

FIRE RISK MANAGEMENT

CITIES DO IT – WHY NOT THE COUNTY?

California has a long history of wildfires, and in recent years there have been devastating fires causing great loss of life and property. Some of these fires burn for months. The threat of future fires is a reality that we have to live with. One way to minimize the effect of wildfires is to reduce the amount of fuel that feeds them.

SUMMARY

While San Luis Obispo County’s vulnerability to wildfires is not necessarily the same as in other counties, we do have similar climate and drought problems. There is no way to prevent a serious fire from happening, but there are steps the county and individuals can take to decrease both the risks of fires starting and their severity. The cities in San Luis Obispo County have created ordinances and guidelines to assist property owners to minimize their risk of fire damage. The County itself, however, has yet to create a weed abatement ordinance.

It should be everyone’s goal to find ways to increase safety.

In addition to minimizing fuel for wildfires and reducing risk, we can find better uses of technology and infrastructure. We can also improve communications about evacuation plans in case of emergency and provide clearly defined evacuation routes. The recent Paradise fire is a good example of the need for clear evacuation routes.

PURPOSE

The Grand Jury was unable to identify the existence of any weed abatement policy by San Luis Obispo County (SLOCO). We believe this lack of policy increases the risk of extensive damage in the event of fires. City jurisdictions each have their own weed abatement policies, and we wanted to investigate the benefits of the county having its own ordinance.

ORIGIN

This report is an internal report produced by the SLOCO 2018-2019 Grand Jury. The problem first came to our attention at a Board of Supervisors meeting. Our interest was fueled by the devastation of recent California fires, and the need for SLOCO to better prepare for and minimize similar losses anywhere within the County.

AUTHORITY

California Penal Code section 925 authorizes the Grand Jury to investigate and report on the operations, accounts, and records of a county officer, department or function.

PROCEDURE

The investigation started with an analysis of news accounts and the official websites of Cal Fire, SLOCO Fire, and other agencies.

We interviewed fire officials from multiple agencies and asked them to present to us their department's policies and procedures regarding weed abatement. During the interview process we discovered that the terms "weed abatement" and "fuel reduction" do not necessarily mean the same thing and are sometimes used interchangeably.

NARRATIVE

Weed abatement is the term used in most regulations aimed at reducing the available fuels for fires. In our investigation we learned of each city's weed abatement and fuel reduction programs. Several counties in California have weed abatement regulations of their own but SLO County instead follows fuel reduction guidelines set within State Responsibility Areas (SRA), Public Resources Code (PRC) 4290 & 4291, which are then enforced by Cal Fire SLO.

DEFINITIONS

- **Weed Abatement** is defined by county fire agencies within cities and community service districts as removal of grass and weeds on lots/parcels as prescribed by each agency to be completed within a given time period during a calendar year. Fines and liens against offending parties can be levied for non-compliance.
- **Fuel reduction** is defined by county fire agencies as mowing or discing (plowing) dry heavy grass to less than 4 inches in height, removing dead and dying brush and trees, and the process of limbing up trees (trim tree foliage to a minimum of 4 feet above the ground) to reduce the risk of ground fire laddering into trees, and chipping dead vegetation.

CITY REGULATIONS/POLICIES

Atascadero (www.atascadero.org)

Clearance requirements of vegetative growth (noxious weeds)

Maximum height of 4 inches

- Located within 100 feet of any building or structure, or to the property line, whichever is nearer
- Located within 50 feet from the edge of any improved roadway
- Located within 50 feet from each property line
- Located within 10 feet on each side of driveways

Exemptions shall apply to any land beyond 50 feet from improved streets, as declared by the City, State or Federal Government which has been acquired or is managed, for one or more of several purposes, which can be found on the City of Atascadero website. Additional clarifications are also listed on the website.

As part of Atascadero's very successful weed abatement program, they have a chipping program using their own chipper. If residents reduce their fuel/weed problem, and haul their own wood debris to the street, the city will come by and chip it for free.

Five Cities (www.fivecitiesfireauthority.org/weedabatement)

Guidelines published by the Five Cities Fire Authority state in part:

All combustible materials and/or noxious and dangerous weeds, taller than 4", growing upon or in front of the property ... must be abated by removal and remain abated throughout

the fire season. Clearing of R-A lots (one acre or more) requires mowing or disking of a thirty foot (30') wide break around the property perimeter down to mineral soil.

The guidelines also state that property owners must comply with a deadline. Failure to do so will require the Fire Authority to have a contractor clear the property and charge the property owner. This could result in a lien upon such property until the payment is made.

