



2020 Update Report on Defensible Space

RMA-PLANNING DIVISION

JULY 14, 2020

Background and Information Updates on Defensible Space



- ▶ May 2019 BOS Presentation
 - ▶ RMA, RCD, and CalFIRE
 - ▶ Federal, State and County polices/regulations addressing fire fuel reduction and forest fires as applied to private property;
 - ▶ Regulations applied to specific private properties and communicated via RMA website; and
 - ▶ Outcomes to date and anticipated from the RMA/RCD contract
 - ▶ Board Direction:
 - ▶ Return with an update on the RMA's website concerning Fire Fuel Modification & Defensible Space;
 - ▶ Consider updates to the Fire Prevention Policies as part of the long-range planning program, specifically Big Sur LUP Update; and
 - ▶ Add Fire Prevention as a legislative priority

RMA Website Revisions



- ▶ The RMA website was revised to add a specific 'What is Defensible Space' section with links to local and CALFIRE defensible space definitions, illustrations and resources.
- ▶ One-page illustrated graphic revised to show what property owners can do to create defensible space without county permits.
- ▶ Following slides show some of the maps and illustrations which can also be found in more detail in Attachment A of the Board Report.



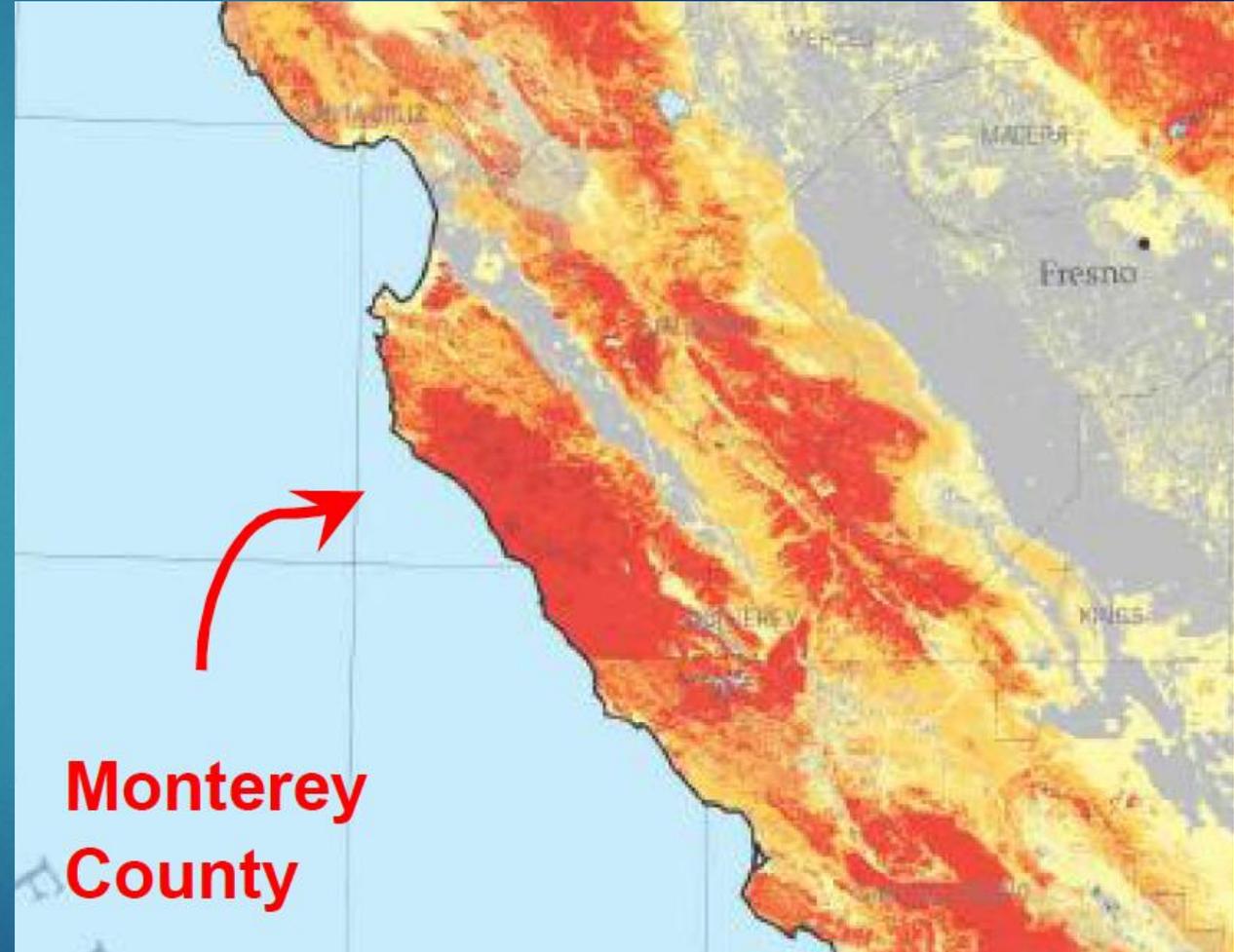
DEFENSIBLE SPACE ZONES



FIRE THREAT

- | | | | |
|--|-----------|--|------------|
| | Extreme | | Moderate |
| | Very High | | Non-habit |
| | High | | Not Mapped |

