

**Lake County Civil Grand Jury
2021 - 2022 Final Report**

2021-2022 Lake County Civil Grand Jury Final Report

COVER ART WORK

The painting of Mt. Konocti – with the representational tiny fire tower – was created by one of our former Grand Jurors – John Portner of Clearlake – who served on the 2019-20 and 2020-21 panels and who donated his paintings that were featured in the latter year’s Final Report. John retired to Lake County from San Francisco and paints and plays guitar, excelling at both. We thank him for responding this year to our request for a painting to showcase the theme of Fire Towers.

Table of Contents

List of Final Reports3

Letter from the Presiding Judge4

Letter from the Foreman of the Grand Jury5

Letter from the Foreman to the Public7

Grand Jury History10

Grand Jury Organization and Functions.....10

Final Report and Submission of Complaints.....14

Grand Juror Selection Process & Qualifications.....15

Responses to Findings and Recommendations17

Lake County Grand Jury Roster 2021-2022.....19

Accolades.....20

Final Reports

MT. KONOCTI FIRE TOWER – LOOKING OUT FOR YOU..... 21

**LAKEPORT FIRE PROTECTION DISTRICT
GOVERNING MISSTEPS 47**

COMMUNITY CAT MANAGEMENT 97

COVID INCONSISTENCY 109

HURT PEOPLE HURT PEOPLE 117

PERSISTENT BLIGHT ON THE LANDSCAPE..... 125

**MEASURE A:
KELSEYVILLE FIRE PROTECTION DISTRICT..... 137**

A REPORT ON THE OFFICE OF EMERGENCY SERVICES..... 145

INSPECTION OF DETENTION FACILITIES..... 149

A REPORT ON INMATE HEALTH 163

LAKE COUNTY SHERIFF - CORONER / AUTOPSY 173

THE DOCTOR IS OUT: MISSED OPPORTUNITIES..... 181

NOT YOUR GRANDPA’S DUMP 193

WILDFIRE RISK MITIGATION IN LAKE COUNTY..... 239

2021-2022 Lake County Civil Grand Jury Final Report



Superior Court of California

COUNTY OF LAKE 255 NORTH FORBES STREET LAKEPORT, CALIFORNIA 95453

MICHAEL S. LUNAS SUPERIOR COURT JUDGE

(707) 263-2374 EXT 2232 FAX (707) 262-1327

June 20, 2022

Dear Members of the 2021-2022 Lake County Civil Grand Jury:

Thank you for the submission of your Final Report. I have reviewed the Final Report and find it complies with governing law. The clerk of the court is directed to accept and file the Final Report pursuant to Penal Code section 933(b).

The 2021-2022 Civil Grand Jury Final Report is notable for the total number of Reports issued at 14, the diversity of the investigations and subject matter upon which review was conducted and the scope and detail of the work presented by the Final Report.

The timely completion and issuance of the Final Report is testament to the hard work, sacrifice, diligence, dedication and leadership of each member of the Grand Jury. As your term comes to a close, thank you for your service on behalf of the court.

While there may be disagreements with the findings and recommendations set forth in the Final Report, your work will promote review and discussion directed at increasing the public knowledge of local government operations and improving the functioning of government systems.

The 2021-2022 Civil Grand Jury is to be commended for their work to improve local government and the lives of the citizens of Lake County.

Sincerely,

A handwritten signature in blue ink, appearing to read "MSL", written over a blue horizontal line.

Michael S. Lunas

Judge of the Superior Court



Civil Grand Jury 2021/2022
County of Lake
P.O. Box 1078
Kelseyville, CA 95451

June 23, 2022

The Honorable Michael S. Lunas
Presiding Judge of the Superior Court
County of Lake
255 Forbes Street
Lakeport, CA 95453

Re: 2021-2022 Civil Grand Jury Final Report

Dear Judge Lunas,

The 2021-2022 Civil Grand Jury respectfully submits its Final Report, as per California Penal Code § 933(a):

Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.

Our collective hope is that you will find its 14 individual reports thorough, informative, and thought-provoking.

The Civil Grand Jury process is unique to California and, at times, arduous, as 19 members learn about the structure and function of County and City governments and special districts within Lake County and the particular issues facing them. The Jury must work as a committee-of-the-whole to determine which issues warrant investigation, as well as respond to complaints from the public. We conducted more than 48 interviews ranging from Supervisors and department directors to line employees to first

responders to representatives of community-based advocacy organizations to County residents. The Jury also made eight site visits. In addition, the Jury fulfilled its statutory requirement to inspect the “public prisons” within the County and to report on their condition and management.

The Grand Jury would like to thank County Counsel Anita Grant for taking time to meet with us monthly to offer insight and guidance and also to thank Your Honor for shepherding us through this unique opportunity to learn and to serve.

I thank the members of the Jury for their dedication to the process and for their perseverance in determining meaningful, realistic Findings and Recommendations. I feel honored to have been able to serve as their Foreman.

With sincere regards,



Beverly Benedict Hill
Foreman



Civil Grand Jury 2021/2022
County of Lake
P.O. Box 1078
Kelseyville, CA 95451

Grand Jury Foreman's Letter to the Community, June 23, 2022

To: The Residents of Lake County

The 2021-2022 Civil Grand jury has completed its year of service on your behalf and herewith submits its Final Report. We hope that this report reflects our best collective effort in carrying out our responsibility to investigate and report upon various aspects of government within the County and to remain faithful to the Charge given us by the Honorable Judge Michael Lunas at the beginning of our term. The individual reports included in this single Final Report reflect a concurrence of all of our members. The jurors conducted much research on the individual topics and have often included a Bibliography and Exhibits to further the public's understanding. We have attempted to set forth our findings fairly, objectively, and constructively and hope that we have identified possible solutions to these matters of community concern.

For the first time, the Civil Grand Jury has created a Facebook page: [\(20+\) Lake County, CA Civil Grand Jury | Facebook](#). While its activities are confidential until a Final Report is distributed, the Grand Jury hopes to use the social medium as a recruitment tool. A Complaint form is attached to enable the public to bring issues of concern to the Grand Jury's attention.

The institution of the Civil Grand Jury has been under threat for some time, and almost all states have done away with county Grand

Juries. Not surprisingly, California is now the only state that mandates the empanelment of a regular Grand Jury in each county, each year, for a one-year term. Employment of the institution of the Grand Jury is based on three beliefs inherent in democratic government:

- a. Public Officials should be accountable for their acts.
- b. Public Officials must use the power and authority of the state carefully, honestly, and humanely.
- c. The resources of the state should be used for the common good, rather than for the personal benefit of the privileged.

The Grand Jury, then, is part of the “checks and balances” that characterize the democratic system of government.

**I know no safe depository of the
ultimate powers of the society
but the people themselves,
and if we think them not enlightened
enough to exercise their control
with a wholesome discretion,
the remedy is not to take it from them,
but to inform their discretion with education.
This is the true correction of abuse of
constitutional power.**

Thomas Jefferson: Letters of Thomas Jefferson

At the year’s end, the jurors sometimes question just what has been accomplished during their term. I am confident in saying to them, “Take it on faith that, just by being present, you have had an effect.”

I am grateful for the privilege of having served on the Lake County Civil Grand Jury .

Respectfully,



Beverly Benedict Hill
Foreman

Grand Jury History and Organization

The institution of the Grand Jury dates back to 1170 in England. When the Magna Carta was written in 1215, of its 63 clauses the longest and most detailed is in the permanent establishment and operation of Grand Juries. They were used by some of our colonies before the American Revolution and then formalized into our U.S. Constitution in Amendment 5 of the Bill of Rights. The system has been continued and employed since then in several differing forms.

As constituted today in the State of California, the Grand Jury is a part of the judicial branch of government - “an arm of the court”. It does not have the functions of either the legislative or executive branches, and is not a police agency. Additionally, it does not mandate policy changes. The primary function of the Grand jury is to examine and investigate county, cities, special districts, and school districts and to make recommendations to improve systems, procedures, and methods of operations. The investigative powers include the ability to audit the operations, accounts, and records of officers and departments. The Grand Jury may also inquire into any charges of willful misconduct of public officials. With the exception of auditors, it cannot hire experts or investigators upon its own initiative. The Grand Jury can act only as a body, not as individuals, and the findings of its investigations can be communicated only in its Final Report.

The required number of grand jurors is based on the population of the county, which in Lake County is 19, and the term is one fiscal year. The Lake County Grand Jury performs only civil functions. If a separate criminal Grand Jury is empaneled, the jurors are under the direction of the District Attorney.

Organization and Function

The Lake County Civil Grand Jury (Grand Jury) is composed of 19 men and women of various backgrounds chosen from throughout Lake County. The Presiding Superior Court Judge appoints a foreperson who presides over all jury proceedings and is responsible for directing the business of the Grand Jury.

Most Grand Jury work is performed by committees. The areas of focus of these committees usually include, for example: Administration, Public Health,

Social Services, Public Safety, the Cities, Public Works, Special Districts and Public Schools.

The Grand Jury meets as a whole once a week. Each juror is asked to serve on two committees, which meet weekly. The jurors meet with County and Lakeport and Clearlake officials, visit County facilities, inspect detention centers within the County, and conduct independent research on matters of interest or concern. The Grand Jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct or governmental inefficiencies. Anyone may ask the Grand Jury to conduct an investigation. All complaints are confidential. The committees report weekly to the full Grand Jury. Findings and Recommendations specific to each investigation are generated after discussion, study, and research. The Grand Jury may seek the advice or request the services of the County Counsel, District Attorney, Presiding Judge of the Superior Court, or State Attorney General.

Final Report

At the end of its term the Grand Jury issues a Final Report, including any reports released during the year, documenting its investigations and Findings and Recommendations for action and study. Copies of the Final Report are distributed to public officials, libraries, the news media, any interested parties and any entity that is the subject of one of the reports. According to law, the elected County officers must respond within sixty (60) days following the release of the Final Report. The Board of Supervisors and other public agency governing boards must respond within ninety (90) days.

Each new Grand Jury reviews the responses of the affected public agencies to the prior Final Report's Recommendations.



Submission of Complaints

Although is it not required, complaints should first be addressed to those responsible for resolution unless it will be detrimental to the complainant. The Lake County Grand Jury will respond to all citizens submitting complaints. The citizen may not have further acknowledgement other than their complaint was received. A Complaint Form is available in the Appendix. Additional Complaint Forms may be obtained from:

**Lake County Informational Portal
County Departments Grand Jury
Select ‘Web site’**

http://www.lakecountyca.gov/Government/Boards/Grand_Jury.htm

Grand Juror Selection Process and Qualifications

Grand Jury Selection Process

The court solicits applications for the Grand Jury by several means. An Application Form is available in the Appendix. Additional Applications may be obtained by mailing a letter with a self-addressed, stamped envelope to:

**Grand Jury Coordinator
255 North Forbes Street
Fourth Floor
Lakeport, CA 95453.
(707) 263-2374 ext. 2282**

Applications are also available at each Superior Court Clerk's office at the above address. Once applications have been screened and approved, they are randomly selected to be members of the Grand Jury.

Qualifications for Grand Jurors

Prospective Grand Jurors must possess the following qualifications (Penal Code 893):

1. Be a citizen of the United States, of the age of eighteen (18) years or older who shall have been a resident of the state and county for one year immediately prior to being selected.
2. Be in possession of his or her natural faculties, or ordinary intelligence, sound judgment, and fair character.
3. Possess sufficient knowledge of the English language

A person is not legally required to serve if any of the following apply

1. The person is serving as a trial juror in any court of this state
2. The person has been discharged as a Grand Juror in any court of the state within one year.
3. The person has been convicted of malfeasance in office or any felony or other high crime.
4. The person is serving as an elected public officer.

Desirable qualifications for a Grand Juror include the following

1. Have the time to make the necessary commitment.
2. Be able to serve fifteen to twenty hours a week
3. Be open-minded.
4. Have the ability to work with others.
5. Have an interest in community affairs.
6. Do not pursue a personal agenda/vendetta
7. Possess investigative skills and an ability to write reports
8. Have a general knowledge of the functions, authorities and responsibilities of county and city government

Responses to Findings and Recommendations

PENAL CODE - TITLE 4. GRAND JURY PROCEEDINGS [888 - 939.91]

CHAPTER 3. Powers and Duties of Grand Jury [914 - 939.91]

ARTICLE 2. Investigation of County, City, and District Affairs [925 - 933.6]

933.

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior

court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section “agency” includes a department.

933.05.

(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 therefor. [*emphasis added*]

(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. [*emphasis added*]

2021-2022 Laker County Grand Jury Roster

Name	Role	City
Rick Barnes		Kelseyville
Robert Boseman*		Kelseyville
B. Annette Gingles		Clearlake Oaks
Lori Gonzalez	Recording Secretary	Clearlake
Val Goldenbrook		Lakeport
Beverly Hill	Foreman	Cobb
Melissa Hodder	Recording Secretary	Lakeport
Mary Ann Jones*	Committee Chair	Lucerne
Michael Kamimoto	Committee Chair	Lower Lake
Maggie Magoolaghan	Committee Chair	Kelseyville
Tom Marquette	Committee Chair	Lower Lake
Lisa Miller*		Kelseyville
Chris Partida*		Upper Lake
Deborah Perez		Kelseyville
David Peters	Foreman Pro Tem Committee Chair	Cobb
Tammy Rust		Lakeport
John Schromm	Committee Chair	Kelseyville
Paula Schroy*		Hidden Valley Lake
William Waite		Hidden Valley Lake
Jane Weilbacher		Kelseyville
Edwin Wooster	Committee Chair	Hidden Valley Lake

*resigned



Photo of artwork done by local artist, J.P. Sarlande of Upper Lake.

Accolades from the Grand Jury

Throughout this past year, the Grand Jury has encountered notable people in Lake County and also learned of important achievements that it believes deserve special recognition:

1. CAL FIRE firefighter Trevor Singly of the Wilbur Springs station who responded to the Cache Fire in Clearlake on August 21, 2021 and rescued a kitten from the conflagration. His accomplishment was captured by fire Photographer Coral Leigh, and her photo is included on the back cover of this Final Report as a tribute to “he who will save the least of them.”
2. The Seigler Springs Redevelopment Association, a 501(c)(3) non-profit based on Cobb, with funding from CAL FIRE, has adapted and published Living with Wildfire in Lake County California. The booklet is intended to both raise awareness about the continual threat and destructive effects of wildfires and also to empower residents through its educational materials to prepare for and mitigate the effects and to prevent human-caused fires. Very readable and informative.
3. AmeriCorps NCCC (National Civilian Community Corps) Volunteers, is a nationwide full-time service program lasting 10-11 months for young adults 18-26 years of age. A group of 10, from across the country, worked in Lake County for 9 months under the auspices of the NGO North Coast Opportunities to assist with food banks, the homeless, and fuel reduction projects. An inspired – and inspiring – group who make a difference in underserved communities.
4. Robert Credle, of Harc Enterprises, Counselor and teacher of classes in domestic violence and anger management in Lake County since 2005. One of the very few counselors locally who help perpetrators of domestic violence with a 52-week Batterer’s Treatment Program and 8-week Anger Management classes. His website is www.angrybob.net. His classes include insights into self-esteem, goal setting, non-verbal communication, self-talk, accountability, and responsibility. A special human being filling a critical need.

MT. KONOCTI FIRE TOWER – LOOKING OUT FOR YOU



Buck Rock Fresno County, California

SUMMARY

Fire managers have concluded that population growth, urbanization, and cell phones, along with sophisticated technology and aerial surveillance, have made the Fire Lookout Towers, including Lake County’s Mt. Konocti Fire Tower, nearly obsolete. While the Konocti Tower remains on a California Department of Forestry and Fire Protection (CalFire) repair list, its return to full function appears tenuous. This report, then, is intended to inform a wider public about the rich history of these lookouts and the decades-long fire-detection efforts by both US Forest Service and CalFire employees and the many, many volunteers who have given years of their lives to help protect the forests and nearby residents, both human and animal.

METHODOLOGY

The Grand Jury interviewed officials with CalFire and the Forest Fire Lookout Association (FFLA), members of the Lake County Board of Supervisors, the Director of the Lake County Parks and Recreation, and Konocti Fire Tower volunteers. Several visits were made to the Tower. The jury also conducted

extensive online research for articles about the history of the fire towers in general and of the Konocti Tower specifically.

BACKGROUND

Nationally

The first fire-watchers were mostly individuals and families who lived on mountain peaks. Some early lookouts used tall trees and high peaks with tent shelters. Many townships, sportsmen's clubs, private lumber companies, and state forestry organizations operated fire lookout towers on their own. In 1902, before the system of lookout towers was established, a woman named Mable Gray, who was a cook at a timber camp in northern Idaho, was asked by her boss to climb a ladder, sit 15 feet up a fir tree, and look for smoke. If she saw anything suspicious, she climbed back down and hopped on her horse and rode out to alert the crew.

With the creation of the U.S. Forest Service, a division of the Department of Agriculture, in 1905, lookouts began to be paid and were mostly men. The 1,736 forest fires of 1910 that swept across Montana, Idaho, and Washington (aka "The Big Blowup") that burned c. three million acres, with smoke drifting clear east to Washington, DC, and killed at least 85 people, changed how the Forest Service viewed forest fires and resulted in a large-scale effort to construct lookout towers. The devastation inspired action, and early fire detection and suppression became a priority. One innovation was developing a series of fire lookouts on mountain tops, mostly with live-in cabs on top of a tall frame.

The first woman to serve as a Forest Service fire lookout was Hallie Morse Daggett, who was selected over two men in 1913 to work in the Klamath National Forest, where she served for 15 years. The forest ranger screening the applicants wrote a letter to his superior to explain why he was recommending Ms. Daggett:

The novelty of the proposition which has been unloaded upon me, and which I am now endeavoring to pass up to you, may perhaps take your breath away, and I hope your heart is strong enough to stand the shock. It is this: One of the most untiring and enthusiastic applicants which I have for the position is Miss Hallie Morse Daggett, a wide-awake woman of 30 years,

who knows and has traversed every trail on the Salmon River watershed, and is thoroughly familiar with every foot of the District. She is an ardent advocate of the Forest Service, and seeks the position in evident good faith, and gives her solemn assurance that she will stay with her post faithfully until she is recalled. She is absolutely devoid of the timidity which is ordinarily associated with her sex as she is not afraid of anything that walks, creeps, or flies. She is a perfect lady in every respect, and her qualifications for the position are vouched for by all who know of her aspirations.



During the 1930s, the Civilian Conservation Corps (CCC), created by President Roosevelt and comprised of unemployed young men and WWI veterans, built thousands of lookout towers on cliffs and peaks with 360-degree views in national parklands across the country, along with access roads to those towers.

Several different standard styles of fire lookout towers were adopted. The most basic “tower” consisted only of a tree with a platform, with maps and the Osbourne fire finder [see below] located back on the ground. Many others were simply cabs fitted to large railroad water-tank towers that extended no more than 30-60 feet. Steel towers could vary in size and weight and, while they were sturdy, they tended to sway in the wind. The lead manufacturer of steel towers was the Aeromotor Company of Chicago. [See Photo] These towers had small cabs (7x7-feet) because they were based upon Aeromotor windmills. The tallest steel tower in the US was in Louisiana at 175 feet. Lastly, ground cabs were still referred to as “towers” and could be 1-3 stories tall with foundations made of natural stone or concrete.



Each fire tower has a cabin above the tree line where watchers spend countless hours scanning the horizon for smoke or flames that might be miles away. The spotters also collect temperature, wind, and humidity readings and radio the data to the Forest Service or CAL FIRE (in CA). They further have to learn to tell the difference between a dust devil and smoke and between a control burn and a wildfire. They pay very close attention to lightning strikes, which can and do strike the towers. Glass feet on the lookout’s wooden chair act as an insulator that prevents electricity from being grounded in the event of a strike.



If a suspicious area is observed, the watcher points the cross-hairs of a circular-map tool called the Osbourne Fire Finder, invented by a Forest Service employee in 1911, to record the azimuth, which is the angle between the projected location and a known reference point. This information is then plotted on another map to determine the approximate location of the fire, which is then dispatched to fire agencies who then decide whether to investigate by ground or air, or both. [See Below]

The heyday of fire lookout towers was from 1930 through 1950. According to the Forest Service, the lookouts peaked at more than 5,000-6,000 in the late 1930s. Idaho had the most towers (966). Kansas was the only state never to have had a tower.

During WWII, the Aircraft Warning Service was established, and fire lookouts were assigned the added duty of being Enemy Aircraft Spotters, especially on the West Coast of the US. The number of female outlooks surged during the War, as so many men were overseas. In the mid-late-1940s, fire

watchers began taking to the air to monitor forest lands. From the 1960s through the 1990s, the towers took a back seat to emerging technology.

Along the way, in the 1950s-1970s “Beat” writers Jack Kerouac, Gary Snyder, Philip Whalen, and Edward Abbey were among those drawn to the vast vistas, gorgeous scenery, and stark solitude of tower life. Their memories are documented in Poets on the Peaks by John Suiter. Kerouac, Whalen, and Snyder were lookouts in the North Cascades, while Abbey worked in the Lassen National Park and on peaks in Colorado, Montana, and Arizona. The opening section of Desolation Angels, a novel by Kerouac published in 1965, is taken almost directly from the journal he kept while a lookout on Desolation Peak in Washington. “It was all mine, not another human pair of eyes in the world were looking at this immense cycloramic universe of matter,” Kerouac wrote in Dharma Bums. “The technical aspects of a lookout’s job can be mastered by any literate anthropoid with an IQ of not less than 70 in about two hours.” For some authors, inhabiting a sanctuary of contemplation far from modernity, was a spiritual experience. In his semi-autobiographical novel of 1976, A River Runs Through It, Normal MacLean noted: “It doesn’t take much in the way of mind or body to be a lookout, but it does take soul.” Edward Abbey wrote in the essay Fire Lookout: Numa Ridge, published in 1977. “It’s the attitude that’s difficult: Unless you have an indolent, melancholy nature, as I do, you will not be happy as an official United State government fire lookout.”



An Osbourne Fire Finder (above)

As populations expanded into rural areas and as public involvement in spotting fires subsequently became more prevalent, along with improvements in satellite technology, use of drones, livestreaming cameras, and more sophisticated communications technology, the number of fires decreased, as did the need for air and tower surveillance. Only about 400-600 operational towers are thought to remain. Many of these historic lookout towers are being closed, razed, left to decay, or the frames are being used as anchors for cell-tower specialized cameras that increasingly are utilized to spot smoke. Some towers have been purchased by private individuals and repurposed as B&Bs. Many have been lost to fire or vandalism. Thanks to the Forest Fire Lookout Association (FFLA), some of the remaining towers are being restored and many are being placed on the National Historic Lookout Register and the National Register of Historic Places.

Social Media

The 2016 video game Firewatch follows the story of a fire lookout in the Shoshone National Forest in Wyoming after the Yellowstone fires of 1988 burned 36% of the Park.



California Towers



In California alone, the CCC built some 250 lookout towers and cabs between 1933 and 1942. At their peak, some 625 fire lookout towers stood watch in California. Today, about 198 remain, and only c. 50 of those are staffed as of mid-2021— primarily by volunteers — according to the FFLA. Because so many agencies — US Forest Service, National Park Service, Bureau of Land Management, CAL FIRE — are involved with the lookout process, pinning down the exact number of fire towers is difficult. The State alone employed

watchers in as many as 77 towers at one time. CAL FIRE is estimated to now operate 38 towers, and mostly they are staffed by employees only on occasion during an emergency. Due to the heavy air pollution that often hampered visibility, CAL FIRE no longer utilizes lookouts in Southern California. However, they continue to maintain some towers in Northern California, with its vast drought-affected forests that have comprised the largest, most destructive fires in recent years, with property losses exceeding \$10 billion in three of the last four years.

As a footnote, the Widow Creek Fire, the last large destructive wildfire on Cobb before the Valley Fire, was spotted on August 26, 1962 by a couple who were manning Mt. St. Helena Fire Lookout Station

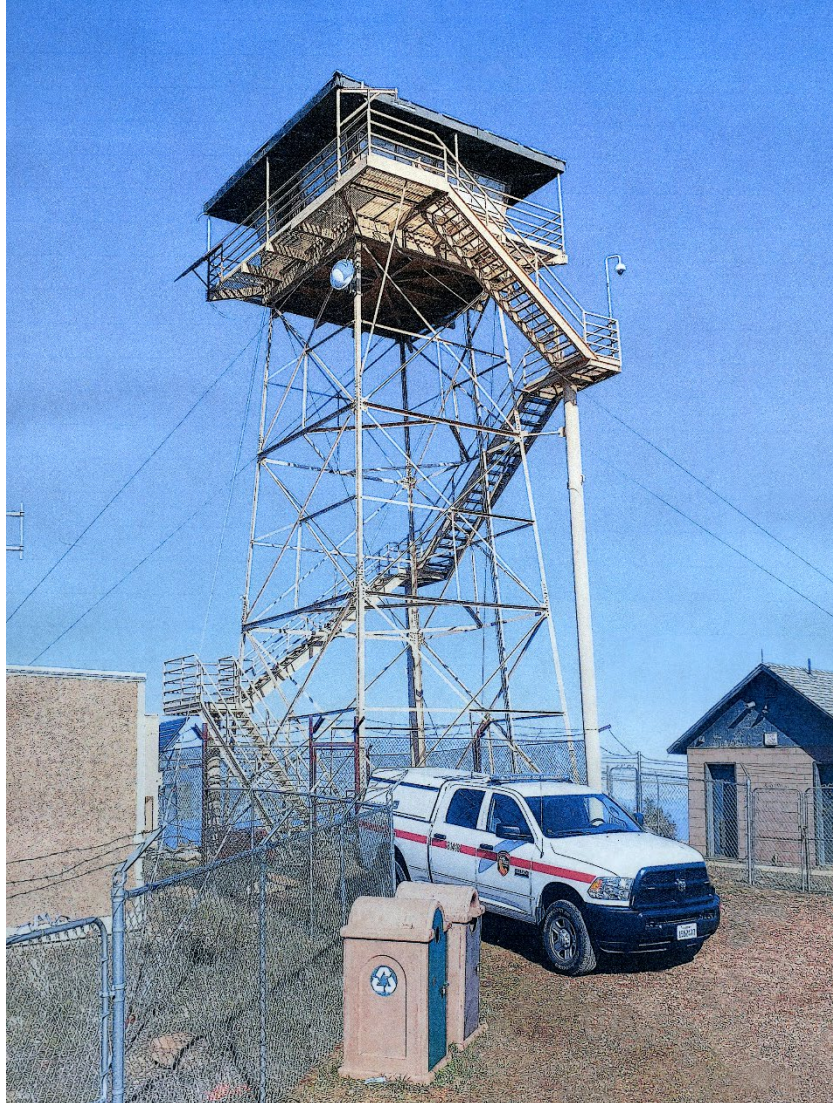
Lake County: Mt. Konocti Fire Tower

The Konocti Fire Tower, owned and operated by CAL FIRE, is a national historic lookout with both California and National status (# US-1104, CA-107). The steel tower was erected in 1977 atop the 4,305-foot Wright Peak on Mt. Konocti, a dormant volcano, and overlooks vast portions of Lake, Colusa, Sonoma, Yolo, and Mendocino Counties. The Park, acquired by the County in 2011, consists of 1,520 acres that abuts 821 acres managed by the Bureau of Land Management.

The structure was originally located on an Army receiving base and was relocated to Mt. Konocti in 1977. CAL FIRE adapted a standard cab in place of the previous electronics equipment platform. The adjacent concrete block generator shed/restroom/storage facility was built at the same time. CAL FIRE deactivated the Tower in about 2000.

Beginning in 2011, for five years only, the County leased the c. 3,591 square feet occupied by the Tower, storage building, restroom, and picnic table. The lookout consists of a 45-foot metal frame on a concrete base that is topped by a 14x14-foot wooden cab with windows on four sides and encircled by a wooden deck. (See photos below and Ex. 1: A lookout's day in the tower. Forest Fire Lookout Association, Central California Western Region, 2021.) The access road – and hiking trail - to the Tower crosses private land owned by the Fowler family on easements recorded between 2009 and 2011. The County was obliged to protect natural resources, promote non-vehicular use to the extent feasible, and to protect the Fowlers' privacy and enjoyment of

their property. In about July, 2014 CAL FIRE and the County approved Docent Tours with Lake Transit Authority that the Fowlers considered to be outside the scope of the third easement and they filed suit against the County. (Case No.: CV 412464). The Court found in June, 2015 that allowing elderly and disabled persons to ride in two buses per day on 12 days of the year was only a modest extension of the then-current use and did not violate the terms of the third easement.



Mount Konocti Fire Tower

In the Summer of 2015, the FFLA contacted CAL FIRE and proposed reopening the lookout and staffing it with volunteers. CAL FIRE approved,

and the (nonprofit) Konocti Chapter of the FFLA was created. Volunteer training was begun on the precise day in 2015 (September 12th) that the devastating Valley Fire broke out. In 2016, the lease for the Tower was not renewed by the County because the state would not agree to a 20-year lease, but volunteers would continue to be lookouts there. The volunteers were unable to start staffing the tower during the fire season June-November until 2016, but the payoff came almost immediately as three unreported fires were sighted in the first three weeks of operation. In addition, the volunteers enjoyed welcoming hikers to share the awe-inspiring views and to educate them as to a lookout's duties.

In October, 2019, State engineers arrived unannounced to inspect the structure, which they determined to be unsafe due to concrete spalling, metal fatigue, and damaged floorboards in the cab. Since then, the fire-lookout volunteers have been restricted to ground-level perambulations about the tower. The lack of a 360-degree view diminishes their view of the surrounding mountains and their ability to spot smoke plumes that may herald a forest fire. The Konocti Chapter started a Go-Fund-Me account for repairs, but less than \$1,000 was raised.

Due to the expected costs of repairs and relying on the ubiquity of cell phones and the advent of automated fire cameras and other AI fire-detection devices, CalFire appears unenthusiastic about repairing the Tower. However, the Grand Jury was informed by CAL FIRE and a State Senator that CAL FIRE had allocated funds for the purpose of surveying the foundation via an engineered survey of the footings and securing system. Once the engineering is complete, CAL FIRE will know the scope, cost, and time needed for the Tower repairs. The Grand Jury also reached out to County officials. Although Lake County owns the surrounding Mt. Konocti County Park, officials appear uninterested in adding the Tower area to the Park, perhaps because of repair and liability concerns.

The only other lookout in Lake County was High Glade, constructed in 1935 in the Mendocino National Forest and also operated by CAL FIRE. Sadly, the cab was destroyed in the Ranch Fire in 2018, although the steel tower remains.

DISCUSSION

CAL FIRE states on its website that the majority of first reports of fires are called in by people with cell phones. The ubiquity of these devices means an increased ability to detect wildfires more quickly. Nonetheless, a fair portion of California still has poor or absent cellular coverage. Also, utilities that shut down power as a wildfire-prevention measure in fire-danger zones also render cellphones in many areas unusable as the cell towers lose power. As crowded as California can seem, large areas of the State are relatively unpopulated, not dense with residents or hikers who might quickly report a fire. An emerging technology is mountaintop wildfire cameras, more than 800 of which now operate throughout the State thanks to the ALERTWildfire project, including in Lake County. Anyone can monitor the cameras in real time at its website.

Technology is not always superior, however, as fires detected from satellites are already too large to be controlled rapidly, and, as mentioned above, cell phones in wilderness areas may lack a signal. As well, planes cannot fly during lightning storms, a time of extreme wildfire risk. And technology is operated by humans, who are not infallible in their decisions. For instance, the fire-detection camera that may have been closest to the origin of the 2019 deadly and destructive Camp Fire in Butte County and might have provided an early alert, had been turned off as a result of many earlier false alarms.

The Mt. Konocti Fire Tower is still functioning with volunteers patrolling at ground level, with the Osbourne and maps relocated to the base of the Tower. In June, 2022, two first-sightings of wildfires were reported by these volunteers.



CONCLUSION

Despite the fact that most reports of fires are called in by observant residents, usually with cellphones, a key firefighting tool that existed in the pre-cellphone era is diminished – dedicated watchers who are trained to scan the horizon for fires and who can distinguish between unusual clouds and tractor dust. Detection technologies are a blend, and each has its place. We need all the tools in the toolbox.

Given the unremitting drought and our increasingly devastating fire seasons in California, the Grand Jury hopes that the State will consider supporting a targeted system of lookout towers, staffed by both paid personnel and volunteers. The State is committing billions to fire detection and suppression. Staffing an existing tower is not prohibitively expensive. U.S. Forest Service seasonal lookouts, for example, earn about \$16,000 per summer. By comparison, the Boeing 747 Air Tanker often seen dropping water and fire-retardant substances on California's devastating fires costs about \$16,500 an hour to operate. The Konocti Tower, it should be noted, has been staffed by volunteers since it reopened and thus offers a more cost-effective option.

If the State or County cannot commit to restoring the Konocti Tower to full fire-detection use, the Grand Jury hopes that it will not be allowed to decay and for its rich history to be lost. Konocti has been looking out for us, but are we looking out for her?

FINDINGS

- F-1:** There remains an important role for the human intelligence and visual acuity of fire tower lookouts in detecting wildland fires at an early stage.
- F-2:** The FFLA strives to raise awareness and support for lookout towers, and the California Central Western Region has gone to great lengths to try to stimulate support for Mt. Konocti.
- F-3:** The Konocti Fire Tower has been granted historic designation at both the Federal and State levels.
- F-4:** Repairs to the Konocti Fire Tower remain in limbo as no preliminary engineering survey has occurred, and the Tower appears to have been deemed obsolete by its operating agency, CalFire.

RECOMMENDATIONS

- R-1:** That the Board of Supervisors consider re-leasing the Tower from CAL FIRE or acquiring the Tower, if the State declines to repair it and declares it “surplus property,” to add to the County Park as a tourist attraction and hiking destination and as homage to its historic significance. (F-1, F-2, F-3, F-4)

RESPONSES

In response to Penal Code § 933 (c), the following Response is **required**:

Board of Supervisors (R-1) 90 days

The following response is **requested**:

CAL FIRE (South Lake County/Kelsey-Cobb) 60 days

Exhibit 1



FFLA-SDRC

A LOOKOUTS DAY IN THE TOWER



Arrive well before the “going in service time” (Usually 9:00 AM = 0900):
Open the tower and take complete weather measurements and observations



Call the U.S. Forest Service dispatch on radio and advise that tower is in service.

Provide weather readings, which are forwarded to the U.S. Weather Service.



Using binoculars, conduct a careful scan of the entire visible area for smoke.

Scans are conducted every 15 minutes.



When a smoke is spotted: Binoculars on Smoke
Record the azimuth, using the Osborne Fire Finder
Estimate the distance
Identify landmarks
Note fire characteristics.



Report all the information to dispatch via the radio.
Monitor the fire and report updates on its status until firefighters arrive on scene.



Dispatch will sometimes call the tower and ask the lookout to verify smokes reported by the public. Questionable smokes



Record all significant events in the tower log, and submit an activity report blog entry to the lookouts' internal website.



Lookout's at certain locations in addition to Forest Fire Lookout duties preform as Docents: They greet visitors; answer questions; conduct tours and interpretive services.

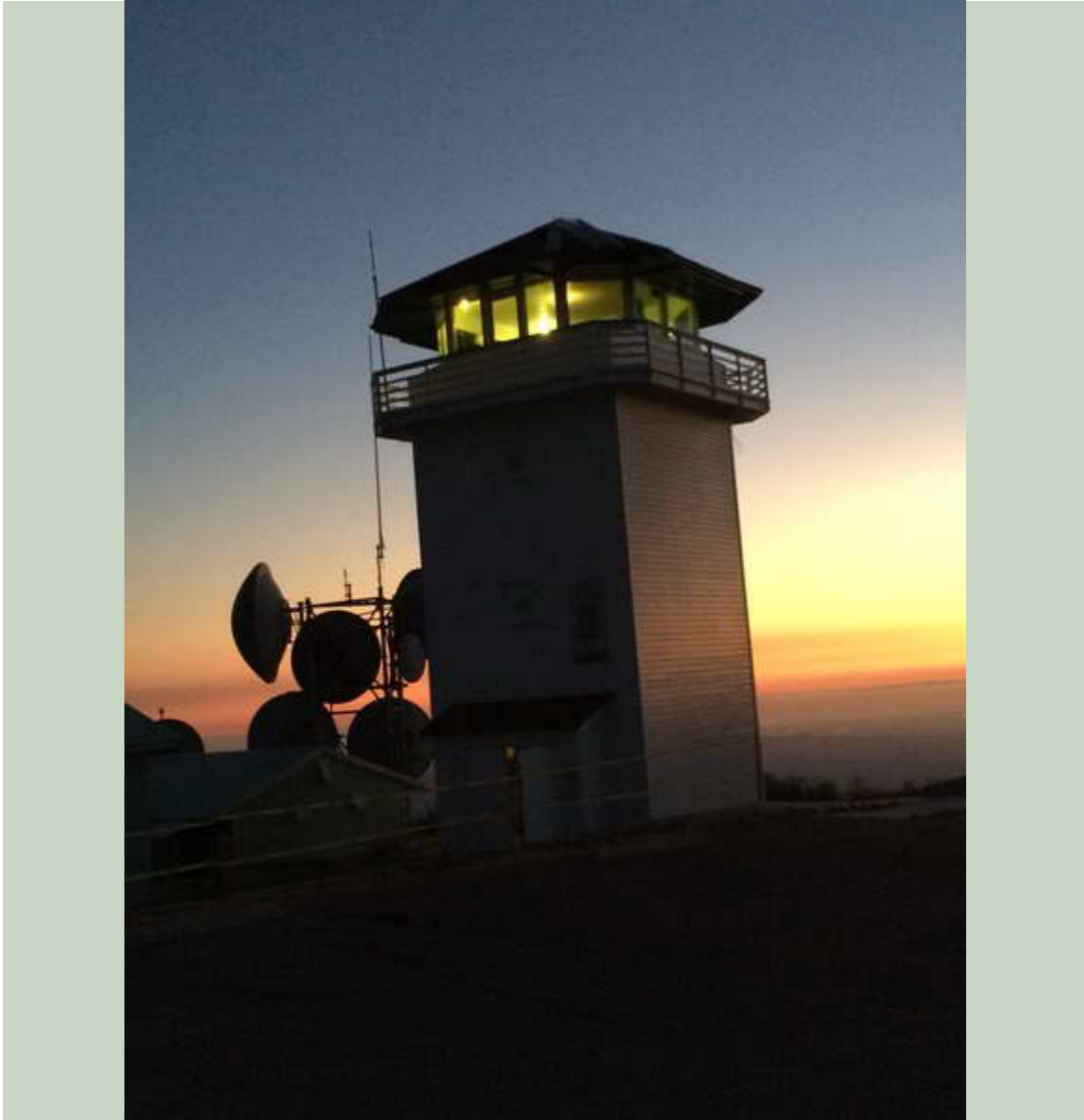


Report significant weather developments on the radio.
Fire crews arrange their positions and availability based on the potential for
lightning strikes.



Report and record lightning down strikes. Monitor the area of the strike in case a wildfire erupts.

Subsequent lookout shifts continue to watch these areas in case the wind blows smoldering materials into flame.



Secure all equipment and advise Dispatch that the tower is “out of service”.
Turn off all radios and lock up the tower at end of shift.
Begin the drive home knowing that you provided a valuable community
service.

LAKEPORT FIRE PROTECTION DISTRICT - GOVERNING MISSTEPS



SUMMARY

The Grand Jury began this investigation to ensure that Measure M income and expenses were being recorded with integrity and transparency. As the Grand Jury reviewed numerous Lakeport Fire Protection District (LFPD) documents, attended Board meetings, visited station locations, and conducted many interviews, it learned that the District was not adhering to the Measure M accountability requirements, was inconsistently following the Brown Act open-meeting procedures, and did not have clear and updated policies and procedures for Board governance. For several years, the firefighters had not had regular physical exams, including cancer screenings, nor had the firefighting equipment and fire stations undergone regularly scheduled maintenance. Financial shortfalls had led to firefighter layoffs and other cutbacks. Administrative, Board, and Fire Chief turnovers have further left the District unsettled.

METHODOLOGY

The Grand Jury interviewed numerous LFPD administrative, governing, and fire-fighting personnel; reviewed available Board minutes (10 months of which are missing), budgets, and District incident statistics; perused relevant online research documents, reviewed relevant California Codes, and attended

several monthly Board meetings. The Grand Jury also toured the District's buildings in Lakeport, North Lakeport, and Finley and its empty lot in Lakeport.

BACKGROUND

The Department

The Lakeport Fire Department was formed in 1894 to provide fire suppression services within the City of Lakeport proper. The LFPD, an independent special district, was originally created in 1956 to protect the unincorporated areas of Lakeport. In 1999, LFPD annexed the Lakeport Fire Department. The District occupies two stations, the main building (Station 50) in downtown Lakeport that is staffed with 4 personnel at all times and an auxiliary station (Station 52) on Hill Road East, where the water tender and other equipment are housed.

The District's 1914 fire truck (which is owned by the Firefighters Association) is housed in Lakeport [see below]. Station 50 is leased from the City of Lakeport for one dollar per year. This building is in need of major upgrades to make it seismically and electrically sound and leak-proof. The District owns Station 52 and a small building (Station 51) in Finley that is leased by the Gleaners for \$338/month (as of April 2019), as well as a vacant lot on Larrecou Lane in Lakeport, on which a new station and/or training center could be built.

The 2020 population of the City was 5,026. The District serves approximately 10,000 residents within 45 square miles.

The Department is comprised of both paid and volunteer staff and is "all risk," meaning that it provides both fire protection and related services and full medical care and ambulance transport. Paid staff currently consists of one Interim Chief, three Captains, and nine firefighters, in addition to one full-time and one part-time administrative assistant. There are two volunteer Lieutenants and 12 volunteer firefighters. The professional firefighters are represented by Teamsters Local 856. The Department has no Battalion Chief, Safety Officer, or Fire Marshall.

Its Mission Statement is:

The Mission of the Lakeport Fire Protection District is to be a leader in Emergency Services delivery by:

- Meeting the needs of our community by providing: Fire Prevention and Educational Outreach and All Hazards Response including Fire Suppression, Advanced Life Support Emergency Medical Services, Emergency & Non-Emergency Ambulance Transports, Hazardous Materials Response, and Technical Rescue
- Utilizing the dedication, skills, and talents of our members and continuously assisting them with improvement
- Constantly seeking ways to improve our services and increase our efficiencies In Carrying out this Mission, the District will:
- Giving top priority to the safety of our members
- Encouraging and supporting the continuous professional and personal development of our members
- Working efficiently as a team to maximize the utilizations of our skills, knowledge and abilities
- Communicating openly and honestly with the community and our members

The District has had four chiefs in the last 12 years, and the then-current Chief suddenly submitted his resignation in May 2022 and thereafter left the Department. The Board immediately named an Interim Chief, a retired annuitant who had earlier been the Chief at the Ukiah Valley Fire District (1995-2012) and then in Scott's Valley (Santa Cruz County).

Board of Directors

The District Board is comprised of five members, of whom three are appointed by the Lake County Board of Supervisors and two by the Lakeport City Council. Appointed members must reside in the area, City or County, and be a registered voter. Each board member is to serve a four-year period, and their terms are staggered. If a vacancy becomes available on the Board, the County or the City of Lakeport appoints a new member, but not the Board itself. The current Chairman has been on the Board for 16 years – and has been the Chair for many of those years - after having earlier served as a Director for 10-years before taking a break. Board members currently receive

no stipend, although they did receive \$100/month until September 2018. The photos of the two last-appointed members were not posted on the LFPD website as of April 2022, and one of the new Board members resigned in June, 2022. The Chairman position was passed to another Director by vote in June, 2022.

The Directors have specific responsibilities. The following list is contained in a Lexipol policy-template software package that was purchased for approximately \$12,000 by the Board but which was never voted on as their official policy.

1. Represent the interests of the district.
2. Oversee district expenditures.
3. Adopt an annual operating budget.
4. Hire the Fire Chief.
5. Be familiar with the Fire District's operational philosophy, personnel, services, programs, and resources.
6. Ensure that district staff comply with applicable Local, State and Federal laws and mandates.
7. Ensure that the district policies, which define responsibilities and eliminate ambiguities, give appropriate authority to staff members, and provide organizational direction and guidance.
8. Define critical issues.
9. Develop a Mission Statement, goals, and measurable objectives.
10. Consistent with Gov. Code Section 54963, maintain confidentiality of closed session discussions.

In addition to the above, according to the policy template, individual directors should also:

1. Understand the nature of the fire and medical services.
2. Be familiar with district financing.
3. Be familiar with the policies governing the operation of the district.
4. Understand that as individual members they have no authority to encumber district funds or enter the district into any contract or arrangement without express consent of the full Board.
5. Understand that individual directors do not have the authority to direct, assign, order, or otherwise supervise district staff without the express consent of the full Board.

