



Federation of Neighborhood Associations of Nevada County

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# Position Paper on the Nevada County Fire Plan

Presented by the Federation of Neighborhood Associations  
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## *Summary of Recommendations*

The proposed Nevada County Fire Plan (Fire Plan) is a well-intentioned effort to address an important countywide problem – the significant potential for disastrous wildfires across Nevada County in general, and in the Wildland/Urban Interface in particular. Unfortunately, the Fire Plan is significantly flawed, as evidenced by the national Healthy Forest Restoration Act's (2003) wildfire planning guidelines, and the Nevada County Planning Department's own "*Initial Study*" of natural resource impacts.

The Healthy Forest Act requires that interface communities, within the vicinity of Federal lands and posing a high risk for wildfire, develop a wildfire protection plan. Such Community Wildfire Protection Plans are a requirement for obtaining Federal funds. Minimal requirements are local collaboration, prioritized areas for hazardous fuel reduction, and prevention of structural ignitability. The existing Fire Plan does not meet these statutory requirements. In addition, the Fire Plan fails to meet American Planning Association (APA) wildfire guidelines documented in Planning for Wildfires, (2005).

As currently written the Nevada County Fire Plan must be changed in measurable ways to become a meaningful document guiding wildfire planning in western Nevada County. The Federation of Neighborhood Associations (FONA) recommends that the Nevada County Board of Supervisors take the following actions:

1. Implement the Fuel Management Prescriptions for Defensive Space around homes and structures (Appendix B).

2. Put on hold the current "Community Fuels Management Plan" (Appendix C) pending completion of recommendation number 3 below.
3. Conduct comprehensive planning studies establishing the basis for Community Area Wildfire Plans, including local fuels reduction prescriptions, utilizing recognized professional planning standards.
4. Address all natural resource and infrastructure concerns documented in the Planning Department's "*Initial Study*" of natural resource impacts.
5. Develop comprehensive management and economic plans -- including cost analysis, staffing, facilities and equipment budgets, identified revenue sources, and timelines.

### ***What is the Nevada County Fire Plan?***

The Fire Plan contains 44 "recommendations" structured under five "goals." This organizational structure makes the document hard to read, and difficult to use as a community planning document. The substance of the Fire Plan can be found in the plan's appendices. There are four primary proposals:

- *A Defensible Space Fuels Management Prescription* details vegetation management requirements for the area immediately adjacent to homes and structures. The area managed by this prescription is referred to as "Defensible Space" (appendix B). The prescription requires a minimum size of "Defensible Space" to be everything within 100 ft of a structure, and up to 200 ft of a structure on hillsides.
- *A Community Fuels Management Prescription* details vegetation management requirements for all parcels of less than ten acres. This area, called the "Community Defensible Space", requires the active and continuing management of fuels on 80% of the space on these parcels.
- Specific recommendations are made to update the County Land Use and Development Code such as fire hydrants, setbacks for structures and driveways, and vegetation management alongside driveways.
- *A proposal for development of large holding tanks for water, distributed strategically throughout the County.*

### ***Federation of Neighborhoods Association Analysis of the Nevada County Fire Plan***

The Federation of Neighborhood Associations believes that Nevada County needs a comprehensive plan for protecting its communities against wildfire. Responsibility for designing and implementing the plan rests with all of us—government officials, agencies that manage lands, and private landowners

and homeowners who share the Wildland/Urban Interface. Wildfires are indiscriminate to cities, subdivisions, and forest owners.

Below is a detailed explanation for each of FONA's primary Fire Plan recommendations including a brief descriptive narrative, identification of specific issues and concerns not addressed, and specific recommendations to the Board of Supervisors.

## **1. Implement the Fuel Management Prescriptions for “Defensive Space” around homes and structures (appendix B).**

Road, driveway and building setback standards are well defined along with fuel reduction prescriptions for defensible dwelling spaces. These standards now receive support from State law. FONA supports immediate implementation of these “defensive space” home and structure prescriptions.

