



PO Box 49427 ■ Los Angeles, California 90049 ■ (424) BHA-8765 ■ info@brentwoodhomeowners.org

August 17, 2026

California Board of Forestry and Fire Protection
Natural Resources Building
715 P Street
Sacramento, CA 95814

Via email: PublicComments@bof.ca.gov

Re: August 2026 Proposed Zone 0 Regulations — Request That the Board Not Ratify

Dear Board Members:

The Brentwood Homeowners Association (BHA), established in 1946, represents approximately 4,500 single family homes and condominiums north of San Vicente Boulevard to the Santa Monica Mountains, west of the 405 Freeway, and east of Canyon View Drive in the Los Angeles zip code of 90049. The majority of our members reside in a Very High Fire Hazard Severity Zone (VHFHSZ) adjacent to the Santa Monica Mountains.

In April 2025, the Brentwood Homeowners Association raised fundamental concerns about the proposed Zone 0 regulations. After 15 months of workshops, public comments and revisions, the August 2026 proposal looks different, but the underlying problems remain. BHA supports the goal of reducing home ignition during wildfires. But we continue to believe that a highly prescriptive statewide landscaping mandate is not the right way to achieve it.

For these reasons, **BHA urges the Board NOT to ratify the August 2026 proposed regulations in their current form.** Our concerns remain fundamentally the same as those we raised at the beginning of this process:

- **They fail to reflect the realities of dense urban neighborhoods**, where homes may be only six feet apart and ADUs within five feet of neighboring homes, yet the rule measures inches between plants.
- **They regulate vegetation by category and measurement rather than actual ignition risk**, allowing maintained trees while providing no comparable risk-based pathway for healthy, irrigated shrubs and hedges.
- **They treat vegetation as the primary answer to home ignition risk**, without adequately accounting for ember intrusion, vulnerable building components and structure-to-structure fire spread.
- **They do not provide meaningful local control**, because local alternatives must still produce “substantially similar practical effects” to the State’s prescribed requirements.

The Zone Zero Advisory Committee has heard these concerns throughout the rulemaking process. The question now is whether the August regulations have addressed them. We do not believe they have.

1. We Asked the Board to Recognize the Realities of Dense Urban Neighborhoods. Those Realities Still Are Not Reflected in the Rule.

Our April 2025 letter explained that Southern California's dense urban neighborhoods are fundamentally different from communities where wildfire spreads primarily through continuous wildland vegetation.

In Los Angeles, our greatest threat comes from extreme, wind-driven fires that, once they reach densely developed neighborhoods, can become urban conflagrations (as occurred in the Palisades Fire). As Dr. Jon Keeley explained in his February 2025 presentation to BHA, once wind-driven embers reach the urban environment, wildland fuels are no longer the principal driver of the fire. Homes and other structures become the fuel, generating additional embers, flames and radiant heat that can ignite neighboring structures and carry fire through the community.

Once a wind-driven fire becomes an urban conflagration, a burning home only six feet away—or an ADU within five feet of a neighboring home—may present a far greater ignition threat than healthy, irrigated vegetation adjacent to the home. Yet the regulations prescribe the permissible height of plants, the size of plant groupings and the distance between them without adequately accounting for the proximity and vulnerability of neighboring structures.

A statewide rule that measures inches between plants while failing to adequately account for homes only six feet apart, ADUs that may be within five feet of neighboring homes, vulnerable structures and the reality of structure-to-structure fire spread does not reflect the realities of fire spread in Los Angeles communities.

2. We Asked the Board to Focus on Actual Ignition Risk. It Still Regulates Vegetation by Category, Location and Measurement.

Our April 2025 letter challenged the assumption that living vegetation near a home is inherently dangerous. We urged the Board to distinguish between vegetation that presents an actual ignition hazard and healthy, irrigated and well-maintained vegetation that does not. The August draft does not make that distinction.

Instead, it permits certain categories of vegetation under highly specific conditions. Non-woody plants between three and eighteen inches tall, for example, are permitted only in plantings no larger than one square foot and must be separated from one another by one-and-a-half times the height of the tallest plant.