DISCUSSION

Deficit Finances

The District passed Ordinance 9697-1 in 1997 for a parcel tax of \$1 per-benefit-unit [see Measure M below] for properties within the District and, at a later date, \$1.96 for properties within the City. The income from this parcel tax could have been increased annually from 1-3% by Board Resolution, but no increase was passed until 2018.

A backdrop issue has been the approximately \$720,000 in unfunded liability the District owes to the California Public Employee Retirement System (PERS).

That unfunded accrued liability represents the shortfall or gap between what is needed to pay retiree benefits versus how much in current assets the District actually has in its accounts with CalPERS. The Board has been exploring the issuance of bonds to lower this debt and also increasing the periodic payment amounts. The last Chief arranged for consultants to discuss how best to assist the Board in making the best financial arrangement, but the Board has made no decision on the way forward.

The District's finances worsened in 2018. In April 2018, the Board was informed that its contractor for ambulance transport service billing, the Novato Fire Department (NFD), would cease accepting new billing from LFPD on 6/30/18, but would continue working on the account until the end of October. The Board voted to transfer its ambulance billing to Systems Design West (SDW). In January 2019, the Board learned from SDW that some of the billing was uncollectable due to its having been billed too late. The total amount of unbilled transports from NFD was \$912,125. Whether any of these funds were subsequently recovered is unknown to the Grand Jury, but their ambulance billing problems continued. In October 2019, the Board was informed that SDW itself was not billing for against-medical-advice or treat-and-release patients, thereby being unable to collect even the low Medicare or MediCal payments.

These shortfalls resulted in the layoffs in September-October 2018 of three full-time and three part-time firefighters, less than two months after the City

had been evacuated due to the River Fire branch of the Mendocino Complex. The LFPD was then staffed with one-half the number of personnel, or two firefighters/shift. The emotional impact on those laid off and those retained was substantial. Emergency response times were also delayed by this lack of staff. The Board approved a number of budget transfers from its reserves to meet payroll and benefit obligations.

In addition, the Board in September 2018 voted to reduce their \$100 monthly stipend to zero. The then-Chief and then-administrative assistant agreed both to a pay cut of 7% of their base salary and to a monthly cap on their medical insurance paid by the District.

In April 2019, the District applied for a FEMA grant and also sought funding from Cal Fire, the Lake Area Rotary Association, and The Lake County Wine Alliance. Sale of the Finley building, valued at \$250K-\$275K, was also considered. In May 2019, prior to certification of the Measure M vote tally, the Board passed a resolution to authorize appropriating as much as \$200K from a reserve fund in order to close out the fiscal year on June 30th. The anticipated expenditures included overtime and staffing, as well as paying the dispatch contract with CalFire, which was running about \$15K per-quarter.

Measure M

In response to these financial issues, the District in early 2019 proposed in Ordinance 1819-1 an increased parcel tax via Measure M, to be voted on by mail in May and take effect in July 2019. The tax rate proposed was \$6.14 per-benefit-unit annually on each parcel of property within the District. Benefit units are used to "rate" the "benefit" in terms of firefighters, equipment, and water that a particular parcel receives from having fire protection and emergency medical services provided by the District. As such, developed property receives more benefit, and thus has more units assigned, than undeveloped property. For residential owners, the tax would be raised from about \$60 to \$184.20. The tax rate was highest for commercial buildings and ranged from \$307 to \$921 annually. The maximal annual rate of increase was 3%, but only if approved by the Directors. There was no sunset clause for the tax increase.

The District's Ordinance No 1819-1 included in Section 7 –
Accountability Provisions: (a) the specific purposes of the parcel tax must be those purposes identified herein; and (b) an **annual written report must be**

made to the Board of Directors showing (i) the amount of funds collected and expended from the proceeds of the parcel taxes and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the parcel taxes, as identified above. This is guided by the California Government Codes 50075.1 to 50077.5. [emphasis added]

CA Gov. Code Section 50075.1 states:

On or after January 1, 2001, any local special tax measure that is subject to voter approval that would provide for the imposition of a special tax by a local agency shall provide accountability measures that include, but are not limited to, all of the following:

- a. A statement indicating the specific purposes of the special tax.
- b. A requirement that the proceeds be applied only to the specific purposes identified pursuant to subdivision a.
- c. The **creation of an account into which the proceeds shall be deposited.** [emphasis added]
- d. An **annual report** pursuant to Section 50075.3. [emphasis added]

The annual report shall contain both of the following:

- i. The amount of funds collected and expended.
- ii. The status of any project required or authorized to be funded as identified in subdivision (a) of Section 50075.1.

The “purpose” for the tax was stated as follows:

This measure authorizes the imposition of a special tax on parcels of real property located wholly or partly in the Lakeport County Fire Protection District to be used to provide funding to decrease response times and increase fire protection and emergency medical services, including funding for the operation of local fire stations, and the maintenance and replacement of outdated firefighting equipment. State law requires that the **proceeds of a special tax may be used only for the purposes specified and for no other purpose.** [emphasis added]

The measure was estimated to bring in \$1.2M during the first year after approval. The District expected to be able to hire back the six laid-off firefighters, maintain and upgrade its equipment, and rebuild its reserves. The

District projected replacing two fire engines and still having \$200,000 in reserves.

The Measure passed in May 2019 with 74% approval, well above the required 2/3rds super-majority.

The Grand Jury was informed that the requisite separate account for Measure M funds was never created, nor had annual reports been issued. The revenue from Measure M was comingled with the property tax income from the County. Upon inquiry, the new Chief and new Administrative Assistant set about trying to generate the reports, which the Grand Jury received in April, 2022. The problem is that, without separating out income from Measure M funds, those expenditures could not be separately tracked and thus reported upon. The Report given to the Grand Jury is attached as Exhibit 1.

During one Board meeting when the reports were in the process of being prepared, the question was raised as to whether the Grand Jury had the authority to request Measure M compliance documentation. In fact, the Grand Jury's authority to investigate special districts is found in Penal Code § 933.5: A grand jury may at any time examine the books and records of any special-purpose assessing or taxing district located wholly or partly in the county ... and, in addition to any other investigatory powers granted by this chapter, may investigate and report upon the method or system of performing the duties of such district....

With Measure M funds, the laid-off firefighters were rehired, and the District purchased a new fire truck, a pumper engine, in December 2020 that cost about \$900,000.

Additional Financial Pressures

Other revenue issues came to light during the Grand Jury investigation, such as discovering that not all parcels within the District were being taxed, with some 289 parcels having received exemptions. On at least two occasions, as noted in the Board Minutes, the then-Chief was authorized to declare certain equipment "surplus" and to sell it at what he thought was a reasonable price.

The preferred course of action would have been to determine the value of the items and solicit bids to purchase them. While the anticipated revenue might

have been low, the District needed all dollars it could raise. As well, in July 2019, The Board was informed that the District was not billing for certain mitigation fees that all the other districts had been charging.

In April 2022, the Board learned that the State Department of Healthcare Services had audited the District's ambulance transportation billings for 2010-2017 and required repayment of \$33,502 in overpayments. The cause of the overpayments and whether additional repayments would be necessary is currently unknown to the Grand Jury. At this same Board meeting, the Directors were informed that the District would have to repay \$23,267 in COVID grant money to the Human Resources Services Administration due to the lack of a Period 1 report in September 2021 on how the money had been spent. The Board decided to attempt to submit the overdue report at the time the 2nd report, if any, was required.

Additional potential financial stressors became apparent this year. Three developments in particular likely will affect District resources:

One, in April 2022, the Board was informed that a new State law would force cities to change their zoning and building codes to permit the addition of "accessory dwelling units," for which permits would be mandatory. Additional residences within Lakeport would clearly impact fire risk.

Two, the City has been in the process of annexing an area of South Main Street that has a number of businesses, including propane tank farms and the Cinema, but which has inadequate water lines and hydrants. The National Fire Protection Association recommends, for structure fires, the availability of an uninterrupted water supply for 30 minutes with sufficient pressure to generate at least 400 gallons/minute. Due to formal objections, however, the proposed annexation will need to be voted on by the residents. The District and the City will need to plan for increased water availability in the annexed area if the proposal is approved.

Three, SB 1205, passed in 2018 but not implemented by the LFPD, requires the District to formally inspect multi-unit residences, such as apartment blocks and skilled nursing facilities, and report annually on the District's compliance with the inspection requirements. The District does not have a Fire Marshall or Safety Officer who could organize and direct such a program. Expecting on-shift firefighters to also do inspections is unrealistic. In preparation, a Fee

Schedule would need to be created, as well as an agreement on sanctions for non-compliance.

Staff Turnover

The District's long-term financial assistant retired in April 2019, and a new person was hired. The new assistant, the Grand Jury was informed, conflicted with the new Chief, who was hired in April, 2021, and the assistant resigned unexpectedly in the Fall of 2021 without communicating certain computer codes permitting access to payroll records. The new Chief and Board were left scrambling to pay the firefighters. The Chief sought IT consultation and was finally able to open the payroll records, as well as hire a new admin/financial assistant, with whom he was able to work closely. That there were no formal office procedures in place to allow redundant computer access was a hindrance.

Brown Act Violations

That the District Board was not adhering to Brown Act requirements regarding consistent posting of Agendas and having Agendas with their supporting documents available to all attendees was immediately evident to the Grand Jury. Upon request, the new Administrative Assistant immediately complied. The Board still does not comply entirely with the "Closed Session" specifications in regard to communicating prior to the closed session the general subject of the discussion or publicly announcing after the closed session what action or vote was taken, if any.

This "Open Meeting Law" is officially known as the Ralph M. Brown Act and is found in the California Government Code §54950 et seq. The Brown Act was enacted in 1953 both to guarantee the public's right to attend and participate in meetings of local legislative bodies and also as a response to growing concerns about local government officials' practice of holding secret meetings that were not in compliance with advance public-notice requirements. In addition, all meetings are required to be open to the public, including the disabled, but, at several meetings, the Grand Jury found all exterior doors locked prior to the beginning of Board Meetings.

The Brown Act governs local agencies, legislative bodies of local government agencies created by state or federal law, and any standing committee of a

covered board or legislative body. Governing bodies of non-profit corporations formed by a public agency are also covered. Examples of these would be city council, county board of supervisors, special districts, school boards, standing committees, and even some types of Home Owners Associations (if they were created by a public entity and constituted as some sort of public district, such as, for example, in Hidden Valley.)

For clarification and educational purposes, the Brown Act is summarized in Exhibit 2, attached, and excerpted from: The Brown Act. Open Meetings for Local Legislative Bodies. Bill Lockyer, California Attorney General's Office, 2003.

During its interviews and site visits, additional problems that need attention came to the attention of the Grand Jury.

The Condition of Station 50

The one-story building with an attic is not earthquake-proof, is cramped, is insulated with asbestos, and has no vehicle exhaust system, thus is a toxic environment for the firefighters and staff. The station was constructed long before the Americans with Disabilities Act (ADA) legislation and is not wheelchair accessible by the public. The building also needs a new roof and electrical upgrades. (For example, extension cords in the attic run through holes in the ceiling to the bay below, and a number of ground fault interrupters are absent.) Although the City of Lakeport owns the station, the District is responsible for its maintenance. In response to a complaint, OSHA inspected the station twice in 2022 and noted a number of necessary additional improvements, including signage and fire extinguishers. The paucity of storage can be seen in the below photo of part of the main bay.



Station 52, while a younger building and currently unstaffed, also is not earthquake-proof and would need modifications should the District decide to assign firefighters there.



Leaking Roof Ceiling on North Side of Station 50

In addition to buildings needing attention, the firefighters also need attention.

Firefighter Exams

Firefighting is tough and dangerous. The most frequent cause of on-duty death is heart disease, not burns or injuries, according to a 10-year Harvard study published in 2017. A disproportionate 45 percent of firefighters die at work from cardiac events, compared to 22 percent of police officers, 11 percent of emergency medical providers, and 15 percent of all workers. While exertion triggers cardiac events, regular exercise helps prevent them. Regular physical-fitness programs and annual physical and medical performance testing – including volunteers as well as line staff – are recommended by the National Fire Protection Association for every fire department. Annual physical exams including laboratory tests and cardiac stress testing can document modifiable cardiovascular risk factors and address contributing factors such as hypertension, diabetes, obesity, smoking, and excessive alcohol consumption.

IN MEMORIAM



“Above all things let us never forget that mankind constitutes one great brotherhood; all born to encounter suffering and sorrow, and therefore bound to sympathize with each other.” Albert Pike

We wish to thank the firefighters, EMT’S, Paramedics and Volunteers who spend a great deal of time studying, training to provide the skills necessary to protect their community. But we also feel it necessary to recognize the people who endure so much in supporting these first responders. Let us not forget the Fathers, Mothers, Children, Siblings and others who endure hardships of their own. Fire personnel respond when called, interrupting meals and special events with their families and friends. *“As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them. John F. Kennedy”*

These annual exams are also recommended to include cancer screening. Firefighters face chronic exposure to heat, smoke, diesel exhaust, and toxic flame retardants. These carcinogenic chemicals are absorbed, inhaled, and

ingested through the firefighters' skin, airways, and gastrointestinal system at building fires, car fires, dumpster fires, even kitchen fires. Carcinogens also accumulate on and inside the firefighters' protective bunker gear and in their firehouses. The Grand Jury was informed that for three years no annual testing was performed on the firefighters. When the new Chief was hired in 2021, he arranged for exams in 2021-22, but cancer screening was not incorporated, nor were the volunteers included. A complaint about logistics was commonly expressed – the firefighters had to travel to obtain portions of their exams rather than, as in prior years, having the testing provided in one location. One firefighter never had his TB test “officially read” because that would have required another 3-hour round trip to the medical provider.

Annual screening protocols are effective tools for the early detection and prevention of these serious occupation-related illnesses.

Attention to the firefighter's mental health also appears not to have been a priority. Six firefighters had to be laid off in 2018 due to no fault of their own, which was demoralizing to all. Responding to serious vehicle collisions, drownings, gunshot wounds, and interpersonal violence resulting in deaths and horrific injuries is part of the firefighters' job, and the effects on them cannot always be compartmentalized. Not just large-scale traumatic events affect mental health, but so, too, do the day-to-day exposure to others' grief and loss. The Department does not have a volunteer Chaplain who could respond when needed. In some departments, volunteer chaplains do “ride alongs” and attend monthly firefighter meetings just to get to know them informally so that the firefighters feel comfortable in calling upon them in times of stress or crisis. A number of departments elsewhere also make therapy dogs available.

The Grand Jury also tracked down the requisite assessments of the District performed by the Local Agency Formation Commission.

Lake LAFCO Municipal Service Reviews of LFPD

Local Agency Formation Commissions (LAFCOs) are state-mandated regulatory agencies established by the Legislature in 1963. LAFCOs were created to help implement State policy of encouraging orderly growth and development through the regulation of local public-agency boundaries. This legislation states, “This charge requires each Commission in each county to

balance the development required for a growing population with the competing State interests of discouraging urban sprawl, preserving agricultural resources and open space, and extending government services efficiently.” Lake County has a LAFCO overseeing special districts, including the LFPD.

Municipal Service Reviews (MSR) were added to LAFCOs mandate with the passage of the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000. A service review is a comprehensive study designed to better inform LAFCO, local agencies, and the community about the provision of municipal services. Service reviews attempt to capture and analyze information about the government structures and efficiencies of service providers and to identify opportunities for greater coordination and cooperation between providers.

Among LAFCO’s required assessments are:

- Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to water, wastewater, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- Financial ability of agencies to provide services

Lake LAFCO has conducted two reviews of the County’s fire protection districts – in 2007 and 2015. (Exhibits 3 & 5, attached). In between, the City of Lakeport was reviewed by LAFCO, which included a section on the fire district (Exhibit 4, attached).

1. The 2007 Lake LAFCO review, using 2005-06 data, noted that the Department of nine “sworn safety officers” and one clerical employee, plus 21 volunteers. The calls for service in 2006 were 2,121 EMS calls (of which 1,500 were transports only) and 74 fire calls. The average response time within District boundaries was 2 to 4 minutes from call receipt to personnel movement. The average travel time was 8 minutes to most emergencies. Total revenue in fiscal year 2004-05 was \$1,619,260.

The in-town ISO was 4. The ISO (Insurance Services Office) creates ratings for fire departments and their surrounding communities that insurance companies rely on to set their rates. An ISO fire rating, also referred to as a fire score, is a score from one to 10 that indicates how well-protected a community is by the fire department. In the ISO rating scale, a lower number is better: one is the best possible rating, while a 10 means the fire department did not meet ISO's minimum requirements. Four main criteria comprise a fire rating score:

- 50% comes from the quality of the local fire department, including staffing levels, training, and proximity of the firehouse
- 40% comes from availability of water supply, including the prevalence of fire hydrants and how much water is available to put out fires
- 10% comes from the quality of the area's emergency communications systems (911)
- An extra 5.5% comes from community outreach, including fire prevention and safety courses

Any area that is more than five driving miles from the nearest fire station is automatically rated a 10.

The 2007 MSR stated that the District was planning to develop a new main station that should be completed in about two years and that it was “working on a possible addition” to Station 52 within the next two years. The Board meeting agendas were being posted at Station 50. Overall, the review found the revenues and management to be satisfactory.

2. The City of Lakeport’s last MSR, which included limited data about the LFPD, was adopted in July 2012. During that review, the District’s paid staff included one Chief, one Deputy Chief, three Captains, six firefighters, and one secretary. The volunteer staff included eight fire apparatus engineers and 12 firefighters. Four firefighters were on-duty in Station 50 at all times. The in-town response time was 4 to 7 minutes and remote distance time was eight minutes. The District was responding to more than 2,200 calls per year.
3. The second formal LAFCO MSR in 2015 found that the District was then responding to more than 3,000 calls for service, with about 3/4ths being medical calls. Paid staff included one Chief, three Captains, six

Firefighters, and one secretary, while volunteer staff consisted of one Deputy Chief, three Lieutenants, five Apparatus Engineers, and 14 Firefighters. Meeting Agendas were being posted at Station 50.

Total revenue had dropped from \$2,416,031 in fiscal year 2012-13 to \$1,759,933 in 2013-14. The Revenues/Expenditures tables show, without commentary, that in 2013-14, Expenses exceeded Revenues by \$503,435.

The ISO rating was further refined, with three classifications for properties in the District: Class 4 for properties within five road miles of a “recognized” fire station and 1,000 feet of a hydrant; Class 8B for properties further than 1,000 feet from a hydrant but within five road miles of a station; and Class 10 for all properties beyond five road miles from a station.

CONCLUSION

The Grand Jury found that the District personnel have been under stress for several years due to precarious finances and staff and Fire-Chief turnover. Despite uncertainty, when the alarm sounds, the firefighters unequivocally respond with full focus and energy to do an exemplary job. The Grand Jury is in no way critical of the firefighters. The Grand Jury does commend the Board for the improvements that have been made over the course of this investigation.

FINDINGS

- F-1: The Board members are unpaid and are appointed - by the City of Lakeport (two members) and the Lake County BOS (three members) - not elected by District residents.
- F-2: The Board has no process to rotate automatically the office of Chairman, and the current Chairman has held that position for many years straight.
- F-3: The Board has not voted to accept a proposed Policies and Procedures Manual.
- F-4: The Measure M parcel tax legal requirements for a separate account and annual public accounting have not been met.

- F-5: Adherence to Brown Act requirements has been lacking in regard to entrances being unlocked to the public during Board Meetings.
- F-6: Adherence to Brown Act requirements has been lacking in regard to the provision of agendas to the public that include attached documents.
- F-7: Adherence to Brown Act requirements has been lacking in regard to the Board meeting location's lack of wheelchair (disabled) access.
- F-8: Adherence to Brown Act requirements has been intermittent in regard to publicly reporting actions, if any, along with the vote, occurring during a closed session.
- F-9: Major financial decisions are pending regarding the two LFPD Stations in Lakeport, the Finley station, and the vacant property.
- F-10: No Fee Schedule has been created and adopted for the requisite annual inspections of business and residential facilities, and, to fulfill this requirement, staffing may also need to be increased.
- F-11: Physical exams and cancer screenings for paid and volunteer firefighters were not provided annually for several years. None of this year's exams included cancer screenings.
- F-12: The LFPD has no Safety Officer, Battalion Chief, or Fire Marshall as backup for the interim Chief.
- F-13: There is no designated on-call Chaplain or mental-health specialist to help the staff process traumatic events.
- F-14: The firefighter who is filling the role of Fleet Mechanic uses his personal equipment.
- F-15: Stations 50 and 52 lack vehicle exhaust systems.
- F-16: Stations 50 and 52 are not earthquake-proof.

- F-17: Station 50 contains asbestos, has non-Code electrical connectivity (with power cords running from the attic through the ceiling), and has roof leaks.
- F-18: The District was and is losing revenue due to inadequate ambulance billing coding and collection practices.
- F-19: For a period of years, the Board did not provide sufficient oversight on correcting budgetary deficits.
- F-20: Firefighter layoffs were demoralizing to staff and community.
- F-21: The staff (paid and volunteer) and the Board lack effective communication, a sense of collaboration while facing serious ongoing issues, and mutual understanding.

RECOMMENDATIONS

- R-1: That a full forensic audit be conducted of the LFPD, specifically regarding Measure M revenue and expenditures. (F-4)
- R-2: That the LFPD comply with all of the provisions of the Brown Act. through F-8)
- R-3: That the Board decide and vote whether to sell, upgrade, or further develop its various properties – Station 50, Larrecou property, Finley station, and Station 52. (F-9, F-15 - F-17)
- R-4: That the acting Fleet Mechanic be given a clear and regular maintenance schedule and be provided district equipment and property. (F-14)
- R-5: That physical exams and cancer screenings be conducted locally on all paid and volunteer firefighters annually. (F-11)
- R-6: That the next Chief have operational backup in the form of a Safety Officer, Battalion Chief, and/or Fire Marshall. (F-12)

- R-7: That a Board Ordinance be established and implemented that allow the department to charge and collect appropriate fees for annual inspections of business and residential facilities. (F-10)
- R-8: That the LFPD make a formal arrangement with a Chaplain or mental health specialist in-County to be on-call to assist the firefighters in processing traumatic events. (F-13)
- R-9: That the LFPD Board vote to convert to implementing district-wide election, rather than City or County appointment, of its five members. (F-1)
- R-10: That the Board approve and adopt organizational and operational Policies and Procedures that include specifying periodic rotation of the role of Chairman. (F-2, F-3)
- R-11: That the Board make a consistent effort to interact informally/socially with the firefighters in order to improve morale and trust. (F-11, F-14, F-15, F-20, F-21)
- R-12: That the 2022-2023 Civil Grand Jury continue this investigation to follow-up on the above Recommendations and report on further developments, including the hiring of a new Chief. (F-1 through F-21)

RESPONSES

In response to Penal Code § 933 (c), the following Response is required:

- Lakeport Fire Protection District (R-1 through R-12) 90 Days
- Lakeport City Council (R-9) 90 Days

EXHIBIT 1 - SEPARATELY TRACKED

LAKEPORT FIRE

PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453 Telephone: (707) 263-4396

Fax: (707) 263-7087

April 20, 2022

Beverly Benedict Hill Foreperson

Lake County Civil Grand Jury P.O. Box 1078

Kelseyville, CA 95451

Re: REVISED Measure M reporting for fiscal years 2019/20 and 2020/21

Dear Foreperson Benedict Hill,

This report has been revised from the April 18 version to correct the amount of revenue reported, as well as correcting a typo in the page 2 table of figures (total INCLUDES payroll). First off, please allow us to apologize for not providing this report to you by your requested date of April 15.

Second, below please find a report indicating revenue received and expenses associated with Measure M for fiscal years ending June 30, 2020 and June 30, 2021. This report will encompass both years, but future reports will be done annually.

Below are revenues received from Measure M, per the final year-end financial statement from the County:

FYE 06/2020 = \$ 1,307,537 FYE 06/2021 = \$ 1,440,789 2-yr total = \$ 2,748,326

The following information was taken from the final year-end financial statements provided by the County.

Increased Staffing Levels was one of the priorities established by Measure M.

In 2018, Lakeport Fire Protection District (LFPD) had to lay off 50% of its firefighting staff due to budget shortages. This resulted in the three (3) firefighting shifts being staffed by 2 firefighters, rather than 4 firefighters. One of the first things done, post-Measure M, was to re-hire back these

firefighters. Post-layoffs, LFPD's monthly average payroll cost was approximately \$62,000. The current payroll for a fully-staffed station is approximately \$93,000,

Measure M Report for 2019/20 and 2020/21 Page 2 April 20, 2022 resulting in a \$31,000 monthly increase in payroll, post-Measure M. Annualized, these increased payroll costs amount to \$372,000/year, or \$744,000 over the last 2 years. Increased Equipment Maintenance was another priority established by Measure M.

For the fiscal year ending June 30, 2019 (pre-Measure M), approximately \$9,000 was spend on equipment maintenance. For the FYE June 30, 2020, approximately \$75,000 was spent on equipment maintenance (a \$66,000 increase over the prior/pre-Measure M year) and for the FYE June 30, 2021, approximately \$90,000 was spent on equipment maintenance (an \$81,000 increase over the pre-Measure M year).

Increased Building Maintenance was another priority established by Measure M.

For the fiscal year ending June 30, 2019 (pre-Measure M), approximately \$4,600 was spent on building maintenance. For the FYE June 30, 2020, that number increased by almost \$9,500 as \$12,000 was spent to upgrade the Station 50 lobby/admin area.

Upgrading and Maintaining Fixed Assets was another priority established by Measure M.

In the FYE ending 06/2019 (pre-Measure M), LFPD spent \$0 on Fixed Assets-Equipment. For the FYE 06/2020, approximately \$51,000 was spent on the purchase of a used Engine (\$40,000) and a Lucas/chest compression device (\$10,600).

For the FYE ending 06/2020, approximately \$425,000 was spent on Fixed Assets-Equipment. This included approximately \$160,000 for SCBA equipment and \$200,000 as a down payment toward a Pierce Pumper (Total to be spent is approximately \$900,000). In addition, approximately \$17,000 was spent on firehoses and approximately \$43,000 was spent on extrication equipment.

The explanations above are summarized in the table below:

	2018-19	2019-20	2020-21
Increased Payroll			
to return laid off workers		\$372,000	\$372,000
Vehicle/Equip Maintenance	\$9,197	\$74,691	\$90,031
Building Maintenance	\$4,603	\$14,075	\$4,271
Equip Rental/Lease	\$28,821	\$28,613	\$33,003
Tools/Instruments 613		\$2,647	\$7,625
Fixed Assets - Equipment		\$50,593	\$424,635
Fixed Assets - Building			
Total	\$43,234	\$542,619	\$931,565

Future uses of Measure M money for equipment include continued payments to pay off the Pierce Pumper purchased in 2020 (approx. \$700,000 still owed), a diesel exhaust system for stations 50 & 52 (approximately \$200,000 for both), as well as making Station 52 a fully Measure M Report for 2019/20 and 2020/21 functional, habitable station (approximately \$100,000 + exhaust system already noted). Future uses for staffing include a 25% increase in staffing from 4 per shift to 5 per shift and hiring a Fire Marshall and a Fleet Manager. Additionally, LFPD would like to start a Rescue Watercraft Program and funds will be needed to staff and equip this program.

Sincerely,

Finance & Administration

cc: Fire Chief
LFPD Board of Directors

EXHIBIT 2 - BROWN ACT SUMMARY

The Brown Act requirements that the Grand Jury found that the Board were not following are bolded below.

What is a “Meeting”?

A meeting is “any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body” (§54952.2 (a)). For instance, regarding LFPD, when the quorum for a Board of Directors reaches the number necessary to be a majority (i.e., 3 out of 5), that is considered a meeting under the Brown Act. Also, when the same or a greater number of directors are attending a social gathering, for which no meeting notice was given, and they start discussing business under the jurisdiction of their legislative body, that would be considered a meeting that falls under Brown Act regulations.

The key elements for a meeting are quorum and discussion or hearing about or deliberating the issues. The meetings need not to be formally convened in order to be subject to the Act. That means that “informal,” “study,” “discussion,” “informational,” “fact-finding,” or “pre-council” gatherings of a quorum of the members of the Board are within the scope of the Act as “meetings.”

Exceptions - Meetings Not Covered by the Brown Act

Conferences and retreats, other public meetings, meetings of other legislative bodies, and social or ceremonial events are exempt from the Brown Act provided that Board members follow certain rules such as limiting the discussion to the agenda in the conference and not discussing among themselves the business of the LFPD. Regulations for these exceptions to meetings are contained in §54952.2(c). Also excluded are individual contacts or conversations between a member of the Board and any other person (§54952.2(c) (1), defined as a non-staff or non-Board member.

Serial Meetings

The Brown Act explicitly prohibits the use of “direct communication, personal intermediaries [e.g., an attorney or staff member], or technological devices [i.e., phones, emails, texts] employed by a majority of the members of the legislative body to develop a collective concurrence [consensus] as to action to be taken on an item by the members of the legislative body” (§5495.2(b)). Serial meetings involve communication between members of the Board that are less than a quorum (3) but, when all participants are counted, constitute a majority. For example, a chain of communications involving contact from Director A to Director B who then communicates with Director C would constitute a "serial meeting" involving a “quorum.” Similarly, when a Director acts as the hub of a wheel (Director A) and communicates individually with the various spokes (Directors B and C), a serial meeting has occurred.

Closed Sessions

The Brown Act allows closed sessions under the scope of a regular meeting. It stipulates that they (1) shall comply with agenda-posting and (2) be held within the jurisdiction of the Board meeting room (§ 4954), and (3) the **open-meeting agenda shall include a description of the topics to be discussed** (§54954.2) [emphasis added]. In addition, **prior to holding any closed session, the Board must disclose verbally, in an open meeting, the item or items to be discussed in the closed session** (§ 54957.7). [emphasis added]

Subjects that can be discussed by the Board in Closed Session are, according to §54954.5:

- License or permit determination (§54956.7)
- Conference with real property negotiators (§54956.8)
- Conference with legal counsel regarding existing or anticipated litigation (§54956.9)
- Liability claims (§54956.95)
- Threat to public services or facilities (§54957(a))
- Public employee appointment, employment, performance evaluation, discipline, dismissal or release (§54957(b))
- Conference with labor negotiators (§54957.6)

- Case review or planning (§54957.8)
- Report involving trade secret or hearings (§54956.87, California Health and Safety code §§1461,32106 and 32155; or California Government Code §§ 37606 and 37624.3)
- Charge or complaint involving information protected by federal law (§54956.86).
- **The Board should publicly report actions, along with the vote and abstention count, taken as result of a closed session (§54957.1).** [emphasis added] Documentation relative to the reports should be available to any person on the next business day following the meeting (§54957.1(c)).

Special Meetings

Either the Chairman of the Board or the majority of the Directors may call special meetings at any time by delivering to each of its members a written notice and by notifying the media (which has previously requested notification of special meetings). **The notice shall be received at least 24 hours in advance before the meeting. Special meetings notice shall be also posted at least 24 hours prior to the meeting and it should be held in a location that is freely accessible to members of the public. The discussions at the special meeting are limited to the issues posted in the agenda. No other business shall be considered (§54956) [emphasis added].**

What Rules Must a Meeting Follow?

The Board, in order to comply with the Brown Act, shall:

Hold open and public meetings (§54953 (a)). In addition, the District shall not conduct any meeting in a facility that prohibits the admittance of any person(s) on the basis of: race, religion, color, national origin, ancestry, sex; or that is **inaccessible to disabled persons**, or where the public, in order to gain access to the facility, needs to pay or purchase something (§54961 (a) [emphasis added]).

- Vote publicly, no secret ballots are allowed (§54953 (c))
- Comply with the protections and prohibitions of Section 202 of the Americans with Disabilities Act of 1990 (§54953.2)

- NOT require public registration, as a condition for attendance; the public is not required to register, provide any other information –such as self-identification--, or fulfill any condition precedent to its attendance. If an attendance list is circulated, it shall clearly state that the signing, registering, or completion of the document is voluntary (§54953.3)
- Allow recording of the proceeding (videotape, audiotape) provided that recording is done in an undisruptive way (§54953.5)
- NOT prohibit or restrict broadcasting unless there is a finding that this would be disruptive to the proceedings (§54953.6)
- Post notice of meetings and include specified time and location, except for advisory or standing committees (§54954 (a))
- **Post agendas at least 72 hours in advance of the meeting** and it shall contain a brief general description of each item of business (§54954.2(a)) [emphasis added] [This requirement was reinstated by the Board.]
- NOT take action or discuss any item not appearing on the posted agenda except under certain conditions (§54954.2(a), conditions appear on subsection (b))
- Hold meetings in the jurisdiction of the legislative body (§54954 (b))
- Allow and honor any person’s request to be provided by mail a copy of the agenda at the time the agenda is posted (at least 72 hours in advance) or of all the documents of the agenda packet of any meeting (§54954.1) [emphasis added]
- Provide an opportunity for comment from members of the public to directly address the legislative body on any item of interest to the public on every agenda for regular meetings (§54954.3(a))
- Allow public criticism of the legislative body (§54954.3(c))
- Hold at least one public meeting, allowing for public comment, before adopting any new or increased general tax or increased assessment, and the legislative body shall provide at least 45 days public notice of such meeting (§54954.6)
- Not charge fees for the attendance to a meeting or for carrying out any provision in the Brown Act (§54956.6). The only exception is when legislative bodies are allowed to charge a fee that covers the cost of mailing an agenda or agenda packet (§54954.1). A related requirement is found on §54961(a) that prohibits meetings in a place where the public needs to pay or purchase something

- Disclose to the public the agendas of public meetings and any other writings [i.e., Agenda packet of materials] distributed to all, or a majority of all, of the members of a legislative body of a local agency.] In addition, under the California Public Records Act these documents shall be made available upon request and without delay (§54957.5)
- Preserve the order in meetings. Moreover, if a group willfully interrupts a meeting and the order can only be restored by the removal of disruptive individuals, then the legislative body may order the meeting room to be cleared. The session might be reinitiated, and representatives of the media shall be allowed to stay and attend the session. The legislative body may also establish a procedure for readmitting individual(s) not responsible for the disruptive conduct that caused the meeting room to be cleared (§54957.9)

Violations of the Brown Act

Each member of the legislative who has taken action in violation of any provision of the Brown Act, and where there was willful deprivation of information to the public, is guilty of a misdemeanor (§54959). Civil remedies (injunction, mandamus, declaratory relief, and voiding past actions of the Board) are provided in case of violation of the Brown Act (§§54960 and 5490.1) pursuant to §§54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5 (that is, for violations to requirements for: general open meeting, agenda posting, closed sessions, tax and assessment, special meetings and, emergency meetings). A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to §§54960 and 5490.1.

In order to correct a violation to the Brown Act, the legislative body can act to correct its error of its own volition or in response to a complaint by an interested party. If the legislative body fails to correct the challenged action, the complainant may file suit. (§54960.1)

EXHIBIT 3 – Lake LAFCO 2007 Review

Fire Protection Municipal Service Review: Resolution 2007-0007
Fire Protection Districts Sphere of Influence: Resolution 2007-0008
Adopted October 19, 2007

6. LAKEPORT FIRE PROTECTION DISTRICT

6.1 Lakeport Fire Protection District Background

The Lakeport Fire Protection District provides fire protection and emergency medical services in and around the City of Lakeport. The district is the result of a merger in 2000 in which the district merged with the City of Lakeport's Fire Department.

The City of Lakeport, California is located in Lake County. Lakeport is located on the western shore of Clear Lake. State Highway 29 is located on the west side of the City, and provides access to Napa to the south and Ukiah to the west via State Highway 20.

The "Lake County General Plan Goals and Policies Report" describes the City of Lakeport as follows:

The City of Lakeport, which is the County Seat for Lake County, is located on the western shore of Clear Lake. The City, which was incorporated in 1888, still contains many of the historic buildings from the turn of the century. The City's Library Park, which is located at the Clear Lake shoreline, is the site of many annual events (e.g., fishing tournament and boat races). The City also is home to the Lake County Fairgrounds, which hosts the annual Lake County Fair and County Rodeo.

The 2000 population was 4,820. The Lakeport Unified School District has two elementary schools, one middle school, and one high school. The City is located two miles from the Lampson Field Airport. Water supply and wastewater service is provided by the City of Lakeport. Municipal water sources include a combination of groundwater and surface water. Lakeport is within the Big Valley Water Inventory Unit.

Point of Interest include the Lake County Museum, Library Park, Lake County Fairgrounds and Speedway.

6.2 Lakeport Population Data

Although the Lakeport Fire Protection District includes a larger area than the City of Lakeport, population data is only available for the City. However, the population data for the City should be indicative of the population characteristics for the district. As of the U.S. Census of 2000, there were 4,820 people, 1,967 households, and 1,233 families residing in the City. There were 2,394 housing units.

There were 1,967 households out of which 29.7% had children under the age of 18 living with them, 44.7% were married couples living together, 12.6% had a female householder with no husband present, and 37.3% were non-families. 31.0% of all households were made up of individuals and 16.2% had someone living alone who was 65 years of age or older. The average size was 2.36 and the average family size was 2.93 in the City of Lakeport.

The median age was 41 years. For every 100 females there were 86.9 males. For every 100 females age 18 and over, there were 84.7 males in the City of Lakeport. The median income for a household in the city was \$32,226, and the median income for a family was \$37,900. Males had a median income of \$36,719 versus \$25,089 for females. The per capita income for the city was \$17,215. About 13.5% of families and 15.7% of the population were below the poverty line, including 20.9% of those under age 18 and 5.6% of those aged 65 or over.

6.3 Lakeport Fire Protection District Personnel

The Lakeport Fire Protection District has nine sworn safety employees and one clerical employee.

The district also uses 21 volunteer fire fighters. The ISO rating in town is 4.

6.4 Lakeport Fire Protection District Facilities and Equipment

Lakeport Fire Protection District Fire Stations

Station Number Location Type

50 445 North Main Street, Lakeport Full

52 3600 Hill Road East, Lakeport Substation

Lakeport Fire Protection District Equipment

Vehicle Station Type Year

Engine 152 52 Mack 1974

Engine 150 50 Pierce 1987
Engine 250 50 Spartan 2001
Engine 350 50 International 1975
Engine 252 52 International Navistar 1997
WT 152 52 Kenworth 1984
T-150 50 American La France Aerial 1980
Has Mat 150 50 Ford Haz Mat 1982
Air 150 50 Chevy Air Truck 1986
M-250 50 Ford Ambulance 1988
M-150 50 Lifeline Ambulance 1993
M-350 50 Lifeline Ambulance 2004
M-450 50 Lifeline Ambulance 2000
W-150 (Utility) 50 Chevy Pickup S-10 1995
500 50 Chevy Blazer 1996

6.5 Lakeport FPD Calls for Service
Lakeport FPD Calls for Service
Type of Call 2000 2001 2006
Emergency Medical Service 936 1000 2121*
Fire 141 150 74

Note: The district recently took over Ambulance services. In 2006, 1500 calls were attributable to transporting people.

Source: Lakeport Fire Protection District, September 2007

The district provides its own ambulance service. The average response time for Fire/EMS services within district boundaries is two to four minutes from receipt of call to personnel movement, plus travel time. Travel time to specific emergencies is dependent upon distance from responding stations to the emergency, as well as the condition of roadways along the route. The average remote distance response time is eight minutes. There are some remote areas within the district in which these response times are further extended, especially during winter months.

6.6 Lakeport Fire Protection District Water Supply
Fire flows within the District service area are generally adequate. Hydrants within the Findley service area no longer experience poor flow rates since Kelseyville County Waterworks District water is being supplied to Findley.

6.7 Lakeport Fire Protection District Finances

Lakeport FPD Reported Income

Fiscal Year Property Tax Revenue

Charge for Services

Total Revenue EOY Balance

04-05 \$617,317 \$1,493,670 \$1,619,260 \$125,590

00-01 \$362,125 \$373,324 \$815,170 \$87,348

01-02 \$539,126 \$407,146 \$1,194,113 \$457,750

02-03 \$489,981 \$335,062 \$880,965 \$151,615

Source: 2004-2005 Annual Special Districts Report, State Controller's Office, 2000-2001 Annual Special Districts Report, State Controller's Office, 2003-2004 Adopted Budgets, County of Lake.

The Lakeport Fire Protection District Budget for 2006-2007 is \$1,723,625.

6.8 Lakeport Fire Protection District Board

The Lakeport Fire Protection District is governed by a five-member Board of Directors. The Lakeport FPD holds regularly scheduled meetings of its Board on the second Tuesday of every month. The district posts meeting agendas on public bulletin boards at fire district facilities.

Representatives of the district appear to be open and accessible to the public. The Phone Number for the District is 707-263-4396.

6.9 MSR Lakeport Fire Protection District Written Determinations

6.9.1 Lakeport FPD infrastructure needs or deficiencies

1-1) The district is planning to develop a new Main Station. The property is being secured and construction should be completed in approximately 2 years. The district is also working with the County on securing property at the Airport. The district is also working on a possible addition to Station 52 within the next 2 years and replacing the ladder truck with a new model.

6.9.2 Lakeport FPD growth and population projections for the affected area

2-1) The Lakeport FPD does not project population, but rather relies on incremental improvements and upgrades to address additional service demands related to growth. A Possible Growth scenario is 473 Single Family Dwellings proposed in the City of Lakeport as of March 2007, 60 units of affordable housing, and 12 duplex units. Lake County Community Development Departments has projected 2,576 lots in the Lakeport Fire Protection District could be subdivided.

2-2) It is common for fire districts in rural areas to rely on this method of accommodating projected growth.

2-3) The district has adopted and implemented mitigation fees for new development, which is intended to offset costs of growth on District operations.

2-4) The district appears able to adequately accommodate increased service demand associated with population growth.

6.9.3 Lakeport FPD financing constraints and opportunities

3-1) The Lakeport FPD maintains sufficient budgetary reserves and has maintained a positive balance in accounts over the past five years.

3-2) The district uses a modified cash basis for financial statements, which varies from generally accepted accounting principles.

3-3) The district has submitted budgetary documents on time, and the merging of the district with the Lakeport Fire Department increased revenues while allowing for economies of scale to be realized.

3-4) The District's financial status is considered good.

6.9.4 Lakeport FPD cost avoidance opportunities

4-1) The Lakeport FPD has had significant budget increases in each of the last three years, with a 28 percent total increase between FY 2001/02 and FY 2003/04.

4-2) Budgetary increases have primarily been in the areas of salaries and benefits for employees (including rising costs associated with provision of health and worker's compensation insurance), and the implementation of set-aside monies for contingencies.

4-3) The district uses all available income generation options, including service fees for fire and emergency services, mitigation fees, and other miscellaneous revenue sources.

6.9.5 Lakeport FPD opportunities for rate restructuring

5-1) Lakeport FPD, as a fire service provider, is a non-enterprise district.

5-2) Funding for the fire protection services of the district is derived from a combination of property taxes, service charges for emergency medical services, interest from investments, and local, State, and Federal grants.

5-3) The current rate structure of the district has been sufficient to supplement other revenue sources and allow for financial stability within the district's operations.

5-4) The rate structure of the district is considered appropriate.

6.9.6 Lakeport FPD opportunities for shared facilities

6-1) Each of Lake County's fire protection districts has a verbal agreement with CDF, which allows the Fire Protection Districts within the County to call on CDF for assistance in major fires that are beyond the control of that particular Fire Protection District.

6-2) The district participated in the Operation Get Ready (OGRE) training exercises with other districts in 2000.

6-4) The district is adjacent to three other fire districts in the County, and may have the potential to share administrative or equipment resources with other districts.

6-5) Given the financial stability of the district and the location of the two fire stations, it is not likely that such arrangements would be cost-effective.

6-6) There are no existing or proposed facilities sharing arrangements within the district.

6.9.7 Lakeport FPD government structure options

7-1) The Lakeport FPD encompasses the City of Lakeport and some surrounding areas, and has a Sphere of Influence that extends southwest to the county line.

7-2) The existing physical boundaries of the district are appropriate, given the location of facilities and the structure of the district.

7-3) Current SOI boundaries are also logical and appropriate, as Lakeport FPD is the only district contiguous to most of the SOI area.

7-4) The boundaries and SOI of the district are considered suitable for continued efficient operation of fire services in this area of the County.

6.9.8 Lakeport FPD evaluation of management efficiencies

8-1) The Lakeport FPD has a management structure appropriate and sufficient to ensure fire and emergency service provision within its district boundaries and SOI.

8-2) The district maintains a sound financial and management system, with adequate personnel and equipment to provide service and meet internal thresholds for service adequacy.

8-3) The management structure of the district, consisting of a governing Board of Commissioners, with an appointed Fire Chief overseeing a department of firefighters and administrative staff, is appropriate for provision of fire and emergency services.

6.9.9 Lakeport FPD local accountability and governance

9-1) The Lakeport FPD holds regularly scheduled meetings of its Board on the second Tuesday of every month.

9-2) The district posts meeting agendas on public bulletin boards at fire district facilities. Representatives of the District appear to be open and accessible to the public.