Morro Bay (www.morro-bay.ca.us/142/Abatement-Guidelines)

Current guidelines from the Morro Bay Fire Department are:

- Clear all empty lots to no more than 4 inches high by mowing or weed eater. No discing or rototilling is permitted.
- Remove dead bushes, tree limbs, excess trash, wood and other combustibles.
- All cuttings within 10 feet of adjoining properties, streets or sidewalks must be removed, and sidewalks, gutters and street frontage shall be left clean. No piles or clumps shall be left on the property, however, finely cut materials may be scattered, providing materials will not blow onto adjoining properties or streets.

Paso Robles (www.prcity.com/484/Weed-Abatement)

Guidelines for weed abatement cutting are published by the Paso Robles Department of Emergency Services and include:

- Clear lots by mowing or discing to a maximum height of 4 inches. This includes vegetation that may be green now, but dries later. Remove all cuttings.
- Clearance shall be a minimum of 50 feet in width at the perimeter of a parcel and from any roadway, a minimum of 100 feet around all structures, and 50 feet around oak trees.
- Clear dead leaves, weeds, brush, trees, and tree limbs
- Driveways must be cut a minimum of 10 feet on both sides
- Easement is defined as from the property line to the street, and is the responsibility of the property owner

The enforcement procedure for non-compliance is well defined. Last year there was only one parcel that required action. Previously weed abatement/fuel reduction was a seasonal program, but now it is year-round.

San Luis Obispo (www.slocity.org)

The City of San Luis Obispo has no “weed abatement ordinance” posted on their website, but we found this narrative concerning “vegetation management.”

From the SLO City Website – Vegetation Management

Fire Safe Landscaping

Homes in the San Luis Obispo Local Very Fire Hazard Severity Zones are required to maintain a minimum of 100 ft. around the house and any important structures clear of hazardous vegetation. Certain plants and trees are also discouraged as they contribute to firefighting or fire spread problems. Until irrigated, FireWise landscaping is installed, keep weeds mowed to less than 6" from April through November.

Defensible Space

A defensible space is the base around your home that will give firefighters a fighting chance against fire. It means clearing all dry grass, brush and dead leaves at least 100 feet from your home, and more if on the crest of a hill. The key here is "at least." Call the Fire Prevention Bureau to determine what would be appropriate in your area. Defensible space and a fire safe landscape don't mean a ring of bare dirt around your home. When establishing your landscape, keep trees furthest from your house, shrubs can be closer, and bedding plants and lawns are nearest the house.

Spacing

Eliminate the "fire ladder." Fire needs fuel to burn. You can sap its strength by robbing it of the continuous sequence of vegetation that can carry flames from your landscape to your house.

Group plants of similar height and water requirements to create a "landscape mosaic" that can slow the spread of fire and use water most efficiently.

Space trees at least 10 feet apart, and keep branches trimmed at least 10 feet from your roof. Remove lower branches within six feet of the ground.

Managing Natural Vegetation

For areas where there is not irrigated landscaping keep weeds mowed to less than 6" from April – November. Mow along any roads and driveways. Keep at least 100' mowed around any structure (including a neighbor's home or buildings).

Discouraged Plants: *Do not use the following plants in the Local Very High Fire severity Zones:*

Fir -- Acacia -- California Sagebrush -- Arborvitae
Cedar -- Cypress -- Coyote Brush -- Chamise
Eucalyptus (Gum) -- Juniper -- Eualia Grass -- Pampas Grass
Larch -- Palm -- Fountain Grass -- Black Sage
Spruce -- Pine -- Bamboo -- Arborvitae
Pepper Tree -- Tamarisk -- California Sagebrush -- Japanese Hunnysuckle
Buckwheat -- Hemlock -- Algerian Ivy
Brooms -- Red Shanks

Maintenance

Keep your landscape healthy and clean. Prune and thin shrubs, trees and other plants to minimize the fuel load. Please keep in mind that open spaces outside of the City limits are not managed. It is your responsibility to make your own property fire safe. Do weed mowing before 10:00 am. Once temperatures are hot and humidity low, any spark in the dry grass can start a fire.

SLO COUNTY

The County does not have a weed abatement ordinance in place.

Defensible areas located within SRAs are subject to the state weed abatement law (PRC 4290 & 4291), and county agencies enforce that law. The County has no ordinance to enforce weed abatement in areas not covered by state law. The County has the responsibility to control roadside vegetation, but does not do so uniformly. County land located within city limits is also subject to the weed abatement laws of the city in which it is located.

EMERGENCY PLANNING

Evacuation Plans

All interviewed fire officials said they had evacuation plans for their jurisdictions. These evacuation plans are not well-known nor readily available to the communities. Coastal communities in SLO County are all locked to Highway 101 with limited routes eastward or westward. Paso Robles and Atascadero do have some options. It is unknown if there are plans with adjacent counties to restrict traffic into and out of SLO county on Highway 101 to allow for more efficient evacuation in the event of an emergency.