At the same time, existing trees may remain within Zone 0 if appropriately maintained. This creates an obvious inconsistency. A large, healthy tree may remain based upon maintenance and an assessment of its potential to transmit fire, while a healthy, irrigated hedge or woody shrub cannot be evaluated under a comparable risk-based standard.

If maintenance and actual fire-transmission risk are appropriate criteria for determining whether a tree may remain, why are they not appropriate criteria for other living vegetation? Wildfire safety should be based on whether something is likely to ignite and transmit fire—not simply whether the State calls it a tree, shrub, hedge or herbaceous plant.

3. We Asked the Board to Consider the House. The Regulations Still Treat Vegetation as the Primary Answer.

In April 2025, we emphasized that Southern California's most destructive fires are often wind-driven events in which embers enter communities and structures themselves become fuel. We specifically urged greater

attention to home hardening and ember intrusion. The August regulations acknowledge vulnerable parts of a structure—including windows, doors, vents, decks and eaves—but the regulatory response is primarily to remove vegetation around them.

That is not the same as addressing the vulnerability itself. A two-foot vegetation-free area around a vent does not make that vent ember resistant. Removing vegetation next to a window does not change whether the window can withstand wildfire exposure. And regulating plant spacing does nothing to address the risk presented by a neighboring burning structure only feet away.

Vegetation management is an important component of wildfire safety, and we recognize that these regulations are directed at defensible space. But even a defensible-space regulation should be grounded in the role vegetation actually plays in home ignition and should not treat increasingly prescriptive vegetation restrictions as a substitute for addressing—or even adequately accounting for—the other pathways by which homes ignite, including ember intrusion, vulnerable building components and structure-to-structure fire spread.

The concern is not that these regulations fail to regulate the house; it is that they regulate the landscape as though the landscape alone can compensate for the vulnerabilities of the house.

4. We Asked for Meaningful Local Control. The August Draft Still Does Not Provide It.

The August proposal recognizes that local conditions differ and allows local fire agencies to authorize alternative practices based on geography, topography, fire risk, lot size, structure composition and other local factors.

But a local alternative must provide “substantially similar practical effects” to the State regulations. The local fire agency must make a finding that the variation is equally effective, and the variation must then be approved by the local governing body. That is not meaningful local control.

If a local fire authority determines that a different combination of vegetation management, home hardening and other mitigation measures provides equivalent or greater wildfire protection based on local fire behavior, building construction, vegetation and community conditions, it should have the authority to implement that approach.

Local control should mean allowing communities to achieve the State’s safety objective—not requiring them to justify every departure from the State’s landscaping prescription.

Fifteen Months Later the Fundamental Problem Remains

The August proposal is different from the regulation we reviewed in April 2025. But changing the configuration of the five feet does not resolve the underlying problem. The regulations still begin with the premise that the State can prescribe, in extraordinary detail, the appropriate landscape within five feet of homes across vastly different California communities.

That is the one-size-fits-all approach we questioned at the beginning of this process. California’s communities differ in fire behavior, housing density, vegetation, building construction and local conditions. Those differences should drive wildfire mitigation—not a single statewide landscaping prescription.

After 15 months of rulemaking, BHA respectfully urges the Board not to ratify the August 2026 proposed Zone 0 regulations.

Effective wildfire policy should focus on actual ignition risk: removing dead and hazardous vegetation, eliminating dangerous combustible pathways, hardening structures against ember intrusion, addressing structure-to-structure exposure, and appropriately managing healthy vegetation.

The goal should not be statewide uniformity within five feet of every home. The goal should be reducing the likelihood that homes ignite. These regulations remain focused on dictating the landscape rather than demonstrating that those requirements will achieve that goal.

Respectfully submitted,



Thelma Waxman
President

cc: Councilwoman Traci Park, Council District 11
Supervisor Lindsey Horvath, Third District
Mayor Karen Bass
Assemblymember Jacqui Irwin, District 42
Senator Ben Allen, District 24
Governor Gavin Newsom
Congressman Brad Sherman