EXHIBIT 4 – LAKEPORT MUNICIPAL SERVICE REVIEW
Adopted July 18, 2012

3.3 Fire Protection

3.3.1 Fire Protection - Issues

The following is a general discussion of matters of interest and standards related to fire protection, including mutual aid, dispatch, response times, staffing and water supply:

A. Fire Protection Mutual Aid

Most of the fire protection and EMS providers primarily serve their own jurisdictions. Given the critical need for rapid response, however, there are extensive mutual aid efforts that cross jurisdictional boundaries.

Mutual aid refers to reciprocal services provided under a mutual aid agreement, a prearranged plan and contract between agencies for reciprocal assistance upon request by the first-response agency. In addition, the jurisdictions rely on automatic aid primarily for coverage of areas with street access limitations and freeways.

Automatic aid refers to reciprocal services provided under an automatic aid agreement, a prearranged plan or contract between agencies for an automatic response for services with no need for a request to be made.

2006/2007 2007/2008 2008/2009 2009/2010 2010/2011 2011/2012

Actual Budget

Revenue \$ \$53,049 \$177,789 \$198,215 \$203,405 \$240,472

Expenditures

Salaries/Benefits \$43,281 \$41,935 \$167,647 \$183,839 \$187,052 \$220,856

Operating Expense 15,409 10,986 10,142 14,376 \$15,953 \$19,410

Capital Outlay 0 127 0 0 400 \$206

Total Expense \$58,689 \$53,049 \$177,789 \$198,215 \$203,405 \$240,472

B. Fire and EMS Dispatch

Dispatch for fire and medical calls is increasingly becoming regionalized and specialized. This increased regionalization and specialization is motivated by the following nine factors:

- 1) Constituents increasingly expect emergency medical dispatching (EMD), which involves over-the-phone medical procedure instructions to the 911 caller and requires specialized staff.
- 2) Paramedics increasingly rely on EMD, which also involves preparing the paramedic en route for the type of medical emergency and procedures.
- 3) Dispatch technology and protocols have become increasingly complex.
- 4) Modern technology has enabled better measurement and regulatory oversight of Fire Department (FD) response times, and increased pressure for FDs to meet response time guidelines.
- 5) FDs need standard communication protocols, due to their reliance on mutual aid.
- 6) Dispatching of calls from cell phones is particularly inefficient due to multiple transfers, length of time the caller spends on hold, and lack of location information. Response times are further delayed when callers that are unfamiliar with the area are unable to describe rural locations to the dispatch personnel.
- 7) All new cell phones are now equipped with GPS; however, it will take a few years for all old phones to be replaced by phones with GPS capability and/or construction of specialized cell phone towers.
- 8) The National Fire Protection Association (NFPA) recommends a 60-second standard for dispatch time, the time between the placement of the 911 call and the notification of the emergency responders. The Center for Public Safety Excellence recommends a 50-second benchmark for dispatch time.

- 9) There are clear economies of scale in providing modern fire and medical dispatch services.

C. Fire Protection and EMS Response Time

Response times reflect the time elapsed between the dispatch of personnel and the arrival of the first responder on the scene. For fire and paramedic service, there are service standards relating to response times, dispatch times, staffing, and water flow. Particularly in cases involving patients who have stopped breathing or are suffering from heart attacks, the chances of survival improve when the patient receives medical care quickly.

The National Fire Protection Association is a non-profit association of fire chiefs, firefighters, manufacturers and consultants.

Similarly, a quick fire suppression response can potentially prevent a structure fire from reaching the “flashover” point at which very rapid fire spreading occurs—generally in less than 10 minutes.

The guideline established by the NFPA for fire response times is six minutes at least 90 percent of the time, with response time measured from the 911-call time to the arrival time of the first-responder at the scene.

The fire response time guideline established by the Center for Public Safety Excellence (formerly the Commission on Fire Accreditation International) is 5 minutes, 50 seconds at least 90 percent of the time.

D. Fire Protection Staffing

For structure fires, NFPA recommends that the response team include 14 personnel—a commander, five water supply line operators, a two-person search and rescue team, a two-person ventilation team, a two-person initial rapid intervention crew, and two support people.

The NFPA guidelines require fire departments to establish overall staffing levels to meet response time standards, and to consider the hazard to human life, firefighter safety, potential property loss, and the firefighting approach.

NFPA recommends that each engine, ladder or truck company be staffed by four on-duty firefighters, and that at least four firefighters (two in and two out), each with protective clothing and respiratory protection, be on-scene to initiate fire-fighting inside a structure.

The Occupational Safety and Health Administration (OSHA) standard requires that when two firefighters enter a structure fire, two will remain on the outside to assist in rescue activities.

For emergency medical response with advanced life support needs, NFPA recommends the response team include two paramedics and two basic-level emergency medical technicians.

E. Fire Protection Water Supply

For structure fires, NFPA recommends the availability of an uninterrupted water supply for 30 minutes with enough pressure to apply at least 400 gallons of water per minute. 31 NFPA Standard 1710, 2004. 32 Guideline for a full structure fire is response within ten minutes by a 12-15 person response team at least 90 percent of the time.

Commission on Fire Accreditation International, 2000 21 29 CFR 1910.134.
3.3.2 City of Lakeport Fire Protection

Lakeport Fire Protection District provides fire protection and emergency medical services in and around the City of Lakeport. The District is the result of a merger in 2000 in which the District merged with the City of Lakeport's Fire Department. The Lakeport Fire Protection District (LFPD) is an independent fire district which serves the City of Lakeport and unincorporated Lakeport areas.

There are two stations in the District as follows:

- 1) Station 50 which is the Main Fire Station, located at 445 North Main Street
- 2) Station 52 is the District's Sub-Station located at 3600 Hill Road.

The main station is staffed with four personnel on duty at all times.

LFPD's website is located at lakeportfire.com. The phone number for the District is 707- 263-4396. The ISO rating in town is 4. Fire protection equipment includes the following:

- 4 Ambulances
- 1 Utility Truck
- 1 Air Trailer
- 4 Engines
- 1 Water Tender
- 1 Ladder Truck

The paid staff includes 1 chief, 1 deputy chief, 3 captains, 6 firefighters, and 1 district secretary. (Six of the staff members are qualified as paramedics.)

The volunteer staff includes 8 fire apparatus engineers, and 12 firefighters. (Four volunteers are qualified as paramedics.)

The mission of the District is as follows:

The Lakeport Fire Protection District's mission is to be a leading emergency service Department by:

- Meeting the needs of our community in fire prevention, fire suppression, and rescue
- Utilizing and improving the dedication and skills of our people
- Constantly improving all of our services and operation

In carrying out this mission The Lakeport Fire Protection District Will:

- Give top priority to firefighter safety and equipment concerns
- Encourage the professional and personal development of our members
- Work as teams to take full advantage of our skills, knowledge and creativity
- Communicate openly and honestly to our members and community to inspire trust and confidence

The District provides ambulance services. The average response time for Fire/EMS services within the City of Lakeport boundaries is four to seven

minutes for emergency calls and ten minutes for non-emergency calls. Travel time to specific emergencies is dependent upon distance from responding stations to the emergency, as well as the condition of roadways along the route. The average remote distance response time is eight minutes. There are some remote areas within the District in which these response times are further extended, especially during winter months.

Lakeport Fire Protection District responds to over 2,200 calls per year including structure and wildland fires, vehicle accidents, and medical aid.

Activity for a typical month is shown below:

October 2009 Monthly Report

Number/Percent

Medical Assist 88 /42

Inter-facility Transport 79 /37

Traffic Accident 9 /5

Fire

Structure 0

Vehicle 0

Vegetation 2

Other 1

Total Fire 3 /2

Hazmat 0

False Alarm 5 /3

Good Intent Call 24 /11

Total 208 /100.00

Other significant events:

- 1) Continue trial of Lifepak 15 cardiac monitor
- 2) Purchase EZ-IO equipment and conduct training for all paramedics
- 3) Seek funding options for Zoll Autopulse

EXHIBIT 5 – Lake LAFCO 2015 Review

5.2 Lakeport FPD Overview

5.2.1 Lakeport FPD History

The Lakeport Fire Department was formed in 1894 to provide fire protection to the City of Lakeport. In 1956 the Lakeport County Fire Protection District was formed to provide fire protection to the unincorporated areas of Lakeport. The Lakeport County Fire Protection District merged with the Lakeport Fire Department to provide unified fire protection for the area.

5.2.2 Lakeport FPD Contact Information

Contact Information for the Lakeport Fire District is as follows:

Mailing Address: 445 North Main Street, Lakeport CA. 95453
Phone and E-mail: 707-263-4396, lakeportfire@lakeportfire.com
Fire Chief: [name omitted]

5.2.3 Lakeport FPD Board of Directors

Board Members are appointed by the Lake County Board of Supervisors and are as follows: [names omitted]

The Board of Directors meets at 6:00 pm on the second Tuesday of each month at the Main Station, 445 North Main Street, Lakeport, CA 95453. The agendas are posted at the Fire Station.

5.2.4 Lakeport FPD Mission Statement

The Lakeport Fire Protection District's mission is to be a leading emergency service Department by:

- Meeting the need of our community in fire prevention, fire suppression, and rescue
- Utilizing and improving the dedication and skills of our people
- Constantly improving all of our services and operation

In carrying out this mission, The Lakeport County Fire Protection District will:

- Give top priority to firefighter safety and equipment concerns
- Encourage the professional and personal development of our members
- Work as teams to take full advantage of our skills, knowledge and creativity
- Communicate openly and honestly to our members and community to inspire trust and confidence

5.2.5 Personnel

The Lakeport Fire District provides fire protection and ALS ambulance service to the citizens in the unincorporated and incorporated areas of Lakeport. The Lakeport Fire District operates out of two fire station locations:

- Headquarters (Station 50) is located at 445 North Main Street.
- Substation (Station 52) is located at 3600 Hill Road East.

Lakeport Fire responds to over 3,000 calls per year including structure and Wildland Fires, vehicle accidents, and medical aid. The Main Station (Station 50) is staffed with 4 personnel on duty at all times. The District uses a combination fire department, paid and volunteer as follows:

- Paid staff includes 1 Chief, 3 Captains, 6 Firefighters, and 1 District Secretary.
- Volunteer staff includes 1 Deputy Chief, 3 Lieutenants, 5 Fire Apparatus Engineers, and 14 Firefighters.
- 58 Training drills are held on the first Wednesday of each month from 6 to 9 pm.

5.2.6 Lakeport FPD Equipment

The Lakeport Fire District has the following equipment:

HM-5011	1982	Ford	Haz-Mat response vehicle
Air-5011	1986	Chevy	Air Support vehicle
WT-5011	1984	Kenworth	Water Tender
E-5211	1987	Pierce	Type 1 Fire Engine
E-5011	1991	Seagrave	Type 1 Fire Engine
E-5012	2001	Spartan	Type 1 Fire Engine

E-5021	1997	Navistar	Type 2 Fire Engine
E-5031	1975	International	Type 3 Fire Engine
T-5011	1999	Seagrave	Type 1 Ladder Truck (75 foot)
U-5011	1995	Chevy	Type 1 Utility Pick-up
U-5021	1996	Chevy	Type 2 Utility SUV
M-5011	1993	Ford	ALS Ambulance
M-5012	2008	Dodge	ALS Ambulance
M-5013	2004	Ford	ALS Ambulance
M-5014	2009	Dodge	ALS Ambulance
M-5015	2002	Ford	ALS Ambulance
C-500	2008	Dodge	Type 1 Utility Pick-up

58 Lakeport County FPD, <http://www.lakeportfire.com/about/>, January 28, 2014.

5.2.6 Lakeport Fire District Calls and Response Time

The Lakeport Fire District calls for 2012 are shown below:

Calls Received in 2012

Structure fires	47
Medical	2,102
Grass fires	14
False alarms	107
Public assist	106
Hazard conditions	12
Other	474
Total Calls	2,862

As is common with most fire protection districts, the medical calls (74%) outnumber all other calls combined.

The ISO Rating for the Lakeport Fire District was done January 28, 2008 with the following classifications:

CLASS 4, applies to properties within 5-road miles of a recognized fire station and within 1,000 feet of a fire hydrant or alternate water supply.

CLASS 8B, applies to properties beyond 1,000 feet of a fire hydrant but within 5-road miles of a recognized fire station.

CLASS 10, applies to properties over 5-road miles of a recognized fire station. The average response time for all responses within district boundaries is two to four minutes. Travel time to specific incidents is dependent upon distance from station location. Time is also dependent on the season, traffic, weather and remoteness.

Difficulties during winter months include road conditions, road surface, traffic, weather (rain or snow) and areas in remote locations.

4.2.7 Lakeport County FPD Water Supply

The Lakeport Fire District has hydrants in the following areas:

- Finley City of Lakeport
- Konocti Vista Casino Mission Rancheria
- North Lakeport (in the County) Robin Hill

4.2.8 Lakeport Volunteer Firefighter's Association

The Lakeport Volunteer Firefighter's Association is a nonprofit organization that is made up of both professional and volunteer firefighters, from the Lakeport Fire District. The association currently has 28 members. The association officers are as follows: [names omitted]

Starting in 2010, the Association has raised funds by holding an Annual Dinner, Dance, and Auction in October.

5.2.9 Lakeport FPD Budget

Lakeport County Fire Protection District Budget 2013-14 REVENUE

PROPERTY TAXES	2011-12	2012-13	2013-14
10-10 Current Secured	709,628	739,941	725,500
10-20 Current Unsecured	18,038	17,803	17,900
10-25 Supplemental 813-Current	(1,736)	(3,797)	0

2021-2022 Lake County Civil Grand Jury Final Report

10-35 Supplemental 813-Prior	2,065	2,447	2,000
10-40 Prior Unsecured	665	672	0
PERMITS			
21-60 Other	8,142	8,441	8,000
FINES, FORFEIT, PENALTIES			
31-95 Penalties and Cost on Delinquencies	7	24	0
RENTS AND CONCESSIONS			
42-10 Rents and Concessions	2,520	2,520	2,500
REVENUE FROM USE OF MONEY			
42-01 Interest	1,039	2,809	2,000
STATE AID			
54-60 HOPTR	10,842	10,721	10,000
54-90 Other	33,792	0	0
OTHER GOVERNMENT AGENCIES			
56-30 Other	128,055	73,763	16,303
PUBLIC PROTECTION			
68-60 Institutional Care and Services	1,081,525	1,191,952	735,685
OTHER CURRENT SERVICES			
69-29 Fire Protection*	217,830	221,554	214,000
OTHER			
79-90 Miscellaneous	28,035	2,144	0
79-91 Cancelled Checks	0	57	0
OPERATING TRANSFERS			
81-22 In	42,348	97,443	42,348
RESIDUAL EQUITY TRANSFERS			
81-31 Residual Equity Transfer	0	47,537	0
TOTAL REVENUE	2,282,795	2,416,031	1,759,933

*Fire assessment from Prop. 218 passed 2002. The City of Lakeport and the County area each have a separate assessment schedule. A single-family home in the City of Lakeport would pay \$39.60 per year and in the County a single-family home would pay \$30.00 per year. Other types of structures would pay according to the schedule.

Lakeport County Fire Protection District Budget 2013-14 EXPENSES

	2011-12 Actual	2012-13 Actual	2013-14 Adopted
SALARIES AND EMPLOYEE BENEFITS			
01-11 Permanent	580,179	629,746	696,760
01-12 Extra Help	274,141	336,540	309,000
01-13 OT, Holiday, Standby	96,331	119,263	170,000
02-21 FICA	19,678	23,731	35,000
02-22 PERS	243,179	265,072	291,500
03-30 Health/Life Insurance	235,463	248,331	256,000
03-31 Unemployment	8,405	0	7,500
03-39 State Disability	0	0	5
04-00 Worker's Comp	67,725	74,028	90,000
SERVICES AND SUPPLIES			
11-00 Clothing & Perl Sup	8,822	8,674	9,350
12-00 Communications	4,240	6,014	7,000
14-00 Household Expense	1,875	2,055	2,500
15-10 Other	29,093	31,136	33,400
17-00 Maintenance-Equip	10,535	94,166	20,000
18-00 Maintenance Buildings & Improvements	1,771	6,189	11,000
20-00 Memberships	3,096	2,565	3,800
22-70 Supplies	2,787	3,393	4,800
22-71 Postage	850	991	1,200
22-72 Books & Periodicals	1,125	1,424	1,300
23-80 Professional/Special	58,222	56,473	59,000
24-00 Publ and Legal Notices	57	105	250
25-00 Rents & Leases-Equip	42,348	42,348	42,348
26-00 Rents & Leases-Buildings/Improvements	0	0	5

2021-2022 Lake County Civil Grand Jury Final Report

27-00 Small Tools and Instr	256	234	4,100
28-30 Supplies and Services	623	2,693	2,500
28-48 Ambulance Expense	109,844	133,188	130,000
29-50 Trans & Travel	3,815	2,948	4,500
30-00 Utilities	59,952	6,219	65,000
OTHER CHARGES			
48-00 Taxes and Assessments	42	42	50
CAPITAL ASSETS			
62-71 Office	5,000	0	0
62-72 Autos & Light Trucks	0	38,875	0
62-74 Other	117,818	5,363	5,500
TOTAL EXPENDITURES/ APPROPRIATIONS			
	1,987,272	2,198,206	2,263,368
Net Cost	(295,523)	(217,825)	503,435

COMMUNITY CAT MANAGEMENT



SUMMARY

Feral cats (un-owned community cats) represent a daunting problem for local animal care organizations whose shelters, budgets, and staff are limited. Feral cats are particularly problematic in that they are fearful of people and not adoptable as household pets and tend to collect in “colonies.” The number of offspring of these stray cats grows exponentially, creating more unwanted felines. The reality is that animal shelters are increasingly no longer accepting feral or “community cats” for admission. Admitting these cats to the shelter contributes to overcrowding and usually results in their euthanasia, and does not provide a long-term solution to the problem of managing community cat colonies. Controlling food sources and using humane methods to deter cat gathering is ultimately a more successful solution.

Modern targeted approaches support sterilization and vaccination programs (TNRM – Trap, Neuter, Return, and Monitor – earlier referred to as only TNR). Cats that have been sterilized have the tip of one ear removed

(“tipping”), which identifies them as sterilized when they are returned to their colony. When possible, and as funds are available, trapping the cats and having them spayed/neutered/returned decreases their number over time, decreases unwanted behaviors such as spraying and fighting, and improves their health and welfare. Left in their natural habitat, these cats can benefit neighborhoods by providing natural rodent control. The involvement of local veterinarians and animal welfare non-profits are crucial components of TNR programs, which depend as well on committed caretaker volunteers.

METHODOLOGY

In response to a complaint from a Clearlake resident, the Grand Jury revisited the issue of community feline overpopulation in Lake County. Members visited and interviewed officials with Lake County Animal Care and Control, a County agency, and Clearlake Animal Control, which functions under the auspices of the Police Department. The city of Lakeport contracts with the County for animal control services. The Grand Jury also interviewed veterinarians and principals of animal rescue organizations in Lake, Napa, and Sonoma Counties. Internet research into “best practices” was also conducted.

BACKGROUND



Free-roaming unowned cats are the same species as our pet cats, but have had limited contact with people, or over time have lost contact with people. Many of these cats are born to former house cats, and some even used to be house cats. They live outdoors “in the wild” surviving on their own, and in many areas will thrive in and around our neighborhoods. Some of these cats become accustomed to people and may be seen regularly frequenting certain areas, mainly where there is food and shelter for them, but most do not have owners. Cats are bonded to their territory. Feeding stations can result in a

level of familiarity with humans, as well as bring cats to a central location where trapping for TNR is an easier task. Feral cats are highly adaptable, which has helped their survival over the last 10,000 years living alongside

people. Since they do not enjoy the company of people and do not adjust to living indoors, they are not suitable for adoption. Even caging such a cat is stressful for the cat.

These neighborhood cats, our community cats, reproduce at an alarming rate, averaging three litters per year and 6 kittens per litter. Their average life expectancy is about three years, compared with 14 years for a domestic cat.



The number of community cats in the U.S. is estimated to be, at least, several million to tens of millions.

TNRM is the method of humanely trapping community cats, having them spayed or neutered and vaccinated against rabies, and then returning them to their managed location to live out their lives. TNRM also involves a cat caretaker who provides food and monitors the cats' wellbeing, as well as identifies and quickly traps new intact cats. TNRM has been shown to be the most humane and efficient way of stabilizing community cat populations. By sterilizing at least 75% of cats in a group within a six-month period (and continuing to sterilize at least 75% of the remaining fertile cats), TNRM helps stabilize the population of community cats and, over time, will reduce the number of cats. The goal is to sterilize all cats present and monitor the location for any intact newcomers.



The Humane Society states the following reasons for strong TNRM programs:

- Vaccinations of feral cats, including for rabies, decrease health risks to humans.
- Kittens in colonies are young enough to be socialized and can be removed to homes.

- Community cat programs lead to long-term population management and reduction and eventual elimination of outdoor cat populations through natural attrition.
- Better allocation of municipal funds is possible than with trapping, sheltering, euthanizing, and disposing of community cats.
- Spring and Fall births of kittens that overwhelm rescue groups and shelters are reduced.
- Nuisance complaints around cat fighting, cat spraying, and defecation in yards and gardens are decreased.

One of the most important recent advances in TNRM is the strategy of targeting - the focus of resources such as outreach, trapping, and provision of lower-cost sterilization in a high concentration area. By spaying and neutering animals before they are adopted and offering programs for low-income residents, overpopulation is better combatted. An innovative solution in some communities is to offer mobile-van vaccination, sterilization, and adoption. Every community is different, but collaboration among municipal agencies, shelters, veterinarians, and rescue groups has an increased chance of humanely reducing community cat overpopulation.

Available vaccination and sterilization programs for community cats were seriously impacted by pandemic restrictions these past two years. Veterinary clinics were required to restrict interpersonal contacts with pet owners. These restrictions caused many clinics to experienced staff and funding cutbacks.

Under California law, community cats are theoretically protected by anti-animal cruelty statutes. Penal Code § 597 prohibits **animal abuse**, which is defined as **maliciously killing, harming, maiming, or torturing an animal**. The offense can be charged as either a misdemeanor or a felony and carries a sentence of up to 3 years in jail or prison. As well, the intentional poisoning of animals is specifically prohibited by Penal Code § 596.



LAKE COUNTY

Neither of the two animal control agencies accepts feral cats into their shelters. The County shelter in Lakeport, which has a full surgical bay, initiated a community-cat vaccination/sterilization program in 2012 that operated on approximately 1,000 cats annually. However, it had slowed to a glacial pace in the last several years due to COVID restrictions and staff shortages. In March 2022, the shelter announced the resumption of the program, only to suffer the unexpected death of its sole veterinarian, Dr. Richard Bachman, a few weeks later. In June, 2022, the intended surgeries took place with the assistance of “volunteer” veterinarians. The future of the County program is unknown at present.

Animal Care and Control has a designated volunteer Advisory Committee, some members of which have a special interest in feline welfare, but the Committee has not met during the pandemic.

The City of Clearlake has invested in a new animal care facility, including an exercise yard, since the Grand Jury was last there four years ago. The facility

does not have a surgery unit and cannot offer sterilization procedures. A part-time veterinarian is available for other shelter needs. The City now contracts with North Bay Animal Services in Petaluma for animal control officers. The agency also transfers dogs to out-of-county animal welfare groups to improve opportunities for adoption. Clearlake Animal Control does not appreciate that there is a problem with community cats in their area.

The bulk of vaccinations and sterilizations for community cats is provided by non-profits in Lake County, both by the SPCA and by animal welfare groups such as Animal Refugee Response and Hidden Valley Rescue. As of the writing of this report, Hidden Valley Rescue is planning a “free” clinic for community cats at the SPCA in Kelseyville. They note that the cost will be \$3,500 for 50 community cats, or \$70 per cat, with money raised through donations. Non-profits from Napa County, such as Jameson Humane, which does have a mobile vet unit, and from Sonoma County, such as Dogwood Animal Rescue, periodically come into Lake County to provide services at one of the veterinary clinics. These groups also provide vouchers to residents for low-cost veterinary services at Lake County clinics.

Clearlake specifically is a “target” community for these non-profits, because of the number of low-income residents who are unable to afford expensive veterinary care. Until her just-recent retirement, the head of Animal Coalition used her thrift-store income for years to provide vouchers for low-cost procedures at one of the Clearlake vet clinics or SPCA. The elderly and disabled in Lake County were assisted with the costs of veterinary care by the Acme Foundation. The reality is, these services often thrive based on the passionate commitment of a few key persons, who eventually age and die. The perpetual question is, “How can we assure continuity of animal care, especially community cats?”



SPAY & NEUTER CLINIC COMMUNITY CAT NETWORK
FERAL CATS
MARCH 29 2022
APRIL 19 2022

\$70.00 includes surgery, rabies vaccine, flea treatment, ear mite treatment and FVRCP vaccination
Additional tests and Vaccines upon request.

VACCINATIONS FOR FERAL CATS ARE AVAILABLE UPON REQUEST.

To Register and Prepay Prepay must be made 1 week before to hold spot..
NO REFUNDS FOR NO SHOWS

FINDINGS

- F-1: Shelter professionals concur that TNRM (Trap, Neuter, Return, and Monitor) is the most effective management strategy for community cats.
- F-2: Restrictions, due to the pandemic, greatly reduced the two shelters’ provision of low-cost or free spay/neuter surgeries for community cats in Lake County.
- F-3: The veterinary clinics in the County, including Lake County Animal Care & Control and Clearlake Animal Control, are shorthanded and

overstretched, and providing low-cost sterilizations for community cats is not a priority.

F-4: The undermanned veterinary clinics are unable to purchase and staff a mobile vet clinic.

F-5: Lake County Animal Care & Control's long-term veterinarian recently died; thus, the facility's Community Cat Program has been on-hold.

F-6: The Advisory Committee for Lake County Animal Care & Control has not met for almost two years.

RECOMMENDATIONS

R-1: That the Board of Supervisors fast-track its recruitment for a replacement veterinarian. (F-1, F-5)

R-2: That the Board of Supervisors commit a portion of its cannabis income to underwrite a voucher system for low-income residents to assist with community cat management. (F-1, F-2, F-3)

R-3: That the Board of Supervisors designate reserve funds over a period of three years to purchase a mobile van to be used by Animal Care & Control staff and trained volunteers to provide vaccinations and sterilization procedures to underserved County residents. (F-1, F-4)

R-4: That the Director of Lake County Animal Care & Control reconvene the Department's Advisory Committee. (F-1, F-6)

RESPONSES

In response to Penal Code § 933 (c), the following Response is **required**:

Board of Supervisors (R-1, R-2, R-3)	90 days
--------------------------------------	---------

The following Response is **invited**:

Lake County Animal Care & Control (R-4)	60 days
---	---------

BIBLIOGRAPHY

Alley Cat Allies - Providing Food and Water:

<https://www.alleycat.org/community-cat-care/food-and-water-tips/>

Alley Cat Allies - Providing Shelter: <https://www.alleycat.org/community-cat-care/providing-shelter/>

Alley Cat Allies - Helping Cats and People Co-exist:

<https://www.alleycat.org/community-cat-care/how-to-keep-community-cats-in-an-area/>

Alley Cat Allies - How to Help Feral Cats:

<https://www.alleycat.org/community-cat-care/how-to-keep-community-cats-in-an-area/>

Alley Cat Allies - Working with a Veterinarian,

<https://alleycat.org/community-cat-care/>

Animal Control Intake of Free-Roaming Cats. National Animal Care & Control Association, 3/22/2021, <https://www.nacanet.org/animal-control-intake-of-free-roaming-cats/>

ASPCA Position Statements: Community Cats and Community Cat Programs

Responsibilities of Animal Shelters,

<https://www.sPCA.org/about-us/asPCA-policy-and-position-statements>

Best Friends Animal Society – Feral Cat Resources,

<https://resources.bestfriends.org/advocacy/community-cats>

Managing Community Cats. A Guide for Municipal Leaders. The Humane Society of the US. Updated January 2020

San Francisco SPCA Community Cat Resources.

<https://www.sfspca.org/our-work/community-medicine/community-cats/community-cats-resources/>



COVID INCONSISTENCY

Inconsistencies and Solutions for Future Pandemics

SUMMARY

From the time the Lake County Public Health Officer issued a Declaration of Local Health Emergency for the COVID pandemic, there were inconsistent directions and protocols for individual school districts to follow. Moreover, the Lake County Superintendent of Schools had no authority to insure consistent direction and protocols for each school district. The lack of consistency resulted in parental confusion and school staff frustration.

METHODOLOGY

Documents

During its investigation, the grand jury reviewed and obtain factual data and other information from interviews, numerous documents, and sources, including:

The Coronavirus Pandemic: A Timeline of the Coronavirus Pandemic

<https://www.nytimes.com/article/coronavirus-timeline.html>

DECLARATION OF LOCAL HEALTH EMERGENCY – March 9, 2020 [Declaration+of+Local+Health+Emergency+Coronavirus+3-10-20-2.pdf \(lake.ca.us\)](#)

Order of the Health Officer, No. C20-1 – March 16, 2020 [Order c20-1.pdf \(lake.ca.us\)](#)

Order of the Health Officer, No. C20-3 - March 18, 2020 [ORDER OF THE HEALTH OFFICER No. C20-3 \(lakecountyca.gov\)](#)

Order of the Health Officer, No. c20-1 – Amended - March 30, 2020 [Lake+County+Order+C20-1+\(A1\)+English.pdf](#)

ORDER OF THE HEALTH OFFICER OF THE COUNTY OF LAKE SCHOOL OPERATIONS MODIFICATION ORDER TO END OF THE SCHOOL YEAR – March 30, 2020 [school040620.pdf \(lake.ca.us\)](#)

PRESS RELEASE FOR IMMEDIATE RELEASE Lake County Schools Expected to Remain Closed Through 5/1 – March 30, 2020 [COUNTY OF LAKE](#)

Shelter-in-Place Modified and Extended to 5/3, Lake County Schools to Deliver Distance-Based Instruction through End of School Year – April 6, 2020 [COUNTY OF LAKE](#)

Order of the Health Officer, No. C20-1 (A2) – ORDER OF THE HEALTH OFFICER OF THE COUNTY OF LAKE SCHOOL OPERATIONS MODIFICATION ORDER TO END OF THE SCHOOL YEAR - Amended April 6, 2020 [school040620.pdf \(lake.ca.us\)](#)

A Timeline of the Coronavirus Pandemic [The Coronavirus Pandemic: A Timeline - The New York Times \(nytimes.com\)](#)

State Public Health Officer Order of August 11, 2021 [Order of the State Public Health Officer Vaccine Verification for Workers in Schools](#)

Requirement for Universal Masking Indoors at K-12 Schools – August 23, 2021 [Requirement for Universal Masking Indoors at K-12 Schools \(ca.gov\)](#)

California Becomes First State in Nation to Announce COVID-19 Vaccine Requirements for Schools – October 1, 2021 [California Becomes First State in Nation to Announce COVID-19 Vaccine Requirements for Schools | California Governor](#)

K-12 school-based COVID-19 testing strategies for school year 2021-22 – Updated November 1, 2021 [K-12 school-based COVID-19 testing strategies for school year 2021-22 \(ca.gov\)](#)

Guidance for the Use of Face Masks – February 28, 2022 [guidance for face coverings \(ca.gov\)](#)

COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year – March 12, 2022 [K-12 Guidance 2021-22 School Year \(ca.gov\)](#)

Interviews

The Lake County Civil Grand Jury interviewed the Lake County Superintendent of Schools, who we initially believed was responsible for insuring COVID protocol consistencies. In addition, six school districts responded to a 10-question survey regarding the impact of COVID-19 on their districts. Lastly, we also interviewed several impacted parents.

BACKGROUND

According to a March 17, 2021, New York Times article, The Coronavirus Pandemic: A Timeline of the Coronavirus Pandemic, the coronavirus surfaced

in a Wuhan Chinese food and poultry market in December 2019. On December 31, 2019, the Chinese government and Wuhan, China confirmed health authorities were treating dozens of cases. At that time, there was no evidence that the virus was readily spread by humans. On January 1, 2020, Chinese state media reported the first known death caused by the virus.

On January 20, 2020, other countries, including the United States, confirmed cases and on the same date, the World Health Organization (WHO) declared a global health emergency. The next day, the US State Department restricted travel from China.

On February 2, 2020, the first COVID-19 death was reported outside of China followed by the February 11, 2020 designation by the WHO of the COVID-19 virus.

On March 9, 2020 Lake County Public Health Officer (PHO), issued a Declaration of Local Health Emergency.

The March 9, 2020 Order was followed by the March 16, 2020, Order of the Health Officer, Order of the Health Officer of the County of Lake, School Operations Modification Order. “The Order requires Schools, as defined below {in the Order} in Lake County to dismiss students from regular school attendance beginning Monday, March 16, 2020, and continuing for four weeks through Friday, April 10, 2020, unless rescinded earlier by further action of the Health Officer.”

On March 18, 2020 Public Health Officer issued Order number C20-3. The Order directed all individuals living in the County to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for social business and government services.

In addition, Order C20-3, Section 10.f, defined “Essential Businesses” to include Educational Institutions. The Section required social distancing and states, “Educational institutions - including public and private K – 12 schools, colleges, and universities - for purposes of facilitating distance learning or performing social functions, {should} provide social distancing of 6 feet per person is to be maintained, to the greatest extent possible.”

On March 30, 2020, Order C20-1, was amended (A1) and imposed a new School Operations Modification Order. The Order requires schools, in Lake County, to dismiss students from regular school attendance beginning Monday, March 16, 2020, and continuing for seven weeks through May 1, 2020, unless rescinded earlier by further actions of the Health Officer.

On April 6, 2020, Order C20-1, was amended (A2) and imposed a new School Operations Modification Order to the end of the school year. The Order states, “Lake County schools will deliver distance-based instruction through the end of the school year, unless the situation improves and warrants a safe return to the classroom as determined by the Public Health Officer.”

On August 11, 2021, the California Department of Public Health (CDPH) issued an Order that spoke to vaccine verification for workers in Schools. The California State Public Health Officer ordered verification of vaccine status for all employees of public and private schools serving students in traditional kindergarten through grade 12, inclusive, except for home schools. The Order did not apply to childcare or to higher education.

On August 23, 2021, the CDPH reminded K through 12 schools of the universal mask requirement, first instituted in January 2021. The CDPH Guidance requires mandatory universal masking indoors and requires schools to “develop and implement local protocols to force the mask requirements.”

On October 1, 2021, a press release from the California Governor’s office announced that California had become the first state in the nation to announce COVID-19 vaccine requirements for in-person schooling for middle and high school grades.

On November 1, 2021, CDPH published a memo regarding K- 12 school-based COVID-19 testing strategies for school year 2021/22. The 11-page document outlines and details testing options and approaches for schools to consider implementing within their school community. The three-step process was:

Step 1: Prepare to Test Your School Community

Step 2: Review the Testing Options

Step 3: Choose One or More Testing Option(s) for Your School

On December 1, 2021, the Lake County Civil Grand Jury sent a letter to the six Lake County school districts. The letter contained 10 separate questions:

1. Has any school staff member been designated to respond to COVID-19 infections at the schools in your District?
 - a. If so, does that designated person have a professional license such as RN or LVN? Please let us know the license level(s), if any.
2. From your perspective, have the COVID mandates for masking and/or social distancing in the District ended?
 - a. If not, what requirements do you believe will need to be met before the mandates will end?
3. What is the current vaccination percentage of your District's school staff/employees?
4. What is the current vaccination percentage of your students?
5. Can you please provide us with the written protocols/actions that take effect when an active COVID infection in a student is identified?
6. Can you please provide us with the written requirements for COVID testing for your school staff/employees?
7. Can you please provide us with the written requirements for COVID testing for your students?
8. What barriers/obstacles have you experienced while attempting to enforce the COVID mandate(s)?
9. Please provide copies of all written communications regarding COVID provided to parents or students during the current school year.
10. Regarding the COVID mandates, is there anything else you would like to share that would help us understand what this experience has been for you and your District?

On February 28, 2022, CDPH published updated guidance for the use of facemasks. It was specific to students and states that after March 11, 2022, the universal masking requirement for K-12 and Childcare settings would terminate. However, CDPH strongly recommended that students continue to mask indoors.

On March 12, 2022, CDPH published COVID-19 Public Health Guidance K-12 Schools in California, 2021/22 School Year.

DISCUSSION

The Lake County Civil Grand Jury interviewed the Lake County Superintendent of Schools, collected data from six school districts and interviewed several impacted parents.

The results of the survey questions 1 through 10 were similar. All Districts followed CDPH guidelines. The Districts wanted better intra- and inter-District communication and consistency.

Interviewed parents wanted better guidance and consistency for masking and distancing requirements within and between Districts.

The Jury recognized that the role of the Lake County Superintendent of Schools was as a facilitator rather than as a manager of the problem.

Each School District was responsible to their elected Board of Directors and thereby did not have to adhere to any direction of the Lake County Superintendent of Schools, other than the recording of student COVID-19 infections.

Unlike the Lake County Public Health Officer (PHO), the Lake County Superintendent of Schools does not have the authority to direct actions of individual School Districts within Lake County, even during a pandemic.

FINDINGS

F-1: Each Lake County School District followed CDPH pandemic protocols and procedures because the March 2020 Lake County Declaration of Health Emergency, from the Lake County PHO, did not provide sufficient direction to the School Districts. This resulted in inconsistencies between and, sometimes within, the School Districts. The CDPH never definitively defined pandemic protocols and procedures until the CDPH March 12, 2022, guidance. The CDPH guideline was issued 2 years after the March 2020 Lake County Declaration of Health Emergency.

F-2: The Lake County Superintendent of Schools held weekly meetings with the PHO or his representative attempting to facilitate consistent Lake

County COVID-19 School District protocols and procedures. The Lake County Superintendent of Schools does not have the authority to mandate or direct each School District to follow a centralized procedure, program, or plan.

F-3: Impacted parents experienced inconsistent COVID-19 protocols from district to district and from school to school within their district.

RECOMMENDATIONS

R-1: That the PHO anticipate the impact on Lake County School Districts' parents and students prior to any Declaration of Local Health Emergency. [F1]

R-2: That the Lake County Superintendent of Schools be authorized to manage and direct consistent School District protocols and procedural in response to a Declaration of Local Health Emergency. [F2]

R-3: That the Lake County Superintendent of Schools Office be staffed and receive appropriate allocations to insure consistent countywide responses for affected parents, students, and School District Staff. [F3]

RESPONSES

In response to Penal Code § 933 (c), the following Response is **required**:

Lake County Superintendent of Schools	R1, R2, R3	60 days
Lake County Public Health Officer (BOS)	R1	90 days
Lake County Board of Supervisors	R1, R2, R3	90 days

Hurt People Hurt People Domestic Violence in Lake County

SUMMARY

The Grand Jury began this study after hearing of many instances of domestic violence, including spousal abuse, in Lake County. There are numerous repeat offenses - and repeat offenders. While there are some short-term programs being offered, there are no long-term solutions being utilized. There is deficient coordination among county agencies and tracking of consequences regarding domestic violence.

METHODOLOGY

The Grand Jury interviewed individuals from the following departments or organizations in Lake County:

- Judicial System
- District Attorney's Office
- Probation Department
- Victim Witness
- Lake Family Resource Center
- Domestic Violence Counselor
- Tribal Victim Advocates

BACKGROUND

Domestic Violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. This may include physical violence, sexual violence, threats, or emotional abuse.

In the United States, more than 10 million adults experience domestic violence annually (<https://zontausa.org/us-national-statistic-on-domestic-violence-2020>). Many persons who were abused as children go on to abuse their own children.

In California, 34.9% of women and 31.1% of men experience intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes (Criminal Justice Information Services – 2020).

Within Lake County, only an estimated 10% of domestic violence incidents are reported, and about 50% of these are from repeat offenders (DA’s office). Most incidents of domestic abuse also include drug abuse and/or alcohol abuse.

Domestic Violence-Related Calls for Assistance in Lake County. Years: 2011 –2020 - (<https://openjustice.doj.ca.gov/exploration/crime-statistics/domestic-violence-related-calls-assistance>).

Listed below are statistics compiled by the Department of Justice for Lake County by year:

- 2011 – 640
- 2012 – 634
- 2013 – 641
- 2014 – 570
- 2015 – 567
- 2016 – 533
- 2017 – 543
- 2018 – 572
- 2019 – 579
- 2020 – 464

Domestic Violence has been recognized to have been a problem in Lake County for at least thirty years - (<https://www.ojp.gov/pdffiles1/nij/grants/201874.pdf>).

Although there have been many reports of an increase in domestic violence worldwide during the pandemic, at this point, we cannot determine how Lake County residents have been affected.

DISCUSSION

Superior Court and District Attorney's Office

The court becomes aware of domestic violence through law enforcement reports or notice of restraining orders. Emotional abuse, mental abuse, or fear of imminent danger may be enough for an individual to file a protective order within the court system. The person seeking the order does not have to prove that he or she has suffered physical harm.

Victims of suspected domestic violence may file restraining or emergency protective orders within the criminal or civil court systems. Depending upon the situation, including the degree of the injury, the District Attorney's (DA's) office may file the case as a felony or misdemeanor. Breaking a restraining order is a felony.

If a defendant is released on bail, as many are, the arraignment may be several weeks off, but if a defendant is not, the hearing is held within 48 hrs. If the case is a misdemeanor, dispositions tend to happen more slowly. If a felony, the case may go to trial.

However, only about 5% of domestic violence cases in Lake County go to trial. The Lake County judges determine the alternative consequences for the domestic violence. The usual consequences are probation, behavioral health counseling, or anger management classes for the defendant.

Probation

When Probation receives referrals from the court, they communicate with the victims and then file reports in the court with recommendations. These recommendations are generally accepted by the court, but may be changed during plea-bargaining process.

During the regular probation process, the person on probation is seen by Officers three times during the first month. Two assessments determine what intervention is needed. Thereafter, the Probation Officers meet with the defendants every six months to check on the defendants' progress. A matrix is used to determine the penalty for non-program participation. This matrix is consistent among counties.

At the time of the interview with Probation Department, there were about 700 to 800 people on probation. Of those, 58 were due to Domestic Violence (31 were active, and 27 were minimal or “banked”). Some persons on probation receive minimal or informal probation (banked) because of extenuating circumstance, such as being more directly overseen by the courts, or for the less severe cases. All of these defendants are being overseen by 34 sworn Probation personnel. There are presently six open positions in the Probation Department.

Every other week, there is a Case Conference Meeting with a discussion about specific defendants or probation programs. There is no sex-offender treatment in Lake County. Some offenders are referred to programs in Sonoma County. This referral may cause a problem with adherence due to distance. There is also no juvenile treatment center in Lake County, resulting in transfer of these youths to Tehama County.

There are various programs available in Lake County to modify behavior and hopefully to address root issues of violence: HARC Enterprises, Taira St. John, and Streets2Schools are groups or individuals running programs. The domestic violence programs used are Coping with Anger, MRT – Moral Recognition Therapy, and programs focusing on job readiness, and nurturing. Defendants are required to pay for these programs, based upon a sliding scale and determined by the court. Not fully participating in mandatory programs may be charged with an additional misdemeanor or a felony by the court.

The Probation Department works primarily with offenders and refers victims to Victim Witness (a division of the DA’s office) and Lake County Behavioral Health.

Tracking involvement and success of programs

Probation - These programs, and the participation of the defendants, are not adequately monitored for success or progress.

DA’s office - These programs, and the participation of the defendants, are not adequately monitored for success or progress.

Court - For felonies, the Probation Department tracks the defendants and reports to the Court quarterly. Compliance hearings are held for misdemeanors. If the program administrator informs the Court that the defendant is not complying with the terms of probation, then the defendant is charged with violation of probation, for which he or she may be arrested.

Counselor - The consequences for not attending counseling need to be strengthened. Offender program participants are not adequately tracked.

Jail

Jail time depends on the defendant's conduct, the severity of injury, number of previous convictions, the involvement of children and other impactful circumstances. If the defendant is granted probation for a domestic violence crime, then the terms include a sentence of at least three years of probation.

Counseling

The Grand Jury interviewed the primary counselor utilized in Lake County. He is one of two domestic abuse counselors in Lake County. He has had more than 100 participants in his programs and currently has 50 participating. The classes are gender-specific. There are no mixed classes. Of the fifty people, four or five are women, but he has had as many as 12.

He teaches a year-long domestic violence education program and an eight-week anger management program. He reports good success, with 65% not returning as offenders. The goals for his anger management program are to provide tools to replace anger and actions and to focus on positive alternatives. His main program is two hours a week for one year. The overriding goal is to change behavior.

The judge we interviewed stated that our counseling programs in Lake County produce mixed results, but, overall, the results seem to be beneficial for the defendants. He noted that there is a very successful anger management program in Lake County.

Victim Witness Department

The Victim Witness department works with victims and not offenders. Victim Witness had 505 contacts between October 2020 and October 2021.

Specific marriage counseling is not offered. However, direct victims of domestic violence (the abused and any children in the house) are offered other services, such as 40+ sessions of counseling with a Marriage and Family Therapist.