FRAP has developed a series of inland fire threat based on the combination of potential fire behavior. Fire threat is expected to increase in the future due to a combination of risk assessment. Areas that do not appear to be mapped are not mapped. Areas that do not appear to be mapped are not mapped. Areas that do not appear to be mapped are not mapped. Areas that do not appear to be mapped are not mapped.



Monterey County

Big Sur Land Use Plan Fire Prevention Policy Issues



- ▶ California Coastal Act and BSLUP policies are designed to protect coastal resources.
- ▶ Resource protection defined as “removal or harvesting of major vegetation”
- ▶ Environmentally Sensitive Habitat Area or ESHA is included in this definition.
- ▶ Creation of defensible space through large scale vegetation removal would not be allowed by current Coastal Commission and BSLUP policies without county approval of coastal development permits.
- ▶ Big Sur LUACs draft Plan Update proposes to redefine ESHA to not include vegetation removed for defensible space purposes and not require coastal development permits for creation of defensible space.

New State Legislation



- ▶ SB 190, requires Office of the State Fire Marshall to develop a model defensible space program to be made available for use by local jurisdictions.
- ▶ AB 38 establishes a 5-year pilot program that requires CALFIRE and CA Office of Emergency Services to develop a statewide fire retrofit program to fire-harden homes built prior to 2008 and define defensible space activities eligible for financial assistance.
- ▶ AB 188 requires that the actual cash value of a claim for a structure loss due to a fire be equal to the cost of replacement of the lost property, minus depreciation.



Proposed Legislation



- ▶ SB 474 Would restrict most any development in SRA and Very High Fire Zones.
- ▶ SB 11348 Would provide a grant program to localities to manage vegetation along roadways.
- ▶ AB 3047 Would establish an ember-resistant zone within five feet of a structure as part of defensible space requirements, which would require removal of vegetation from the zone.
- ▶ AB3164 Would require, by July1, 2022, CALFIRE to develop a wildland-urban interface wildfire risk model to determine the risk for a community or parcel in wildfire hazard zones.

Defensible Space Information Update



- ▶ County Fire Chiefs Meeting on Defensible Space
- ▶ Presentation to the Big Sur Multi-Agency Advisory Council
- ▶ Board of Supervisors Petition from Fire Safe Council
- ▶ Office of Emergency Services update to Multi-Jurisdictional Hazard Mitigation Plan
- ▶ LAFCO Review of Fire Protection Districts

County Fire Chief's Meeting on Defensible Space.



- ▶ County staff met with Monterey County fire chiefs on September 19, 2019 to discuss ways to improve local ordinances governing defensible space.
- ▶ A key topic was the approach being utilized in several counties, which would permit local fire districts to inspect and enforce state defensible space law on private property.
- ▶ The cost of necessary fuel reduction, if not undertaken by the property owner, could be recovered by a tax lien on the property.

Fire Chief's Meeting Continued.



- ▶ The fire chiefs are not opposed to such a county-wide ordinance, but they were opposed to the county passing an ordinance which would require the fire districts to enforce it as an unfunded mandate.
- ▶ They expressed concerns about impacts of a countywide ordinance to the Fire District's liability and project costs if they had the responsibility for implementation.
- ▶ While the fire chiefs do not recommend moving forward with any county-wide ordinance at this time, the County could work with the local fire districts to reconsider mechanisms to ensure defensible space is being maintained once the State has developed a model defensible space ordinance (See SB190)

Big Sur Multi-Agency Advisory Council Presentation.



- ▶ The Big Sur Multi-Agency Advisory Council's membership includes all elected officials from the federal, state, and local governments who represent the Big Sur area, plus representatives from all federal and state agencies with operations in the Big Sur area, including the California Coastal Commission.
- ▶ RMA staff made a presentation and had a discussion on the local, state and federal regulations related to defensible space and vegetation management at the Big Sur Multi-Agency Advisor Council (BSMAAC) meeting on November 1, 2019.
- ▶ RMA staff provided attendees with handouts summarizing what defensible space work can be done without a county permit and answered related questions from residents.