Warning Systems

There is an existing siren system within the county that was built and is maintained by PG&E. This system is currently limited to warnings concerning the Diablo Canyon nuclear power plant, and is not being used in connection to wildfires or any other purpose, though such use is permitted.

A reverse 911 system already exists and automatically sends warning messages to landline telephones. This system does not automatically send messages to phones connected via the internet (VoIP) or to mobile phones, and not enough of the public at large understand they must opt in to receive this service. There are currently no regulations or technology in place to mandate automatic messaging to these types of phones.

The county has made it relatively easy for most people to opt in for this reverse 911 service. It can be done on the Sheriff's website or by mail, but there is currently no phone number to call to initiate receiving this service. The web address explaining how this service works along with the simple procedure to accomplish this is: https://www.slosheriff.org/reverse_911.php

The county currently has Public Service Announcements explaining how to opt in to the reverse 911 service, but this does not seem to be reaching a large enough segment of the population.

FINDINGS

- F1. All urban areas (city jurisdictions) have weed abatement ordinances that are comparable.
- F2. San Luis Obispo County has no weed abatement ordinance, which was also a finding in a report written by Cal Fire and presented to the Board of Supervisors (BoS) in April of 2017. We were unable to find any response to this report by the BoS.
- F3. Information about evacuation plans is not readily available to the general public. This could present confusion and difficulty for residents, many of whom have limited evacuation routes.
- F4. The reverse 911 system is under-utilized by county residents. Registering for this system can be accomplished via the county Office of Emergency Services (OES) or Sheriff's

department websites. There is no telephone number available to accomplish this registration. Public Service Announcements alone are not reaching enough people.

- F5. The Diablo Canyon early warning siren system is currently funded by PG&E and is now used solely for Diablo Canyon incidents. If the County plans to maintain this system, there could be a funding problem when Diablo Canyon closes.

RECOMMENDATIONS

- R1. A study should be done to determine the adequacy of state regulations throughout county jurisdictions and determine ways to properly supplement them. This should be accomplished by the end of the 2019-2020 fiscal year.
- R2. As recommended in the previously cited 2017 Cal Fire report, the BoS should implement a county-wide weed abatement ordinance, which should also include agricultural properties. This should be accomplished by the end of the 2020-2021 fiscal year.
- R3. The County should develop a weed abatement ordinance that is consistent with the cities' regulations.
- R4. The County and all city fire jurisdictions should offer a chipping program similar to Atascadero. Funds may be available through the Fire Safe Program. A plan for this should be accomplished by the end of the 2019-2020 fiscal year.
- R5. The County should work with the cities in a concerted effort to educate the public on detailed and coordinated evacuation plans. Various ways to disseminate this information may include all types of county or city mail communications. Public Service Announcements, websites, and other forms of communication are also informative.
- R6. Plans should be implemented to incorporate the PG&E siren warning system to be used as an evacuation warning system for any and all emergencies where evacuation is warranted.
- R7. Cities should investigate installing additional warning systems where there are no existing sirens. A draft plan should be finalized by the end of fiscal year 2019-2020.
- R8. The Sheriff's Office should provide Reverse 911 registration information to county and city agencies for dissemination via bills or other routine mail communication. This information should include a procedure for registering by phone.

COMMENDATIONS

Atascadero's chipping program has been a successful element of their weed abatement programs, making it easier for residents to maximize their cooperation.

REQUIRED RESPONSES

Board of Supervisors shall respond to F2, F3, F4, F5, R1, R2, R3, R4, R5, R6, R8

County Fire Chief shall respond to F2, R4

County Sheriff shall respond to F4, R8

County Office of Emergency Services shall respond to F3, F4, F5, R5, R6, R7

Paso Robles Fire shall respond to R4, R7

Morro Bay Fire shall respond to R4, R7

San Luis Obispo City Fire shall respond to R4, R7

Five Cities Fire shall respond to R4, R7

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court by August 6, 2019. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

AGENCY RESPONSE REQUIREMENTS

The Penal Code Section 933.05 that specifies the format and methodology for agency responses is listed below. All agency respondents are required to respond to all findings and recommendations in the following manner:

- If the respondent disagrees wholly or partially with an item, the respondent must elaborate on the portion of the item that they disagree with, and provide an explanation.
- If a respondent notes that an item will be implemented in the future, the response must include a timeframe for implementation.
- If a respondent notes that an item requires further analysis, the agency must include in the response an explanation of and the scope of what will be studied and the timeframe needed for the study. The timeframe for follow-up from the agency cannot exceed six months.

- If the item will not be implemented or is not reasonable, the respondent is required to provide a detailed explanation.

933.05. Findings and Recommendations

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Presiding Judge	Grand Jury
Presiding Judge Ginger Garrett Superior Court of California 1035 Palm Street, Room 355 San Luis Obispo, CA 93408-1000	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403-4910