Victims are able to receive services from Lake Family Resource Center (LFRC) that can include group sessions, immediate crisis counseling with a domestic violence counselor, and sessions with a staff counselor. The LFRC has a domestic violence shelter called Freedom House. Families are allowed to stay here for three months, during this transitional period.

Victim Witness makes referrals to the California Victim Compensation Program for funding of other services such as marriage counseling, family counseling, financial counseling, and conflict resolution counseling.

There is need for a Victims Witness Service Coordinator, with the goal of lowering recidivism. This person would provide a more proactive approach by facilitating coordination between the offender and the victim and coordinating communication among county agencies involved in defendant prosecution and victim care.

Addendum

During the course of this study, we interviewed several individuals from the indigenous community in Lake County regarding domestic violence. Due to lack of time and the complexity of the many interrelated issues, we chose not to include these discussions in this report. We are recommending that the next Grand Jury complete a thorough study of the indigenous community and their interaction with government services in Lake County related to domestic violence and substance abuse.

FINDINGS

- F-1: Probation requirements, such as attendance and completion of anger management classes, are not tracked completely and consistently.
- F-2: There is inadequate communication among agencies (DA's office, probation, counselors, victim witness) after individuals have been convicted.
- F-3: There is no sex offender treatment program in Lake County. Offenders are referred to Sonoma County for treatment.
- F-4: There is no juvenile treatment center in Lake County. Offenders are referred to Tehama County for treatment.
- F-5: A very limited number of domestic violence programs and counselors are available and active in Lake County.
- F-6: There is no Victim Witness Service Coordinator to provide coordination between the offender and the victim and county agencies.
- F-7: There are many interrelated issues affecting domestic violence within the indigenous community.

RECOMMENDATIONS

- R-1: A comprehensive system needs to be developed and utilized that will track domestic violence offenses, the requirements of the defendants' probation, the level of fulfillment of those requirements, and any success attributed to those programs. This tracking system needs to be accessible to all relevant agencies. (F-1)
- R-2: Systematic communication, including a quarterly meeting with department representatives, needs to be developed and utilized on an ongoing basis. Discussions will include individuals on probation, with an emphasis on how county agencies can work together to produce individual change and to reduce recidivism. (F-2)

- R-3: Behavioral Health and Probation need to coordinate and develop a sex offender program that is available within the Lake County. (F-3)
- R-4: More domestic violence programs need to be developed and additional counselors need to be available within Lake County. (F-5)
- R-5: A Victim Witness Coordinator needs to be funded, hired, and trained to work with offenders, victims, and allied agencies. (F-6)
- R-6: The Grand Jury recommends that the next Grand Jury (2022-2023) complete a thorough study of domestic violence and substance abuse in the indigenous community and the tribes' interaction with relevant agencies in Lake County. (F-7)

RESPONSES

Pursuant to Penal Code section 933(c), the following responses are required:

Board of Supervisors	R-2, R-4	90 days
Lake County Sheriff	R-2, R-5	60 days
Behavioral Health	R-2, R-4	90 days
Department of Probation	R-1, R-2, R-3	90 days
Victim Witness (DA's office)	R-2, R-5	60 days
District Attorney	R-2, R-3	60 days

PERSISTENT BLIGHT ON THE LANDSCAPE: ABANDONED VEHICLES IN LAKE COUNTY



SUMMARY

Lake County is the local Service Authority branch of the State's Abandoned Vehicle Abatement (AVA) Service Authority, which is authorized by sections of the California Vehicle Code and operates through a joint power's agreement. The authority has five members from the County of Lake, the City of Lakeport, and the City of Clearlake, with representation by the California Highway Patrol (CHP). The State program is designed to assist local service authorities by offsetting the cost to remove vehicles that are abandoned, wrecked, dismantled or otherwise inoperable within the County rights-of-way. The Authority apportions its revenue among the County and two cities according to population (50%) and the number of vehicles abated (50%). Despite the well-intentioned, if sporadic, efforts by all parties involved in the abatement process, abandoned vehicles continue to accumulate and re-accumulate at an alarming rate, especially in the Clearlake and Northshore

areas. The program is underfunded, understaffed, and unable to effectively ameliorate the ongoing blight.

METHODOLOGY

The Grand Jury interviewed representatives of Lake County Code Enforcement, Clearlake Police Department, the Lakeport Police Department, and the California Highway Patrol – Clear Lake office, as well as a tow-company owner. The Jury also reviewed the CHP Abandoned Vehicle Abatement Handbook, relevant California Vehicle and Government Codes, Lake County Codes, Clearlake ordinances, municipal Code Enforcement records, and the Auditor’s reports that could be located. AVA Service Authority Commission Agendas were also reviewed. Local media publications and social media commentary were perused and online research was performed to ascertain the scope of the abandoned vehicle problem.

DISCUSSION

Of the 58 Counties in the State, approximately 39 Service Authorities have been established. Based on a fiscal year, each participating service authority is provided funding only in quarterly increments. California’s Abandoned Vehicle Abatement Program was launched in 1967 under the jurisdiction of the CHP. After several amendments, in 1990 the AVA Program was realigned to establish “service authorities” within counties and to remove the CHP as administrator. The CHP did, however, need to review and approve AVA programs submitted by a service authority. By that time, only a \$1 vehicle registration or renewal fee was in effect, and not until 2001-2002 was an additional \$2 for commercial vehicles added.

A fiscal year-end report was required to be submitted to the State Controller’s Office (SCO), to identify the total amount of funds received, the number of vehicles removed, total expenditures for the service authority, the cost of each removal, and any unexpended funds. Failure to file this annual report would result in a one-year suspension of the service authority. A one-year suspension could also be occasioned by excessive revenue fees or revenues that were “inconsistent with an Authority’s plan.” After 2010, the service authority was required to have a biennial audit. Unexpended money in a fiscal year could be carried forward into the next fiscal year. The registration fees collected by the

DMV were transmitted to the SCO for deposit into the Abandoned Vehicle Trust Fund.

The Code Enforcement personnel in each of the three jurisdictions are responsible for vehicle abatement, along with myriad other violations. In the County, these personnel are employed by the Community Development Department. In Clearlake, the Police Department employs the Code Enforcement officers. In Lakeport, the Community Development Department is responsible for code enforcement. Overall, the most commonly reported Code Violations are:

- Inoperable Vehicles
- Accrual of dry or dead, hazardous vegetation
- Inappropriate storage of boats, trailers and recreational vehicles
- Accumulation of garbage, rubbish, automotive parts, and junk
- Building, zoning, grading violations
- Cannabis cultivation and related complaints
- Substandard housing and transformed storage sheds

The three jurisdictions do not have Code Enforcement Officers specifically assigned to vehicle abatement.

What Vehicles Are Abatable?

The State labels abatable vehicles as “public nuisances”:

Any vehicle that is abandoned, wrecked, dismantled, or any inoperative part thereof, that is on public or private property that creates a condition tending to reduce the value of private property, promotes blight and deterioration, invites plundering, creates fire hazards, constitutes an attractive nuisance endangering the health and safety of minors, harbors rodents and insects or jeopardizes health, safety, and general welfare is a public nuisance.

Lake County’s Public Nuisance Code, Chapter 13, Article 5, updated in 2010 from a somewhat antiquated code from the 1960s, broadly defines nuisance vehicles as “abandoned, dismantled, wrecked, or inoperable motor vehicles, recreational vehicles, trailers, campers, boats, or parts thereof,” excepting vehicles inside a building or behind a six-foot fence. Thus, the County’s

definition mirrors the State’s definition, adding only that visible vehicles, including inoperative parts thereof, on public or private properties – not including streets and highways – can be abated by the County.

Lakeport’s ordinance’s definition is “abandoned, wrecked, dismantled, inoperative, unregistered (in excess of six months), and unmoved (for more than 72 hours) vehicles.” Clearlake’s ordinance closely track’s the State’s definition.

Although the three Lake County jurisdictions (and the CHP) operate their own abatement services, the County’s Abandoned Vehicle Abatement Service Authority oversees most of the operations, but the CHP had to approve the design of the abatement program prior to implementation. As Lakeport has to abate far fewer vehicles, this report focuses more on the County and Clearlake. The 2021 Lake County Report to the SCO is attached as Exhibit 1. The SCO report on allocations for abatement for all counties for July-December 2021 is attached as Exhibit 2.

Abatement Process

Vehicles, trailers, and RVs left along the roadway are tagged with a 10-day notice-to-abate, and an attempt is made to notify the last registered legal owner, plus the owner of the property or adjacent property where the vehicle(s) are located, by certified mail. The plates are also run to see if the vehicles have been stolen. This allows an additional period of time for removal of the vehicle(s). However, a vehicle that is inoperable, within travel lanes, or endangering public safety can be towed immediately and impounded.

If a tagged vehicle is removed prior to being towed, it is referred to as “GOA” – Gone On Arrival. Vehicles abandoned on private property are presumed to be the property owner’s financial responsibility and are not subject to removal with AVA funding. They can, however, be removed, if certain criteria are met and defined steps taken. A law enforcement or code compliance officer must observe the vehicle on the private property and determine its status. Every effort to inspect the vehicle is required, including noting its mileage, any signs of missing parts or disrepair, and any visible contents. Upon determining that the vehicle is a public nuisance, a Notice to Abate is affixed to the windshield warning that the vehicle is eligible to be towed in 10 days. The Notice includes information on the owner’s right to request a hearing. A registered letter is

also sent to the owner of the vehicle and to the property owner at the address where the vehicle is located. The letter includes the reason for abatement, an explanation of the rights of the owner to a hearing, and notice that the costs associated with administration, towing and storage of the vehicle will be assessed to the owner.

Abandonment of any vehicle is presumed to be the responsibility of the last registered owner, if identifiable, and that owner is responsible for all associated costs. The registered owner has the option of removing the vehicle(s) within the allotted time or filing for a hearing to dispute the action of tagging the vehicle(s). In Clearlake, the public hearings are held before the City Council. If these options of voluntary removal or a hearing are not taken, Code Enforcement will have the vehicle(s) towed and impounded at the licensed County- or City-contracted tow yard and then bill the owner for the removal costs plus administrative fees to claim their vehicle. For lien-sale purposes, the public agency causing the removal has determine whether the estimated value of the vehicle is less-or-more than \$500 and less-or-more than \$4,000. With the exception of those vehicles worth \$500 or less, no longer are all abandoned vehicles required to be dismantled or scrapped, although most are, in fact.

The storage of vehicles or any parts thereof on vacant property is illegal without an approved primary use. Unfortunately, there are properties where collections of vehicles proliferate and become eyesores to the neighborhood residents and attract rodents and insects. It is illegal to keep inoperative/ dismantled (no engine or battery, flat tire(s), on a jack), or wrecked vehicles in plain sight on any residential property in Lake County, per jurisdictional codes.

To assist citizens with eliminating vehicles voluntarily, Lake County has reinstated Vehicle Amnesty Days in cooperation with the California Highway Patrol wherein owners can dispose of vehicles, extra batteries, and vehicle parts legally. However, RVs, buses, trailers, and vehicles of more than 1 ½ tons or those filled with extra tires or garbage are not accepted.

Lake County's AVA Service Authority

The most recent Lake County Resolution took effect in 2021 and acknowledges insufficient funding:

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA RESOLUTION NO. 2021 – 95: RESOLUTION EXTENDING THE REGISTRATION FEE/SERVICE FEE FOR THE ABANDONED VEHICLE ABATEMENT PROGRAM IN THE COUNTY OF LAKE WHEREAS, Resolution No. 91-200, adopted by the Board of Supervisors on September 10 1991, established the Lake County Abandoned Vehicle Abatement Service Authority and imposed \$1.00 vehicle registration fee in the County of Lake to be used as a service fee to establish and maintain an Abandoned Vehicle Abatement Program by the Service Authority, pursuant to Sections 22710 and 9250.7 of the Vehicle Code, and WHEREAS, Resolution No. 2001-229, adopted by the Board of Supervisors on November 13, 2001, extended the sunset date for Lake County's Abandoned Vehicle Abatement Program for a period of ten (10) years, to April 30, 2012, and WHEREAS, Resolution No. 2011-132, adopted by the Board of Supervisors on September 13, 2011, extended the sunset date for Lake County's Abandoned Vehicle Abatement Program for a period of ten (10) years, to September 13, 2021, and WHEREAS, California Vehicle Code section 9250.7(h) authorizes the vehicle abatement registration fee of one dollar (\$1) per vehicle, plus an additional two dollars (\$2) for Commercial Vehicles (CVRA) to be imposed by a service authority only for a period of ten years from the date that the collection of the fee commenced, provided, however that the fee may be extended in increments of up to ten years by two-thirds vote of the County Board of Supervisors and a majority of the cities having a majority of the incorporated population within the County adopting resolutions providing for the extension of the fee; and WHEREAS, vehicles abandoned on public and private property continue to create nuisance conditions and it is increasingly difficult for the County to sufficiently fund programs to abate abandoned vehicle nuisances;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Lake that the vehicle registration / service fee of one dollar (\$1) per vehicle, plus an additional two dollars (\$2) for Commercial Vehicles for Lake County's Abandoned Vehicle Abatement Program, authorized by Sections

9250.7(h) and 22710 of the Vehicle Code, be hereby extended for a period of ten years, to July 27, 2031.

Compliance Challenges

During its investigation, the Grand Jury learned that the County AVA Commission on at least two occasions failed to prepare or present for approval a budget for the years ending June 30, 2009, June 30, 2010, June 20, 2015, or June 30, 2016, as documented by its independent auditor's reports. The Grand Jury was unable to view the Financial Statements for 2011-2014 or 2017-present and does not know if further lack of compliance with the Government Code was documented by the auditor.

The Grand Jury also noted that the Commission's Agenda on February 1, 2017 included the item: "Overview of AVA Program and consideration of drafting written inquiry to the State Controller regarding the one-year fee suspension and the consequences of [the suspension] to the AVA Program." The one-year suspension was occasioned by failing to file an annual report with the State Controller's Office. The Agenda further included the item, "Consideration of the status of the annual reports to be provided to the State Controller and any remedial action necessary to address past-due reports." Again, the Grand Jury could not determine how many annual reports had not been submitted, whether the DMV had suspended the fees more than this one time, or the amount of the fees that the County was denied.

Impediments to Abatement

1. A Fee or a Tax?

Although the AVA took effect in 1991, several legislative and structural issues hindered its effect, such as Proposition 26 – the "Stop Hidden Taxes" initiative – in 2010 that targeted the AVA's \$1.00 fee for every vehicle registration as being a "tax." This allegation was problematic because taxes must be voted upon, while fees do not. Some jurisdictions settled the issue by passing a ballot measure, while others, including Lake County, considered that process more expensive than the worth of the program itself. Between 2012 and 2017, the County and cities paid for the removal of vehicles without funding from the AVA. The funds gathered from the registrations within-County were placed in a trust fund until the Board of Supervisors in December

2016, relying on an Attorney General's Opinion and clarification from the California Department of Finance, concluded that the \$1.00 was, in fact, a "fee." At that point, approximately \$370,000 in the DMV Trust Fund was available to be redistributed to vehicle abatement, but before the funds could be transferred to the service authority and then redistributed to the County and two cities, an official audit was necessary.

The Clearlake City Council in February 2017 voted to start re-accepting the AVA fee to help remove vehicles. The then-current General Fund allotment for removal was \$5,000. With the suspension of the program, the number of abandoned vehicles grew "exponentially." However, in that fiscal year, the City had abated only two vehicles, including a large, burned RV, which cost a total of \$3,500, which was more than half of the allotment. The expectation was, however, that the City would be able to receive the money allocated from the prior six years.

Despite these votes by the County and Clearlake, not until May 2017 did the tagging of abandoned vehicles resume in the County, Clearlake, and Lakeport. As of 5/17/17:

- The County had tagged 59 Vehicles, towed 10, and impounded two.
- Lakeport had tagged three, towed two, and had five more ready to be tagged.
- Clearlake had tagged more than 160 and towed more than 35.

Clearlake has had special challenges with abandoned vehicles and periodically pursues a special-enforcement project. In mid-2019, for example, the City targeted an area in Clearlake Park and identified 42 abandoned vehicles on public roads and private properties, of which seven were removed voluntarily and 35 were abated within a short period. The City also installed K-rails on access roads to prevent re-accumulation, although some of the barriers were moved, and a few additional vehicles were brought in. Overall, however, the area was effectively cleaned up.

Clearlake's AVA statistics, as noted on Exhibit 1, increased substantially in 2020 and 2021. The overflowing vehicle storage yard on Rt. 53 across from 18th Avenue was emptied, to the evident appreciation of social media commenters.

2. Elimination of Code Enforcement

As an additional hindrance to abatement, in approximately 2014, the Code Enforcement offices in the County and in the City of Clearlake were eliminated for more than a year due to budget constraints. Especially Clearlake had very few funds to do anything about its growing number of abandoned vehicles.

3. Prohibitive Costs for Tow Companies

The cost to abate an automobile for a tow company depends on access, distance from the tow yard, difficulty in getting it onto the tow truck, whether trash in the vehicles has to be unpacked and disposed of, and the likelihood of any economic benefit to be realized, such as recovery of storage fees or salvage opportunities. In addition to the County and the two cities, Fish & Wildlife, the CHP, and CAL FIRE also request towing of abandoned vehicles.

The drivers charge \$300-\$335/hour, plus associated costs. Towed cars generally cost in the range of \$100-\$300, but a large motorhome may cost as much as \$3,000-\$6,000 to tow, depending on weight and cubic yards of trash/rubbish contained within. The large RVs are especially problematic because of the presence of inflammable/toxic materials such as sewage, propane, gasoline, and insulation components, the disposal of which raises environmental concerns and requires special handling. Boats are constructed of fiberglass, which cannot be recycled. Dismantlers will not accept vehicles with any potentially injurious components, including tires, with the \$6/tire disposal fee the responsibility of the tow companies, thus increasing the overall towing costs. The County and Lakeport contract with the same tow company, and Clearlake, with the highest volume of abandoned vehicles, contracts with a different company.

Vehicles must be retained for 30 days, at a cost of at least \$100/day. The tow companies are sensitive about “clogging up” their storage yards, as they also take crashed vehicles to hold for insurance companies, for a more reliable stream of income. If no owner steps forth, the tow company obtains a lien (\$170) and must obtain a clear title through the DMV (\$30) before a vehicle can be transferred to a dismantler.

Given the relatively low AVA funding vis-à-vis the number of vehicles needing abatement, the decisions of enforcement officials must be prioritized as whether to remove one RV vs. 10 autos. That the funds are received only quarterly also impacts the rate of vehicle abatement. If the quarterly allotment is spent within the first two months, no additional funds are available for two more months. If emergency removals arise in the latter two months, General Funds must be used.

An additional hindrance noted by the CHP is that most tow companies do not want to work with law enforcement. The officers see “thousands” of apparently abandoned vehicles on State, County, and private roads. The CHP offices do not have contracts with specific tow companies, just a list of companies and their locations. The companies can decline to accept a CHP request to tow an abandoned vehicle, especially an older model that has been vandalized during the 72-hour waiting period. Heavily damaged vehicles and those additionally stripped of their catalytic converters are worth very little to the end-recipient, the dismantlers.

4. Behavioral Health/Social Service Considerations

An untabulated, though considerable, number of unsightly RVs (and some autos) are actually inhabited by otherwise homeless individuals and families. In addition to economic contributors to homelessness, mental health conditions and drug-alcohol use/abuse are also found among this population. How the relevant public and private agencies in the County and two cities interact and cooperate to assist this subgroup of homeless is beyond the scope of this report.

FINDINGS

- F-1: The natural beauty of the lands in Lake County is tarnished by the presence of unsightly, trashed, abandoned vehicles.
- F-2: Abating abandoned vehicles is a costly, labor intensive, and time-consuming undertaking.
- F-3: The vehicle registration fees collected within Lake County are insufficient to fund abatement of all, or even most, of the abandoned vehicles on public and private properties.

- F-4: All three Code Enforcement agencies have limited staff and multiple other, often more pressing, investigative and enforcement responsibilities beyond vehicle abatement.
- F-5: The Code Enforcement officers report insufficient dialogue with the County AVA Authority in setting priorities for Code Enforcement.
- F-6: At the time of interviews in 2022, the County Code Enforcement officers had no dedicated computer for their abatement work.
- F-7: At the time of interviews in 2022, the County Code Enforcement officers had no uniform making them readily identifiable to the public.
- F-8: The County AVA Commission has been found to be out-of-compliance with budget and annual-report requirements and was suspended from receiving DMV registration fees for one year.

RECOMMENDATIONS

- R-1: That the County Community Development Department dedicate two Code Enforcement Officers full-time to the abatement of abandoned vehicles. (F1 – F4)
- R-2: That the Clearlake Police Department dedicate one Code Enforcement Officer full-time to the abatement of abandoned vehicles. (F1 – F4)
- R-3: That the County Community Development Department provide its vehicle abatement officers with computers and uniforms. (F6 - F7)
- R-4: That the County AVA Authority interact regularly with the officers in the three jurisdictions who are striving to abate nuisance vehicles. (F5)

RESPONSES

Pursuant to Penal Code section 933(c), the following responses are **required**:

Lake County Abandoned Vehicle Abatement Service Authority - 90 days

Lake County Community Department (through BOS) - 90 days

City of Clearlake Police Department (through City Council) - 90 days

Bibliography

California Highway Patrol Abandoned Vehicle Abatement Program Handbook, HPH 87.1, 2021. <http://www.chp.ca.gov/programs/vehabate.html>

Lake County Code, Chapter 13: Lake County Uniform Abatement of Public Nuisance Code.

California Department of Motor Vehicles: Dismantler's Handbook of Registration Procedures.

California Vehicle Code §§ 22650 – 22711.

California Government Code §§6500 et seq.

MEASURE A: KELSEYVILLE FIRE PROTECTION DISTRICT'S ATTEMPT AT DIRECT DEMOCRACY

SUMMARY

The Kelseyville Fire Protection District (KFPD) in 2021 took steps to create a Community Services District and to initiate a parcel tax. In December 2021, the District asked its community to support this tax increase in a special election in order to build and equip a new fire station along the Soda Bay Road corridor and to increase staffing so as to decrease response time and enhance the residents' safety. Fewer than half of the District's eligible voters cast a ballot, the requisite two-thirds supermajority approval was not achieved, and the measure failed. This report examines the likely reasons for the disappointing outcome and suggests a revised approach when the District makes a second attempt to secure additional funding.

METHODOLOGY

The Grand Jury interviewed numerous District voters and Fire District officials in Kelseyville and other districts in which parcel tax proposals succeeded. As well, jurors reviewed its website tax-related materials and the media postings from before and after the election. A literature review on California parcel taxes was also completed.

DISCUSSION

The Kelseyville Fire Protection District covers approximately 97 square miles in an area from Highland Springs Road east on either side of Rt. 29, through Finley, to Soda Bay Road. Several fire chiefs had been wanting a station in the Riviera-Buckingham subdivisions for about 25 years. This area of the District has seen an increase in the number of residents in recent years. The station on Soda Bay Rd (#56) is staffed by only one firefighter per shift. Property owners living more than five miles from a station pay high homeowner insurance rates, and some property sales had fallen out of escrow due to the lack of a nearby fire station. Fuel scores were also an issue. Declining property tax receipts coupled with rising firefighter pension and health benefit costs had left the District financially unable to construct a new fire station.

The response time from the fire station in downtown Kelseyville (#55) to Buckingham is approximately 18-20 minutes and from the Riviera station (#56) ranges between 12-13 minutes, well beyond the ideal response time of five minutes. During acute health emergencies, critical collisions, or rapidly progressing structure fires, minutes matter. The goal of proposing a parcel tax, then, was to be able to hire more staff and build a new station. The estimate for building/maintaining a new station was \$2.4M and for hiring 6-8 more firefighters was \$1,215,000. The annual debt service and administrative costs were estimated at \$200,000.

What Is a Parcel Tax?

Under the Mello-Roos Community Facilities Act of 1982 (Section 53311, et seq.), a legislative body may create within its jurisdiction a special tax district – a Community Facilities District (CFD) - that can finance tax-exempt bonds for the planning, design, acquisition, construction, and/or operation of public facilities, as well as public services for district residents. Special parcel taxes levied solely within the district are used to repay the bonds. Most CFD parcel taxes automatically expire once the debt payments are complete, but some CFD parcel taxes continue in perpetuity to provide continual funding for services within the district.

A parcel is a division of land. A parcel tax is a form of special property tax assessment levied on owners of parcels and based on the characteristic of the parcel. Unlike ordinary property taxes, parcel taxes are explicitly not based on the value of a property or its use and thus are regressive by definition in that they impose inequitable burdens. In most cases, parcel taxes are uniformly based on a flat rate for the mere existence of a parcel, regardless of its size, but sometimes, as with Measure A, they are based on acreage or square footage or dwelling “unit.” Such a tax has one major shortcoming though: a parcel tax based on parcel size can make ownership of large tracts of vacant land or several parcels uneconomical and represents a challenge for the parcel tax proponents. As parcel taxes are special taxes, they are difficult to pass because they require two-thirds voter approval, not just a simple majority, a ruling codified by Proposition 218 in 1996.

Parcel taxes are only used in California, where they were developed as legal workarounds for school districts and municipalities to skirt the limits of Proposition 13. This famous ballot initiative, passed by California voters in

1978, prohibits local taxes based on the value of property. The following year, the legislature authorized local governments to levy special taxes on parcels of property to support fire and police services.

Lake County

Three other fire districts in Lake County have passed parcel taxes:

- Lake County Fire Protection District – 2017 - \$120 per single-family residence, no expiration.
- South Lake County Fire Protection District – 2018 – Maximum of \$10 per benefit unit, no expiration.
- Lakeport Fire Protection District – 2021 – Maximum of \$6.14 per benefit unit - no expiration

An unsuccessful parcel tax election was held in the Northshore Fire Protection District in 2018, \$4 per benefit unit, no expiration.

Kelseyville Fire Protection District

The District currently has two fire stations, one on Main Street and one on upper Soda Bay Road. The latter is staffed by only one firefighter. The department is down three firefighters and is paying large amounts in overtime. The advisability of a third station had been evident for several decades. In the early 1990s, the then-Chief purchased a house with a two-car garage in Riviera Heights that was staffed by only one firefighter and only on Saturday nights. A fire engine would not fit, but only a glorified SUV. All members of the department took a 13% pay cut in 2007. The costs of maintaining this third property resulted in its sale in 2015.

The District's original parcel tax of \$19/unit-of-living (for the average homeowner) was passed in 1996. Most other districts have a rate of approximately \$280. The new parcel tax for residential properties ranged from \$121.75 per "unit" (dwelling) to \$173.93. Agricultural property or vacant property, depending on the acreage, ranged from \$86.97 to \$869.66. Non-residential (commercial) property varied by square footage from \$347.86 to \$1,739.32. Each July 1st, the amount would be increased by 2%. No "sunset clause" was included in the Resolution regarding the parcel tax. Estimated income from parcel tax revenues were expected to be \$2M.

Creation of the Community Facilities District would authorize a \$4M bond issuance for the purpose of financing the new station, purchasing a fire engine and ambulances for the station, and recruiting firefighters and paying salaries for new personnel. There was a sunset clause in regards to the bond of 2057-58, or sooner if the bond was repaid. The estimated expenditures were \$1.2M for construction of the station, \$160K for merging two lots, \$100K for lot clearing, \$300K for equipment, and \$1.215M for staff recruitment, training, and retention.

Starting in January 2021, the Board of Directors met with three consulting firms and 5 or 6 legal counsel regarding the legal requirements for creating a Community Facilities District and adopting a debt management policy, as well as determining the most effective community outreach in order to convince the voters to approve a revised parcel tax. The NBS/CivicMic firm in Temecula, CA was hired in February 2021. The firm was considered to have had a solid track record in working with special districts and was described as “multifaceted,” responsive, and skillful in creating the informative website for KFPD residents about Measure A. They also provided a toll-free phone number. They conducted the first community survey in March 2021, and about 80% of the Soda Bay corridor residents were positive about the proposed Measure. The number of in-person meetings was restricted by COVID, but two “town hall” Zoom meetings were held, and multiple questionnaires were mailed out. Detailed information was included by Civic Mic on a Facebook page, as well as on the District’s web page. The Chief gave multiple interviews to explain that a major wildfire in the District was all but inevitable and how “dilapidated” equipment put his personnel AND residents at high-risk. The Professional Firefighters Union was on-board with the proposed measure.

NBS recommended MK Election Services in Merced to conduct the election, and the District opted to go with them for \$36K instead of the County because the County was going to charge \$40K. There was a problem with the mailing of ballots to the 7,289 voters (of 11,878 residents) on November 8, 2021, as 1,177 ballots were misaddressed to registration rather than mailing addresses and had to be mailed again. In early December, additional voters were added, making the total number of eligible voters 7,342. Ballots had to be received by December 21, 2021, during the week before Christmas. The final tally on January 4, 2022 indicated that 2,338 ballots were returned, representing 32%

of eligible voters. Fourteen could not be counted. The Yes votes numbered 1,084 (46%), while the No votes numbered 1,240 (53%). Thus, Measure A was defeated.

The District paid a total amount of \$144,878.37 for the failed Measure.

Post-Mortem Analysis

The conventional wisdom is that parcel taxes are easier to pass in communities that are rich or liberal, or both. Efforts to reduce the necessary state-wide passage rate from 67% to 55% have not yet succeeded. As is well-known, Lake County is second only to Tulare as being the “poorest” in California, and the KFPD residents live predominantly in an agricultural area. Income levels in the Rivas and Buckingham are higher than elsewhere in the County, and many more parcels have single-family residences, which qualify for the lower parcel tax rate of \$175.

Feedback from voters indicated that those living on agricultural lands, especially with processing plants, and who thus were subject to the highest tax rates, were resistant to underwriting a new station and personnel that would primarily benefit the more affluent residents in the District. Many voters disfavored annual tax increases in perpetuity.

Some expressed support for a fixed tax on all properties with allowance for COLAs (cost of living adjustments). Some favored a tax that would increase staffing and replace outmoded equipment, as opposed to building an expensive new station. Others disapproved of the lack of an identified specific location – and building plans and a bid - for the proposed station. Residents had not appreciated that the District did not know before the election the precise location of the property and thus the attendant costs. There was confusion – and considerable chatter - about a drop in property insurance premiums likely only in Buckingham and the Rivas. Thoughts shared by some older residents included disinterest in perusing websites for information, as opposed to in-person discussions with the “stakeholders.” That Civic Mic and MK Election Services were “from Southern California” was also noted.

Residents also asked why tax funds would be needed after the bond was paid off, as they apparently had not read or been informed of the sunset clause of 2057/2058 for the tax on residential properties “or upon an earlier

determination as set forth in the Rate and Method.” [Resolution No. 2022-08, p. 3, Section 7]. The section under Rate and Method entitled “Transition Event” reads:

‘Transition Event’ means the earlier of (i) Fiscal Year 2057/58 or (ii) the Fiscal Year when the CFD Administrator determines that both of the following events have occurred: (a) all Bonds secured by the levy and collection of the Special Tax in CFD No, 2021-1 have been fully repaid and the District determines that no additional Bonds are to be issued, and (b) all Administrative Expenses from prior Fiscal Years have been paid or reimbursed to the District.

Community residents also focused on the fact that a one-time tax assessment for properties in the Riviera in 2018 that was intended to underwrite fuel mitigation projects was never accounted for, nor were all the identified properties mitigated.

CONCLUSION

Passing a local parcel tax measure is hard work that has to be done by cross-sectional community members, as a district may not use public funds to advocate for it. To succeed, local campaigns in support of parcel taxes must engage whole communities and emphasize a “one-for-all-and-all-for-one” outcome. It's door-to-door, handshake-to-handshake work that succeeds only if every "no" vote is matched by more than two "yes" votes. There is no one-size-fits-all approach to ensure success; each District has special circumstances that must be taken into consideration.

A ballot measure is a legal document, but is also a communication to voters. There must be a clear link between the proposed tax increases and the intended purposes for the money raised. To give voters confidence that the funds will be used for the intended purpose, many parcel tax measures include provisions to require the separate tracking of funding and annual reports on expenditures, which were absent from Measure A.

FINDINGS

- F-1: “Benefit unit” parcel taxes are perhaps the most complex forms of parcel taxation because rates vary significantly and are highly specific to a property.
- F-2: The disparate tax rates for large property owners, on top of a 2% annual increase, were not well received.
- F-3: An “us-vs-them” mindset developed between the less affluent and agricultural areas and the more affluent Rivas and Buckingham.
- F-4: Many voters disputed whether all District residents would benefit from either an increased response time or lower property insurance rates.
- F-5: Not all voters in the District are media-savvy and could appreciate the plethora of ballot information available online.
- F-6: Both consulting firms, including the one that conducted the election in lieu of Lake County, were from Southern California, and resistance was expressed to “out-of-towners” telling the community what was best for them.
- F-7: The COVID pandemic restricted in-person interaction with District voters.
- F-8: Contrary to the perception of some of the voters, a sunset clause of, at latest, 2057/58 for the bond was included in the Resolution adopted on 9/22/21.
- F-9: Conducting an all-mail-ballot special election, as was done with Measure A, put the Measure before voters in an election that typically has the lowest turnout.
- F-10: The District could not have a specific location identified for the new firehouse, or construction plans and costs available prior to the election.

RECOMMENDATIONS

- R-1: That KFPD schedule its next parcel-tax measure to coincide with either a primary or general election in order to attract a higher voter turnout. (F-9)
- R-2: That if KFPD again retains outside consultants that it consider whether more- regional companies could provide the desired services. (F-6)
- R-3: That KFPD personnel solicit volunteers from all areas of the District to emphasize unity of purpose and beneficial effects of a parcel tax. F-3, F-4)
- R-4: That KFPD staff and volunteers plan more door-to-door canvassing and in-person informational meetings or even kiosks at County fairs and farmers' markets (F-5, F-7)
- R-5: That a reduction in property insurance costs not be emphasized in any printed material. (R-4).
- R-6: That KFPD consider a less confusing tax rate that is more equitable for large landowners. (F-2)
- R-7: That KFPD employ the services of the Lake County Registrar of Voters for its second parcel-tax election. (F-6)
- R-8: That if KFPD again includes a request for a new station, as well as for equipment and increased staffing, that it explain more clearly to voters that a specific location, specific plans, and a breakdown of estimated specific costs cannot be known until a property is purchased after the election. (F-10)

REQUESTED RESPONSE

Kelseyville Fire Protection District Board of Directors

(R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8)

90 days

**IN CASE OF EMERGENCY...
A REPORT ON THE OFFICE OF EMERGENCY SERVICES**

SUMMARY

The Lake County Office of Emergency Services (OES) is the lead agency for local emergency management efforts for the County of Lake. OES is responsible for coordinating mitigation, planning, preparedness, and response efforts for disasters or large-scale incidents occurring in the unincorporated areas of Lake County.

METHODOLOGY

Documents reviewed:

- Lake County Emergency Operations Plan
- Sheriff's Office Policy and Procedures
- Lake County Disaster Council minutes
- Lake County Annual Budget

Interviews conducted:

- Sheriff/Coroner
- Pertinent staff

Site visit:

- Emergency Operations Center (EOC)

DISCUSSION

OES was initially set up under the County Public Services Department, but after 9/11 was shifted to the responsibility of the Sheriff's Office for a few years and then was moved under the County Administrative Office until 2015 when it was reassigned under the responsibility of the Sheriff's Office where it remains today. The Sheriff is the Director of Emergency Services and a lieutenant is the Deputy Director of Emergency Services. The Sheriff, or his designee, makes a declaration of a disaster, natural or man-made, and the Public Health Officer can declare a Local Health Emergency. The Board of Supervisors ratifies any emergency declaration by vote.

The term "Office of Emergency Services" can be a bit misleading as the only office space occupied by personnel is in the EOC. OES is actually a coordinating agency that relies upon participation and assistance from various

governmental and non-governmental organizations during a disaster. The nature of the emergency determines which organizations need to respond and potentially staff the EOC. These roles could include: an incident commander, a public information officer, a legal officer, a safety officer, a security officer, a liaison officer, a planning coordinator, an operations coordinator, a logistics coordinator, and a finance coordinator. The EOC is set up to provide working space for these positions, as well as others as needed, with telephone and computer access.

OES has an operational annual budget of approximately \$488,000. A large portion of the budget is financed through various state and federal aid packages and grants. Lake County has Mutual Aid Agreements with neighboring counties in order to assist and request assistance for wide spread emergencies that cross county lines.

The Lake County Disaster Council serves as an advisory body to the Board of Supervisors, but not to the Office of Emergency Services. As an advisory body, the Disaster Council's purpose is to lead ongoing efforts to improve preparedness countywide and provide oversight for critical disaster functions.

The Disaster Council membership includes:

- 2 Supervisors who serve as Chair and Vice Chair to the Council
- The Director of Emergency Services
- The Deputy Director of Emergency Services
- The OES Specialist (currently a vacant position)
- The Health Services Director
- The City Managers of Lakeport and Clearlake
- The Public Works Director
- The Special Districts Administrator
- The Fire Chief of Lake County Fire Protection District
- The local commander of the California Highway Patrol
- The Police Chief of Lakeport The Manager of OES (the position was vacant from October 2021 to January 2022)

Although open to the public, there is minimal participation in these quarterly meetings outside of the Council members. The quarterly meetings of the Council seem to primarily be devoted to the tracking of grant payments from

state and federal programs rather than making recommendations to the Board of Supervisors.

The first item mentioned in the Vision 2028: Reimagining Lake County report (vision@lakecountyca.gov) is:

- Enhance Public Safety
- Protect our residents and serve them well
- Develop and maintain a high standard of Disaster Prevention, Preparedness and Recovery, in collaboration with all community stakeholders

FINDINGS

- F-1: OES provides critical services intended to improve the health and safety of Lake County residents.
- F-2: The Manager of Emergency Services position was vacant from October, 2021 until January, 2022, and the OES Specialist remains unfilled at the time of this report.
- F-3: Community involvement in the Disaster Council is lacking.
- F-4: The Disaster Council, currently lead by a Supervisor, is not making any formal recommendations to the Board of Supervisors according to the posted meeting minutes.
- F-5: The Disaster Council only meets once every three months.

RECOMMENDATIONS

- R-1: The Disaster Council to be reorganized to include community organizations such as both of the Lake County Fire Safe Councils, the Firewise Communities in the County, North Coast Opportunities, Clear Lake Environmental Research Center, and homeowners' associations as members. (F3)
- R-2: The Disaster Council leadership to be delegated to either the Director of Emergency Services or the Emergency Services Manager in order

to function more effectively as an advisory body to the Board of Supervisors. (F2, F4)

R-3: Vacant positions within the OES system need to be filled on an urgent basis due to the critical nature of these responsibilities and the likelihood of future disasters. (F2)

R-4: The Disaster Council to report regularly to the Board of Supervisors with written recommendations and updates. (F1, F4, F5)

R-5: The Disaster Council to meet monthly, especially during declared disasters. (F5)

REQUIRED RESPONSES

Pursuant to Penal Code §933(c), the following responses are required:

Board of Supervisors	R1, R2, R4, R5	90 days
----------------------	----------------	---------

Sheriff/Coroner	R1, R2, R3, R5	60 days
-----------------	----------------	---------

INSPECTION OF DETENTION FACILITIES

California Penal Code §919(b) states that the Grand Jury shall inquire into the condition and management of the condition and management of the public prisons within the county. Additionally, each city and county detention facility is also inspected biannually by the Board of State and Community Corrections (BSCC). BSCC inspections focus on compliance with state regulations and a policy and procedure review. Annual inspections are also required by Public Health and biannual inspections by the local fire authority. The following facilities were visited by the Grand Jury during the current term:

Clearlake Police Department holding cells:

Due to health and safety concerns during the Covid-19 pandemic, the holding cells have not been used in over two years. Arrestees are either cited, photographed, fingerprinted and released or taken directly to the county jail for booking. No BSCC issues were reported.

Courthouse holding cells:

Though infrequently used, they are under the control of the county jail and temporarily house inmates who cannot be taken directly to a courtroom for legal proceedings. These cells are all that remains of the old county jail facility adjacent to the courthouse. These cells have “aged out” of the BSCC inspection rotations as they were built prior to 1960. Again, due to Covid-19 safety protocols, not as many cases require “in person” court appearances and many court proceedings have been moved to the county fairgrounds to allow for social distancing. No issues were noted by the Grand Jury.

Konocti Conservation Camp #27:

This facility is operated jointly by the California Department of Forestry and Fire Protection (CAL FIRE) and the California Department of Corrections and Rehabilitation (CDCR) with the primary mission of providing inmate fire crews for state-wide fire suppression. Historically, the camp had an inmate capacity of 100+ inmates and typically had five fifteen-man fire crews. As of our visit date, there is only one twelve-man fire crew and twenty-three facility inmates who perform other camp duties such as cooking, laundry, maintenance, and water treatment. Due to changes in California’s sentencing guidelines, fewer and fewer inmates qualify for assignment to one of the state’s remaining twenty-eight fire camps. There is also a pending referendum

banning “indentured servitude” in CDCR facilities, which could eliminate the inmate rehabilitation programs at fire camps. CAL FIRE intends to “beef up” the conservation camp with the hiring of additional firefighters and more equipment to fill the potential void in fire suppression services for the area.

Opened in 1961, the camp is well maintained and operated. They have a mobile kitchen unit capable of providing meals for thousands of firefighters on the scene of a major wildfire, and the camp can accommodate fire crews of up to 2500 if a basecamp is needed. During the 2021 calendar year, the camp provided 141 crew days for community projects and conservation, approximately 58,042 hours of emergency response to fires and floods, and the camp responded to 53 emergency incidents. The Grand Jury was very impressed with the mission and public service provided by Camp #27.

Lake County Correctional Facility:

Covid-19 greatly impacted the operations of this facility in the past two years. Infections of both the inmates and staff resulted in multiple quarantine situations and necessitating moving sheriff deputies into the jail to work as correctional officers. Probably the most significant influence on the jail population was the issuance of the Lake County Superior Court Emergency Countywide Bail Schedule (Attachment 1), which eliminated the bail for all but the most serious offenses. This was done in order to protect the health and safety of the public, court and law enforcement personnel, and inmates from the spread of the virus. The BSCC report cited issues with periodic safety checks of certain at-risk inmates, this was attributed to staffing issues and an outdated “key” system to log safety checks into a digital system. This system is in the process of being updated. Otherwise, the facility seems to operate efficiently and effectively.

The Grand Jury did not visit the following facility.

Tehama County Juvenile Detention Facility:

As Lake County no longer has a juvenile detention facility, it has contracted with Tehama County to house any juvenile offenders there. It was determined that a site visit was not necessary as the facility is infrequently used by Lake County and not within the county boundaries. The facility was visited by the Tehama County Grand Jury in April 2021 and given a positive report. (Attachment 2)

There are no recommendations for this report.

Attachment 1

LAKE COUNTY SUPERIOR COURT
EMERGENCY COUNTYWIDE BAIL SCHEDULE

EMERGENCY BAIL SCHEDULE. Pursuant to the provisions of Penal Code §1269b, subdivision (c), the following schedule of bail for all felony offenses and for all misdemeanor offenses will be applied effective December 16, 2021, and continuing in effect until further Order of the court. This Emergency Countywide Bail Schedule sets bail for the release of persons arrested without a warrant on felony charges and on all misdemeanor charges.

PURPOSE OF EMERGENCY BAIL SCHEDULE. This bail schedule is imposed as a result of the state of the public health emergency presented by the COVID-19 pandemic as an interim measure to protect the health and safety of the public, court and law enforcement personnel and inmates from the spread of the virus while acting to protect public safety and assure appearances in court. This bail schedule is subject to change upon order of the court.

SETTING OF BAIL. Monetary bail amount for all felony and misdemeanor offenses will be set at zero dollars (\$-0-) except for those offenses which are specifically listed or identified in the Emergency Countywide Bail Schedule (Listed Offenses). Accordingly, unless the arrest is for or includes an offense which is listed or identified in the Emergency Countywide Bail Schedule (Listed Offenses), the person arrested shall be released from custody without imposition of monetary bail.

LISTED OFFENSES. The Countywide Emergency Bail Schedule identifies and lists each of the felony and misdemeanor offenses, the base amount of bail for the offense, along with listed and identified bail enhancements, for the setting of monetary bail. If a person is arrested on more than one felony charge or on a felony and misdemeanor charge, the bail for the most serious felony will apply. If there are felony charges for different dates, the bail amounts for the most serious charge for each date will be added together. If there are felony charges involving more than one victim, the bail amounts for the most serious felony charge for each victim are added together.

VIOLATIONS OF SUPERVISION. Bail for all violations of misdemeanor supervision shall be set at zero dollars (\$-0-) whether the arrest is with or without a warrant. The setting of bail for all alleged violations of felony

2021-2022 Lake County Civil Grand Jury Final Report

probation, parole, post release community supervision or mandatory supervision shall be set based on the bail amount allowed for the underlying charge of conviction. Accordingly, if the conviction includes an offense specifically listed and identified in the Countywide Emergency Bail Schedule bail will be set in that amount. Otherwise, bail will be zero dollars (\$-0-).

