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February 5, 2025

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City of San Diego  
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**OBJECTION REGARDING NORA for Brush Management Services – Open Space Division (RFP #10090206-25-G), January 29, 2025**

Implementation of the City’s brush management regulations continues to be a concern for public safety, open space ecological integrity, and legal obligations of the Multiple Species Conservation Program (MSCP). The Notice of Right to Appeal (NORA) was issued on January 29, 2025 for the Environmental Determination (categorically exempt from CEQA) for Brush Management Services (RFP and contract). Although the determination follows CEQA requirements and an appeal would be unfounded, it is clear that the CEQA determination does not contribute to the resolution of the brush management concerns.

Four concerns for brush management implementation are outlined in this letter.

**Contractors have not been following the Brush Management Regulations.**

The Performance Audit of the City’s Brush Management on City-Owned Land, OCA-24-01, July 2023 found that “the City lacks comprehensive brush management oversight, causing inconsistent and potentially ineffective brush management efforts by some departments with significant amounts of land in Very High Fire Hazard Severity Zones.” Actions have not been taken to remedy these findings.

The scope of work and contractual requirements in the Request for Proposal (RFP) for Brush Management Services –Open Space Division, Solicitation Number: 10090206-25-G can be strengthened, including qualifications, work specifications, and penalties for noncompliance. Bidding is closed but the selected contractor has not been announced (on PlanetBids platform).

City staff does not adequately monitor and hold the contractors to the regulations. This has commonly been attributed to insufficient staffing and budget, and needs to be remedied in the budget process. Budget reduction in tight fiscal times often reduces Parks and Recreation activities, which includes open space management and brush management planning, implementation and oversight.

Doing brush management correctly requires fire ecologist experts, biologists who are adept at assessing and avoiding type conversion, and serious workers skilled with loppers. Yet the City has no fire ecologist and a qualified biologist is not always available, either to plan the work or oversee the field work.

**Removal of native vegetation reduces open space values and increases wildfire risks.**

The City’s brush management regulations are sometimes poorly understood or implemented. The requirements are to retain 50 percent of the vegetation, and to cut back the remainder to six inches, keeping roots in order to reduce soil losses, erosion and slope instability. This remaining vegetation does not burn hot enough or close enough to ignite the house. But when too much vegetation is removed, the non-native grasses take over, and they are far more flammable and spread wildfire far more quickly.

Implementation of these regulations on public open space must also comply with legal commitments to meet the MSCP agreements and retain ecological values of the land. When crews remove more native

vegetation than is allowed in the regulations, the non-native vegetation increases (and is generally more flammable). The ecological value of these Multi-habitat Planning Area (MHPA) acreages is diminished, and annual MSCP and brush management reports need to account for this.

The NORA refers to “100 feet of fuel clearance” rather than brush management or vegetation reduction. In the City’s Brush Management regulations, “clearance” is only used as “vertical removal between trees and shrubs.” That misinforms and misleads anyone reading the City’s communications, as compliant brush management is not clearing vegetation or brush, as just explained.

### **Public safety depends on reducing structure ignition risks.**

Houses ignite primarily from embers that are carried great distances by the wind, or by something burning hot enough and close enough to ignite the house (which may be the adjacent house). When embers ignite deck, debris, patio furniture at the house or within Zone 1 (from the Brush Management Guide at <https://www.sandiego.gov/fire/fireprev/brush>), these combustible materials can ignite the house.

Building fire codes are the most effective investment to reduce property losses and are seriously underfunded. In the “Very High Fire Hazard Severity Zone,” stronger fire-resistant structural codes are realistically needed to reduce wildfire structure ignition risks. Mandatory and more frequent inspections are needed for Zone 1, to eliminate or reduce the combustible materials that will ultimately ignite from embers (or adjacent burning structure) and then burn hot enough to ignite the house and environs.


### **Conditions have changed since Environmental Impact Review in 2020.**

The Final Subsequent Environmental Impact Review/Environmental Assessment (SEIR/EA) for the Brush Management Regulations was issued more than 20 years ago and may need to be reviewed and revised. The NORA states that there is “no change in circumstance, additional information, or project changes.” Yet there is increased drought, more severe and extensive wildfires across the state, more recreational access to open space, and far more habitable structures built near open space.

As urban infill increases, with construction of Accessory Dwelling Units (ADUs) and multiple dwellings on single family lots, the brush-management zone is recalculated. As the permit process is streamlined, the proximity of the proposed structure(s) to open space may not be reviewed or considered. As a result, new structures are built on the former Zone 1 for that property. If they are built out to property lines, even adjacent to open space, the 100-foot brush management zone is shifted further into open space.

This results in more native vegetation behind removed, and perhaps violation of the MSCP commitments. Ongoing public expenses are increased for brush management obligations, greater stormwater and sedimentation, and slope destabilization. The brush management regulations have provisions for Fire-resistant Construction based upon the structure’s proximity to native or naturalized vegetation and extent of the fuel load, and these likely have been revised since the SEIR/EA was approved in 2020.

Sincerely,



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Cc: Councilmembers, City staff, and environmental groups