BSMAAC Meeting Continued



- ▶ The issue was raised by a member of the public about conflicting local and state laws about defensible space and if the County could ask the Governor to suspend such laws to promote fire safety.
- ▶ CALFiRE representatives stated local and state environmental ordinances need to be followed in protecting property from wildfires and structural hardening is required as well.



Office of Emergency Services Multi-Jurisdictional Hazard Mitigation Plan

- ▶ The Monterey County Office of Emergency Services (OES) OES is responsible for the County's Multi-Jurisdictional Hazard Mitigation Plan.
- ▶ The plan analyzes the County's Threats and Hazards and makes recommendations to mitigate the impact.
- ▶ Wildland fuel management increasing defensible space is an objective supported by the County's Multi- Jurisdictional Hazard Mitigation Plan.
- ▶ OES is working on an update to this plan, which will further evaluate and recommend plans, programs and projects to improve fire preparedness and mitigation activities such as defensible space.



Fire Safe Council Request Concerning Defensible Space



- ▶ Fire Safe Council of Monterey County has petitioned the Board of Supervisors to ask the Governor to declare all of Monterey County in a state of wildfire emergency, and utilize his emergency powers to suspend local, state, and federal laws that might impede fire fuel reduction to maintain defensible space and reduce the potential for forest fires.
- ▶ Copy of request included as Attachment B in the Board Report

Local Area Formation Commission

Review of Fire Protection Districts



- ▶ Recommendations include:
- ▶ Consider developing a countywide funding strategy to augment fire protection.
- ▶ Coordinate a review of existing ordinances and regulations to determine if there are gaps or conflicts that should be addressed by a County ordinance regarding vegetation management and related environmental impacts.
- ▶ Encourage the fire agencies and County EMS to work collaboratively to research various models for EMS delivery.
- ▶ Conduct a workshop of key County leaders and CAL FIRE to communicate key issues to various departments, including district boundaries.



CURRENT FUEL MITIGATION PROJECTS



- ▶ Significant progress on the Governor's Priority Projects (3 in Monterey County):
 - ▶ Palo Colorado Community Fuel Break: 862 acres (underway)
 - ▶ Laurel Springs-Hennicksons Ridge: 433 acres (underway)
 - ▶ Palo Corona Fire Roads: 457 acre (will complete work done this spring when fire conditions abate)
- ▶ Multiple communities are working with the FSCMC for FireWise certification.
- ▶ Certain fire districts are continuing to support fuel reduction efforts through their own budgets (e.g., Presidio of Monterey, Cypress, Carmel Highlands, Pebble Beach).

Fire Mitigation Grant Status



- ▶ RCDMC awarded about \$714,000 to support forest health and fuels reduction work .
- ▶ Two grant proposals totaling \$7.2M were considered for fuel load reduction work:
 - ▶ One grant, the Los Padres Strategic Community Fuel-break Collaboration project, was awarded in full at \$4.824,850 for fuels reduction work in the Big Sur area.
 - ▶ RCDMC assisted in the Joint Chief's Landscape Restoration Partnership grant for the USDA, which will allocate \$1.79 million to the Los Padres NF for the Strategic Community Fuel-break and over \$700,000 in EQIP funds for private landowners.
- ▶ RCDMC has also partnered with UCCE to lead prescribed burning association development and training for Monterey, San Benito and Santa Cruz counties. Through this partnership, UCCE has already been awarded \$379,785 in Fire Prevention grant money from the State towards this effort.
- ▶ RCDMC pursuing funding for future community fire resource mapping projects and County fire resource geodatabase refinement.

Recommendations

- ▶ Continue Fire Mitigation and Defensible Space in County's Legislative Agenda.
- ▶ Prioritize Discussions of Defensible Space Considerations for the Big Sur LUP Update with LUAC/CCC
- ▶ RCDMC will build on its relationship with the County through grants and project coordination while the County will support the RCD and its mission and continue to seek ways to offer long-term support for Fire and Fuels Mitigation work in Monterey County.
- ▶ Continue Provide Support to Neighborhood Organizations and Community Efforts to Improve Fire Preparedness.



Recommendations (continued)



- ▶ Coordinate with OES on Hazard Mitigation Plan on Fire Issues and Inclusion of Projects within the Plan & to Ensure Input is gathered from RCD, FFMP, Fire Safe Council and Fire Districts.
- ▶ Return to the Board to Discuss Findings and Recommendations of LAFCO Study.
- ▶ Consider Implementation of SB190 Model Defensible Space Program when completed by Office of State Fire Marshall.