Date Adopted: December 16, 2021 - Listed Offenses

FELONY OFFENSES:

Health and Safety Code - Numerically by Section:

Section	Offense	Bail
11353	Adult Inducing Contro. Sub Violation by Minor	\$75,000
11353.5	Adult CS Sale to a Minor at School	\$50,000
11353.7	Adult CS Sale to a Minor in Public Park	\$50,000
11370.1	Possession of CS while armed Loaded Firearm	\$100,000
11379.6	Manufacture of Controlled Substance	\$50,000
11380(a)	Adult Use of Minor as Agent; Induce Minor	\$75,000

Penal Code Numerically by Section:

Section	Offense	Bail
37	Treason	\$1,000,000
69	Obstructing or Resisting Officer	\$15,000
128	Perjury Causing Execution of Innocent Person	\$1,000,000
136.1	Intimidation of Witnesses/Victims	\$20,000
186.22	Participation in Criminal Street Gang	\$15,000
187	Murder	\$1,000,000
187/190.2	Murder / All Special Circumstances	No Bail
187	Attempted Murder	\$200,000
187	Attempted Murder: w/ Premeditation	\$1,000,000
187	Attempted Murder: Police Officer	\$1,000,000
217.1(b)	Attempted Murder: Public Official	\$1,000,000
191.5	Vehicle Manslaughter w/ Intox/ Gross Negligence/Prior	\$1,000,000
192(a)	Voluntary Manslaughter	\$300,000
192(c)(1)	Vehicular Manslaughter w/o Drugs, Alcohol, w/ Gross Neg.	\$150,000
192(c)(3)	Vehicular Manslaughter w/ Collision for Financial Gain ³	\$250,000
192.5(a)	Vessel Manslaughter, w/Drugs or Alcohol, w /Gross Neg.	\$250,000

2021-2022 Lake County Civil Grand Jury Final Report

192.5(b)	Vessel Manslaughter, w/Drugs or Alcohol, w/o Gross Neg.	\$100,000
192.5(c)	Vessel Manslaughter, w/o Drugs or Alcohol, w/Gross Neg.	\$150,000
203	Mayhem	\$500,000
205	Aggravated Mayhem	\$1,000,000
206	Torture	\$1,000,000
207	Kidnapping	\$300,000
207(b)	Kidnapping Victim under 14	\$500,000
209(a)	Kidnapping for Ransom or Extortion	\$1,000,000
209(b)	Kidnapping for Robbery	\$1,000,000
209.5	Kidnapping During Carjacking	\$1,000,000
210.5	False Imprisonment - Kidnap to Evade Arrest	\$1,000,000
211/212.5(a)	Robbery: First Degree	\$150,000
211/212.5(b)	Robbery of Person Using A T Machine	\$150,000
211/212.5(c)	Robbery Second Degree	\$100,000
213(a)(1)(A)	Robbery of Inhabited Dwelling	\$250,000
213(b)	Attempted Robbery Second Degree	\$50,000
215	Carjacking	\$150,000
218/219	Trainwrecking	\$1,000,000
220(a)	Assault / Intent to Commit Mayhem/ Specified Sex Offense	\$50,000
220(b)	Assault/ degree Burglary and Sex Offense	\$1,000,000
236.1(a)/(b)	Human Trafficking	\$50,000
236.1 (c)(2)	Human Trafficking: Victim Under 18	\$1,000,000
243(c)	Battery: Specified Officers/Others w/ injury	\$20,000
243(d)	Battery with Serious Bodily Injury	\$20,000
243.1	Battery against Custodial Officer	\$15,000
243.4	Sexual Battery	\$20,000
244	Assault with Caustic Chemicals	\$30,000
245(a)(1)	Assault with Deadly Weapon—not a firearm	\$25,000
245(a)(2)	Assault with a Firearm	\$50,000
245(a)(3)	Assault with Machine Gun or Assault Weapon	\$200,000
254(a)(4)	Assault with force likely to produce OBI	\$25,000
245(b)	Assault with Semiautomatic Firearm	\$100,000
245(c)	ADW w/o Firearm on Peace Officer	\$50,000
245(d)(1)	Assault w/Firearm on Peace Officer	\$100,000
245(d)(2)	Assault w/Semiautomatic Firearm on Peace Officer	\$150,000

2021-2022 Lake County Civil Grand Jury Final Report

245(d)(3)	Assault w/Machinegun/Assault Weapon on Peace Officer	\$250,000
245.2	ADW on Public Vehicle Operator	\$50,000
245.3	ADW on Custodial Officer	\$50,000
245.5(a)	ADW w/o Firearm on School Employee	\$50,000
245.5(b)	ADW w/ Firearm on School Employee	\$100,000
245.5(c)	ADW w/Stun Gun or Taser on School Employee	\$35,000
246	Discharge Firearm at Inhabited Dwelling/Vehicle	\$100,000
261	Rape	\$100,000
262	Spousal Rape	\$100,000
264.1	Rape/ Spousal Rape/ Sexual Penetration in Concert	\$200,000
266(a)	Procurement/ Force or Fraud F/ Prostitution	\$15,000
266c	Inducing Consent to Sexual Act by False Repres	\$20,000
266h(b)	Pimping/ Minor	\$30,000
266i(b)	Pandering/ Minor	\$30,000
266j	Procurement of Child Under 16 for Lewd/Lascivious Act	\$50,000
267	Abduction of Child for Purpose of Prostitution	\$50,000
269	Aggravated Sexual Assault on Child Under 14	\$1,000,000
273a(a)	Child Endangerment w/ GBI likely	\$25,000
273ab	Child Endangerment: Assault/ Child Under 8 / GBI/ Death-Coma	\$1,000,000
273d(a)	Infliction of Corporal Injury w / Traumatic Condition	\$75,000
273.5(a)	Domestic Violence/ Corporal Injury	\$25,000
278	Child Abduction	\$35,000
285	Incest	\$15,000
286(c)	Sodomy / force, violence, duress, threat of GBI	\$50,000
286(d)	Sodomy in Concert/ force, violence, duress, threat of GBI	\$100,000
287(c)	Oral Copulation/ force, violence, duress, threat of GBI	\$100,000
287(d)	Oral Copulation in Concert/ force, violence, threat of GBI	\$100,000
288	Lewd and Lascivious Act w/Child Under 14	\$75,000
288(a);(i)	Lewd and Lascivious Act/ Child under 14/ Bodily Injury	\$1,000,000
288.2	Distribute/ Exhibit Lewd Material to Minor	\$25,000

2021-2022 Lake County Civil Grand Jury Final Report

288.3	Contact with Minor w/Intent to Commit Lewd Act	\$25,000
288.4	Arrange Meet w/Minor for Purpose of Engaging in Lewd Act	\$20,000
288.5	Continuous Sexual Abuse of Child	\$200,000
288.7	Sexual Intercourse/ Sodomy w/Child Under 10	\$1,000,000
289	Sexual Penetration w/Foreign Object	\$50,000
311.1	Sale/Distribution of Obscene Matter Involving Minor	\$50,000
311.2	Production of Obscene Matter Involving Minor	\$50,000
311.3	Sexual Exploitation of Child	\$50,000
311.4	Use of Minor in Sale/Distribution of Obscene Material	\$50,000
311.10	Distribution of Obscene Material Depicting Minor(s)	\$50,000
311.11	Possession of Child Pornography	\$30,000
314(1)	Indecent Exposure	\$15,000
368(b)(1)	Elder/Dependent Adult Abuse w/ GBI likely	\$20,000
422	Criminal Threats	\$15,000
451(a)	Arson w/GBI	\$250,000
451(b)	Arson of Inhabited Structure/ Residence Property	\$100,000
451(c)	Arson of Structure or Forest Land	\$50,000
451(d)	Arson of Property	\$15,000
451.5	Aggravated Arson	\$1,000,000
459	Burglary	\$15,000
460(a)	Burglary: First Degree	\$50,000
463	Looting During Emergency	\$15,000
487(d)(2)	Grand Theft of Firearm	\$15,000
520	Extortion: w/Felony violation PC, 186.22	\$20,000
646.9	Stalking	\$15,000
646.9	Stalking/ Violation of Court Order	\$20,000
646.9	Stalking/ Prior Felony DV Conviction	\$25,000
647.6(b)	Annoy or Molest a Child/ Inhabited Dwelling w/ Prior	\$30,000
647.6(c)	Annoy or Molest Child/ Prior Conviction / Victim Under 16	\$30,000
653f(c)	Soliciting Another to Commit Sex Act by Force	\$20,000
1320(b)	FTA: Released on OR on Felony	\$20,000
1320.5	FTA: Released on Bail on Felony	\$20,000
4500	ADW/ By Life Prisoner	\$1,000,000

2021-2022 Lake County Civil Grand Jury Final Report

4501	Aggravated Assault by Prison Inmate	\$100,000
4503	Hostage by Person Confined to State Prison	\$35,000
4530 / 4532	Escape/Attempted Escape from Jail by Force/Violence	\$50,000
4536	Escape by Sex Offender from Mental Health Facility	\$15,000
11418	Possession/Use of Weapon of Mass Destruction	\$500,000
11418	Use of Weapon of Mass Destruction / Injury or Death	\$1,000,000
18745	Explosion of Destructive Device w/ Intent To Murder	\$1,000,000
18750	Explosion of Destructive Device Causing Injury	\$250,000
18755	Explosion of Destructive Device Causing Death/ Mayhem/GBI	\$1,000,000
25400(c)(1)	Possession of Concealed Firearm by Convicted Felon	\$50,000
26100(c)	Discharge Firearm from Vehicle at Person	\$250,000
29800	Felon in Possession of Firearm	\$25,000

Vehicle Code - Numerically by Section:

Section	Offense	Bail
2800.2	Evading Peace Officer w/ Willful/ Wanton Disregard	\$35,000
2800.3	Evading Peace Officer w/Death or Serious Bodily Injury	\$100,000
2800.4	Evading Peace Officer by Flight in opposite direction of traffic	\$35,000
23152/23550.5	DUI w/Three or More Priors	\$50,000
23153 a/b	DUI w/Injury	\$30,000
23153 a^	DUI w/Injury and Prior DUI Offense	\$50,000

Other Felony Offenses—By description of specific conduct involved with the commission of the charged offense and/or the specific harm resulting from the commission of the charged offense. The applicable bail is the amount of bail for the underlying Listed Offenses as set forth in this Emergency Bail Schedule. The other Listed Offenses are as follows:

- Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice.

- [PC 667.5(c)(8); 1192.7(c)(8)].
- Any felony in which defendant personally uses a firearm.
[PC 667.5(c)(8); 667.5(c)(22); 1192.7(c)(8)].
- Any felony in which the defendant personally used a dangerous or deadly weapon.
[PC 1192.7(c)(23); 1192.7(c)(40)].
- Any attempt to commit a felony Listed Offense other than an assault.
[PC 664;1192.7(c)(22); 1192.7(c)(39)].
- Any conspiracy to commit a felony Listed Offense.
[PC 182; 1192.7(c)(42)].

Schedule of Bail Enhancing Factors

Penal Code Bail Enhancing Factors - Numerically by Section:

Section	Offense	Bail
667.5(b)	Prior Prison Term	\$10,000
667.61	One Strike Sex Offense	\$500,000
12022(c)	Personally Armed w/Firearm	\$50,000
12022.1	Felony commission while out of custody on Felony	\$50,000
12022.5	Use of Firearm/Assault Weapon/Machine Gun	\$50,000
12022.53(b)	Personal Use of Firearm While Committing Felony	\$100,000
12022.53(c)	Discharges Firearm in Commission of Felony	\$250,000
12022.53(d)	Discharges Firearm Causing Death or OBI	\$1,000,000
667(e)(1)(C)/ 1170.12(c)(2)(C)	Strike Prior (applies once)	\$100,000
	Any enhancement with a life sentence (including 3 rd Strike)	\$1,000,000

Health and Safety Code Bail Enhancing Factors

Section	Offense	Bail
11370.2	Prior Commercial Controlled Substance Offense	\$45,000
	All Other Health and Safety Code Enhancing Factors	\$25,000

MISDEMEANOR OFFENSES:

Penal Code- Numerically by Section:

Section	Offense	Bail
136.1	Intimidation of Witness/Victim	\$10,000
166(c)(1)	Contempt of Court/Violation of Protective Order	\$10,000

2021-2022 Lake County Civil Grand Jury Final Report

243(b)	Battery on Specified Officer/Others	\$5,000
243(c)	Battery on Specified Officer/Others w/Injury	\$10,000
243(e)(1)	Domestic Battery	\$10,000
243.1	Battery against Custodial Officer	\$10,000
243.4	Sexual Battery	\$10,000
272	Contributing to Delinquency of Minor/ Commit Lewd Act9	\$10,000
273.5(a)	Domestic Violence	\$10,000
273.6	Violate Protective Order/ Violence /Threats/ At Residence Or Workplace of Protected Party	\$10,000
314(2)	Indecent Exposure	\$10,000
647(f)	Public Intoxication	\$1,000

Health and Safety Code:

Section	Offense	Bail
11550(a)	Use or Under Influence of Controlled Substance	\$5,000

Vehicle Code - Numerically by Section:

Section	Offense	Bail
23152	DUI	\$5,000
23152	DUI with 1 prior	\$15,000
23152	DUI with 2 priors	\$30,000

This Countywide Emergency Bail Schedule will be effective December 16, 2021, and remain in effect until amended or repealed by further order of the court.

Attachment 2

**TEHAMA COUNTY JUVENILE DETENTION FACILITY
CRIMINAL JUSTICE COMMITTEE
TEHAMA COUNTY GRAND JURY**

SUMMARY

The mission of the Juvenile Detention Center is to improve public safety and the quality of life in Tehama County through offender compliance and accountability. Their vision is to have fewer crimes and victims.

METHODOLOGY

The members of the Tehama County Grand Jury visited the Juvenile Detention Facility, and conducted an interview with leadership. The facility is located at 1840 Walnut Street, Red Bluff on April 29, 2021. The tour was led by the Probation Department leadership.

DISCUSSION

This is a state-of-the art facility with an up-to-date kitchen, pods, and restrooms. Each pod contains a classroom and day area and is continuously monitored from a centralized control station. The capacity of the facility is 64 beds. There are currently 18 wards housed in the facility. There are three pods, with 20 beds each, two of which are currently in use. The facility is staffed by 32 employees working four shifts.

Tehama County contracts with Plumas, Glenn, Lassen, Trinity, Lake, and Siskiyou counties to house their youth in Red Bluff. The cost to house out of county wards is \$150 per day. The rural county trend is not to remove youth from their family unless they are considered to be a danger to self or society. It is found that, in most cases, they do better in a family situation. This has a bearing on the number of wards housed in the center.

When a youth is released they are assigned a probation officer to assist with the transition and monitor their behavior. At any given time, there are 30 youths that have to check in with their probation officer.

Programs and Services

The wards are provided three meals per day. In addition, 150 hot lunches per day are prepared on site for the Senior Nutrition Program which generates additional revenue for the facility.

The Probation Department contracts for mental and physical health services at the facility. The Tehama County Department of Education funds two teachers and two aides. The wards attend class from 8 a.m. to 2 p.m., five days a week.

Upon initial entry into the program, all youth receive a full needs assessment to address strengths and needs in order to create a full treatment case plan. There are programs that are provided for the youths to prepare them for successful transition when they leave the detention center. These programs include:

Restore Program: A counseling, mentorship, and activities program for first time offenders.

Hope Program: A treatment and mentorship program through a contract with Empower Tehama.

Changing ARMOR Program: A behavior modification program supported by evidence-based programming designed to match a youth's strengths and needs in order to assist them in taking responsibility for their actions and develop new life and coping skills.

The Makerspace: A program where young people have an opportunity to explore their own interests, learn to use tools and materials, both physical and virtual, and develop creative projects.

Tehama County Skills Program: Training in woodworking, welding, and culinary arts.

Gardening and Community Service: An opportunity to work in the year-round community garden that provides fresh produce to the center as well as several non-profit agencies.

Transitional Services: It is the expectation that the youth's probation officer and family members become active participants to create a transitional case plan to assist the youth in successfully transitioning upon completion of the program. Youth are accommodated in attaining CA ID cards, Medi-Cal cards and assisted in completing FAFSA and college applications through the Tehama County Office of Education. Vocational and educational programs are also provided for students who are currently under court directed supervision.

Services and resources that are provided are:

Mental Health Counseling Drug and Alcohol Treatment Faith Based Support Groups Education and Credit Recovery Advanced Education Reentry into the Community Employment Application Training

FINDING

F1 - The Juvenile Justice Center is a well-run program that provides individualized programming to assist the wards with educational and rehabilitation needs. It is operating well below the maximum capacity of 64 due to COVID-19 constraints.

RECOMMENDATION

R1. Continue current practices that support the needs of Tehama County youth and the needs of youth in surrounding counties.

REQUIRED RESPONSE: None

CONFINEMENT DURING A PANDEMIC A REPORT ON INMATE HEALTH

SUMMARY

The annual cost to Lake County for providing inmate medical and mental health services is more than \$2,500,000. New proposed legislation by the Governor referred to as CARE Court (Community Assistance, Recovery & Empowerment) or SB 1338 would increase the costs for mental health services that the County would be required to provide. See **Exhibit 1** for the statement by the Council on Criminal Justice and Behavioral Health on why behavioral healthcare is so important.

METHODOLOGY

Documents Reviewed:

- Contract with California Forensic Medical Group
- Wellpath assignment and addendum
- Sheriff's Office Policy and Procedures for Health Authority
- County of Lake Annual Budget

Interviews Conducted:

- Public Health Interim Manager
- Sheriff/Coroner
- Corrections Facility Commander

Site Visit:

- Lake County Corrections Facility

DISCUSSION

In 2006 the California Department of Corrections and Rehabilitation (CDCR) was put under Federal oversight for inmate healthcare after a Federal judge determined that CDCR was violating the constitutional rights of inmates by not providing adequate healthcare. The Grand Jury routinely receives complaints from inmates of the Lake County Corrections Facility (LCCF) regarding the perception of poor healthcare, thus the decision was made to review the healthcare system in place at LCCF.

The current agreement with California Forensic Medical Group (CFMG) went into effect on July 1, 2019 and is set to expire on June 30, 2022. In 2020, CFMG became an affiliate of Wellpath, a Tennessee based corporation that provides healthcare services for more than 500 facilities in 34 states across America and Australia. A request for proposal will be produced by the County for the provision of inmate healthcare following the expiration of the current agreement.

As per the Sheriff's policy, LCCF Health Authority has been delegated to Wellpath, that provides healthcare services for inmates in the custody of the Sheriff, by contract with the Lake County Public Health Department.

Under the terms of the current agreement, CFMG provides medical, behavioral and dental services for the inmates. Medical services are provided 24/7 by registered nurses, nurse practitioners, physician assistants, and licensed vocational nurses. A physician is available four hours per week. A psychiatrist is available four hours per week as needed and a mental health professional (LCSW, MFCC, or psychiatric nurse) is available forty hours per week. A dentist and a dental assistant are on site every other week for eight hours. Due to COVID-19 issues, the staffing for CFMG was increased by making the administrative assistant a full-time position and adding two full-time LVNs in 2020. CFMG also maintains a full pharmacy on site.

All inmates are provided medical and behavioral screening upon booking and intake into the jail facility. These services are provided 24/7. A full health assessment is completed for every inmate within fourteen days of booking. Sick call is provided Monday through Friday by a registered nurse under standardized protocols and procedures. Physician sick call may be provided by a physician, family nurse practitioner, or a physician assistant. Inmate requests for health services may be submitted in writing or via an electronic tablet if one has been issued. All requests are triaged and prioritized by a registered nurse within twenty-four hours and not to exceed seventy-two hours. CFMG provides on-site emergency care for minor trauma incidents such as lacerations or sprains, in order to minimize inmate transports. Treatment for serious illness or injury is provided at nearby Sutter Lakeside Hospital. Any offsite services provided are the financial responsibility of CFMG if authorized by CFMG, with the exception of inpatient psychiatric care for which CFMG is not responsible.

CFMG provides behavioral health services (referred to as jail psychiatric services) in accordance with the requirements of the Substance Abuse and Mental Health Services Administration. However, the contract states “CFMG may provide psychiatry services via tele-psychiatry (video visits) as appropriate.” Since the COVID-19 pandemic, there has been no in-person counseling available and all group therapy sessions were cancelled in order to prevent the spread of COVID-19.

Per the agreement, “CFMG shall provide appropriate care coordination and linkage to care, including robust discharge planning as appropriate. Care coordination shall include care provided while the inmate is incarcerated beginning at intake screening through discharge planning including appropriate linkage to County contracted or other community programs, upon release.”

The initial cost to Lake County under the agreement was \$2,745,582 for the 2019-2020 fiscal year. This included a quarterly per diem adjustment up or down based on the jail population of 315 inmates. A population count per quarter of greater than 315 would result in a per diem payment of \$4.50 per inmate and a population count of less than 315 would result in a reduction of the base payment of \$4.50 per inmate. The agreement contains an annual inflation clause based on the Medical Index of the Consumer Price Index in the prior year, not to exceed 3% annually.

FINDINGS

- F-1: CFMG is providing adequate medical care for inmates at the LCCF under the applicable California statutes of California Code of Regulations, Title 15, Articles 8 through 10, California Welfare and Institutions Code §5150 et seq., and 5600.4, and California Penal Code §4011.6.
- F-2: Mental health services are inadequate as provided by CFMG, as an inmate with mental health issues is less likely to benefit from counseling sessions provided via a video screen instead of live interactions and observations.

- F-3: Intensive care coordination and discharge planning is critical for inmates with identified mental health issues to prevent recidivism. However, care coordination with County agencies is inconsistent.
- F-4: Despite a decrease in the number of prisoners, over the past decade the percentage of State prisoners with mental illness has increased by 77 percent. (Stanford Justice Advocacy Project) (See **Exhibit 1** attached)
- F-5: The total change in the percent of LCCF population with an active mental health case between 2009 and 2019 went from less than 10 percent to almost 50 percent. (California Health Policy Strategies calhps.com, utilizing data from the Board of State and Community Corrections jail profile surveys)

RECOMMENDATIONS

- R-1: That Public Health, Behavioral Health and the Sheriff/Coroner future agreements for inmate health contractors continue to comply with all state requirements. (F-1)
- R-2: That all future agreements for inmate mental health services be required to conduct interviews and counseling sessions in-person. (F-2)
- R-3: That Lake County Behavioral Health work in coordination with CFMG or subsequent contractors to ensure recommended follow-up care so that appropriate resources are provided when inmates with mental health issues are paroled from LCCF. (F-3, F-4, F-5)
- R-4: That the Director of Lake County Public Health be charged with the oversight of the LCCF agreement for inmate health services in order to assure compliance with its terms. (F-2, F-3, F-5)

RESPONSES

Pursuant to Penal Code section 933(c), the following responses are **required**:

Director of Public Health	(R-1, R-2, R-3, R-4)	90 Days
Director of Behavioral Health	(R-1, R-2, R-3, R-4)	90 Days
Sheriff/Coroner	(R-1, R-2, R-3, R-4)	60 Days

Invited response:

California Forensic Medical Group, Secretary and COO	(R-1, R-2)	90 Days
--	------------	---------

Exhibit 1

Secretary, California
Department of Corrections
and Rehabilitation
Manuel Jimenez,

BEHAVIORAL HEALTH CARE AND THE JUSTICE-INVOLVED: WHY IT IS SO IMPORTANT?

In fiscal year 2015-16 a total of 35,098 individuals returned to their communities from the California Department of Corrections and Rehabilitation (CDCR). Within that group, 23.1 percent were identified by CDCR as having mental health needs ranging from severe to moderate and 57.7 percent as having substance use treatment needs. While those numbers are likely to shift slightly once home due to changing circumstances and stressors, clearly there is a significant need for behavioral health services upon re-entry.

The consequence of behavioral health needs not being met effectively in the community is costly. People with mental illness have higher recidivism rates and stay longer, once incarcerated, than those who do not have these challenges (Kim, Becker-Cohen, & Serakos, 2015). A study by PEW and the MacArthur Foundation (2014) found that correctional spending on adults with mental illness alone is two to three times higher than for those without mental illnesses.

- The number of prisoners with mental illness in California is on the rise: while the overall state prison population has decreased dramatically, the number of prisoners with mental illness continues to climb and is expected to grow in the years ahead. Over the past decade, the percentage of state prisoners with mental illness had increased by 77 percent (Stanford Justice Advocacy Project).
- Defendants with mental illness receive longer prison sentences: On average, prisoners with mental illness in California receive sentences that are 12 percent longer than prisoners convicted of the same crimes but without mental health diagnoses (Stanford Justice Advocacy Project). Released inmates have high rates of poverty, unemployment, and ultimately homelessness - wreaking havoc on health status

- A survey of over 1000 returning offenders from prisons found that 4 in 10 men and 6 in 10 women reported a combination of physical health, mental health, and substance abuse conditions
- These individuals reported poorer employment noting that health problems interfered with their ability to work, and reported a need for housing assistance
- Worsening health status and lack of primary care may be associated with higher rates of recidivism, while not having a primary care provider may lead to under-treated or untreated mental health and substance abuse disorder, which are indirectly linked to recidivism

EXPANDED HEALTH CARE IN CONJUNCTION WITH CRIMINAL JUSTICE REFORM:
A UNIQUE OPPORTUNITY FOR CALIFORNIA TO ADDRESS BEHAVIORAL HEALTH CARE NEEDS FOR THE JUSTICE-INVOLVED

HEALTH CARE REFORMS

1991 Realignment and the Mental Health Services Act (MHSA) supported a behavioral healthcare system in California that was county-driven but tax revenue reliant. The financial crisis of the mid to late 2000s disseminated the state's health care safety net, including behavioral health services despite revenue from the MHSA

In the 2010 the Affordable Care Act was signed into law significantly expanding services and eligibility, particularly the inclusion of essential health benefits and the availability of never before health care for low income, childless adults under expanded Medi-Cal (CA's Medicaid Program), offered significant opportunities and challenges

In 2015 the Drug Medi-Cal Organized Delivery System (ODS) Waiver launched so that counties could substantially expand substance use benefits - including to the justice-involved

By 2016 Whole Person Care (WPC) Pilots were being developed to provide comprehensive and coordinated care for high utilizing Medi-Cal recipients including those reentering from correctional settings

CRIMINAL JUSTICE REFORMS

2009 Senate Bill 678 Provided financial incentives to counties to reduce the number of felony offenders sent to state prison for probation failures.

2011 Public Safety Realignment Shifted low level felons (non-serious & non-violent) to probation and county jail systems

2012 Proposition 36 Revised the ‘three strikes law’ so that a life sentence was only imposed with a NEW serious and violent crime

2014 Proposition 47 Reduced penalties associated with certain lower-level drug and property offenses

2016 Proposition 57 Increases the number of inmates eligible for parole consideration by awarding sentencing credits to inmates for positive behavior such as participating in rehabilitative programming. The measure also makes changes to state law to require that youths have a hearing in juvenile court before they can be transferred to adult court.

Of the nearly 10 million people released from correctional facilities each year, as many as 70 percent leaving prison and 90 percent leaving jail were estimated to be uninsured prior to the enactment of the Affordable Care Act (ACA) in January 2014

HEALTH CARE AND CRIMINAL JUSTICE REFORM WORKING TOGETHER TO SAVE LIVES AND MONEY

- Community mental health treatment is more effective and less expensive than incarceration: The annual cost of incarcerating an average state prisoner in California is over \$70,000, not including mental healthcare costs, while the cost of treating a person with mental illness in the community is approximately \$22,000 (Stanford Justice Advocacy Project).
- For those released from jail with serious mental illnesses, having Medicaid coverage and receiving behavioral health services lead to a 16 percent reduction in recidivism (Morrissey et al, 2006).
- The use of publicly funded substance services resulted in 18 percent less rearrests in Washington (DSHS, 2009).

HOW CAN CALIFORNIA IMPLEMENT WHAT WORKS

- Through the Drug Medi-Cal ODS over 30,000 2016-17 referrals are projected to come from the criminal justice system and this represents

only 20 of the 58 counties. Plans are still being approved and implemented.

- Almost half of approved WPC Pilot Plans focus on individuals released from institutions including correctional settings. Other pilots will likely serve the justice-involved due to a focus on homelessness, high utilizers with chronic conditions, and individuals with mental health and substance use disorder conditions.
- More counties are seeing the benefit of using AB109 funds for evidence-based substance use and mental health treatment.
- Under Prop 47, 23 counties, cities, law enforcement agencies, and educational institutions have been awarded over \$103 million in funds for the next three years to provide programs and services, including housing and employment assistance, for justice-involved youth and adults living with substance use and mental health disorders.

LAKE COUNTY SHERIFF - CORONER / AUTOPSY REPORT

SUMMARY

The California Penal Code §925(a) permits the Grand Jury to inquire into the performance and needs of County offices. The 2021– 2022 Lake County Civil Grand Jury conducted an investigation into the conditions, responsibilities and functions of the Sheriff- Coroner’s Office in regards to death investigations and the performance of autopsies by the County’s part-time pathologist. The Sheriff-Coroner’s office determines the manner and cause of reportable deaths in the County and therefore provides valuable information to families, public health authorities and legal officials.

The Grand Jury toured the Sheriff-Coroner’s Office and found the office to be well organized and operating efficiently with available resources. The Sheriff-Coroner’s Office has one part-time forensic pathologist available to perform autopsies weekly at one of the local mortuaries to determine cause of death.

The Grand Jury was informed during the investigation that the Sheriff-Coroner’s office is pleased with the work that the Forensic Pathologist performs. Overall, the Lake County Sheriff’s Office and the Forensic Pathologist are doing a creditable job with the resources they have. The staff were helpful, quick to respond, knowledgeable and pleasant to work with.

Methodology

- Toured
- Lake County Sheriff-Coroner’s Office
- Interviewed
- Sheriff-Coroner’s Staff
- Reviewed
- Lake County Sheriff-Coroner’s Office Budget
 - Lake County Sheriff-Coroner’s Office Procedure Manual
 - Lake County Sheriff Website
 - State of California Bill No. 1189, Chapter 787
 - California Government Code - Gov Article 2.5 Autopsy [27520- 27522]
- California Health & Safety Code 1746

- California Health & Safety Code 1279.1
- California Coroner / Medical Examiner Laws
- California State Association of Counties
- Medical Board of California
- American Board of Pathology
- Autopsy Invoices from Bennet Omalu Pathology to L. C. Coroner's Office
- Contract between Lake County and Bennet Omalu Pathology
- Public Health Laboratory, San Joaquin County Invoices
- County Contracts with all three Lake County Mortuaries
- The Five-Year Limit on Government Contracts: Reality or Myth? (wifcon.com)

BACKGROUND

In California, medicolegal death investigation is county-based. Counties may employ a coroner or a medical examiner, as determined by ordinances of a county Board of Supervisors. The Board has the authority to consolidate the duties of certain County offices, including the positions of sheriff and coroner.

All fifty-eight counties in California have a sheriff. Forty-one of the counties provide for the sheriff to assume the responsibilities of the coroner. The offices of sheriff and coroner were consolidated in 1999 and these are now elected positions.

Each state has specific classifications of deaths that require investigation and autopsy. California Government Code §27491 indicates that the following types of deaths must be investigated:

- Homicide
- Suicide
- Accidental Poisoning
- Death relating to an old or new accident or injury
- Death of person with no medical treatment within 20 days
- Drowning
- Fire
- Hanging
- Gunshot

- Stabbing
- Cutting
- Exposure
- Starvation
- Acute alcoholism
- Drug addiction
- Strangulation
- Aspiration
- Sudden Infant Death Syndrome
- Death by criminal means
- Death in prison or while under sentence
- Death due to suspected contagious disease
- Death from occupational hazard
- Death in mental hospital
- Death suspected cause by another person

The Government Code §27491 further states that the following types of death require an autopsy:

- Suspected Sudden Infant Death Syndrome
- Deaths that fall into the investigative category
- As determined by the coroner

The California Health & Safety Code §102850 generally requires that the Sheriff-Coroner determine the manner and cause of all sudden, violent, unusual, or unattended deaths within the county.

The Sheriff–Coroner’s office has the responsibility of notifying legal next-of-kin.

DISCUSSION

The Sheriff-Coroner’s Office is located at 1220 Martin Street in the City of Lakeport. It serves the entire County, including the two incorporated cities of Lakeport and Clearlake.

The Lake County Sheriff’s Office services are available twenty-four hours a day, seven days a week. The administrative office is staffed from 8:00am to

4:30pm and closed on Federal Holidays. During the hours from 4:30pm to 8:00am, coroner duties are performed by the Sheriff Lieutenant/Deputy Coroner who serves as the Chief Deputy Coroner and oversees the day-to-day operation and routinely reports to the Sheriff. Each of the Lake County Sheriff Deputies serves as Deputy Coroners.

Police officers or sheriff deputies are often the first on-scene. They are the point of contact for information dissemination and evidence collection. After the Sheriff Lieutenant/Deputy Coroner receives a new report, the officer travels to the scene where the manner of death is being investigated. He or she then works in collaboration with other law enforcement personnel in order to determine the manner or cause of death. The Sheriff Lieutenant/Deputy Coroner provides details to aid in the determination of manner or cause of death. Law enforcement officers may observe examinations, autopsies, and sample collections.

The Sheriff Lieutenant/Deputy Coroner evaluates collected information to determine if it falls within the criteria of California Government Code §27491 for deaths reportable to the coroner. The Sheriff-Coroner's Office uses three methods to determine the manner and cause of death:

1. Medical (i.e., records, toxicology analysis, external forensic pathology examinations, and autopsies)
2. Administrative (i.e., records, property, death notifications)
3. Investigative (i.e., on-scene conditions, examination of evidence, interviews and medical records)

Reports are entered into California's digital Record Management System. The information, including the examining physician's signature, is scanned and documented in the Sheriff-Coroner's records.

The Deputy Coroner is responsible for contacting the mortuary for removal of the body. The Grand Jury learned that the Sheriff-Coroner's office does not utilize a formal chain-of-custody for releasing the body to the mortuary.

The Grand Jury further was told that a resident had to wait with her deceased loved one for three hours before the mortuary arrived to retrieve the body. Meanwhile, the Deputy Sheriff remained outside in his patrol vehicle. The contract with the mortuaries indicates that the mortuary shall respond within

30-45 minutes, but at no time shall the mortuary response time exceed 60 minutes.

Forensic Pathologist

Forensic Pathologists perform autopsies and are responsible for determining and recording the cause of death. The County does not currently employ a full-time Forensic Pathologist, but contracts with a part-time physician who is paid on a Fee-for-Service basis. Autopsies are conducted one day per week at the primary contracted mortuary. The Sheriff-Coroner determines whether an autopsy will be performed as specified by California statutes.

The current 2021-2022 budget for the Sheriff-Coroner contract is \$10,330,672. The current contract does not have an expiration date and was automatically renewed, despite the general governmental practice of having a five-year limit.

The Forensic Pathologist's fees are as follows:

Direct Autopsy - Fees for Service:

Full Autopsy	\$ 1,800 per case
Partial or Targeted Autopsy	\$ 1,500 per case
External Autopsy	\$ 1,000 per case
Medical Records Review	\$ 500 per case
Microscopic Examination	\$ 300 per case
Autopsy Tissue Histology	\$ 150 per case
Autopsy Technician Fee	\$ 350 per case
Specimen handling, processing, storage and Transport	\$ 50 per case
Autopsy Tissue Immunohistochemistry [All Types]	\$ 109 per slide
Specialized Autopsy Tissue Histochemistry [All Types]	\$ 109 per slide
Review of prior archival cases and autopsies [maximum of \$3000 per case]	\$ 500 per hour
Scene visits and scene investigations	\$ 500 per hour

Forensic Neuropathology - Fees for Service:

Whole brain examination with or without spinal cord, pituitary gland and dura mater	\$2,300 per case
Brain tissue histology	\$ 350 per case
Brain immunohistochemistry [All Types]	\$ 109 per slide
Specialized brain histochemistry [All Types]	\$ 109 per slide

Expert Witness, Consultations and Testimonies - Fees for Service:

Testimony [preliminary hearing, grand jury and trial]	\$ 500 per hour
Pre-trial office or telephone conferences and consultation	\$ 500 per hour
Trial preparation and research	\$ 500 per hour
Composition of all types of reports	\$ 500 per hour
Waiting time in court	\$ 250 per hour

All laboratory samples are the responsibility of the Forensic Pathologist and most are delivered to the Public Health Laboratory of San Joaquin County for analysis. Toxicology screening samples are sent to a specialized laboratory.

For comparison, the Grand Jury found the per-capita Coroner costs for Lake, Napa, and Mendocino Counties listed below to be of interest. The same Forensic Pathologist also contracts with Mendocino County:

COUNTY	2021 Census - Population	2020-21 Sheriff-Coroner Budget	\$ Per Capita
Mendocino	91305	\$14,477,675.00	\$158.56
Napa	136207	\$961,610.00	\$7.06
Lake	68766	\$8,584,671.00	\$124.84

Napa County employs its own Forensic Pathologist. It is unknown if the salary is included in the budget.

FINDINGS

- F-1: The Lake County Sheriff–Coroner’s office does not have a formal chain-of-custody procedure for release of a body to the mortuary.
- F-2: The Agreement for Mortuary Services line item 6 states, “The mortuary shall respond, when dispatched, within 30 to 45 minutes but in no event shall mortuaries’ response time exceed 60 minutes.”
- F-3: The Forensic Pathologist has been performing Lake County autopsies since December 2017. In the past, the contract has been automatically renewed.

RECOMMENDATIONS

- R-1: That the Lake County Sheriff-Coroner’s office implement a chain-of-custody process for the movement of remains that includes a signature, printed name, date, and time. (F-1)
- R-2: That the response-time requirement in the mortuary contract be enforced. (F-2)
- R-3: That the Sheriff-Coroner review the contract and RFP (request for proposal) every five years. (F-3)

RESPONSES

Pursuant to Penal Code § 933(c), the following responses are required:

Lake County Sheriff–Coroner	(R-1, R-2, R-3)	60 days
Lake County Board of Supervisors	(R-1, R-2, R-3)	90 days

**THE DOCTOR IS OUT:
MISSED OPPORTUNITIES HIRING THE LAKE COUNTY PUBLIC
HEALTH OFFICER AND RELATED HUMAN RESOURCE
PROCESSING ISSUES**

SUMMARY

The Lake County Civil Grand Jury approved opening an investigation into the hiring process of the Lake County Public Health Officer (PHO) and related Human Resource processes due to the inordinate amount of time required to hire a PHO during the COVID-19 pandemic.

Thereby, the Lake County Civil Grand Jury concluded that the Lake County Human Resources (HR) Department needs to create an aggressive, proactive, user-friendly hiring and retention process/program for all vacant positions and with contracted search firms.

We recommend the hiring/designation of a recruiter, interdepartmental collaborative training, exit interviews, development of succession programs, and transitional new hire housing for designated positions.

In addition, we recommend adoption and incorporation of multiple human resource metrics that would be quarterly presented to the Lake County Board of Supervisors. Lastly, we recommend Lake County pre-negotiate a minimum 30-day to 60-day transition period for Senior Lake County executive positions.

METHODOLOGY

Documents

During its investigation, the grand jury reviewed and obtain factual data and other information from numerous documents and sources, including:

- County of Lake Hiring Incentives – Draft
- Lake County News: County to hire a firm to recruit new public health officer, February 24, 2021
- Agreement for Recruitment Services for Lake County Public Health Officer, Executed on March 10, 2021

- New York Times: A Timeline of the Coronavirus Pandemic - The Coronavirus Pandemic: A Timeline - The New York Times (nytimes.com)
- County of Lake-Classification Specification Bulletin: Public Health Officer, September 15, 2021
- Lake County News: Search on for County's top two health officials, October 11, 2021
- Lake County News: Supervisors approve raises totaling \$16 million over the coming 4 years, October 19, 2021
- Resolution Establishing the Salaries and Benefits for Management Employees for the period from November 1, 2021 through June 30, 2025
- Lake County News: Board of Supervisors hires new public health officer, February 17, 2022
- US General Services Administration: Reimbursable Relocation Expenses and Rates, January 19, 2022
- Indeed Editorial Team: 30 Key HR Metrics (And the Benefits of Using Them), March 15, 2022

Interviews

The Lake County Civil Grand Jury interviewed senior Lake County government officials integrally involved in the selection of the search firm, interview process, and final candidate selections. In addition, we interviewed senior Lake County government officials who were involved in the development, recommendation and approval of the November 1, 2021 salary adjustments.

BACKGROUND

According to the March 17, 2021, New York Times article, [A Timeline of the Coronavirus Pandemic](#), the coronavirus surfaced in a Wuhan Chinese food and poultry market in December 2019. On December 31, 2019, the Chinese government and Wuhan China confirmed health authorities was treating a dozens of cases. At that time there was no evidence of the virus was readily spread by humans. On January 1, 2020, Chinese state media reported in the first known death caused by the virus.

On January 20, 2020, other countries, including the United States, confirmed cases and on the same date, the WHO declared a global health emergency. The next day, the US State Department restricted travel from China.

On February 2, 2020, the first COVID-19 death was reported outside of China followed by the February 11, 2020 designation by the WHO (World Health Organization) of the COVID – 19 virus.

On March 9, 2020 Lake County Public Health Officer (PHO) issued a Declaration of Local Health Emergency.

In April 2021 resigned as Lake County Public Health Officer (PHO). He agreed to stay on as interim PHO until a permanent PHO was appointed. The county also contacted two other doctors to act as PHO alternatives. During this period County Administrative Officer (CAO), took on the role of interim Health Service Director until a new one was found.

The PHO position has had high turnover during the previous 2 ½ year period. After a previous officer retired in December 2017, following a decade as PHO reporting to the Health Service Director, the last officer became the interim PHO for 2 months. They was replaced in January 2018 who resigned 6 months later.

Once again a previous officer assumed the role of interim PHO for 2 months until another doctor was appointed PHO in March 2019. This officer resigned 5 months later in August 2019.

And again a previous doctor take on the role of interim PHO until October 2019 when they was appointed PHO.

On March 11, 2021, Lake County contracted with W. Brown Creative Partners (WBCP), a retained search firm, to provide “recruitment services to secure your ideal candidate for Public Health Officer for the County of Lake.” The Agreement was scheduled to terminate on June 30, 2021. The fee negotiated was not to exceed \$25,000. There was a 30-day termination clause. The Agreement contained a one-year replacement guarantee should the selected candidate leave.

During the recruitment period, the current officers maintained the role of PHO until his April 2021 resignation from the regular position. They did agree to re-assume the role of interim PHO until the hire of a replacement PHO.

On October 7, 2021, the agreement with WBCP was extended. In addition, the Lake County Board of Supervisors provided an additional \$6000 to the previously expended \$28,500 (\$3500 over the initial agreement) enabling WBCP to continue their search for a PHO.

On September 22, 2021, a new salary schedule for identified/listed Lake County management employees was approved by the Lake County Board of Supervisors. One of the positions was the PHO.

According to the new salary schedule, starting November 1, 2021, the CPS-HR classification and compensation (CC) study of October 1, 2019, would be adjusted to 90% of market median.

Starting July 1, 2022, the CC would be adjusted to 100% of market medium. This is equivalent to a 2% COLA.

Starting July 1, 2023, the CC would be adjusted to 102% of market medium. This is equivalent to an additional 2% COLA.

Finally, starting July 1, 2024, the CC would be adjusted to 105% of market medium. This is equivalent to an additional 3% COLA on top of the previous adjustments. The Lake County PHO is one of the identified positions.

Each of the four-year increase periods, has a 2.33% increase. In addition, each year has five steps, each step increases by 5%. Therefore, assuming that the PHO incumbent is advanced a step and year at each anniversary year of their hire, they would receive a 7.33% increase to their base salary after every year of employment. The new salary and step analysis for the PHO is below.

2021-2022 Lake County Civil Grand Jury Final Report

	YEAR ONE				
	Step 1	Step 2	Step 3	Step 4	Step 5
Monthly	\$15,541	\$16,318	\$17,134	\$17,990	\$18,809
Annual	\$186,492	\$195,816	\$205,608	\$215,880	\$225,708
	YEAR THREE				
	Step 1	Step 2	Step 3	Step 4	Step 5
Monthly	\$16,169	\$16,976	\$17,826	\$18,717	\$19,653
Annual	\$194,028	\$203,712	\$213,912	\$224,604	\$235,836

	YEAR TWO				
	Step 1	Step 2	Step 3	Step 4	Step 5
Monthly	\$15,851	\$16,643	\$17,475	\$18,351	\$19,268
Annual	\$190,212	\$199,716	\$209,700	\$220,212	\$231,216
	YEAR THREE				
	Step 1	Step 2	Step 3	Step 4	Step 5
Monthly	\$16,652	\$17,484	\$18,359	\$19,276	\$20,240
Annual	\$199,824	\$209,808	\$220,308	\$231,312	\$242,880

The Jury have been informed that the new salary and step increases will be funded via the marijuana tax.