### **Defensible Space Issues Not Addressed**

#### *Construction and Remodels in Wildland Urban Interface*

Protecting our homes is described as one primary goal of the Fire Plan. It is important for the public to understand that a home is also a part of the fuel load and contains on average 2-3 times the per cubic foot BTU load of the surrounding trees and brush. Studies of recent fires describe one primary reason for fire spreading to other homes on 1-3 acre parcels as the energy burst of a home going up in flames. A burning home puts a neighbor at risk. A burning home can quickly move a ground fire to a canopy fire.

### **Recommendations to the Board of Supervisors**

- *Implement fuel management prescription for “Defensive Space” around dwellings per appendix ‘B’.*
- *Direct study group, under planning department staff leadership, to propose construction and remodel building standards for the Wildland Urban Interface.*

## **2. Put on Hold the current “Community Fuels Management Plan” (appendix C).**

There is serious need for addressing community fuels and a community management plan, but adequate planning must be done to gain community/public support for this element. The current “Community

Fuels Management Plan" lacks planning breadth and rigor because it is not built on commonly accepted professional wildfire planning assessments of each community area. (See Recommendation #3.)

The Fire Plan's burden falls solely on small property owners and proposes fuel modification on only 23% of the land mass. This places the majority of the cost on small private owner parcels of 10 acres or less, and has unspecified enforcement procedures. (Enforcement could lead to fines and loss of property.) The estimated treatment area is about 78,000 acres on approximately 35,000 parcels (*Initial Study*). The commercial cost of this amount of treatment ranges from \$2000 to \$6000 per acre. And this is for the initial treatment only; continuing maintenance would be required.

### **Community Fuels Management Issues Not Addressed**

#### *Burden on small homeowner:*

- The enforcement procedures and penalties are vague and discriminatory
- The plan requires removal of all brush and park like thinning of trees on 78,000 acres costing small landowners tens of millions of dollars.
- Large properties are not included in the Fire Plan and present significant wildfire risk to small parcel owners and towns.
- Large public and private landowners in the Wildland Urban Interface do not share in the fuel modification requirements and costs.

#### *Plan does not provide adequate evacuation and safety planning by:*

- Identifying evacuation travel routes – signage and mapping of roads.
- Planning for evacuation of homebound and/or car-less people.
- Developing community safe centers – safe places in isolated community areas.
- Addressing major fuel islands threatening urban centers. (Example: In Deer Creek Canyon below and west of Nevada City there are cumulatively large parcels of 500 or more acres, in between 1-5 acre parcels on Ridge and Newtown Roads, with fuel loads capable of transporting a wildfire conflagration into urban settings.)
- Proposing fuel breaks in vulnerable areas to provide staging areas for fire fighting equipment

- Failing to address Wildland Urban Interface timber harvest slash, which generates enormous fuel loads. (Heavy logging and slash contains 4 to 6 times the energy fuel load of un-logged forests.

*Proposed system of water tanks around the county lacks an underlying water study.*

Study available water sources in the community areas (existing ponds, NID canals, hydrants, etc), and identify development costs, access, maintenance procedures and responsible agency to develop a system of water tanks to assist in fighting a wildland fire.

### **Recommendations to the Board of Supervisors**

- *Support development of several pilot Community Area Fuel Modification Plans.* Build comprehensive community pilot plans and gather implementation data on the actual level of fire safety, resource impacts, and private and public cost.
- *Direct planning staff to produce comprehensive, community based planning studies utilizing "Community Wildfire Protection Plans".* Involve the Fire Marshal, fire districts and appropriate county and city agencies (See Recommendation #3. below)
- *Direct staff and Fire Marshals office to conduct community area water survey and propose specific Water Tank plan complementing existing infrastructure and including fiscal analysis.*

### **3. Conduct comprehensive planning studies establishing the basis for Community Area Wildfire Plans, including local fuels reduction prescriptions, utilizing recognized professional planning standards.**

The Fire Plan is not a planning document. The Fire Plan tries to build a comprehensive planning process through a series of 42 "Recommendations", which are largely "should", with the exception of homeowner requirements, which are "shall". "Recommendations" lack a clear definition of "what", "who", "how" and "when" to insure planning continuity.

