as Ramona, North County Fire, and the City of Escondido. These fire departments have built a positive, collaborative relationship with their customers and have fair, in-house inspection programs rather than relying on a private contractor motivated by profit. We have found that when local fire departments conduct their vegetation management operations in this manner, the community itself becomes more fire safe. Citizens want to cooperate because they have a good relationship with their fire department and the firefighters who will be protecting their homes.

As with most things, success is built on positive personal relationships. If the district would like to investigate an inspection program that reflects this ideal, we recommend contacting Jeremy Davis at the Ramona Fire Department. We also would be more than willing to assist the district in developing an ordinance that will protect lives and property while protecting the natural environment your citizens enjoy.

Sincerely,



Richard W. Halsey  
Director  
California Chaparral Institute

The California Chaparral Institute is a non-profit science and educational organization dedicated to promoting an understanding of and appreciation for California's shrubland ecosystems, helping the public and government agencies create sustainable, fire safe communities, and encouraging citizens to reconnect with and enjoy their local, natural environments. [www.californiachaparral.org](http://www.californiachaparral.org).