On February 15, 2022, a candidate was offered the role of PHO after verification of his California licensure. They will assume a part-time/80% role and will be working remotely from another state.

The candidate agreed to be hired at 80% of the Year One, Step 3 salary that would be a calculated monthly salary of \$13,707.20, annual salary of \$164,486.40.

The Lake County Board of Supervisors has never personally met with the candidate and that all interviews were conducted through the internet/Zoom. If chosen this doctor agreed to working remotely and will NOT be moving to Lake County. This doctor had NOT resigned from current position where they are listed as Chief Medical Officer and Adventure Doc as per their LinkedIn profile.

Because of these facts, there was concern that the candidate’s tenure as PHO would be short. In fact, the doctor resigned as of June 21, 2022.

DISCUSSION

The Lake County Civil Grand Jury, Health and Human Services Committee, as previously stated, interviewed senior Lake County executives, reviewed relevant and applicable documents, news reports and articles, and staffing as well as key human resource metrics. Included in the review are the following documents:

Agreement for Recruitment Services for Lake County Public Health Officer
The agreement contains no finite timeframe for recruitment as well as no incentives or disincentives to meet defined successful recruitment time frames.

County of Lake Hiring Incentives – Draft

This undated Lake County Human Resources document was intended to create hiring incentives to “attract and hire qualified employees for hard to fill positions.”

The document goes on to state, “The County of Lake will pay the hiring incentive to a newly appointed employee if the position is determined to be hard to fill.”

The document identifies four criteria as designations for hard to fill Positions of which three must be met to achieve that designation. The criteria are:

1. Two failed recruitments in the six-month period.
2. Fewer than 3 to 5 qualified, eligible, and available applicants in the six-month period.
3. A qualified candidate’s declining the county’s offer of employment as documented in NeoGov (NeoGov is a public sector Human Resource Information System).
4. Non-entry-level positions that have turned over multiple times in the last 3 to 5 years.

The document lists 10 different Eligible Positions designated for hiring incentives. In addition, hiring incentives were defined for Deputy Sheriff I/II,

Deputy Sheriff I/II – Corrections and Dispatcher and Deputy Probation Officer I/II and Welfare Fraud Investigator.

The Public Health Officer is not listed for hiring incentives.

New Employee Relocation Expense Policy

The Lake County New Employee Relocation Expense Policy was adopted by the Board of Supervisors on October 16, 2007. It designates the CAO and Human Resources Director as authorizers for relocation expense reimbursement up to \$3500 per employee.

The US General Services Administration (GSA) posted on January 19, 2022, their reimbursable relocation expenses and rates. The US GSA reimburses moving expenses based upon distance and weight. The article is current and relevant to present times. Reimbursable Relocation Expenses and Rates | GSA

The Importance of Exit Interviews [10 Reasons to Conduct Them]

Exit interviews are important because they provide a deeper look at the workplace culture, day to day processes, management solutions, and employee morale. The purpose of an exit interview is to assess the overall employee experience within an organization and identify opportunities to improve retention and engagement.

The article referenced below lists 10 reasons why exit interviews are important and how the data should be used.

Purpose & Importance of Exit Interviews [10 Reasons To Conduct Them] (hracuity.com)

30 Key HR Metrics (And the Benefits of Using Them)

HR Metrics are indicators used to measure the effectiveness of HR responsibilities and initiatives such as hiring, employee retention, training and labor costs. Human resource professionals track HR Metrics to improve their efficiency, and then report their findings to upper management. Metrics play an important role in helping companies make informed decisions by

illustrating what's working well, where there is room for improvement, and what trends they can expect to see in the future.

30 Key HR Metrics (And the Benefits of Using Them) | Indeed.com

The Indeed article referenced above lists 30 metrics and the method for calculation that a human resource department can use to quantify their successes and identifies opportunities. The metrics are:

1. Absenteeism - Measuring how satisfied employees are with their jobs.
2. Acceptance Rate - Measures the number of candidates who received job offers and accepted.
3. Average Performance Rating - Identifies employees who may need additional training.
4. Benefit Participation Rate - Identifies the percentage of employees enrolled in a specific benefit plan to determine underutilization and possible cost savings.
5. Billable Hours per Employee - Measuring billable hours per employee is a common practice for companies that provide a service like law offices and consulting firms.
6. Cost of HR Hire per Employee - Identifies the cost efficiency of human resources
7. Cost per Hire - Identifies the cost to hire a new employee and efficiency of the recruitment process.
8. Diversity and Inclusion - Identifies and promotes a more inclusive work environment.
9. Early Turnover - Measures the percentage of new hires leaving within the first year, or defined years of employment. Identifies possible areas and departments of concern.
10. Effectiveness of HR software - Identifies the value of current HR software and possible cost savings.
11. Employee Performance - Helps track employee performance through self-assessment, peer reviews and manager assessments.
12. Employee Referral Program Success - Identifies the efficiency of the employee referral program.
13. Engagement Rating - Identifies how engaged employees are that will lead to increase productivity, happier workforce, and higher retention rates.

14. Full-time Equivalent Employees - Identifies benefit compliance, efficient utilization, and potential cost savings.
15. Goal Tracking - Identifies employee successes and areas of training /improvement.
16. Healthcare Cost per Employee - Identifies the percentage of healthcare costs by the number of enrolled employees.
17. Overtime Percentage - Identifies effective utilization and staffing needs.
18. Pay Equity - Identifies appropriate compensation and pay gaps.
19. Percentage of Vacation Days Used - Identifies the level of a healthy work environment and vacation accrual liability.
20. Performance and Potential - Using a nine-box grid, employers will be able to identify underperformers, valued specialists, emerging potential employees, and top talent.
21. Retention Rate - Identifies the number of employees who remain in an organization within a designated period.
22. Time to Hire - Identifies the number of days between candidate applying for job accepting the job offer and measures the efficiency of the Human Resource department.
23. Time to Productivity - Identifies the number of days between a new hire and the date they reach a satisfactory level of production.
24. Time Since Last Promotion - Identifies the average number of months between promotions to determine why talented employees leave other jobs/opportunities.
25. Training Completion Rate - Identifies how many employees have complete training program to identify training efficiencies and potential cost savings.
26. Training Cost per Employee - Identifies the employee investment training cost.
27. Training Participation Rate - Identifies the percentage of employees participating in developmental opportunities.
28. Training Return on Investment - Identifies the efficiency of the training program and potential cost savings.
29. Turnover Rate - Aggregate and by Department - Identifies potential areas of cost savings and concern.
30. Workers Compensation Claims - Identifies and insures a safe workers environment.

FINDINGS

- F-1: Periodic meetings and updates were provided by the contracted search firm, however, they were routine status updates. The critical need for a Lake County PHO demanded that the contracted search firm aggressively seek appropriate candidates. A contracted search firm's frequent communication will minimize the duration of time it takes to fill critical Lake County positions.
- F-2: Search firm incentives or disincentives were not offered. The critical need to fill the Lake County PHO demanded that the Lake County HR Department create incentives or disincentives for the contracted search firm.
- F-3: Lake County does not have a dedicated human resource staff member with appropriate skills to ensure complete coordination and follow-up.
- F-4: Lake County does not have a dedicated resource staff member to ensure responsible, interdepartmental coordination and follow-up to address the need. Instead, Lake County HR are developing a position of Generalist.
- F-5: Lake County does not have a dedicated staff member designated to facilitate any departmental collaborative training to enhance interdepartmental cooperation.
- F-6: Lake County does not conduct Exit Interviews, in order to understand and minimize future turnover.
- F-7: Lake County does not have any defined succession programs, in order to minimize delays in filling critical positions.
- F-8: Lake County does not have any new employee transitional housing that will encourage recruitment and retention of Critical Positions.
- F-9: Lake County does not have or use HR Metrics nor a HRIS system that allows for the storage and production of HR Metrics in order to ensure effective management.

F-10: Lake County does not negotiate 30 to 60-day Transition Periods to ease the relocation of the newly hired incumbent and family.

F-11: The PHO is not listed as a Critical Position.

RECOMMENDATIONS

R-1: That the Lake County Board of Supervisors (BOS), CAO and HR Director (HRD) require contracted search firms to provide weekly updates to the recruitment status of the assigned search position. [F1]

R-2: That the Lake County BOS, CAO and HRD negotiate incentives and/or disincentives with contracted search firms. [F2]

R-3: That the Lake County BOS, CAO and HRD establish a dedicated Recruiter. [F-3, F-4]

R-4: That the Lake County BOS, CAO and HRD establish full-service Generalists (Recruitment and Employee Relations) in the HR department. [F-3, F-4]

R-5: That the Lake County HR Department coordinate interdepartmental training to ensure and enhance collaboration between departments, reduce errors and enhance the quality of services rendered to the public. [F-5]

R-6: That the Lake County HR Department conduct exit interviews of appropriate terminating employees. [F6]

R-7: That the Lake County HR Department develop a succession program for all key management positions. [F7]

R-8: That the Lake County BOS, CAO and HRD provide short-term transitional housing for new hires in identified positions. [F8]

R-9: That Lake County HR provide appropriate and applicable quarterly HR Metrics through the installation of a HR-friendly

HRIS (Human Resource Information System) program to the Lake County BOS, CAO, and Lake County Department heads. [F9]

R-10: That Lake County HR negotiate a minimum 30 to 60-day Transition Period, inclusive of the normal 2-week notification, for Senior Lake County Executive positions at the time of hire. [F10]

R-11: That the PHO position be listed as a Critical Position. [F11]

RESPONSES

Lake County HR Director	[R1 – R11]	90 days
Lake County CAO	[R1-R10]	90 days
Lake County Board of Supervisors	[R1 – R4, R7-9, R10]	90 days

Not Your Grandpa's Dump

Summary

Sparked by concern over the disposition of wildfire debris and questions about the necessity of expansion of the County's Eastlake Sanitary Landfill in Clearlake, the Grand Jury began investigating how the Landfill was currently being utilized and what changes were possible that could extend its usefulness in the future. What was immediately evident was that the Eastlake site is not the "dump" known to your grandparents. We discovered that the wildfire debris issue had already been addressed. The Grand Jury was impressed with the management of the landfill and with the evident consideration regarding its future productivity. The logistical and financial effects of both the pending bottle-reform bills and the recently enacted bill mandating organic waste disposal and edible food recovery remain uncertain.



METHODOLOGY

The Grand Jury interviewed officials with the Department of Public Services and visited the Landfill on two occasions. Prior to each visit, much research was conducted regarding landfills in general and what methods are recommended for processing waste products that would extend the useful life of landfills. The potential impact of a new food recycling law has also been explored.

INTRODUCTION

A sanitary landfill is a low area of land that is built up from deposits of solid refuse in layers covered by soil. The colloquial “dump” is an excavated area of land used as storage for waste materials but does not have leachate collection and treatment systems, while a landfill does. While all landfills are dumps, not all dumps are landfills. The first modern landfill in the U.S. was created in Fresno in 1935 and pioneered the use of trenching, compacting, and daily burial to combat rodent, bird, and wind-blown debris problems.

Landfills in California are primarily regulated by two State agencies – The State Water Resources Control Board and its nine Regional Water-Quality Control Boards (RWQCB) and the California Department of Resources Recycling and Recovery (CalRecycle). The Eastlake Sanitary Landfill is operated under permits issued to the County of Lake Department of Public Services on canyon land outside Clearlake owned by the County. The RWQCB with jurisdiction is the Central Valley Board.

DISCUSSION

The Environmental Protection Agency (EPA) estimates that the average amount of waste being produced per person is 4.9 pounds a day, or 1,788.5 pounds per-person per-year. Lake County comes in at just about 4 plus pounds per day. As the population increases over time, more waste will inevitably be produced. Therefore, reducing the amount of waste going into our landfills is essential, making programs such as recycling, composting, and energy recovery paramount.

There are other reasons to recycle items such as food, paper, plastics, etc. besides the over filling of landfills. Food waste is the largest component of municipal solid waste but it can be used for animal feed, for improving soil, and in some cases can be sent to food distribution centers to feed the hungry. EPA facts and figures indicate that paper and board recycling are the second largest components of solid waste.



Recycling saves energy, natural resources, and reduces our dependence on foreign oil and can also reduce greenhouse gas emissions. The EPA has determined that residential food scraps and other food related products need to be recycled into compost because the degradation of these products under anaerobic conditions in the landfill creates methane, a climate-warming gas generated by bacteria decomposing the waste. Approximately 20% of the State’s methane emissions are emitted by landfills.

The Director of CalRecycle indicated that recycling, composting, and combustion with energy recovery that reduced organics in landfills by 75% would be the equivalent of taking 1.7 million gas-powered cars off the road for a year.

Waste disposal for the year 2018 was 40,000 tons, with a daily average cost per ton of \$113.00. This past year, 2021, the projections were for 41,580 tons at \$118/ton average daily rate. In the year 2023, the projection is for 42,670 tons annually, with an average daily rate of \$121/ton.

CalRecycle in 2018 noted that single-family and multi-family residences generated 28.6% of the waste stream disposed of statewide, while commercial entities generated 41.9% and the “self-haul” (to landfills) sector generated the remaining 29.5%. Organic material such as food waste, yard waste, and lumber constituted approximately one-third of the waste in landfills, with non-meat, non-donatable food the most prevalent material type. The second largest material class was paper (16.6%), mostly uncoated corrugated cardboard and including newspapers, office paper, and mail. Third (14%) and fourth (12%)

in prevalence were inert materials (usually construction and demolition materials and bulky items that will not physically or chemically react or undergo biodegradation within the landfill) and plastics, respectively. Plastic use is growing at a rapid pace, from bags to water bottles to grab and go meals.

At the same time, researchers are finding tiny particles known as “microplastics” in our bloodstream. Scientists are concerned about the fast-rising impact of plastics which may lead to consumer and planetary ill health. Coca-Cola Trademark brands (Coke, Diet Coke, Coke Zero Sugar, Coca-Cola Flavors) will debut a 13.2-oz. bottle made from 100% recycled PET (rPET) plastic this month in California, Florida and select states in the Northeast, with other sparkling beverage brands following this summer. The Coca-Cola Company now offers 100% rPET bottles in more than 25 markets, bringing it closer to its World Without Waste goal of making bottles with 50% recycled content by 2030. Announced in 2018, the company’s sustainable packaging platform also includes goals to make 100% of its packaging recyclable by 2025 and to collect and recycle the equivalent of a bottle or can for every one the company sells globally by 2030.

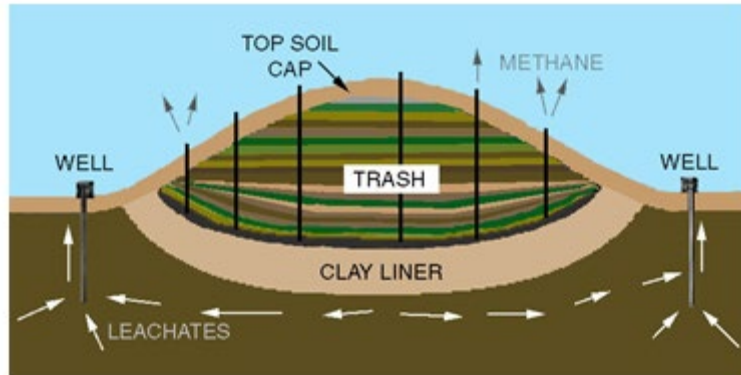
Lake County

The Eastlake Landfill, opened in 1972, is a “canyon fill” Class 3 (lined) municipal solid waste landfill and one of 300 landfills in California (per March 2022 EPA data) and approximately 1,250 in the United States. The legal boundary and permitted disposal area acreage of landfill encompasses approximately 80 acres and 34.7 acres, respectively. The County owns an additional 100 acres approximately northeast and south of the Landfill for future expansion; these are not yet included in the permitted facility boundary.

The proposed 2023 expansion will include 21.8 acres of landfill and an additional 14.4 acres needed for access roads, storm water basins, and soil stockpiling. This entire landfill area is referred to by management as the Site.

The Landfill receives mixed municipal construction/demolition debris. However, this debris is not buried at the landfill, but is sent to the Quackenbush Mountain Recovery Facility. Brush, yard waste, and clean wood waste are sent to the recycling center operated by the Southlake Refuse Company located just inside the Eastlake gate and the Landfill entrance. The Landfill, referred to as the Site, operates with a vision and includes Area 1,

which is the original unlined dump/burn site, aka, your “grandpa’s dump.” Area 1 has no engineered base liner in place. In 1999, the County expanded to Area 2, which is an additional lined landfill site. The second site is approximately three hundred feet higher than the first.



No hazardous waste is accepted for disposal. As of 1/1/2021, treated wood waste, including pressure-treated wood, was considered hazardous waste in California and was no longer accepted by the Landfill for disposal. By agreement, hazardous waste will be directed to the Southlake Refuse Company. Hazmat collections are stored in the Hazmat building until pickup. Site Visit

Under a clear-blue sky where ceiling and visibility were unlimited, Grand Jury members met with County and Landfill officials and stood on Quackenbush Mountain beside a clean green waste site operated by Pastori Enterprises, (Quackenbush Mountain Recovery Facility). Eastlake Landfill lies below this green waste spot of land with a 360-degree vista. As the jurors looked down at the engineered landfill, our hosts pointed out refuse truck haulers wending their way around Area 1 and Area 2 on their way to the waystation before dumping their loads.

Trash	Yard Waste	Recycle
Packaging Envases 	Yard Trimmings Recortes Del Jardín 	Clean Paper Papel Limpio
Non-Recyclables No Reciclable 		Rigid Plastic Plástico Rígido
Pet Waste & Diapers Desechos de Mascotas y Pañales 		Metal Metal
		Glass Vidrio
No hazardous waste	No desechos peligrosos	No food or liquids

Household Hazardous Waste Collection Schedule

**Fees may apply for some materials*

January 16 ONLY Clearlake: Quackenbush Mountain Resource Recovery & Compost Facility 16520 Davis St. Adjacent to Landfill	February 19-20 Lakeport: Lake County Waste Solutions Transfer Station & Recycling Yard 230 Soda Bay Rd.	March 19-20 Clearlake: Quackenbush Mountain Resource Recovery & Compost Facility 16520 Davis St. Adjacent to Landfill
--	---	--

Cart Collection Reminders

- ✓ Carts should not obstruct bike lanes or sidewalks.
- ✓ Place at least 3 feet away from other carts.
- ✓ All items must be placed in the cart the night before your service day.
- ✓ Be sure lids fully close.
- ✓ Lid handle should be closest to curb.

IN THE GREEN CART = CLEAN GREEN MATERIALS

If you have extra garbage out for pick up, you must call our office in advance to authorize the pick up and confirm the fee.

- ✓ **YARD TRIMMINGS**
(leaves, grass, shrubs, hedges, etc.)
- ✓ **WOOD: untreated, unpainted, metal-free**
- ✓ **FALLEN FRUIT FROM TREES**

Lid must fully close, no pieces of trees/bush larger than 6" diameter.

Do Not Include:

- ✗ Plastic bags
- ✗ Household garbage
- ✗ Dog/cat wastes
- ✗ Painted/Pressure-treated wood
- ✗ Food
- ✗ Dirt
- ✗ Horse manure

IN THE BROWN CART = TRASH

*Make sure lid is fully closed.
✗ No Hazardous Wastes accepted.
Call 1-800-984-9661 for Hazardous Waste Disposal!*

Please leave 3 FEET between carts and vehicles. Cart lids must fully close.
Por favor, deje un espacio de 1 metro entre tambos y vehiculos. Deje la tapadera completamente cerrada.

The Landfill operates within its own zero net self-sustaining budget and includes discretionary funds for equipment, expansion and “what-if situations.” On the day of our visit, we found 2 compactors, 2 dozers, 2 scrapers, 1 bobcat, 2 loaders, 2 water trucks, a toolcat, hydroseeder, and stone crusher.



The Landfill, future dig site, and water lagoons are all well-manicured. Seagulls abound, as well as songbirds, ravens, and buzzards. The management has attempted bird control via balloons, sound makers, mist spray, and a falcon kite.

The landfill area was constructed with a ground-water underdrain system. The landfill has established water quality monitoring wells and serial sampling protocols. Unfortunately, there isn't water left in the pond this year due to drought conditions, thus requiring that water be drawn from the nearby fire hydrants.



The Landfill 2 area is 22.4 acres and has been in operation since 1999. Under-ground water elevations are mapped continuously in order to monitor separation levels between the landfill base and natural groundwater and also to determine the presence of harmful components.

This engineered system, in operation since 2014, captures landfill gas with a methane collection system on the order of approximately 400 cubic feet per minute. Heat could be seen dancing in the air over the methane collection plant. Leachate is collected and groundwater is tested. The water monitor checks for VOC (volatile organic chemicals) and other contaminants. The interaction of Waste, Water and Air is evident. This landfill has a robust engineered plan and a rigorous and multi-phased future. The landfill is regularly inspected by the EPA, Air Quality Control Board, and Cal Recycle, and water is tested by Cal Regional Water Quality. Also, an annual flyover survey is completed quarterly using a County-owned drone with GPS. The purpose of the flyover is to determine the remaining landfill capacity for operational purposes, but also to assure adequate financial reserves. At present, the Landfill is tested quarterly and, in the last four quarters of 2020, has met all federal and state emission requirements. By all accounts, this is an impressive operation.

California could get a new bottle recycling program.

California's recycling rate is well below official state goals, leading some to look for a fix to the bottle bill program. There are a few reform bills pending in the State legislature, including a new bill that would shift the burden of recycling to bottle distributors. California's venerable bottle bill was once the envy of the world—a model for how to encourage consumers to reduce waste. Today, the system is in deep trouble. It is saddled with a half billion dollars in backlogged deposits owed to consumers, a crippling shortage of recycling centers, and, according to a recent report, a plague of retailers who break the law daily by refusing to accept customers' empties or refund their deposits.

According to a 2022 report from the Berkeley-based nonprofit, the Story of Stuff Project, the redemption rate — the number of bottles and cans returned in exchange for the deposit (five cents for each container smaller than 24 oz. and ten cents for each container larger than 24 oz.) — now stands at about 58 percent, one of the lowest rates in the program's history.

The shuttering of more than half the state's recycling centers in recent years has led to a massive surplus of deposit funds sitting idly in state coffers. Built of those nickel and dime deposits everyone pays in the checkout line, the

surplus of unrefunded deposits reached a record \$529 million in January 2022, with an estimated additional annual surplus of about \$100 million.

Retailers who sell beverages and collect the deposits are required by law to pick up the slack when there are no other redemption and recycling options within a half-mile radius. This is what the state calls a “convenience zone,” beyond which consumers become less likely to turn in their containers. But the Story of Stuff Project’s survey revealed that nearly half of retailers who are legally required to accept empties and refund deposits are failing to do so, driving up the big surplus and sending to the landfill bottles that would otherwise be recycled. The bottle bill, then, has become a de facto tax.

In response to the report, a spokesperson for CalRecycle, the State agency that runs the bottle deposit program, acknowledged that the system is facing many challenges outside of its control, including record-high sales of bottled beverages during the pandemic, which means record amounts of waste. CalRecycle has deployed deposit drop-off pilot programs in underserved areas in an attempt to boost convenience and deposit redemptions. Nonetheless, the Story of Stuff’s survey indicated that approximately 76% of individuals with residential trash pickup put their empty cans and bottles in the blue bin, thus sacrificing their deposits.

Additional challenges these last several years include the worldwide recycling crisis brought on by China’s banning import of “dirty foreign garbage” in 2018. Around 1992, U.S. cities and trash companies had started offshoring their most contaminated, least valuable “recyclables” to China, which was desperate for raw materials, but when China closed its doors to U.S. recyclables, the bottom fell out of the once-robust recycling market, and local recycling centers began closing. The Sierra Club has noted that 2,600 recycling drop-off centers that were thriving in California in 2013 declined to 1,210 by the start of the pandemic, leaving scant options for many consumers to get their deposit money back. As of 2021, 56 centers have since reopened, but there are still far fewer than in the past.

Recycling centers have long been the mainstay of the bottle deposit program. Many of them were once located conveniently adjacent to supermarkets, relieving the retailers of having to accept empties themselves. Not all retailers have to participate, and some opt out by paying the State \$100 a day per-store. Others are exempted



because there are convenient recycling centers nearby or because of recent legislation that gave small businesses a one-year pass.

Now, with so many of the recycling centers gone, the law required retailers—supermarkets, drugstores, liquor stores, and pretty much everyone else selling deposit containers—to pick up the slack. But the Story of Stuff Project found that has not been happening.

The Project sent out 221 volunteers to visit retailers listed on the CalRecycle website as accepting empty containers and redeeming deposits. Of those stores obligated to participate in the program—CalRecycle puts their current number at 2,357—only 48 percent of those surveyed were actually taking back containers and redeeming deposits. Some retailers refuse outright, while many others either hide the fact that they take deposit containers or make the experience so unpleasant that people just don't bother.

CalRecycle states that it has a robust enforcement program charged with cracking down on retailers who shirk their responsibilities and that the agency conducts about 1,000 inspections a year. In 2021, the agency announced that it had won a \$1 million settlement from CVS for dodging its bottle bill responsibilities, and CVS had to install 20 reverse-vending machines in stores in underserved areas so consumers could redeem their empty bottles and containers. The reality is however, the agency lacks sufficient staff to oversee the great number of retailers in the State.

Potential solutions cited by Ecology Center, the Berkeley nonprofit handling recycling, include eliminating the \$100-a-day per-store opt-out exemption and forcing more retailers to redeem containers; stepping up enforcement within cities and counties; and using some of the surplus deposits to fund more recycling centers and reverse vending machines statewide.

Reverse vending machines (See Photo above) offer an alternative method of recycling bottled containers and are becoming more popular due to their ease of use. Consumers insert their empty bottles or cans, and the machine will scan the containers' barcodes, materials, or shapes to identify the type of packaging before returning money, or other forms of incentivization to the recycler, such as a redeemable receipt showing the value of the recycling refund. The machine also sorts the containers. Refillable containers are moved to one internal storage area, while containers that cannot be reused are compacted (crushed) and stored in different bins.

The two most important factors driving high return rates are the deposit value and the convenience to consumers of returning bottles and cans. Strongly advocated is raising the minimum deposit to a dime for all containers, regardless of size. When Oregon did that in 2020, recycling rates increased markedly. The nickel deposit dates back to programs in the 1960s, when a nickel could actually buy something. Now, that just is not a sufficient inducement. Economic incentives do change behavior, but there is no incentive for consumers to return bottles for the five-cent deposit refund.

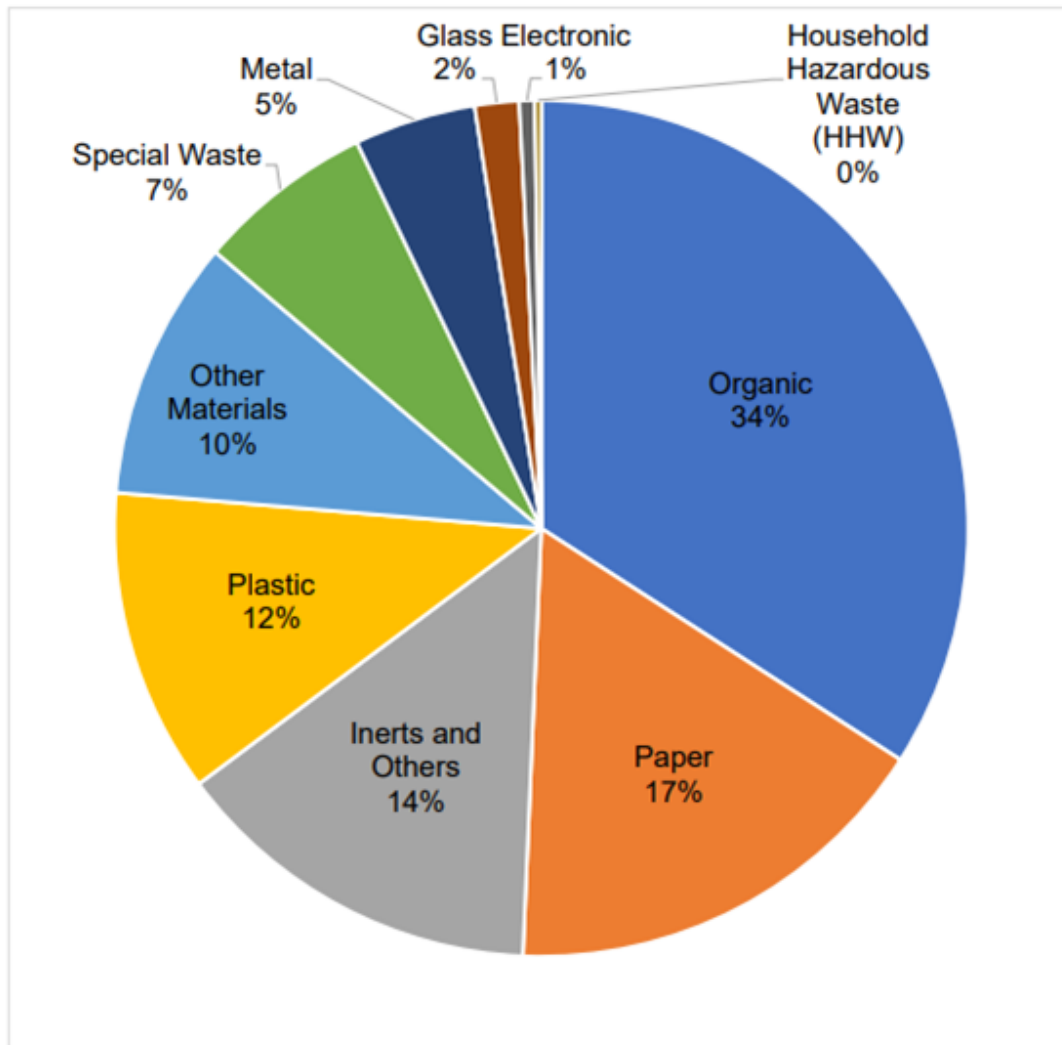
As well, when people have to use a single return point, redemption is less convenient. Lake County, as has been pointed out, has only two redemption centers – in Clearlake proper and in Nice.

The impact of the decline in bottle return rates is not limited to consumer finances, but also affects landfills. An assessment in 2020 by the Container Recycling Institute estimated that as a result of the declining redemption rate, 13.4 billion bottles and cans ended up in California landfills.

Figure 2 below from CalRecycle shows the percentage of different materials disposed of overall in California's landfills.

See Exhibit 1 attached for discussion of Figure 2.

Figure 2. Material Classes in California's Overall Disposed Waste Stream



Big changes are a comin' – Recycled food waste

Greatly expanded landfill operations will need to be built at great expense to meet California's ambitious goals. The EPA has determined that the residential food scraps and other food-related products listed below need to be recycled into compost because the degradation of these products under anaerobic conditions in the landfill creates methane gas. To implement statewide organic waste recycling and surplus food recovery, a new California law - Senate Bill 1383 - was approved by Governor Brown in September 2016 that established methane emissions reduction targets in a statewide effort to

reduce emissions of short-lived climate pollutants in various economic sectors.

SB 1383 established aggressive targets to be met, including reducing statewide organic waste disposal 50% by 2020 and 75% by 2025 from the 2014 level. The State has already missed its 2020 mark by having been on the order of a million tons over the 2014 baseline. The bill provided no funding sources when it was signed into law.

An additional target was that not less than 20 percent of currently discarded edible food is recovered for human consumption by 2025. Edible food recovery is an important component of the SB 1383 legislation, as Californians are estimated to throw out 5-6 million ton of food waste each year. Supermarkets, restaurants, and other food sellers will be required to keep unused food out of the landfill by donating surplus edible food to food banks. Although the city of Lakeport and other Lake County jurisdictions received rural jurisdiction waivers from CalRecycle under SB 619 for certain components of the SB 1383 regulations through the end of 2026, edible food recovery is not an exempted program and was scheduled to take effect on 1/1/2022, when each jurisdiction had to at least have a plan in place to begin diverting food waste from landfills. With the goal of promoting compliance, the law calls on CalRecycle to work with jurisdictions without a plan to help them figure one out. Even though rural jurisdictions received waivers through the end of 2026 from CalRecycle for certain components of SB 1383, edible food recovery is not an exempted program.

Lakeport City Council met in April to discuss the introduction of an ordinance to the Lakeport Municipal code to establish regulations related to the establishment of an edible food recovery program. Clearlake has discussions pending on May 17 regarding how to participate in the edible food recovery program required by SB-383. Lake County Board of Supervisors discussed on May 2 consideration of an ordinance establishing Chapter 31 of the Lake County Code for an edible food recovery program and their decision is pending.

The bill targets three different groups from which food waste is generated.

1. Residential:
 - Fruits and Vegetables (remove stickers, bands, ties)

- Meat and Poultry (bones are ok)
- Fish and Shellfish (shells are ok)
- Dairy Products
- Bread and Pasta
- Rice and Grains
- Egg Shells
- Chips and Snacks
- Nuts and Seeds (shells are ok)
- Leftover, Spoiled and Expired Food (cooked is ok)
- Coffee Grounds (paper filters are ok)
- Tea Bags (remove staples)
- Paper Towels, Tissues and Napkins (colored are ok)
- Wooden Chopsticks, Popsicle Sticks and Wine Corks
- Cut Flowers

2. Commercial:

Food retail/wholesale sectors, Supermarkets, supercenters, and food wholesalers; Hospitality sectors, including restaurants/food services, hotels, and sports venues;

3. Institutional:

- Institutions
- Offices
- Food banks

So, what is the process to remove these products from the landfill and recycle them? The EPA has come up with the following methods which involve Tier Levels, as seen on the following graphic:

Tier 1. Source Reduction.

Reducing the volume of surplus food generated will reduce the amount of food disposed of as waste.

Tier 2. Feed Hungry People

Donate extra food to food banks, soup kitchens and shelters. However, the California Serve-Safe Rules and Regulations pertaining to cooked food and transportation thereof must be kept in mind.

Tier 3. Industrial Uses

Provide waste oils for rendering and fuel conversion and food scraps for digestion to recover energy.

Tier 4. Composting

Create a nutrient-rich soil amendment

Tier 5. Landfill or Incineration

This is the last resort if the food waste cannot be recycled by any other method. The County of Lake will be implementing this program in the near future, along with the local waste-hauling companies, as all jurisdictions will need to provide organic waste collection services to all residents and businesses.

These changes will not come cheap. CalRecycle received almost \$170M for 2021 and 2022 to build more infrastructure for organic waste composting and reducing edible food waste. CalRecycle estimates that as many as 100 new facilities will have to be built, which will take most of the \$170M. Although most of the State's waste facilities do not have residential compost collection, a substantial number, according to the CalRecycle Director, have commercial programs to reroute organic waste from businesses and restaurants. Realistically, however, an increase in trash collection rates are likely inevitable.

Ordinances can be passed, of course, but significantly changing the behavior of people and businesses is another matter. Hammering home the climate impacts of composting and substantial public outreach will be necessary to convince people to put organic waste in green bins, which will need to be provided, and not grey or black bins. Daily fines of \$10,000 are possible for noncompliant cities. Starting in 2024, households could be fined for improper disposal of organic waste.

The Department of Public Services Recycling Handbook is attached as Exhibit 2

FINDINGS

- F-1: Eastlake Sanitary Landfill meets EPA standards for methane gas.
- F-2: SB 1383 mandates recycling as separate waste for all food scraps and food products.
- F-3: Eastlake Sanitary Landfill operates on a net-zero self-sustaining budget.

- F-4: Phase 2 of the expansion plan will begin next year (2023). The proposed landfill expansion project will take place in phases with modules constructed every 4 to 9 years.
- F-5: The Eastlake Sanitary Landfill is well run and meets all regulatory requirements
- F-6: SB 1383 mandates the separate recycling of all food scraps into animal feed, industrial fluids, soil amendments, and the recovery of edible food products for distribution to the needy.
- F-7: On May 2nd the Board of Supervisors considered an ordinance establishing Chapter 31 of the Lake County Code for an edible food recovery program. The Board is examining the requirements and associated cost of meeting the State mandates of SB 1383.
- F-8: Clearlake has confirmed to the Grand Jury that it will participate in the edible food program and are determining how the program can be instituted.
- F-9: Lakeport has indicated to the Grand Jury that they will introduce an ordinance to augment the Municipal Code to establish regulations regarding the edible food recovery program.
- F-10: The only two cans/bottles/plastics recycling centers in Lake County are Diamond Recycling in the Burns Valley Shopping Center in Clearlake and Robinson Rancheria in Nice.
- F-11: The two recycling centers redeem cans/bottles/plastics by weight rather than per-item, resulting in decreased economic incentive to recycle.
- F-12: As a result of the economic disincentive to recycle, the State collects and holds the unrefunded deposits is a sum totaling more than a half a billion dollars.
- F-13: Single use plastics continue to pollute our environment, are toxic to humans and animals, and negatively impact landfill capacity.

- F-14: Reverse Vending Machine are being used increasingly to recycle bottles and cans because of ease of use.
- F-15: The Recycling Handbook created by the Department of Public Services was thorough and informative.

RECOMMENDATIONS

- R-1: That the Lake County Board of Supervisor formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their County license. (F7, F10, F11, F12, F13, F14)
- R-2: That the Lakeport City Council formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their business license. (F9, F10, F11, F12, F13, F14)
- R-3: That the Clearlake City Council formulate ordinances requiring any retail businesses that sell plastic bottles also to redeem them, including possibly using reverse vending machines, as a condition of their business license. (F8, F10, F11, F12, F1, F14)

RESPONSES

Pursuant to Penal Code §933(c), the following responses are required:

Lake County Board of Supervisors	(R1)	90 days
Lakeport City Council	(R2)	90 days
Clearlake City Council	(R3)	90 days

BIBLIOGRAPHY

<https://illumin.usc.edu/reduce-reuse-recycle-with-the-reverse-vending-machine/>

<https://www.storyofstuff.org/wp-content/uploads/2022/02/Californias-Bottle-Bill-The-Path-to-Redemption.pdf>

<https://www.bottlebill.org/index.php/current-and-proposed-laws/usa/california>

http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1351-1400/sb_1383_bill_20160919_chaptered.pdf

<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/food-material-specific-data>

CalRecycle: 2018 Facility-Based Characterization of Solid Waste in California. May 15, 2020.

Difeliciantonio, Chase: California is about to witness its biggest change to trash since the 80s. Hint: it's all about composting. San Francisco Chronicle, January 1, 2022.

Rainey, James: What you need to know about California's new composting law – a game changer for food waste. Los Angeles Times, December 26, 2021.

SCS Engineers: Report of Disposal Site Information Report of Waste Discharge/Preliminary Final Closure and Post-Closure Maintenance Plan: CCR Title 27 ... Joint Technical Document for Eastlake Sanitary Landfill, Clearlake, California. July 30, 2018.

“National Overview: Facts and Figures on Material, Wastes and Recycling”

<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials>) 2 October 2017. Retrieved 2021-07-14

“Typical Anatomy of a Landfill (<http://wm.com/thinkgreen/pdfs/Anatomy-of-a-landfill.pdf>)

“State Law SB 1383: Food Recovery Requirements”

(<https://sfenvironment.org?SB-1383>)

“Preventing Waste Is A Better Solution Than Recycling It”

(<http://seattletimes.com/opinion/preventing-waste-is-a-better-solution>)

Waste Management Hierarchy and Homeland Security Incidents”

(<https://www.epa.gov/homeland-security-waste/waste-management-hierarchy...>)

A Proposed Expansion of Eastlake Landfill Will Go before The Lake County Planning Commission”, Aidan Freeman Record-Bee May 27, 2020, Update June 4, 2020.

“Eastlake Sanitary Landfill Expansion Project”

(<https://ceqanet.opr.ca.gov/2020010546/2>)

“Eastlake Landfill Busier Than Ever” (<https://www.record-bee.com/article/NQ/201601059957>). Retrieved 2018-06-15

“Lake County Board of Supervisors Accepts Fire Debris at Eastlake Landfill-WasteToday” (www.wastetodaymagazine.com/article/lake-county-board-of-supervisors-accepts-fire-debris-at-eastlake-landfill/)WasteToday. Retrieved 2018-06-15.

Cal. Pub. Resources Code § 14525.5 Download PDF

Current through the 2022 Legislative Session

Section 14525.5 - Reverse vending machine

"Reverse vending machine" means a mechanical device which accepts one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's refund value. The refund value payments shall be aggregated and then paid, if more than one container is redeemed in a single transaction. Ca. Pub. Res. Code § 14525.5

Amended by Stats. 1989, Ch. 1339, Sec. 15. Effective October 2, 1989.

Cal. Pen. Code § 319.5 Download PDF

Current through the 2022 Legislative Session

Section 319.5 - Inapplicability to possession or operation of reverse vending machine

Exhibit 1

Lake County

Public Services Department

Toxic.Free.Home.



Reduce, Reuse, & Recycle Handbook

Published by the
Lake County
Public Services Department
333 Second Street, Lakeport, CA 95453 • 707-263-1980
www.recycling.co.lake.ca.us
recycling-makes-cents@co.lake.ca.us
Fall 2010



Here are
Nine Ways to Save...

**Time, Money, and
the Environment**
*(while avoiding a **Non-Recycling
Surcharge!** See inside back cover
for more information)*

	Page
1. Convenient curbside service	1
2. Recycling savings	2
3. Drop-off & buy-back centers	3
4. Reduce, reuse, & buy recycled	4
5. Index of materials	5 - 18
6. Greenwaste & wood waste	18
7. Hazardous waste	23
8. Used oil & oil filters	24
9. Tires	17
10. Disposal facilities	Inside back cover

To find out about new programs and Amnesty Events,
visit www.Recycling.co.lake.ca.us
or call 263-1980



Common Recycling Mistakes:

- Leaving caps and lids on recyclable containers
- Putting batteries and CFLs (compact fluorescent lights) in the trash instead of taking to HazMobile
- Putting brooms and mops in recycling bin
- Carpeting is not recyclable
- Hoses are not recyclable
- Placing painted or treated wood in greenwaste bins

Curbside recycling, trash, and green waste service is available throughout Lake County!

- No separating required! All recyclables go in one cart.
- Easy to maneuver roller carts provided by the hauler.
- Rates as low as \$12/month based on the size of the refuse cart: 20-gallon, 30-gallon, 60-gallon, and 90-gallon carts available.
- 90-gallon yard waste (greenwaste) cart and 90-gallon recycling cart at no additional charge with residential service.

The more you recycle, the more you save!

Who's Your Hauler?



Lake County Waste Solutions 234-6400
Clearlake Waste Solutions 1-888-718-4888
Clearlake, Clearlake Oaks, Glenhaven, Kelseyville, Lucerne, Nice, North Lakeport, Upper Lake



Lakeport Disposal Inc.
263-6080
Lakeport



Recycling Center 994-8614
Business Office 994-8613
Cobb, Hidden Valley Lakes, Lower Lake, Middletown, and Clearlake Riverias east of Soda Bay Rd.

Remember to place your carts at the curb the night before collection day, about 3 feet apart, with arrows on lids pointing towards the street, and avoid placing bins under overhead power lines and low tree branches. Be a good neighbor! Bring them back off the street by nightfall that day. **1**

The more you recycle...



Attention Business, Mobile Home Park, and Apartment Owners

in the unincorporated areas of Lake County!
Commercial customers are entitled to a

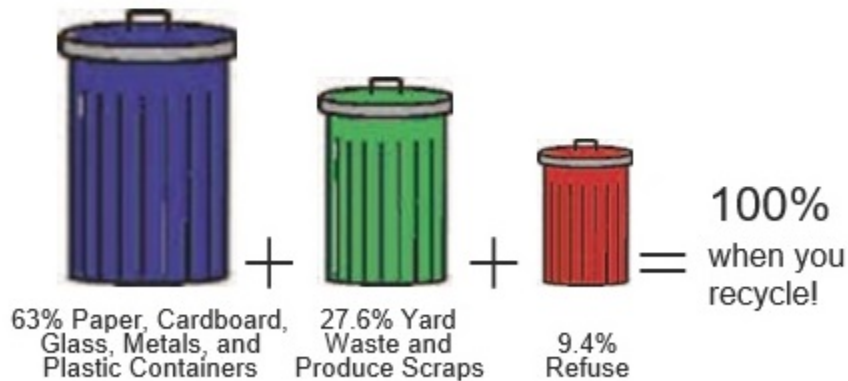
recycling container equal to the size of their
refuse container. If you're paying for a

weekly collection of a 4-yard bin you could **START RECYCLING**, avoid a
non-recycling surcharge, and pay for only the 2-yard bin.

The more you save!!

Throughout Lake County, fees are based on the amount of refuse you
dispose. So whether you self-haul or have collection service, the more
you recycle, the more you will save.

If you'd like to establish a recycling program in your business, mobile
home park, or apartment complex, call 263-1980 to schedule a free
"waste audit" and start saving!