Clear comprehensive planning information can educate the public, assure planning accountability, and encourage agency, community and individual collaboration. An open ended planning process incorporates "Recommendations" for further planning studies, which may lead to

revised codes, ordinances, general plan elements, and compliance programs. Fire planning is not a one-time affair.

While there is serious need for addressing community area fuels, adequate planning must be done to gain community/public support for this planning element. The current "Community Fuels Management Plan" lacks planning rigor. Missing, most importantly, is *community area baseline information, hazard assessments\**, *natural resource planning, homeowner and taxpayer fiscal analysis, and identified funding mechanisms* leading to "Community Wildfire Protection Plans" (Healthy Forest Act) that the community can support. The lack of this planning element is the basis for the current severely flawed plan.

\*A *Hazard Assessment* analyzes and maps fuels, slope, aspect, water, population and roads and prioritizes all areas. A *Hazard Assessment* details internal community area characteristics of evacuation routes, fuel loads, fuel breaks and fire fighting response time. It prioritizes interventions and funding investments. (Planning For Wildfires, American Planning Association, 2005).

### **Planning Issues Not Addressed:**

#### *Comprehensive planning elements missing from the Fire Plan*

- Develop a *base map* of each hazard community area showing governmental boundaries, public lands, developed parcels, roads, water sources and topography.
- Develop a hazard assessment characterizing each community area - roads, fuel loads, slopes, climate, proximity to fire fighting forces, area priorities, etc.
- Plan for community area evacuation routes and safe areas.
- Plan for the preservation of and regeneration of forest biodiversity, soil covers and wildlife conservation. (Healthy Forest Act, p.16)
- Strengthen or change County and City general plan policies and elements to support wildfire plan.
- Do an institutional analysis of agencies, players, assets, strengths, weaknesses, etc. leading to communication and management recommendations.
- Provide a cost benefit analysis of various hazard mitigation measures as opposed to costs of fire suppression.
- Prioritize all community area interventions and funding investments; prioritize internal community area interventions and funding.

- Funding – assessment of possible funding sources, particularly local, including a ballot measure.
- Address large “fuel islands” (above 10 acres) in the interface area.
- Plan evaluation criteria, timetables, and task responsibilities.

### **Recommendations to the Board of Supervisors**

- *Direct the planning department to review each of the above planning elements and return with language clarifying “what”, “who”, “how” and “when” so community area plans may be developed.*
- *Direct planning staff to produce comprehensive, community based “Community Wildfire Protection Plans” in coordination with Fire Marshal, fire districts, cities, BLM, Forest Service and community agencies.*

### **4. Address all natural resource and infrastructure concerns documented in the Planning Department’s *Initial Study of natural resource impacts.***

The Fire Plan uses a, “one size fits all” regardless of vegetation types or hazard classifications, geography or habitat. This is especially problematic in a county that has diverse vegetation regimes ranging from chaparral and grasslands to woodlands and forests. Nor does the Fire Plan meet Healthy Forest Act requirements for planning including identification and prioritization of areas for safeguarding biodiversity while prioritizing areas for hazardous fuel reduction.

The plan requires all owners of parcels under 10 acres to reduce fuels on 4/5 of their property. A scientific basis or rationale for this prescription size and method is not provided. Thus the effect is random fuel reduction and habitat prescription. Since all large-parcel “fuel islands” in the wildfire interface are exempt the net result of this approach affects only 20% of the interface county area.

FONA endorses the County’s “Initial Study” recommendation that the County perform a full EIR on the Fire Plan unless the current “Community Fuels Reduction” element is deleted.

