

RESPONSE TO GRAND JURY REPORT FORM

Report Title: Marin on Fire! Not If, but When
Report Date: April 7, 2008
Response by: Marin County Board of Supervisors

FINDINGS

- We agree with the findings numbered: 2,3,7,8,9
- We disagree wholly or partially with the findings numbered: 1,4,5,6,12

RECOMMENDATIONS

- Recommendation Number 1 has been implemented.
- Recommendation Number 2 has not yet been implemented but will be implemented in the future.

Date: June 24, 2008

Signed: _____



Number of pages attached 4

RESPONSE TO FINDINGS

- F1. Compliance with vegetation management codes and the threat of wildland fires in Marin are not top-of-the-mind public concerns.**

Response: Disagree.

Marin County residents are clearly concerned about the threat of wildfire. Most recently, three separate Countywide surveys (a survey conducted by the Marin County Library, and two tax measure surveys) conducted over the last year indicated that wildfires were either the top or second issue of greatest concern to Marin County residents.

- F2. Easily identifiable egregious vegetation management code violations exist throughout Marin County.**

Response: Agree.

Note, however, that compliance with codes regarding adequate vegetation management and defensible space are subjective.

- F3. Homeowners can decrease fire risk by increasing defensible space, which reduces fuel.**

Response: Agree.

Defensible space is one component of decreasing fire risk. Fuel configuration in reference to the structure, as well as fuel types and construction details of the structure itself are important considerations in reducing the fire risk.

- F4. A number of municipalities in Marin have made significant changes in building codes for new construction and major remodels. These new Wildland-Urban Interface codes have little impact on the vast majority of Marin homeowners.**

Response: Partially disagree.

The Marin County amendments to the 2007 California Fire Code include specific code sections on vegetation management and defensible space that apply to existing structures, as well as measures that apply to new construction and major remodels. These amendments should be considered in conjunction with recent changes to the State Building Code. Taken together, recent law changes address many of the Marin County structures most likely to be affected by wildfire.

Chapter 7A of the 2007 California Building Code contains building standards for new structures built in areas designated by the local jurisdiction as either part of a Wildland-Urban Interface Area or in a Very High Fire Hazard Severity Zone as designated by CAL FIRE. Alternatively, if the local jurisdiction is a State Responsibility Area, the Chapter 7A requirements apply to new construction in all areas designated by the State as being in a Fire Hazard Severity Zone. The

Chapter 7A provisions are effective for State Responsibility Areas and for Local Responsibility Areas January 1, 2008 and July 1, 2008, respectively.

As new homes/buildings are built applying these State and local law provisions, neighboring homes and communities will be encouraged to follow the example of the newer homes and work to reduce their respective individual fire risk.

F5. There is inconsistency in various vegetation management codes throughout the county.

Response: Partially disagree.

The Marin County Fire Prevention Officers continually meet to develop consistent County-wide amendments to the Fire Code provisions regarding vegetation management. Every jurisdiction has adopted Appendix II-A of the 2000 Uniform Fire Code as well as code sections requiring removal of pyrophytic plants within 30 feet of structures and other provisions. Currently, all fire jurisdictions (except for the small volunteer West Marin fire agencies) have the same vegetation management codes except for San Rafael which recently adopted a separate vegetation management ordinance.

F6. Most vegetation management codes and homeowner educational materials are difficult to interpret and confusing to the layman.

Response: Disagree.

The County Fire Department web site provides a simple checklist, as well as brochures from both CAL FIRE and Fire-Safe Marin, which include clear diagrams detailing the various defensible space zones and best practices. The Marin County Fire Department (MCFD) also sends out a mailer every year with approximately 10-12 items that will greatly increase a home's chances of surviving a wildland fire.

The web site also includes links to various approved plant-lists which contain extensive examples of fire-safe plants. Fire-Safe Marin has also recently produced a DVD (MARIN ON FIRE) which is conveniently broken-up into 5-6 minute segments taking the viewer through fire-safe landscaping, fire hardening of the home, etc.

F7. "Best practice" vegetation management policies require fire department access to the whole property in the company of the owner. No jurisdiction has a plan for this.

Response: Agree.

F8. Not all Marin County fire jurisdictions proactively inspect for vegetation management code compliance without a complaint or owner request.

Response: Agree.

MCFD has an active Engine Company defensible space/vegetation management inspection program. The engine companies conduct approximately 2,500 inspections per year. We also respond to owner requests for inspections/advice, as well as complaints.

- F9. Resources for fire jurisdiction inspection and enforcement are limited, and homeowner costs for compliance can be extremely high.**

Response: Agree.

To help mitigate the costs to the homeowner, Marin County Fire Department, and other fire jurisdictions, often work with homeowners over a multi-year period to spread out the costs of compliance. For the past three years the Marin County Fire Department has sponsored free "green-waste days" in Olema and Nicasio over multiple weekends throughout the summer months, as well as neighborhood chipper-days through grants from Fire-Safe Marin.

- F12. Significant progress in enforcing vegetation management and defensible space codes will require additional resources and/or a change in direction by governing boards.**

Response: Partially disagree.

The Marin County Fire Department prefers to focus on prevention of wildfires rather than the issuing of more citations for violations of vegetation management/defensible space code requirements that occur because of the lack of such prevention efforts. Generally speaking, we believe that voluntary compliance combined with public education will be more effective than punitive measures.

RECOMMENDATIONS

- R1. Governing boards of all fire jurisdictions in Marin County review and update current vegetation management and defensible space codes and homeowner educational materials to be certain they are realistic, achievable, enforceable, and easily understood by the public-at-large. The boards should target completion by June 30, 2009.**

Response: Implemented.

MCFD just completed its amendments and adoption of the 2007 California Fire Code, and in 2006 amended and adopted the 2003 International Urban-Wildland Interface Code. MCFD is continuously reviewing and updating its public education materials, and links to various web sites on this and related subjects of interest to the public are frequently added or updated to our web site.

- R2. All fire jurisdictions develop plans with specific goals for compliance and enforcement of vegetation management and defensible space codes by June 30, 2009.**

Response: This recommendation has not yet been implemented, but will be implemented.

MCFD has adopted a long-term plan that includes reviewing vegetation management/defensible space inspection processes with the goal of increasing accountability of those conducting inspections and consistency of application of the relevant regulations. Within the next few months, and on an ongoing basis, we will be developing and refining units of measure to more thoroughly assess the effectiveness of the program.

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THE BOARD OF SUPERVISORS OF MARIN COUNTY

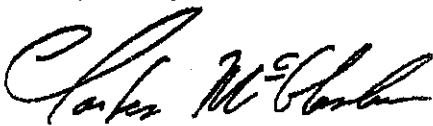
June 24, 2008

Honorable Verna Adams
Presiding Judge
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

Dear Judge Adams:

Forwarded herewith is the Marin County Board of Supervisors' response (incorporating those for the County Administrator and the County Fire Department) to the 2007-2008 Civil Grand Jury Report, "Marin on Fire: Not If, but When." The Board of Supervisors' response addresses all Findings and Recommendations for which a response was requested from the Board of Supervisors.

Respectfully submitted,



Charles McGlashan
President, Board of Supervisors

cc: Civil Grand Jury

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