Recycling Drop-off & Buy-Back

Key:	South Lake	Lake County
	Recycling [^]	Waste
N/C No Charge		
F Fee charged Call for information	994-8614	Solutions*
\$\$ Redemption paid	16015 Davis St., Clearlake	234-6400
* See inside back cover for hours		1-888-718-4888
		230 Soda Bay Rd., Lakeport
Appliances	F	F
Batteries, Automotive	N/C	N/C
Cardboard	N/C	N/C
Cathode Ray Tubes, Electronics	N/C	N/C
Glass Containers	N/C	N/C
Greenwaste	F	F
Mixed Paper	N/C	N/C
Plastic Containers	N/C	N/C
Scrap Non-Ferrous Metal	\$\$	\$\$
Styrofoam	N/C	N/C
Tires	F	F
Used Oil	N/C	N/C
Beverage Containers	\$\$	\$\$

Clearlake
South Lake Recycling
16015 Davis Rd.

Foods Etc.
15290 Lakeshore Dr.

Ray's Food Place
15950 Dam Rd.

Middletown
Hardester's
21088 Calistoga St.

Clearlake Oaks
Red & White Market
(Wednesday only)
12580 Acorn St.

Beverage

Container Buy-Back Centers

Kelseyville
Riveria Foods
9730 Soda Bay Rd.



Lakeport
Lake County Waste Solutions
230 Soda Bay Rd.

Grocery Outlet
1115 S. Main St.

Willow Tree Plaza
11th St. - Behind East end

Lucerne
Lakeview Market
(Thursday only)
6084 E Highway 20

Nice
Robinson Rancheria
1545 E Highway 20

Reduce Your Waste...



- Buy in bulk and avoid buying individually wrapped items when possible.
- Choose products with the least amount of packaging.
- Bring your own shopping bag.

Reuse & Reusable

- Save boxes, bags, and gift wrap for the future.
- Take reusable items to a thrift store:

Hospice Services	14290 Lakeshore	Clearlake
Hospice Services	1701 S. Main St.	Lakeport
People Services	395 N. Main St.	Lakeport
St. Vincent dePaul	16125 Orchard	Lower Lake
Methodist Church	21216 Washington	Middletown



Fix It!

Listen to: the "Old Okie Trading Show," 11:00 am to 1:00pm, Saturdays on KPFZ, Lake County Community Radio, 88.1 or "The Trading Post," 10:00 am to 11:00 am, Fridays, on KXBX AM1270.

www.LakeCoNews.com offers free classifieds, and the Lake County Record-Bee offers classified ads for free items at no charge.

Join the Freecycle group at:
<http://groups.freecycle.org/lakeport-kelseyville-freecycle>

Donate building materials to Habitat for Humanity. Call 994-1100 or visit www.local.habitat.org/hfhlakeca

For more opportunities, call the recycling hotline at 263-1980, or email recycling-makes-cents@co.lake.ca.us



Buy Recycled

- Look for recycled content information on products.
- Purchase products in plastic containers numbered 1 - 7 as they can be placed in your curbside bin.
- Shop at antique, consignment, and thrift shops.

**Lake
MAX**

California Materials Exchange
Free Classified ReUse Ads
www.CalMAX.org/LakeMAX
1-877-520-9703

4

Alphabetical Index of Materials

- A -

AEROSOL CANS



If container is empty and contents were nontoxic, recycle curbside in your blue cart or drop-off at recycling center (see page 3). If contents were *toxic*, and container is empty, dispose of in trash. If container is not empty, and contents are toxic, take to HazMobile event for free disposal (see page 23).

ALUMINUM CANS

Recycle curbside in your blue cart or bring to a Buy-Back Center to receive money back. (see page 3)

AMMUNITION

Can be taken to the Lake County Sheriff's Office with an appointment, call 262-4200 to schedule an appointment.

ANIMALS, DEAD

On public roads, call local hauler for pick-up (see page 1). If on your property, take to Animal Care & Control, 4949 Helbush Lakeport, 263-0278 or call your veterinarian.

ANTIFREEZE

Several used oil collection sites also accept antifreeze, see page 24 or take to Hazmobile event (see page 23).

APPLIANCES

Call your hauler to schedule a "Bulky Item Pick-Up" for large appliances (see page 20) or drop-off at recycling center (see page 3). Proof of residency required.

Large - \$10 fee for major appliances includes refrigerators, stoves, freezers, air conditioners, etc.

Small - Free



ASBESTOS (and presumed asbestos-containing materials)

Call the recycling hotline at 263-1980 for information.

ASPHALT

See CONSTRUCTION & DEMOLITION

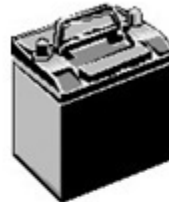
ASPHALT SHINGLES

See CONSTRUCTION & DEMOLITION

AUTOMOBILE BATTERIES

See Batteries, Automobile

- B -



BATTERIES

All batteries are considered hazardous materials and cannot be thrown into the garbage. Drop-off free at recycling center (see page 3) or take to HazMobile event for free disposal (see page 23).

Automotive Batteries - Drop-off at recycling center or at most auto parts stores.

Household Batteries - Drop-off at recycling centers or at a HazMobile event (see page 23).

BICYCLES

If they are re-usable, donate to a thrift store or post on Freecycle (see page 4).

Frames - Recyclable as scrap metal at recycling center (see page 3).

Tires - \$1 each at recycling center (see page 3).

Seat - Can be disposed of as trash.

BOOKS



If they are re-usable, donate to schools, library, county jail, (please call to schedule donation) or any thrift store. Contact used bookstores for possible buy-back or store credit. Paperback and hardcover books are recyclable curbside in your blue cart or drop off free at recycling center. Covers on hardcover books must be removed and disposed

of with trash (see page 3).

BUILDING MATERIALS

See CONSTRUCTION & DEMOLITION

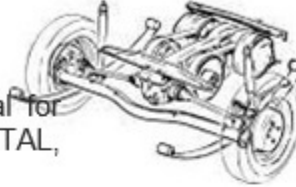
BUTANE LIGHTERS (BIC, disposable, etc.)

Keep and take to your next HazMobile event visit (see page 23).

- C -

CAR PARTS

Many parts are recyclable as scrap metal for buy-back, or at little or no charge (see METAL, SCRAP). All fluids must be removed and disposed of properly.



CARDBOARD

Recyclable curbside in your blue cart or drop-off free at recycling center (see page 3). Professional moving boxes that are flattened and in good shape may be offered on Freecycle (see page 4). Dispose of waxed cardboard with refuse as it is not recyclable.

CARPETING and CARPET PAD



Take to Lake County Waste Solutions for recycling (see inside back cover). Can be disposed of at Eastlake Landfill or in trash can. If it cannot fit in can, call for bulky item pick-up service in the unincorporated areas. Fee charged.

CATALOGS

Recyclable curbside or drop-off at recycling center (see page 3).

CELL PHONES

Cell phones contain toxic metals that cannot go to the landfill, so they cannot be thrown away in your trash. All cell phone stores are now required to accept used cell phones for recycling. Drop-off at recycling center (see page 3).



CERAMICS

See CONSTRUCTION & DEMOLITION. Dispose of as refuse.

CEREAL BOXES

Without plastic inner bag, they are recyclable curbside or drop-off at recycling center (see page 3).

CHRISTMAS TREES

Unflocked and clean trees can be cut and placed inside your green bin curbside (lid must close). Call your hauler for special residential pickup/drop-off information (see page 1).

CLOTHING

Donate clothes in good shape to thrift stores or offer on Freecycle (see page 4).

COMPUTERS



Includes the CPU, keyboard, monitor, and mouse. No charge to drop-off at recycling center (see page 3) or call your hauler to schedule a "Bulky Item Pick-Up," (see page 20).

CONCRETE

See CONSTRUCTION & DEMOLITION

CONSTRUCTION & DEMOLITION (C&D)

If materials are in good working order, consider donating to Habitat for Humanity, offering on Freecycle or LakeMax (see page 4). Fees charged at all disposal sites listed below.

Eastlake Landfill

16015 Davis St., Clearlake
994-5888

Includes mixed C&D, non-asbestos-containing materials, non-metal pipe, flooring, dirt, asphalt, treated or painted wood, roofing, concrete. (Excess concrete will result in a recycling surcharge - or recycle at Lake County Waste Solutions and Quackenbush Mountain). Mobile homes and trailers by appointment.

Lake County Waste Solutions

230 Soda Bay Rd., Lakeport
234-6400 or 1-888-718-4888

Includes mixed or separated C&D, clean landscaping materials, asphalt shingles, tar and rock roofing, dry wall, scrap metal, concrete, brick, asphalt, and porcelain (toilets and sinks).

Granite Construction

3550 Big Valley Rd., Kelseyville
279-1566

Clean asphalt and concrete without rebar are accepted for recycling/reuse.



Quackenbush Mtn. Resource Recovery & Compost Facility

16520 Davis St., Clearlake
995-0104

Includes clean construction wood, clean concrete, clean asphalt, and clean dirt.

COPY MACHINES

See ELECTRONICS



COUCHES

See FURNITURE

- D -

DETERGENT CONTAINERS

Cardboard or plastic are recyclable curbside or drop-off at a recycling center (see page 3).

DISHES/STEMWARE/CERAMICS

NOT Recyclable. If they are reusable donate to a thrift store or offer on Freecycle (see page 4). If not reusable, dispose of with trash.



- E -

ELECTRONICS

Electronic products such as computers, printers, copy machines, fax machines, stereos, DVD players, VCRs, and answering machines are accepted at no charge at both South Lake Refuse & Recycling and Lake County Waste Solutions (see page 3). Small household appliances such as blenders, coffee makers, toaster ovens, mixers, irons, hair dryers, etc. also accepted.



EXPLOSIVES

Make appointment to drop-off at Sheriff's Department, 262-4200.

- F -

FIRE EXTINGUISHERS

Hazardous waste. Save and take to your next HazMobile event visit (see page 23).



FLEA POWDER

Hazardous waste. Save and take to your next HazMobile event visit (see pag 23).



FLUORESCENT LIGHT TUBES & BULBS

(CFLs - Compact Fluorescent Lights). Hazardous waste; contains mercury. Save and take to your next HazMobile event visit (see page 23) or South Lake Refuse & Recycling (see page 21).

FOAM

See STYROFOAM. Can also take to Lake County Waste Solution (see inside back cover). Fee charged.

FOOD

Small quantities of fruit and vegetable scraps may be placed in greenwaste containers. No meat, dairy, or ready-made products. For information about home composting or vermicomposting (worms), visit: www.calrecycle.ca.gov/organics

FURNITURE

If in good condition, donate to a thrift store or offer on Freecycle (see page 4. For disposal information, see page 3 and 20).



- G -

GASOLINE

Hazardous waste. Take to HazMobile event (see page 23).

GIFTWRAP

Recyclable except for foil wrap, which must be disposed of with trash.



GLASS

Beverage containers marked CRV or California Redemption Value can be redeemed for money at Buy-Back Centers, placed in curbside bin (remove lids), or dropped off at a recycling center (see page 3). Food jars and bottles (spaghetti sauce, catsup, etc.) may be placed in curbside bins (without lids). Window glass is not recyclable and can be disposed of as trash.

GLASSWARE

See DISHES. If reusable, donate to thrift store or offer on Freecycle (see page 4). NOT recyclable. Dispose of with trash.

GREEN WASTE

No poison oak, berry vines, cactus, or palm fronds - they must be disposed of as garbage or taken to landfill.

Yard trimmings and fruit and vegetable scraps can be placed in green curbside bin. For information on home composting, visit:

www.calrecycle.ca.gov/organics/#

Greenwaste can also be dropped off at Lake County Waste Solutions, South Lake Refuse & Recycling Center, or Quackenbush Resource Recovery and Compost Facility (see page 21). Fee charged.



- H -

HAIR DYE

Hazardous waste. Save and take to your next HazMobile event visit (see page 23). If completely dried, can be disposed of with trash.

HERBICIDES

Hazardous waste. Save and take to your next HazMobile event visit (see page 23).

HOSES

NOT recyclable. If reusable, take to thrift store. Otherwise dispose of with refuse.

- I -

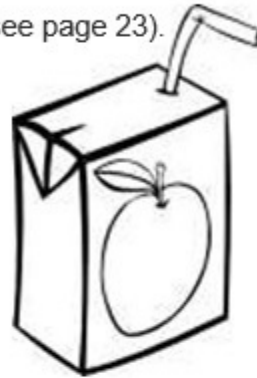
INSECTICIDES

Hazardous waste. Take to HazMobile event (see page 23).

- J -

JUICE BOXES

Juice, soy milk, etc. boxes can be rinsed and recycled curbside or at a recycling/drop-off center (see page 3).



- K -

KEROSENE

Hazardous waste. Take to HazMobile event (see page 23).

- L -



LAWNMOWERS

Deliver to Recycling/Drop-off Center (see page 3) with fluids drained and properly dispose of at a HazMobile event. Recyclable as scrap metal at no charge.

- M -

MAGAZINES

Recycle curbside or at a recycling/drop-off center (see page 3).

MATTRESSES

Deliver to Eastlake Landfill or Lake County Waste Solutions for a \$5 fee, (call ahead for large quantities) or schedule a bulky item pick-up (see page 20).

MEDICAL SUPPLIES and EQUIPMENT

If equipment is reusable, donate to thrift store or offer on Freecycle (see page 4). Syringes (see SHARPS) cannot be disposed of in trash. Also see PRESCRIPTIONS.



METAL CANS

Including food (soup, tuna, pet food, etc.) are recyclable curbside or at a recycling/drop-off center (see page 3).

METAL (SCRAP)

Some non-ferrous scrap metal is eligible for buy-back. Other metal such as bed frames, shelving, car parts (fluids drained), bike frames, tools, wood stoves, hardware, chain link fencing, galvanized pipe, iron pots and pans, etc. can be dropped-off at South Lake Refuse & Recycling or Lake County Waste Solutions (see page 3). No charge for up to 4 1/2 cubic yards per month (one pickup truck load). *NOTE:* Iron or steel cable, chain or barbed wire must be disposed of. Propane tanks larger than 5 gallons are accepted at Lake County Gas in Lower Lake. Call 995-2840 for information.

MILK CARTONS

Rinse and recycle curbside or at a drop-off center (see page 3).

MIRRORS

NOT recyclable. If reusable, donate to a thrift store or offer on Freecycle (see page 4). Otherwise dispose of with trash.

MOTH BALLS & FLAKES

Hazardous waste. Save and take to your next HazMobile event visit (see page 23).



MOTOR OIL, USED and NEW

No charge. Redemption value may be available at some locations if oil is uncontaminated. Oil filters accepted. Deliver up to 5 gallons per day. See page 24 for drop-off locations and information.



- N -

NAIL POLISH & POLISH REMOVER

Hazardous waste. Save and take to your next HazMobile event visit (see page 23). If completely dried, can be disposed of with trash.

NURSERY POTS, Plastic

Accepted for reuse at most nurseries or recyclable in curbside bins.

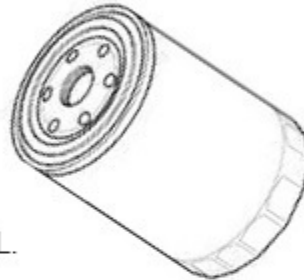
- O -

OIL, USED

See MOTOR OIL.

OIL FILTERS, USED

Accepted at no charge. See MOTOR OIL.



- P -

PAINT

Take to Lake County Waste Solutions on Soda Bay Rd. or HazMobile (see page 23). If paint is latex and completely dry, container can be disposed of with refuse. Recycled paint is available on a first-come-first-served basis at Lake County Waste Solutions on Soda Bay Rd.

PALLETS

See WOOD WASTE.



PAPER

Includes cardboard, newspaper, junk mail, magazines, office paper, etc.)
Recycle curbside or at recycling centers, (see page 3)

PESTICIDES

Hazardous waste. Save and take to your next HazMobile event visit (see page 23).

PET FOOD BAGS

With plastic lining, NOT recyclable, dispose of with refuse. Without plastic lining, recyclable curbside.

PHOTOGRAPHY CHEMICALS

Hazardous waste. Deliver to HazMobile (see page 23).

PIZZA BOXES

Not recyclable. Dispose of in trash.

PLASTICS

Beverage containers: Recycle curbside or take to a buy-back/drop-off center (see page 3), Lids are not recyclable, dispose of them with trash.

Food containers (clean): Recycle curbside.

Grocery bags and film plastic: In Lakeport and Clearlake, dispose of as trash or drop-off at most grocery stores. All other areas, secure inside a clear plastic bag to reduce chance of blowing away as litter and place in blue recycle bin.

Rigid/Hard plastics: Clean buckets and laundry baskets can be recycled curbside in Clearlake only. Kiddie pools, crates, resin lawn chairs, storage containers, Big Wheels, etc. Drop off at Lake County Waste Solutions and South Lake Refuse & Recycling (see page 3) or place in trash.



POISONS

Including rat, mouse, gopher, snail and slug. Hazardous waste. Take to HazMobile (see page 23).

POLISH

Including car, furniture, nail, shoe, silver, copper, floor, etc. Hazardous waste. Take to HazMobile (see page 23). Container, if empty or if product is completely dry, can be disposed of with refuse.



PRESCRIPTIONS

Hazardous waste. Do not dispose of in garbage, sink or toilet. Take to HazMobile (page 23). Prescription containers can be returned to most pharmacies.

PROPANE TANKS

5 gallons or smaller, accepted at HazMobile (see page 23). Tanks larger than 5 gallons can be dropped off at Lake County Gas in Lower Lake. Call 995-2840 for information.

PVC (Poly Vinyl Chloride)

NOT recyclable. Dispose of with trash. See CONSTRUCTION & DEMOLITION.

- R -

RESIN (Plastic) CHAIRS

If reusable, take to thrift store or offer on Freecycle (If it's broken and can fit in your trash bin, dispose of with trash. NOT recyclable.



- S -

SHAMPOO BOTTLES

Recyclable curbside or take to recycling/drop-off center (see page 3). Rinse bottle. Dispose of lid in trash.

SHARPS

Hazardous waste. Dispose ONLY through "Sharps-By-Mail" program available at all Lake County pharmacies for a \$5 co-pay for mail-in container.



SHOE BOXES, Cardboard

Recycle curbside or take to recycling/drop-off center (see page 3).

SMOKE DETECTORS

Double wrap in plastic and dispose of with trash after removing batteries. See BATTERIES.

STRAWS

NOT recyclable. Dispose of with trash.

STYROFOAM

Recyclable curbside only in the unincorporated areas or at recycling/drop-off centers (see page 3). Place in clear plastic bags to

16 prevent littering.

SYRINGES

Hazardous waste. See SHARPS.

- T -

TARPS

NOT recyclable. If reusable, take to thrift store or offer on Freecycle (see page 4). Otherwise, dispose of with trash.



TELEPHONES

See ELECTRONICS.

TELEPHONE BOOKS

Recycle curbside or at nearest recycling/drop-off center (see page 3).

TELEVISIONS

Hazardous waste. Monitors and televisions (cathode ray tubes) are banned from landfill. Free dropoff at South Lake Refuse & Recycling or Lake County Waste Solutions (see page 3 or schedule a bulky item pick-up, page 20).

THERMOMETERS

Save and take to your next HazMobile event visit (see page 23).

TIRES

Banned from landfills. Drop-off at South Lake Refuse & Recycling or Lake County Waste Solutions. Small fee. (see page 3). Watch for announcements of Amnesty Programs that allow free drop-off.



TISSUES (such as Kleenex)

NOT recyclable if used. Dispose of with trash.

TISSUE PAPER

Recyclable curbside or at recycling/drop-off center if paper (see page 3). If foil, dispose of with trash.

Always dispose of with trash:
• Used tissues • Paper towels • Cotton swabs • Window glass

TONER CARTRIDGES

Can be mailed at no charge to recycling centers. Postage-paid envelopes available at most Post Offices.

TOYS

Donate to thrift store or offer on Freecycle if still usable (see page 4). If made of rigid/resin plastic, see PLASTIC.

TURPENTINE

Hazardous waste. Take to HazMobile event (see page 23).

- V -

VCRs (Video Casette Recorders)

See ELECTRONICS.

- W -

WATER BOTTLES

Recyclable curbside and at recycling/drop-off centers or may be redeemed for California Redemption Value (CRV) at Buy-Back Centers. Dispose of caps in trash (See page 3).

WEED KILLER

Hazardous waste. Take to HazMobile event (see page 23).

WINDOW GLASS

NOT recyclable. Dispose of with trash.

WOOD WASTE (Clean)

Painted or treated wood must be disposed of as refuse. DO NOT BURN. Clean wood (nails okay) Includes branches, unpainted and untreated lumber and can be recycled curbside in green waste at no additional charge with regular curbside service (see page 1) or delivered to Lake County Waste Solutions, South Lake Refuse & Recycling, or Quackenbush Resource Recovery and Compost Facility for a small fee (see page 21).



Get Rid of Your Spare Tire! Tire Amnesty Program

Call the Recycling Hotline at 263-1980
for information and amnesty dates.

Residents of Lake County may dispose of up to 9 passenger tires, up to R19.5, during advertised Tire Amnesty Events at no charge.

Discounted fees apply for passenger tires over R19.5. The Amnesty Program is not for commercial, heavy duty, farm, or heavy equipment tires.

Tires can be delivered to either South Lake Refuse & Recycling at the entrance to the Eastlake Landfill on Davis Street in Clearlake or to Lake County Waste Solutions at 230 Soda Bay Road in Lakeport.



Customers will be asked to show proof of Lake County residency and sign a form showing numbers and origin of tires. No commercial tire, auto repair or salvage businesses.

IT'S THE LAW!

California law prohibits anyone from hauling more than 9 tires without a State permit. There may be exemptions for some cleanup projects. Contact us for information.

Paid for by a grant from CalRecycle.

Do Your Spring Cleaning Any Time of the Year! Schedule a Bulky Item Collection

Available in the unincorporated areas
of Lake County
for residential
customers of:



994-8613

And



234-6400 or
1-888-718-4888

Call your individual hauler for an appointment. Residents of Lakeport and Clearlake call your hauler for availability. There are NO transportation fees! Maximum of two items per year. Extra items can be scheduled for additional fee.

No Fee for these items:

BBQ Grill
Bed Frame
Bicycle
Box Spring
Carpet & Padding (*tie in bundles no larger than 4' by 2'*)
Computer
Couch
Furniture
Household Electronics
Large Toys
Lawn Mower (*drain all fluids*)
Mattress
Microwave Oven
Printer
Plumbing Fixture
Recliner
Sporting Equipment
Television
Vacuum Cleaner
Wheelbarrow
Window

Appliances:

\$10 Each, handling fee will be added to your garbage bill.

These items CANNOT be accepted:

Concrete
Dirt
Paint
Piano
Trash
Tree Stumps
Yard Debris
Hazardous Waste

This program is NOT for items that can:

- fit in your trash can,
- be recycled, or
- be donated to a thrift store.



Alternatives to Burning Yard & Wood Waste

1. Curbside Service

There is no additional charge for the 90-gallon greenwaste or 90-gallon recycling carts when you subscribe for residential curbside service. Monthly fees (as low as \$12) are based on the size of your refuse container. For more information, call your hauler. Call the Lake Quality Air Management District for burn regulations.



234-6400
1-888-718-4888

**Lakeport
Disposal** Inc

263-6080



Note: No poison oak, berry vines, cactus, or palm fronds.

1. Reduced Self Haul Rates

Call for information about fees for clean wood (not treated or painted) and greenwaste. Deliver to:

**Lake County
Waste
Solutions**

234-6400
1-888-718-4888
Monday - Saturday
7:30 a.m. to 3:00 p.m.
Open until 4:30 p.m.
April - September
230 Soda Bay Rd.,
Lakeport

**South Lake
Refuse &
Recycling**

994-8614
Daily 7:30 a.m. to
3:00 p.m.
16015 Davis St.,
Clearlake
(At entrance to
Eastlake Landfill)

**Quackenbush
Mtn.
Resource
Recovery and
Compost
Facility**

Monday - Saturday
7:30 a.m. to 3:00 p.m.
(Behind Eastlake
Landfill) **21**

Alternatives to Burning

3. Compost

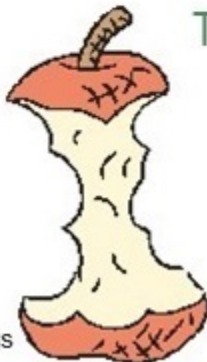
Composting keeps organic materials out of our landfills, making additional space available for trash, and turns organic materials into a useful product. The composting process decomposes organic wastes into a soil amendment that will improve soil structure, texture, and aeration, as well as increasing the soil's water-holding capacity. Compost is available for sale at Quackenbush Mountain Resource Recovery and Compost Facility (behind South Lake Refuse and Recycling, which takes small loads) or Lake County Waste Solutions (page 21).



Recipe for success: In a wire, wood, or plastic bin (with air holes), place leaves, yard trimming, vegetable scraps, coffee grounds, cold wood ash, etc. Alternate green and brown layers, keeping food scraps well covered in the pile. Keep pile moist, but not soggy. It's done when it's dark and crumbly.

Things to Compost:

- leaves
- grass clippings
- prunings
- flowers
- wood ash
- sawdust
- vegetable trimmings
- coffee grounds



Things Not to Compost:

- bones
- dog & cat feces
- unchopped wood
- plastics
- meat, fish, poultry
- diseased plants
- animal scraps
- dairy products

Hazardous Waste/HazMobile

Accepted Materials

acid	metal cleaner
adhesives	nail polish
antifreeze	oil-based paint
bleach	paint
butane	paint thinner
cosmetics	polishes
dyes	prescriptions
fluorescent tube	rat poison
fungicide	solvents
gasoline	stripper
herbicides	oil filters
latex paint	wood cleaner
lighter fluid	
5 gallons or smaller propane tanks	



Not Accepted at HazMobile

propane tanks over 5 gallons
 computers
 copiers
 explosives
 medical waste
 printers
 radioactive material
 televisions
*See Materials Index
 for disposal options*

Toxic.Free.Home.



What is HazMobile?

The Lake County Public Services Department provides a mobile Household Hazardous Waste collection service for Lake County residents. Check the schedule of Household Hazardous Waste (HazMobile) events at:
www.recycling.co.lake.ca.us

All events Friday & Saturday
 9:00 a.m. to 1:00 p.m.
 15 gal. maximum per vehicle.

Businesses: Call 468-9786
 for an appointment and fee
 schedule.

Why Proper Disposal Matters...

- Groundwater, wells, streams, and Clear Lake can be contaminated if hazardous waste is poured on the ground or in storm drains.
- Hazardous waste in your home may cause injuries to fire-fighters responding to a fire.
- Refuse and landfill workers can be injured by chemical splashes or poisonous fumes.

Drop-Off Sites to Recycle Used Oil & Used Oil Filters

Did you know...



- Used oil doesn't wear out; it just gets dirty.
- Mercedes Benz uses rerefined motor oil in all of their new cars.
- It is illegal to dispose of motor oil on the ground, in sewers, or in the trash.
- It is illegal to spray motor oil on roads for dust control.
- Used oil contains high levels of toxic heavy metals and halogens
- One gallon of oil can contaminate up to one million gallons of water.

Clearlake

Kragen Auto Parts
14993 Lakeshore Dr.
995-9295

* South Lake Recycling
16015 Davis Rd.
995-8614

Lakeport

* Lake County Waste
Solutions
230 Soda Bay Rd.
263-7682

Kragen Auto Parts
2011 S. Main St.
263-9633

Lower Lake

Jonas Energy Solutions
16445 Main St.
994-6535

*also accepts anti-freeze,
see page 5

Lucerne

Northshore Fire
Protection District
6257 7th Ave.
274-3100

Middletown

South Lake Fire Dept.
21095 Hwy 175
987-3089

Marine Oil

*Bayshore Marine Service
7723 Hwy 29, Kelseyville
279-1094

*Hillside Honda

460 S. Main St., Lakeport
263-9000

Agricultural Oil

Westgate Petroleum
3740 Highland Springs Rd.,
Lakeport
263-6512

Disposal Facilities

Eastlake Landfill
 16015 Davis St., Clearlake
 994-5888
Hours of Operation
 Monday - Saturday
 7:30 a.m. to 3:00 p.m.
 Sunday
 8:00 a.m. to 3:30 p.m.
(Except County Holidays)

Lake County Waste Solutions
 230 Soda Bay Rd., Lakeport
 234-6400 or 1-888-718-4888
Hours of Operation
 Monday - Saturday
 7:30 a.m. to 3:00 p.m.
 Open until 4:30 p.m.
 April - September
(Except Major Holidays)

Fee Schedule (subject to change)

Eastlake Landfill	
Minimum Fee	\$2.00
30 gal. can/bag	\$1.00
Loose Loads:	
Up to 5 cu yd	\$5.25
5 or more cu yd	\$37.00/ton

Lake County Waste Solutions	
Minimum Fee	\$5.00
30 gal. can/bag	\$1.50
Loose Loads:	
Up to 5 cu yd	\$6.50/ cu yd
5 or more cu yd	\$48/ton

Surcharges

Non-Recycling to save landfill space: Fees may be doubled on loads containing more than 25% recyclable materials; \$15 minimum.
Unsecured Load to reduce litter: \$10 for pickup trucks and trailers; \$100 for commercial vehicles over 25,000 gw.

Items Prohibited in Your Trash

	Where accepted	Page
Appliances	Recycling/Dropoff Center	3
Batteries, Auto	Recycling/Dropoff Center	6
Batteries, Household	HazMobile	23
Computers & TVs	Recycling/Dropoff Center	3
Explosives & ammunition	Sheriff's Office	5
Flourescent & CFLs	HazMobile	23
Medical Waste	Medwaste	12
Tires	Recycling/Dropoff Center	16

WILDFIRE RISK MITIGATION IN LAKE COUNTY: ANSWERING THE CALL



SUMMARY

With its drought-stricken forests, Lake County is experiencing relentless fire disasters, increasing in scale and intensity. The ferocious Valley Fire in 2015, burning 76,000 acres, killing five residents, and injuring four firefighters, was a wake-up call to County and City governments, the County's residents, and law-enforcement and fire-fighting professionals regarding the critical organization of emergency planning and response, clear and immediate public notifications, rapid evacuations, and comprehensive care of refugees. Since then, Lake County has been impacted by three of the top ten largest forest fires in California state history. In 2022, prolonged drought and accelerating tree mortality from bark beetle infestation has upped the ante for fire risk and has generated considerable attention from government and non-governmental organizations (NGOs).

In recent years, emphasis on the actions that government agencies and community residents can take to mitigate against the occurrence and devastating effects of wildfires has increased significantly. Grant money is available to those with the expertise to access the funds. In Lake County, several prominent groups and organizations have stepped forward to lead the mitigation efforts, and the Grand Jury wishes to recognize their proactivity and perseverance.

On the positive side, two County Supervisors have intently focused on wildfire prevention through the Disaster Council (an advisory body to the Board) and the Risk Reduction Authority with its Tree Mortality Task Force. One fire district, in response to depleted State inmate crews, has formed a fuels-reduction crew of its own. “Good Fire” is being discussed and implemented. A tree-mortality local emergency was declared by the Board of Supervisors. Home-hardening/defensible- space inspections have begun on Cobb. Much educational material is available from CAL FIRE, the Fire Safe Councils, and the Fire Wise Communities

Despite fire risk mitigation improvements, however, the County remains underprepared in terms of centralized coordination of and collaboration with the public and private groups active in mitigation efforts. The Board of Supervisors has yet to hire a Climate Resilience Officer, whose role is expected to be “coordinator in chief.” The County and its firefighting specialists lack sufficient resources to prevent the occurrence of destructive wildfires, especially with the rapid spread of conifer deaths in the County’s forests. The revised/updated version of the Community Wildfire Protection Plan has yet to be approved, which would provide for the prioritization of mitigation projects. Code Enforcement offices lack personnel to prioritize vegetation and trash abatement to reduce fire risk, particularly troublesome among absentee landlords. Nor are they able consistently to enforce fines for violations, and they would like to utilize a 3rd party- Data Ticket. CAL FIRE’s fuel-reduction inmate crews have been substantially reduced in number, adversely affecting both mitigation and fire-suppression.

METHODOLOGY

The Grand Jury interviewed members of the Board of Supervisors and the Disaster Council, Code Enforcement officers, the Fire Chiefs, and officials with CAL FIRE, Tribal EcoRestoration Alliance (TERA), the Prescribed Burn Association (PBA), Clear Lake Environmental Research Center (CLERC), U.S. Forest Service, PG&E, the FireSafe Councils, and members of several Firewise Communities in Lake County. In addition, relevant governmental regulations were reviewed and extensive online research was conducted.

INTRODUCTION

According to the California Office of Emergency Services Director, since January 1, California has already had more than 2,300 wildfires, and more than 11,000 acres that have burned. He added, “We’re in the magnifier era; in the large damaging or mega-fire era. Eight of the last 10 of the largest wildfires in our State’s history occurred in the last five years. Four of those occurred in the last 24 months.” His expectations for this year are for large damaging fires, with multiple incidents occurring throughout California simultaneously.

Every year a new record is set for numbers of acres burned and money spent containing the California fires. Over the last decade, fire suppression costs for Cal Fire rose 16 times as high as it did during the 1980s - from \$16M to nearly \$700M in 2019-20 and then to \$1.3B in 2020.

Fire suppression, however, is by far not the only “cost.” Direct and indirect losses caused by wildfires, wildfire smoke, related incidents (e.g., landslide, flooding), or suppression efforts (e.g., impacts of fire retardants) need to be factored in. These losses may be incurred during or after an active incident and may occur within the footprint of the wildfire or even at a distance from the wildfire perimeter. Some examples are:

1. Death and injuries, including psychological impacts from dislocation and the trauma of rebuilding lives and structures.
2. Loss of buildings and infrastructure.
3. Loss of natural resources.
4. Loss of agriculture.

5. Environmental impacts (vegetation loss, watershed, and soil impacts, etc.).
6. Remediation and cleanup.
7. General economic impacts (business interruption, population decline).
8. Supply chain impacts from disrupted access.
9. Interruption of services (utilities, transportation, government).
10. Loss of wildlife and habitat.
11. Housing market decline.
12. Decreased tax base.

Communities in Lake County are located in the infamous WUI – the wildland urban interface – defined by the U.S. Fire Administration as “The zone of transition between unoccupied land and human development. It is the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.” Complicated by historic drought and accelerating conifer mortality, the Lake County WUI is primed for more – and more devastating - wildfires. Once homes are built within or adjacent to natural areas, the complexity of fighting wildland fire is increased because the priority of containing and extinguishing the fire is often superseded by the necessity to first save lives and protect private property. WUI fires are complex, often spanning multiple jurisdictions and including large amounts of private and State or Federal lands. What has changed in recent years is that wildfires have become unrelenting and stretch the “fire season” across the full calendar year.

Wildfire professionals recognize that a new, centralized approach to wildfire management is necessary – one that invests in high-risk locations to help make communities more “fire-adapted.” This approach builds resilience by evaluating the landscape within and surrounding a community, not only to assess fire risk, but also to assure more than one evacuation route and provide power backup for cell towers and water plants. Manual vegetation management and using fire itself to thin fuel sources also are important tools. Lessening “silo-ized” thinking further facilitates communication among the multiple stakeholders.

Each community has its own risks. Every county in California is required to identify and mitigate the hazards specific to it by creating a Community Wildfire Protection Plan (CWPP) that is to be updated every five years. Lake County’s plan was created in 2009 under the sponsorship of the Board of

Supervisors and then was passed to the Lake County Fire Safe Council for monitoring and revision. The three requirements for CWPP content are:

1. It must be collaboratively developed
2. It must identify and prioritize areas where hazardous fuels exist and recommend specific methods for reducing risk to the community
3. It must propose methods to reduce the ignitability of community structures

Only this year has the CWPP been updated, by a third party. Currently, The Grand Jury is informed, the Plan is being circulated to the stakeholders for evaluation. The Healthy Forest Restoration Act of 2003, under the U.S. Forest Service, requires that three entities must agree to the final contents of a CWPP – 1) the applicable local government (county or city), 2) the local fire departments, and 3) the state entity responsible for forest management, in this case CAL FIRE.

Numerous Grand Jury interviewees noted the absence of an updated plan that would establish mitigation priorities and identify actions to be taken to reduce these risks. In addition, the completed Plan provides a “trigger” for CAL FIRE to review its safety elements.

Even without a current CWPP, risk mitigation in the form of strategic fuel reduction, prescribed (broadcast) burns, and home hardening (reducing a building’s ignition potential) have received increased attention and greater collaborative planning and execution in the past several years by Lake County and State governmental entities and community groups and other stakeholders.

Fuel Reduction

State regulations pertaining to wildfire risk mitigations are:

- SB 12 directs the State Fire Marshal to develop stricter wildfire safety standards for new construction in state responsibility and very high fire hazard severity zones. It also directs local jurisdictions to adopt land use plan elements that promote wildfire hazard avoidance and mitigation.
- SB 63 directs CAL FIRE to train and engage qualified third parties to perform defensible space assessments on property in state

responsibility areas and to educate those property owners about wildfire mitigation. It was intended help CAL FIRE target its enforcement resources to the areas of greatest need.



The focus of WUI fuel reduction projects is strategically to reduce vegetation density and remove fuel in order to directly protect communities at risk from potential damage from wildfires originating in the adjacent wildlands, as well as to protect the wildlands from fires starting in or near developments. This fuel reduction also provides emergency access and staging areas for firefighters and equipment and reduces flammable vegetation along emergency evacuation routes for the community. In addition, where existing habitat within the WUI is degraded by the infestation of non-native plant species, fuel reduction also helps enhance habitat quality. What often is overlooked, however, is the critical need to reevaluate and maintain the firebreaks that have been created.

The rapidly progressing conifer mortality in Lake County, especially around Cobb/Loch Lomond, north to Rt. 29, and south toward Middletown, due to pine-bark beetles infestation is nothing short of alarming. Pine-bark beetles attack and kill pine trees. The feeding and tunneling activities of adult and

larval pine bark beetles eventually girdles an infested tree (e.g., disrupts the transport of water and nutrients up and down the stem) and quickly kills it. Pine bark beetles live under the bark of pine trees. Adults infest new trees by chewing through the outer bark, leaving small round holes in the bark that may ooze pine resin (called “pitch tubes”).



Adult pine bark beetles create tunnels or galleries under the bark where they mate and lay eggs. Larval beetles hatch from the egg galleries and create new tunnels, feeding on the inner bark of the tree. When the larvae finally develop into adults, they bore a hole out of the tree and fly to another. The life cycle for these beetles can be as short as 21 days in the summer months. Pine bark beetle activity generally stops when temperatures drop lower than 50° F.

Pine trees in Lake County are severely stressed and weakened by prolonged drought and are vulnerable to attack by pine bark beetles. The trees die from the top down.



Foresters recommend that landowners promptly cut down pine trees that are visibly infested with pine bark beetles. However, care should be taken to make sure that felling an infested tree does not damage surrounding trees, since damaged trees are more susceptible to infestation. Once the larvae have matured and emerged from an infested tree, removing the tree will no longer provide any control benefits. Removal may still be warranted if the dead tree poses a safety risk (dead pine trees become quite brittle in 6 to 10 months).

Removing healthy trees near infested trees will not help control the spread of the most common types of pine bark beetles. Cut trees and limbs that are infested with pine bark beetles should be burned as soon as possible, since the beetles may continue to emerge from the cut wood. If burning is not an option due to burn bans or other factors, cut wood should be placed in a sunny area and wrapped in a tarp. The tarp may help prevent adults from moving to new trees, and the heat generated by intense sunlight may help kill remaining beetles and larvae.

The Board of Supervisors have been attuned to the rapid spread of visible dead pines and in May 2022 declared a local emergency due to tree mortality. The funding benefits that will materialize are not yet clear. Private landowners have been quoted a cost of \$2,000-\$8,000 per tree for just felling. As for removal, the trunks would need to be cut into short lengths, but where they could be taken is unclear. Their disposition likely will require County ordinances.

Broadcast/Prescribed Burns

Starting in the early 1900s, fire agencies formalized a policy to suppress all wildfires in an attempt to protect towns and vast timber stands. More recently, however, a full-suppression policy is increasingly recognized to be not only unachievable but also inappropriate because it results in unhealthy forests and ecosystems that ultimately contribute to increased fire risk. Layered on top of the country's past land-management decisions is the dramatically changing environment. The Western U.S. is experiencing its worst mega-drought in at least 1,200 years, evidenced by extreme heat, variable precipitation, a declining snowpack, record-low reservoirs, parched agricultural lands, and declining ecosystem health, evidence by widespread bark-beetle infestations. State law defines prescribed fire as a "planned application and confinement of fire on lands selected in advance to achieve any of the following objectives," according to CAL FIRE:

1. Prevention of high-intensity wildland fires through reduction of the volume and continuity of wildland.
2. Watershed management.
3. Range improvement.
4. Vegetation management.
5. Forest improvement.
6. Wildlife habitat improvement.
7. Air quality maintenance.

Fire had been a natural part of the California landscape for a very long time and was viewed by Native Americans as necessary to keep our forests healthy and resilient. Indigenous peoples in California also used fire as a tool to drive game for hunting and to encourage the growth of plants used for food. From Wikipedia:

The indigenous people practiced various forms of sophisticated forest gardening in the forests, grasslands, mixed woodlands, and wetlands to ensure availability of food and medicine plants. Forest gardening is a low-maintenance, sustainable, plant-based food production system incorporating fruit and nut trees shrubs, herbs, vines and perennial vegetables. They controlled fire on a regional scale to create a low-intensity fire ecology; this prevented larger, catastrophic fires and sustained a low-density

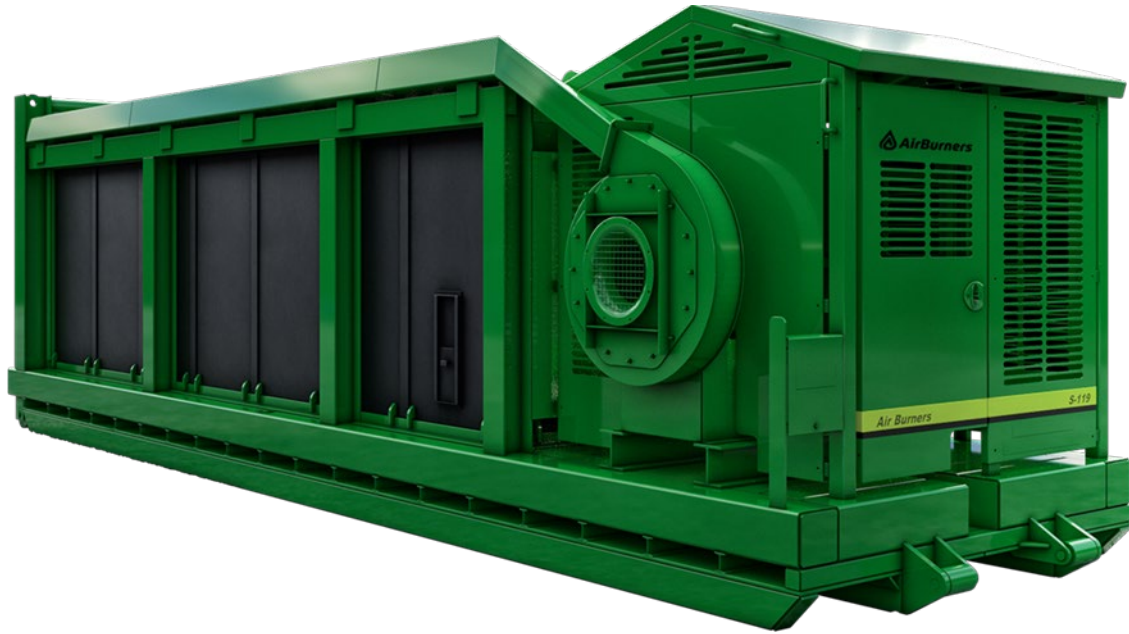
"wild" agriculture in loose rotation. By burning underbrush and grass, the natives revitalized patches of land and provided fresh shoots to attract food animals.

In the 1980s, (CAL FIRE) launched a Vegetation Management Program to share the cost and liability of prescribed fire on private land. At the height of the program, 65,000 acres of private lands were burned per year. However, by the mid-2000s, the agency had cut program funding, and private-land burning was reduced to less than 5,000 acres per year in 2015. CAL FIRE has subsequently revamped their Vegetation Management Program.

Curtain Burner

CAL FIRE has arranged for an "air curtain incinerator" or "curtain burner" to be placed on Cobb to which residents can truck in loads of brush and logs. (See below) The burners are about the size of a shipping container and are designed principally as a pollution control device for open burning. The primary objective of an air curtain machine is to reduce the particulate matter (PM), or smoke, which results from burning clean wood waste. Using a technology called "air curtain," the smoke particles are trapped and reburned, reducing them to an acceptable limit per U.S. EPA guidelines.