### **Natural Resource and Infrastructure Issues Not Addressed:**

*The plan will cause high impacts to natural resources as detailed in County’s “Initial Study”, including:*

- Significant habitat loss without planning consideration for songbird nesting, animal food sources and migration routes.
- Random clearing of neighborhoods with no required community level planning coordination to protect natural resources and high-fuel areas.
- Significant erosion unless mechanical treatment methods are addressed. (Historical use of bulldozers to scrape brush demonstrates unacceptable damage to soils, grasses, and flowers while encouraging rapid intrusion of invasive species.)
- *A one-fuel-reduction-treatment-fits-all method of treating plant communities without regard to soil types, geography and vegetation (i.e. oak grassland vs. forest).*

*Parcel owner is at risk of violating a number of State and Federal environmental regulations.*

*Detailed guidelines are required for community level fuel clearing, waterways, breeding species, soil erosion, chemical application, etc.*

### **Recommendations to Board of Supervisors**

- *Direct planning staff to draw up fuel treatment guidelines for mechanical and chemical applications, and guidelines for habitat enhancement and conservation.*
- *Direct staff to strengthen community area vegetation planning process vs. current emphasis on random treatment of individual parcels.*

## **5. Develop comprehensive management and economic plans – including cost analysis, staffing, facilities and equipment budgets, identified revenue sources, and timelines.**

The Fire Plan does not propose a stable administrative structure nor funding mechanism to insure implementation of fuel reduction planning. Nor does the plan meet most Healthy Forest Act requirements for planning including identification and prioritization of areas for hazardous fuel reduction, safeguarding of biodiversity, a detailed cost/benefit analysis of mitigation measures, organizational budgets or funding sources.

### **Management and Fiscal Planning Issues Not Addressed:**

*The size, responsible agencies, cost and funding for a wildfire bureaucracy is not proposed.*

- The plan offers no system for inspection and re-inspection of 40,000 plus homes.
- The plan identifies some required staff without addressing funding.
- Office space to meet the increased demand for public services.
- Operation of the proposed school curriculum, video lending library and Forest School.
- Identification of fire fighting infrastructure requirements and costs.

*The cost of the fuel reduction is very high and discriminatory to small parcel owners.*

- The area for mandated Community Area fuel reduction is 78,000 acres in the ten or less acre category. The cost of this amount of treatment ranges from \$2000 to \$6000 per acre.
- Only small parcel owners will be required to finance this treatment, through out of pocket expense or by personally reducing fuels on their parcel. This is only the up-front cost as vegetation continues to grow.
- The plan calls for financial aid "to land owners...incapable of accomplishing the fuels management on their own. No stable funding sources are identified.

### **Recommendations to the Board of Supervisors**

- *Direct staff to prepare a comprehensive organizational and management plan that includes responsibilities, taxpayer costs, and stable income sources.*

### **Reference Documents:**

- [Nevada County Fire Plan](http://www.fire.ca.gov/FireEmergencyResponse/FirePlan/FirePlan.asp) available on the Nevada County web site, <http://www.fire.ca.gov/FireEmergencyResponse/FirePlan/FirePlan.asp>
- [Nevada County Fire Plan Initial Study](#), Prepared by Kathleen Edwards and Uma Hinman, available from the Nevada County Planning Department (530 265-1222)
- [Healthy Forest Restoration Act \(2003\)](http://www.healthyforests.gov/initiative/legislation.html), available at the Healthy Forest Initiative website, <http://www.healthyforests.gov/initiative/legislation.html>
- [Preparing a Community Wildfire Protection Plan](http://www.safnet.org/policyandpress/cwpphandbook.pdf), available at <http://www.safnet.org/policyandpress/cwpphandbook.pdf>

- Planning for Wildfires, Jim Schwab and Stuart Meck, APA Planning Advisory Service, c 2005. Contact the American Planning Association at <http://www.planning.org/>
- Changes in Public Resources Code 4291, available at [http://www.fire.ca.gov/php/education\\_publiccode4291.php](http://www.fire.ca.gov/php/education_publiccode4291.php)
- Suggested model community fire plan available at, <http://www.cafirealliance.org/cwpp>