Clean wood waste is loaded into the FireBox, and an accelerant such as diesel fuel is used to ignite the wood waste, just as you would start a campfire or open burn pile. The air curtain is not engaged until the fire has grown in strength, or the air curtain may blow the fire out. Once the fire has reached suitable strength, usually in 15 to 20 minutes, the air curtain is engaged. The air curtain then runs at a steady state throughout the burn operation, and the waste wood is loaded at a rate consistent with the rate of burn. The air curtain is like a lid covering the opening in a FireBox. The particles of smoke rising on the hot gasses of the fire are trapped under the air curtain. These smoke particles are then reburned, and their size is significantly reduced. With this reduced size, they can now escape through the air curtain and appear more like waves of heat than smoke. The result is a very clean burn.



The burner recently was tested, with 12 loads of brush brought in. The burner will be available only certain days, to-start, for a year. The cost is currently \$25 for a pick-up and \$50 for a trailer-load. Details are still being worked out. Whether it will be available to any resident in the County is not clear.

TERA

Tribal EcoRestoration Authority (TERA) was founded in Lake County in 2019 through a grant for climate change and workforce development and focuses on tribal traditional knowledge regarding regular woodland burning with intentional low-intensity fire that keeps out bugs and invasive trees. TERA seeks to build communities through collaboration between tribal members and the populations at-large “for the benefit of all beings.” They want to bring back native wisdom to enable a “reconnective healing process” so that natives have more “agency.” There are seven tribes in Lake County.

The Natives have been managing forests in Lake County for about 15,000 years, and TERA can learn from them what worked. Early on, as noted above, most all of California had gardens managed intensively by natives. In pre-European times, they employed “good fire” to burn 4 to 6M acres/year across the whole State, with far less biomass than currently.

TERA's Advisory Board is all volunteers. Paid staff include four program project personnel and one six-person fuel reduction crew that was formed in 2021. As the "work is endless" and the funding is there, TERA is considering hiring a 2nd crew that they hope will be mixed natives and non-natives.

TERA has 3 streams of funding – private donations, foundation & government grants, and contracts with private groups, such as Lake County Water Resources and private landowners. CAL FIRE also provides some money. TERA looks at land as a "holistic whole." The USFS has a Master Stewardship program that trains the fuel reduction crew to go out on USFS land that is, in fact, their ancestral land.

TERA is an "inter-tribal entity." It is on the Advisory Board of Robinson, Scotts Valley, & Middletown Rancherias and works in collaboration with the Big Valley and Upper Lake Rancherias. It interacts with the USFS and the County Risk Reduction Authority (which "stays in the greater loop of fire") and Water Resources.

Forest vegetation needs to be thinned before burning, which requires prep work with machines and other equipment. The land can then be maintained with prescribed burns.

Recent projects include working on USFS Northshore land north of Lucerne. They are working with the Clear Lake Environmental Research Center (CLERC) in the Benmore Valley and in Saratoga Springs. TERA has completed projects on Robinson Rancheria and on 20 acres outside Boonville in Mendocino County.

TERA would like to see coordination with TREX (Training Exchange - a program sponsored by the Nature Conservancy's Fire Learning Network program that provides training and coordinated learning opportunities for wildland fire professionals) so they could learn from each other the techniques of fire-burn training. In March 2022, Robinson Rancheria began offering one year of training for anyone and was planning burn-unit demonstration projects. Cultural burning and prescribed fire are essential tools in managing the destructive impacts, restoring California's fire-adapted ecosystems, and repairing the fraught relationship between California, its Indigenous peoples, and stewardship of the landscape. One UC Cooperative Extension (UCCE) forestry adviser remarked, "Talking about the use of prescribed fire in the

abstraction does not move the meter. California desperately needs training experiences to empower community leaders and reincorporate fire into our management tool boxes.”

Lake County Prescribed Burn Association (PBA)

A PBA is a collaborative community-based organization consisting of landowners, land managers, community members, non-profit organizations, the UC Cooperative Extension, and fire professionals. The California Prescribed Burn Association has been helpful Members of the PBA pool their resources and volunteer to help private landowners use safe prescribed fire – “Good Fire” - on their land. The Lake County PBA, started in 2021, already has more than 100 members.

The most recent prescribed burn this year took place in Jerusalem Valley.

Clear Lake Environmental Research Center (CLERC)

After the Valley Fire, CLERC developed its Fire & Forestry Program. With local, state, federal, tribal, and private partners, CLERC, with 2017 funding through CAL FIRE’s Forest Health Program and with California Climate Investment (CCI) monies, uses fuels reduction, prescribed fire, pest management, reforestation, and biomass utilization for renewable energy production. CLERC explained that biomass can be commercialized for energy use in three main ways:

- Direct combustion in boilers (straw, firewood, pellets, wood chips)
- Co-combustion with traditional energy sources (fuel oil, coal, gas)
- Combustion of biomass processing products during fermentation or esterification (biogas, biodiesel, methanol, ethanol)

CLERC is working towards creating a more fire-resilient landscape by distributing grant funds to community projects, offering cost-share for individual landowners, and serving as a hub for project planning. CCI funds will be used to “significantly increase fuels reduction, increase controlled fire reintroduction, and treatment of degraded forests on a landscape scale, developed and led by a regionally-based collaborative effort.” In Lake County, their work is supported by CAL FIRE, the Cobb Area Council and other municipal advisory councils, the Seigler Springs Redevelopment

Association, the Firewise communities on Cobb, UC-Davis, the US Forest Service, South Lake County Fire Safe Council, the County Risk Reduction Authority, and numerous private landowners

Projects underway or soon-to-start include fuel breaks, thinning, removal of diseased trees, and pile burning in the Lucerne –Nice area, the Shambhala Monastery on Bottle Rock Rd (Cobb), several areas in Loch Lomond, Seigler Springs, and South Cobb. CLERC recently tackled a 26-acre parcel on Cobb where dead and dying trees were the subject of a Complaint to the Grand Jury this Spring.

CLERC is completing a Regional Prioritization Plan for Lake County in an effort to streamline future community-wide landscape projects. These Plans are a result of AB 32 (CA Forest Carbon Plan, the CA 2030 Natural and Working Lands Climate Change Implementation Plan and the CA Global Warming Solutions Act of 2006), which directly requires carbon quantification of publicly funded projects with CCI funds, so that AB 32’s long-term objective to have forests be “carbon sinks” is met.(A carbon sink “accumulates and stores carbon-containing chemical compounds for an indefinite period and thereby removes carbon dioxide from the atmosphere. Globally, the two most important carbon sinks are vegetation and the ocean.”)

The project establishes a method to bring Lake County’s forestland, 85% of the landmass, to a more resilient and reliable long-term carbon sink, rather than a black carbon emission source from catastrophic wildfires due to forest ill health. CLERC intends to reach all Lake County communities with the message that doing nothing on one’s land is not a choice. CLERC starts every landowner conversation with “Do you have a Forest Management Plan?” to instill in landowners their responsibility to maintain a fire-resilient forest.

CLERC officials stated that they found working with the County Planning Department to obtain the necessary permits especially frustrating.

Exhibit 1 is the Executive Summary from Fire on the Mountain, drafted in 2018 by the Little Hoover Commission that speaks to State-wide leadership and collaboration in managing the Sierra Nevada forests, including prescribed burning.

Northshore Fire Fuels Crew

The Northshore Fire Protection District has created a fuels reduction crew just this Spring. At every town hall during 2020, the Chief would hear about residents having a lot of brush to clear. In April 2020, CAL FIRE reduced the number of inmate hand crews from 127 to 42. The Chief thought he should develop a crew that was run by his staff, but he had no money. By May 2021, he had 100% funding – from the Habematolol Pomo and from portions of three members of the Board of Supervisors’ “cannabis discretionary funds.”

The crew will have 10 members, paid minimum wage, plus a Captain. The estimated cost was \$670K, with \$662K approved by the Executive Board of the Habematolol during the Chief’s formal presentation. \$525K more was needed for equipment and personal protective equipment. He received funding for one year.

Robinson Pomo has a 6-person hand crew organized by TERA, which the Chief appreciated to be a multi-tribal coalition in the ancestral territories of Eastern Pomo, Southeastern Pomo, Lake Miwok, and Wappo tribes. Their focus is on restoration ecology – returning land to its natural state - and preparing individuals for careers that “help heal their community and their relationship with the land.”

While the Chief’s and TERA’s pathways may be different – the Chief’s crew might use petroleum products, whereas TERA does not - their mutual goal is to reduce fire fuels.

The Chief wants the crews to be the “boots on the ground.” Projects will be prioritized. He still has about one-half of the budget and needs \$521K for equipment for year one. The plan is to hire the crew members full-time with benefits and to provide job opportunities for tribal members. Their uniform would include a special shoulder patch. Becoming members of the crew would provide more opportunities, such as attending fire school. He views the program as a recruitment tool. The crew will work everywhere in the County and be in the public eye every day.

He wants to establish 1, 3 and 5 year goals, with suppression during the 3rd year. He wants to start small and let the crew build and establish contracts, such as with PG&E, for vegetation management and fuel reduction. He will

need a chipper with a truck. He noted that Gov. Newsom will have \$5B available. His crew will clear lots of ladder fuels. As a government agency, the crew would not need to make a profit. Forest property owners might get a break in their insurance if their land is “mitigated.” The least insurance coverage and greatest premium cost is applied to properties more than five miles from a fire station.

CLERC, the Chief expected, could contact forest property owners to offer his crew’s services. Code Enforcement could write tickets for vegetation violations to motivate property owners to reduce hazardous fuels. Training could be provided by TREX as well as utilize CAL FIRE and US Forest Service expertise.

Home Hardening/Defensible Space

Wildfires can be difficult to control. What is controllable, however, is how a home is prepared for wildfire by reducing the opportunity for initial ignition. Property owners can better protect their homes against wildfire by addressing three clear sources of vulnerability: 1) materials and design features used to build the home, 2) the landscaping vegetation located immediately adjacent to the home, and 3) the general vegetation and other combustible material and items on the property surrounding the home. There is an explicit link between the selected vegetation and its placement and management in the area surrounding the home – referred to as “defensible space” – and the construction materials and building design.

The ignition of a home during a wildfire can occur in one of three ways:

- exposure to wind-blown embers (“firebrands”)
- direct contact by flames
- radiant heat exposure from, e.g., a wood pile, shed, or tree or large shrub

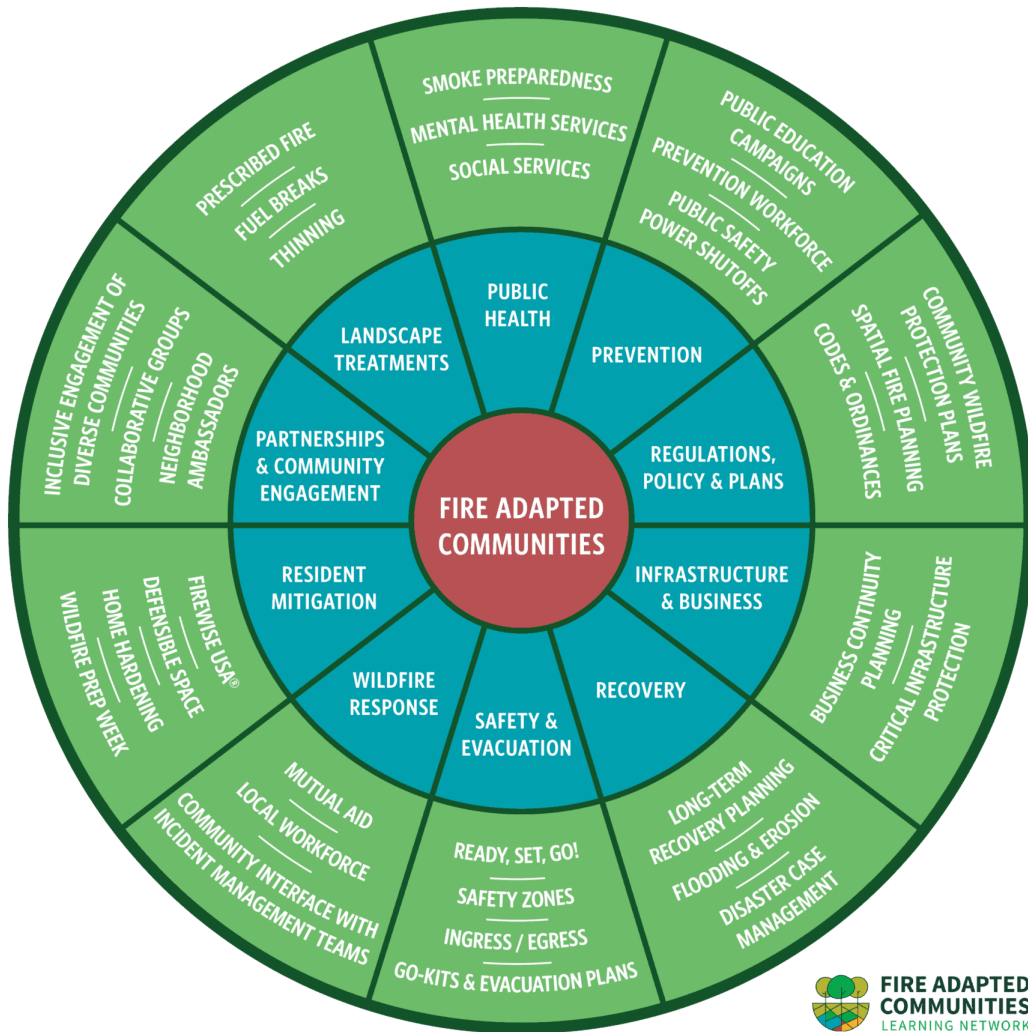
Of these, wind-blown embers are considered to be the most important in igniting a home, either directly or indirectly. Direct ignition can occur when embers land on wooden roofs or decks or in gutters laden with needles and leaves or enter through a vent or open window to set fire to combustible materials or furnishings inside. Indirect ignition can occur when embers set fire to exterior vegetation or combustible materials close to a home, with

subsequent ignition by radiant and/or direct flame exposure. Heat can break a window and subsequently ignite the interior furnishings.

Once houses and other structures ignite and burn, they become a source of embers that, depending on building spacing and topography, are likely to ignite nearby structures and result in building-to-building fire spread. A recent example was of the 20 multi-million dollar homes in Laguna Niguel that were destroyed on May 11, 2022 when embers from a brush fire landed on roofs that then caught fire, and the closely spaced homes along the ridgetop then ignited each other.

In Lake County, many homes are surrounded by continuous tree cover, fine fuels, abundant flammable shrubs, and ladder fuels. Not only are these homes at risk, but they are the communities' greatest opportunities for mitigation. The Fire Adapted Communities Network, which provides fire-research studies to community leaders, has redefined the WUI to include the built environment, as it realized that there isn't a line where fire-adapted communities stop and fire- resilient landscapes begin.

The Fire Adapted Communities' overview of integrated best practices is below:



The Seigler Springs Community Redevelopment Association on Cobb (whose principals created the Cobb Area Council following the Valley Fire) was recently awarded a one-year grant to train local volunteers to conduct home risk assessments that factor in both defensible-space recommendations and home-hardening tips. These risk assessments are currently free for property owners in the Loch Lomond and Salmina Road areas.

Exhibit 2 is a Homeowners Checklist prepared by CAL FIRE. **Exhibit 3** is a Guide to Hardening Homes from the University of Nevada-Reno.

CAL FIRE/CAL OES

In May 2022, CAL FIRE announced that it had created a new division to assist local communities to prepare for wildfires -- the Community Wildfire Preparedness and Mitigation Division within the Office of the State Fire Marshal. This Division will allow CAL FIRE to continue to “develop, prioritize, and implement strategies and projects that create fire adapted communities and landscapes by improving community preparedness, fire resilience in a local and regional capacity, as well as reducing the severity and damage caused by wildfires.” The Division will consolidate its existing department programs, including defensible space, wildland building codes, and home hardening; pre-fire planning, fire hazard severity zones, land use planning, wildfire prevention grants, and utility wildfire mitigation. In addition, the new Division will “expand the local technical assistance it provides to cities and counties to ensure they have the best available measures, practices, support, and funding to prepare their communities against wildfires.”

As part of the State’s effort to strengthen community-wide resilience against wildfires, the Office of Emergency Services (Cal OES) has partnered with CAL FIRE to develop a home-hardening initiative to retrofit, harden, and create defensible space for homes at high risk to wildfires, focusing on high socially-vulnerability communities and providing financial assistance for low- and moderate-income households. The California Wildfire Mitigation Program (CWMP) encourages “cost-effective wildfire resilience measures to create fire-resistant homes, businesses, public buildings and public spaces in vulnerable neighborhoods.”

In Lake County, the CWMP- Lake County Home Hardening Initiative is being spearheaded by North Coast Opportunities, Inc. (NCO), Lake County’s Community Action Agency. NCO has been very active in community disaster response since 2015 and in disaster preparedness since 2019.

San Diego, Shasta, and Lake Counties were prioritized as pilot areas for this Program after conducting a statewide analysis at the parcel and census-tract level of areas with high wildfire risk and social vulnerability. Fire risk, climate change risk factors, and census data were included in the analyses.

The five social vulnerability factors prioritized for this Program include:

- residents over age 65
- residents in poverty
- residents with a disability
- residents with limited English
- residents without a car

In addition, the analysis used social vulnerability data from the Center for Disease Control Social Vulnerability Index (2018) and only considered census tracts in the Fire Hazard Severity Zones.

In December 2021, NCO partnered with CalOES to develop a Hazard Mitigation Grant Program (HMGP) Sub-application, which could result in an approximately \$23 million investment to harden Kelseyville Riviera homes against wildfire through defensible space and retrofit measures. In April 2022, that Sub-application was completed and submitted to CalOES for review. In May 2022, Lake County administration announced that only three communities statewide were selected for this “Demonstration Community” project, and one was in the Kelseyville-Riviera 95451 tract.

This program is in its infancy, with many details still in development. Currently, the project is in the environmental-clearance stage, which is expected to take several months. If fully funded, the project will likely begin this Fall and offer defensible space and home hardening retrofit measures to approximately 25 homes in the first year. The program will scale up to 100 homes in year two, and 375 in year three (500 total). As much as \$40,000 may be invested at each site, and no cost share will be expected from homeowners at or below the moderate-income level for the area (e.g., \$84,850 for a family of four).

After the program was announced, the Grand Jury heard repetitive questions: Why a single location instead of a County-wide program? Why Kelseyville Riviera? The best response seems to be that when one home is hardened against wildfire, all surrounding properties benefit, as well. To pilot the CWMP, Cal OES and CAL FIRE were looking for a higher density housing development in a low-to-moderate income area within Lake County. Cal OES and CAL Fire looked to their local partners in Lake County and NCO to use their community expertise to assist in selecting an area that met those criteria.

Furthermore, most of the homes in this neighborhood were constructed within a relatively narrow timeframe, meaning that upgrades would be similar across properties, which will simplify the roll-out of the program in the early stages. Fortunately, to-date, the Kelseyville Riviera (formerly Clear Lake Riviera) has escaped the worst effects of wildfire. Strong engagement and investments in defensible space and other Firewise practices, frequently led by their proactive Community Association, have put in place a program to mitigate risk to the homes of thousands of Lake County residents.

The Grand Jury was informed that several Lake County communities were closely evaluated prior to the selection of Kelseyville Riviera as the best fit for this pilot project. Other communities within Lake County could be eligible once the program has been fully developed. Preventing a wildfire in the Kelseyville Riviera community would have considerable human-welfare benefits. The lack of recent large-scale wildfire in this area means that the current risk is relatively high, and mitigation benefits brought by this program would be quite significant.

Part of the questioning on the part of some residents of the Kelseyville community harked back to former District Five Supervisor's proposal and passage in 2018 of a one-time property assessment of about 5,000 parcels within a "risk-management zone" in order to abate target hazard properties in the Riviera and surrounding homeowners' associations. Evidently, the Grand Jury was informed, only about 18 lots were inspected and mitigated. It is unclear what became of the remainder of the assessment monies raised.

FIRE SAFE COUNCILS

There are two Fire Safe Councils in Lake County. The Lake County Fire Safe Council is an ad hoc committee under the Board of Supervisors and has one project coordinator and appears not to have ongoing meetings. Its website, however, is quite informative. The independent South Lake County Fire Safe Council is an active non-profit whose members have cleared fuel shade breaks and organize a robust brush-chipping service for District residents. The Grand Jury was told that the two councils do not collaborate on projects.

FIREWISE COMMUNITIES

The Firewise USA® recognition program is administered by the National Fire Protection Association (NFPA) and provides a collaborative framework to help neighbors in a geographic area get organized, find direction, and take action to increase the ignition resistance of their homes and community and to reduce wildfire risks at the local level. The Firewise USA program is a part of California's efforts to ensure communities are prepared against wildfire, and the CAL Fire Office of the State Fire Marshal's new Community Wildfire Preparedness & Mitigation Division works to assist local communities in qualifying for this designation.

The specific steps that need to be taken to qualify are:

Organize – A board or committee of volunteers to represent the community is created, including residents and partners such as local forestry agencies or the fire department. A resident leader who will be the program point-of-contact is identified. The board or committee defines the boundaries of the site and determines the number of individual single family dwelling units. Community size: Minimum of 8 dwelling units and a maximum of 2,500.

Plan - The board or committee will collaborate with their local wildfire expert to complete a community wildfire risk assessment that identifies areas of successful wildfire risk reduction and areas where improvements could be made. Emphasis should be on the general conditions of homes and related home-ignition zones. The assessment is a living document and needs to be updated at a minimum every 5 years. The board/committee will use the risk assessment to create a three-year action plan, broken down by year that identifies and prioritizes actions to reduce ignition risk to homes. These can include communitywide investments, along with suggested homeowner actions and education activities that participants will strive to complete annually or over a period of multiple years. This document is required to be updated at least every three years. As circumstances change (e.g., completing activities, experiencing a fire or a natural disaster, new construction in community, etc.), the action plan may need to be updated more frequently.

Act -Each year, neighbors complete educational and risk reduction actions identified in the plan. These go towards your site's annual reporting efforts. At a minimum, each site is required to annually invest the equivalent of one

volunteer hour per dwelling unit in wildfire risk reduction actions. If the site has identified 10 homes within its boundary, then 10 hours of work or the monetary equivalent, based on the independent sector value of volunteer time, need to be completed for that year.

When the above criteria have been met, the Resident Leader applies for recognition through the Firewise® Portal (portal.firewise.org), describing educational and mitigation work in the site. Each year, sites renew their status by reporting their activity.

The National Fire Protection Association (NFPA) lists 13 Firewise Communities in Lake County: Anderson Springs, Bottle Rock Corridor (Cobb), Clearlake Oaks Hillside, Clearlake Riviera Community Association. Cobb Mountain Group 2, Cobb View, Hidden Valley Lake, Jones Creek (Middletown), Noble Ranch (Lower Lake), Riviera Heights HOA, Riviera West, Windflower Point (Clearlake), and Wolf Creek (Spring Valley). Two additional communities have also been formed: Seigler Springs and Clearlake Oaks Property Owners Association.

The Community Mitigation Assistance Team, sponsored by the U.S. Forest Service, was formed in Lake County in 2021 and is comprised by wildfire mitigation professionals. Its publication – Lake County – Aligning to Action. Healing the Land, Healing the People, is attached as **Exhibit 4**.

CONCLUSION

The following summary represents the Grand Jury’s best understanding of the recommendations made by wildfire specialists during hours of interviews. Many points are reiterated from the above Discussion for emphasis.

Wildfires have been a natural threat to the State of California for centuries, but longer wildfire seasons and more destructive fires have now pushed much of California into a heightened state of alert for wildfires and the smoke-filled skies they produce. The acreage burned per wildfire has been increasing drastically in recent years, resulting in more destructive wildfire events and larger economic losses. The state’s eight largest recorded wildfires by acreage have all occurred from 2017 to 2021. When counting insured losses, the 2020 wildfire season was estimated to have produced between \$5 billion and \$9

billion in destruction, following wildfire seasons in 2017 and 2018 that each produced more than \$10 billion in insured losses.

The record-breaking fires over the last five years have illustrated an urgent need for policy action to mitigate wildfire risk and reduce economic losses and adverse health effects

There are several key reasons behind the increase in destructive California wildfires:

- The increase in acreage burned can be partially attributed to record-breaking droughts over the last decade. Extended periods of drought have created drier conditions more susceptible to fire.
- Climate change has been a key factor in increasing the state's risk for wildfire. Hotter temperatures create drier conditions, exacerbate drought, and make fires easier to spread and harder to extinguish.
- Drought and warming temperatures have led to elevated levels of tree mortality. Over 147 million trees died in the state between 2010 and 2018, providing fuel for larger conflagrations. Drought and high temperatures also contribute to the spread of bark beetle infestations that can weaken or kill trees. High tree mortality leads to more burnable biomass and faster-moving, harder-to-control fires.
- Fire suppression strategies over many decades have resulted in high fuel loads in the State's forests. By quickly extinguishing fires in forested and woodland areas, fire suppression policies have resulted in the buildup of tree debris and plant material.
- An increase in residential development in the wildland-urban interface (WUI) has led to greater property destruction. Land defined as WUI in California has grown between 1990 and 2010, and now encompasses 6.4% of the State's total land area. Additionally, 45% of homes constructed in the state between 1990 and 2010 were built in the WUI. As the threat of severe wildfires increase, these homes are increasingly susceptible to property damage and, sadly, to loss of life.

Economic and Health Impacts of Wildfires

As wildfire seasons increase in length and intensity, the resulting economic, environmental, and health impacts worsen. The total economic impacts of a wildfire go well beyond the cost of damages, as they include health costs and

indirect losses due to power shut-offs, business closures, travel cancellations, supply chain disruptions, among other costs. Environmentally, there has been a sharp increase in wildfire-induced emissions, including carbon dioxide (CO₂) and inhalable particulate matter (PM). The economic effects, even in rural Lake County, include:

- A steep drop in overall employment and a spike in unemployment claims. Immediate employment losses are felt most by the leisure and hospitality sectors, with drops in airbnb/hotel tax revenue and retail, restaurant, and winery revenue from tourists.
- Unhealthy air quality.
- Serious shifts in the housing market, as fires destroy homes and displace residents, and lower County property-tax income. Housing supply reduction also impacts local rental markets as well, resulting in rent increases among a poor rural population.

What Governments Can Do

- Create stewardship agreements between federal government and state, local, and tribal partners –The majority of the state’s forested lands—58% according to the Newsom Administration—is managed federally through the U.S. Forest Service and Bureau of Land Management. State, local, and tribal entities have little ability to influence forest management projects on federal lands; yet these levels of government often have more local expertise and greater staff resources to move projects through permitting processes.

Agreements should be formed to allow non-federal entities to administer forest health projects on federal land.

- Mobilize a regional coalition and create protection and preparedness plans – Wildfires do not obey political boundaries. Creating regional coalitions can help to prioritize forest health investments (e.g., prescribed burns, fire breaks, and forest thinning), while working to enhance forest resiliency.
- Provide incentives for home hardening projects and defensible space – Home retrofitting to protect homes from wildfires, or “home hardening,” can help limit the economic damages for homeowners and insurers, and the spread of wildfires more broadly. Cities and/or

counties should create regional funding pools to offset and alleviate homeowner costs for home hardening.

- Support the creation of wildfire smoke messaging and preparedness plans – Clear, consistent public health guidance is critical for communities to prepare for poor air quality from wildfire smoke. Guidance may include publicizing air quality data, the appropriate use of masks and air purifiers, and staying indoors or going to a clean air center.
- Create a pathway for insurance carriers to factor all risks and mitigations into their insurance rates –to allow for proper insurance risk assessment and to give potential homeowners more accessible and accurate risk information when deciding where to buy. This change would also allow insurers to factor fire- mitigation efforts, such as home hardening at the household and community level, into their premiums.
- Assess the potential economic and health costs of constructing new homes in the WUI and factor them into any new construction. However, it must be recognized that any policy that limits building in the WUI would further deepen the state’s housing supply-demand mismatch and its affordability challenges. Therefore, this recommendation should be accompanied by policies that require additional building of units in less-fire-prone areas in the existing urban and suburban footprint:
 - Develop stricter building codes for new-home construction in the WUI.
 - Impose a higher County parcel tax for new homes built in the WUI to help recapture public costs to protect new structures and disincentivize high-risk construction.
 - Purchase parcels of land that have experienced total loss. Rather than rebuilding homes that are at high risk for future fires, counties could provide financial incentives to rebuild elsewhere by purchasing parcels that have experienced total loss while simultaneously re-zoning safer areas for new housing construction.

According to the National Fire Protection Association (NFPA), to effectively reduce wildfire risk, five tenets must be supported by all levels of government:

1. All homes and business in the WUI must be required to be more resistant to ignition from wildfire embers and flames.
2. Current codes and standards, as well as sound land-use practices, must be enforced for new development and rebuilding in wildfire-prone areas.

3. Fire departments for communities in the WUI must be formally trained and be provided appropriate personal protection equipment and be physically fit so as to be prepared to respond safely and effectively to wildfire.
4. Governments must increase resources for vegetative fuel management on public land.
5. The public must understand its responsibility and take action in reducing wildfire risk on its private property.

FINDINGS

- F-1: The CWPP is in the process of being updated from its 2009 edition and a preliminary draft has been created. Regulations require its update every five years.
- F-2: The County is planning to hire a Climate Resilience Officer to interact with wildfire mitigation stakeholders to prioritize tasks and share resources.
- F-3: Reduction of State prison inmate fire crews substantially impact CAL FIRE's fuel reduction mitigation and also fire suppression, as "troops on the ground" do the heaviest work in each area.
- F-4: Lake County's Code Enforcement Division is understaffed and under-resourced and cannot prioritize wildfire mitigation or enforcement/collection of fines.
- F-5: The Northshore Fire Protection District has developed a fuel-reduction crew that will be available for projects across Lake County.
- F-6: The indigenous community historically has had special expertise in forest management that is being recognized, belatedly, by government and community groups active in mitigation efforts through support of prescribed burns.
- F-7: The Board of Supervisors has declared a local bark-beetle tree-mortality emergency, which is expected to make additional mitigation funding available, including possibly to private property owners for whom tree removal is cost-prohibitive.

- F-8: CAL FIRE has arranged for an “air curtain incinerator” to be available on Cobb for one year to burn brush and trees.
- F-9: The Lake County Fire Safe Council is not independent of the Board of Supervisors, whereas the South Lake County Fire Safe Council is a 501(c)(3) with strong community support.
- F-10: The total amount of Kelseyville Riviera mitigation assessment funds raised in 2018 were not expended as planned, and the amount and location of the balance is unknown to the public.

RECOMMENDATIONS

- R-1: That the Board of Supervisors take responsibility for making the updated CWPP widely available to the public for comment. (F-1)
- R-2: That the Board of Supervisors finalize the hiring of a Climate Resiliency Officer. (F-2)
- R-3: That additional County Code Enforcement Officers be hired who can focus on vegetation management violations. (F-4)
- R-4: That Code Enforcement be permitted to use the private firm Data Ticket to assist in enforcing regulation violations and collecting fines. (F-4)
- R-5: That the Board of Supervisors provide details to the public regarding expected benefits from the declaration of a local tree-mortality emergency, including sources of funding to private landowners for removal of dead conifers. (F-7)
- R-6: That CAL FIRE inform the public about the requirements/restrictions (volume/size of brush/trees) to access the air curtain incinerator, as well as its availability. (F-8)
- R-7: That consideration be given to creating a single County-wide Fire Safe Council to offer consistent messaging and provide more widespread wildfire risk mitigation information. (F-9)

R-8: That the Board of Supervisors publicly account for the remaining Riviera mitigation assessment funds that targeted properties with high fire risk in 2018-2019. (F-10)

RESPONSES

In response to Penal Code § 933 (c), the following Responses are **required**:

Board of Supervisors (R-1, R-2, R-3, R-4, R-5, R-7, R-8) 90 days

Lake County Community Development Department (R-7) 90 days

The following responses are **requested**:

CAL FIRE (R-6) 90 days

South Lake County Fire Safe Council (R-7)90 days

Bibliography

- Little Hoover Commission: Fire on the Mountain: Rethinking Forest Management in the Sierra Nevada. Report # 242. February 2018.
- Lake County Local Hazard Mitigation Plan Update. February 2018.
- National Fire Protection Assoc.: Outthinkng Wildfire. A call to end the destruction of communities by wildfire. 2020.
- Cal Fire: General Plan Safety Element Assessment. June 2020.
- Cal Fire: Sonoma-Lake-Napa Unit 2020 Strategic Fire Plan.
- Cal Fire: Sonoma-Lake-Napa Unit 2021 Strategic Fire Plan.
- International Fire Chiefs' Assoc: Wildland-Urban Interface. Chief's Guide. 2nd Edition, undated.
- Clark, SA, et al., for the Karuk Tribe: Good Fire. Current barriers to the expansion of cultural burning. Prescribed fire in California and recommended solutions, undated.
- Bay Area Council Economic Institute: The true cost of wildfires. Analyzing the impact of wildfires on the California economy. 2021.
- Pacific Gas & Electric: 2011 Wildfire Mitigation Plan Update. February 25, 2022.
- Seigler Springs Community Redevelopment Association: Living with Wildfire in Lake County California. 2022.

Exhibit 1

Fire on the Mountain: Rethinking Forest Management in the Sierra Nevada

Overview

In this report, the Commission calls for transformational culture change in its forest management practices. The U.S. Department of Agriculture (USDA) reported in December 2017 that approximately 27 million trees had died statewide on federal, state and private lands since November 2016. The tally brought to 129 million the number of trees that have died in California forests during years of drought and bark beetle infestations since 2010.

During its review, the Commission found that California's forests suffer from neglect and mismanagement, resulting in overcrowding that leaves them susceptible to disease, insects and wildfire. The Commission found commitment to long-lasting forest management changes at the highest levels of government, but that support for those changes needs to spread down not just through the state's massive bureaucracy and law- and policymaking apparatuses, but among the general public as well. Complicating the management problem is the fact that the State of California owns very few of the forests within its borders – most are owned by the federal government or private landowners.

Among the Commission's nine recommendations, it urges the state to take a greater leadership role in collaborative forest management planning at the watershed level. The Good Neighbor Authority granted in the 2014 Farm Bill provides a mechanism for the state to conduct restoration activities on federal land, but state agencies must have the financial and personnel resources to perform this work. As part of this collaborative effort, it calls upon the state to use more prescribed fire to reinvigorate forests, inhibit firestorms and help protect air and water quality. Central to these efforts must be a statewide public education campaign to help Californians understand why healthy forests matter to them, and elicit buy-in for the much-needed forest treatments.

California's forests are reaching a breaking point. Poor management policies that interrupted the natural and historical cycle of fire, combined now with a changing climate, have left forests vulnerable to disease, insects, catastrophic

fire and drought. If the state does not take appropriate action soon, Californians risk losing the priceless benefits provided by forests. One forest supervisor told the Commission that management decisions made during the next five to 10 years will determine the forests' condition in 100 to 200 years. The Commission is encouraged that state leaders recognize the need for decisive action to restore California's forests to resiliency. But much work is needed to change a culture focused almost solely on emergency firefighting to one that supports long-term forest restoration and management.

Prioritizing forest management for the long run - for the healthier, less overgrown forests that enhance watersheds and wildlife, reduce the scale of catastrophic wild- fires and better withstand the scourges of bark beetles and a warming climate - will require more money and staff. The Commission typically does not recommend increasing financial and human resources to fix problems, but here it recognizes the savings that ultimately will result from such investment.

Today, California spends all too much for the immediate, emergency consequences of its long-neglected forests. Massive landscapes once sustained by beneficial, low-intensity wild fires are overrun with fire-intolerant trees and thick carpets of forest fuels that can turn even the smallest camp re or sparking power line into a raging firestorm. Property damage and firefighting costs for local, state and federal governments run into the billions of dollars annually. Property damage for the wild fires in October 2017 alone exceeded \$9 billion dollars, and the state spent approximately \$700 million fighting fires between July 2017 and mid-January 2018. After devastating fires, local water districts pay millions more to remove tons of eroded soils from mountain reservoirs that supply downstream customers. Now state government has invested millions of dollars responding to the horrific damage of bark beetles and the tree mortality crisis in the Sierra Nevada; when CAL FIRE testified before the Commission in January 2017, only 15 months following Governor Brown's declaration of a State of Emergency for tree mortality, it already had allocated more than 80,000 hours of staff time and \$43.6 million dollars solely to responding to the crisis. Local governments and private landowners also are spending heavily to remove hazard trees as a result of the tree mortality crisis. The costs of long neglecting and mismanaging forests have become an unsustainable burden in California. The new investments the Commission recommends are intended to drive a strategy

in which the state pays more for front-end forest management, and eventually, pays less reacting to crises and disasters.

The Commission's findings and recommendations (listed in full at the end of this section) fall into five categories:

§ Increasing Pace and Scale of Forest Restoration through Collaboration. Speeding up and expanding treatments to restore forests to good health demands greater teamwork between state government and the federal government, which owns nearly 60 percent of the forest land in California. California has authority to conduct forest restoration work on federal land through the Good Neighbor Authority authorized in the 2014 Farm Bill. Success will depend on joint government plans and work at the ecosystem and watershed level.

§ Creating a Culture where Fire is a Tool, not a Threat. California's forests evolved with fire and were shaped by fire. Though the increasing number of homes built in or near forests means we cannot feasibly be returned to the forest everywhere, prescribed fire, where possible, should be used to treat forests. Prescribed fires work in calm conditions that prevent fire from burning out of control and limit smoke and carbon emissions

§ Developing a Long-Term Plan for Forest Materials. Appropriate management will result in trees being removed from the forest. When possible, this wood should generate income for forest management. The state already is working to boost demand, within state government and externally, for California forest products, particularly from smaller-diameter trees that historically have had little value. Bioenergy from forest biomass is another option for smaller-diameter wood. The Commission heard important arguments for and against forest bioenergy. As the Commission monitors state efforts to maximize demand for removed wood, it would like the state to develop a long-term bioenergy plan - one that clearly delineates the state's position on bioenergy and mitigates the effects of using or rejecting it.

§ Educating Californians on Forest Resiliency. Californians are woefully uneducated on the importance of healthy forests and the benefits they provide. The state should invest in a large-scale outreach and education campaign to inform the public about the ecological importance of forests and the necessity for prescribed burns to bring about a lasting culture change in how the state

views and treats its forests. Fortunately, a model already exists in California in how the state has approached drought education.

§ Planning for the Long Term and Ensuring Accountability. Formalizing a multijurisdictional planning process will be necessary to undertake the long-term work of restoring California's forests. Here, too, the state has a successful model in the Tree Mortality Task Force. A scaled-down version of this task force could be used as a steering committee for the larger forest restoration effort. Ensuring accountability for goals stated in the state's Forest Carbon Plan also will be critical in successfully managing the forests of California. The Commission recommends regular reporting on progress toward these goals, and may hold future hearings on the topic.

Little Hoover Commission Recommendations on Forest Management

Recommendation 1: Led by CAL FIRE, the State of California must engage in collaborative landscape-level forest management for long-term forest resiliency. This planning process should include stakeholders at all levels of government, Native American tribes, scientists, environmental and environmental justice groups, private industry representatives and local residents. Because forest health impacts Californians in urban and coastal areas, efforts should be made to include representatives from non-forested regions to elevate the importance of California's forests to the entire state's wellbeing. Leaders also should review existing forestry practices and procedures, including the state's Forest Practice Rules, to assess whether they facilitate forest resiliency in a changing climate.

- Over time, funding gradually should be shifted from reacting to the consequences of poor forest management to preventative treatments that promote forest health and resilience. This should include spreading the costs among a greater array of beneficiaries of healthy forests statewide.
- State agencies should plan to make greater use of the Good Neighbor Authority to perform treatments on federal land
- State leaders should continue to remind federal lawmakers and policymakers of federal obligations to its forests within California.

Recommendation 2: On CAL FIRE funds that have time constraints for encumbrance and liquidation, the Department of Finance should allow longer timelines to facilitate collaborative large-scale forest management planning.

Recommendation 3: The State of California should lead a policy shift from fire suppression to using fire as a tool.

- This should include creating dedicated prescribed fire crews. These job classifications should be designed to attract the state's top talent, with pay comparable to non-prescribed fire crews.

Recommendation 4: Treating the land at the scale outlined in the draft Forest Carbon Plan will require more resources. CAL FIRE, local air districts and other affected agencies should develop a list of portions they will need to meet the draft Forest Carbon Plan goals of treating 500,000 acres of nonfederal land per year, 500,000 acres of USDA Forest Service land per year and 10,000 to 15,000 acres of Bureau of Land Management land per year. State agencies should assume that at least part of the federal lands acreage treated will be by state entities working under the Good Neighbor Authority, and predict their staffing needs accordingly. The Legislature should then fund these extra positions, including the positions at the local level.

- As more funding ñ such as the jump from \$40 million to more than \$200 million in Greenhouse Gas Reduction Funds between FY 2016-17 and 2017-18 ñ is allocated for forest management to CAL FIRE and other agencies, these entities must be responsible for properly planning for its use, including an adequate number of staff with necessary skills. If new positions are necessary, CAL FIRE and other agencies and departments should not be penalized for developing the resources needed to successfully administer the forest management program.

Recommendation 5: The California Air Resources Board, land managers and other stakeholders should continue to actively work to find ways to increase prescribed burning through better use of technology, including modeling software, traditional portable air quality monitoring and new low-cost sensor monitoring.

- State agencies and other stakeholders should continue to participate to the extent possible in the Fire MOU and Air, Land and Water meetings, as well as other collaborative cross-jurisdictional efforts to overcome the barriers to prescribed fire. Pertinent agencies that currently do not participate in these efforts should participate.

Recommendation 6: The State of California should encourage the development of additional infrastructure to utilize material removed from the forests as part of long-term forest management.

- The California Natural Resources Agency, along with members of the steering committee and the interagency leads for each recommendation, should report back to the Commission on the implementation of the SB 859 working group’s recommendations.
- The state should issue grants to small communities so they can develop infrastructure according to their needs.
- The state should develop a statewide biomass policy that takes into account the needs of different parts of the state. All stakeholder communities, including environmental justice, should provide input into this policy.
- Part of this plan should explore the potential of biomass near forested communities with newer, cleaner facilities vis-a-vis the economies of scale provided by larger facilities.
- Additionally, this should include research on the public benefits provided by biomass energy within the context of the Renewables Portfolio Standard policy of “least cost best fit,” and whether those benefits qualify biomass energy as the best in certain situations. Further, analysis of public benefits should give consideration to whether biomass should receive subsidies to lower costs in certain cases, particularly in facilities developed or retrofitted with cleaner technology.
- **Recommendation 7:** To better educate Californians about the suite of benefits healthy forests provide to the state, the state should consider the following:

- The state should invest in a long-term forest health campaign similar to Save our Water by contracting with an organization that can use its expertise to raise public awareness of forest health issues. A high-ranking person within the Governor's Administration - preferably the Governor - must champion this effort. Outreach messages should be based on research.
- The Legislature should fund extensive statewide public outreach campaigns for CAL FIRE to continue to educate the public on the benefits of healthy forests and prescribed fire.
- The California Natural Resources Agency should work with the Department of Education to catalog existing educational resources on resilient forests, the history of fire in California's ecological development and from where pupils' water originates to allow teachers to easily access and incorporate the information into their curricula. Additionally, the California Natural Resources Agency should advertise this collection to teachers to spread awareness of these resources.
- The California Natural Resources Agency should collaborate with state colleges and universities offering forestry programs to increase awareness of forest health concerns in their communities, to both educate the public and increase enrollment
- In these programs. Forestry technical advisors affiliated with universities should be consulted on where they are encountering educational gaps to help identify where efforts should be targeted.
- Water districts should play a greater role in educating their customers on the sources of their water. To facilitate this, the state should provide funding for an organization to create educational toolkits that water agencies easily can customize.
- The state should provide grant funding for an educational organization to bring lawmakers, policymakers and their staff to forests to teach them about the benefits provided by forests, the consequences of forest neglect and the different forest treatment outcomes. The organization should work closely with the Legislature and other appropriate bodies to overcome logistical hurdles.

- Californians' knowledge levels and attitudes toward forest health should be measured at the onset of educational campaigns, and policymakers should set clear goals for the changes they would like to see in those attributes. These should be measured throughout the campaigns, with course corrections designed as necessary if the state does not meet its outcomes.
- **Recommendation 8:** The Tree Mortality Task Force should evolve into a forest management planning entity, with dedicated funding.
- It should help set a strategic direction for forest management, identify measureable goals, decide how to track results and recommend course corrections to better achieve those goals.
- It should advise on how to incorporate technology in assessing and improving forest health.
- This should include reviewing the planning process and developing recommendations on where streamlining can occur.

Recommendation 9: The California Natural Resources Agency, its relevant departments and the California Environmental Protection Agency should regularly report to the Legislature and post online progress on the metrics listed in the Forest Carbon Plan, as well as the steps it is taking to begin implementing the plan. The Commission may hold a follow-up hearing on these steps as well as the progress made on its recommendations.

Exhibit 2

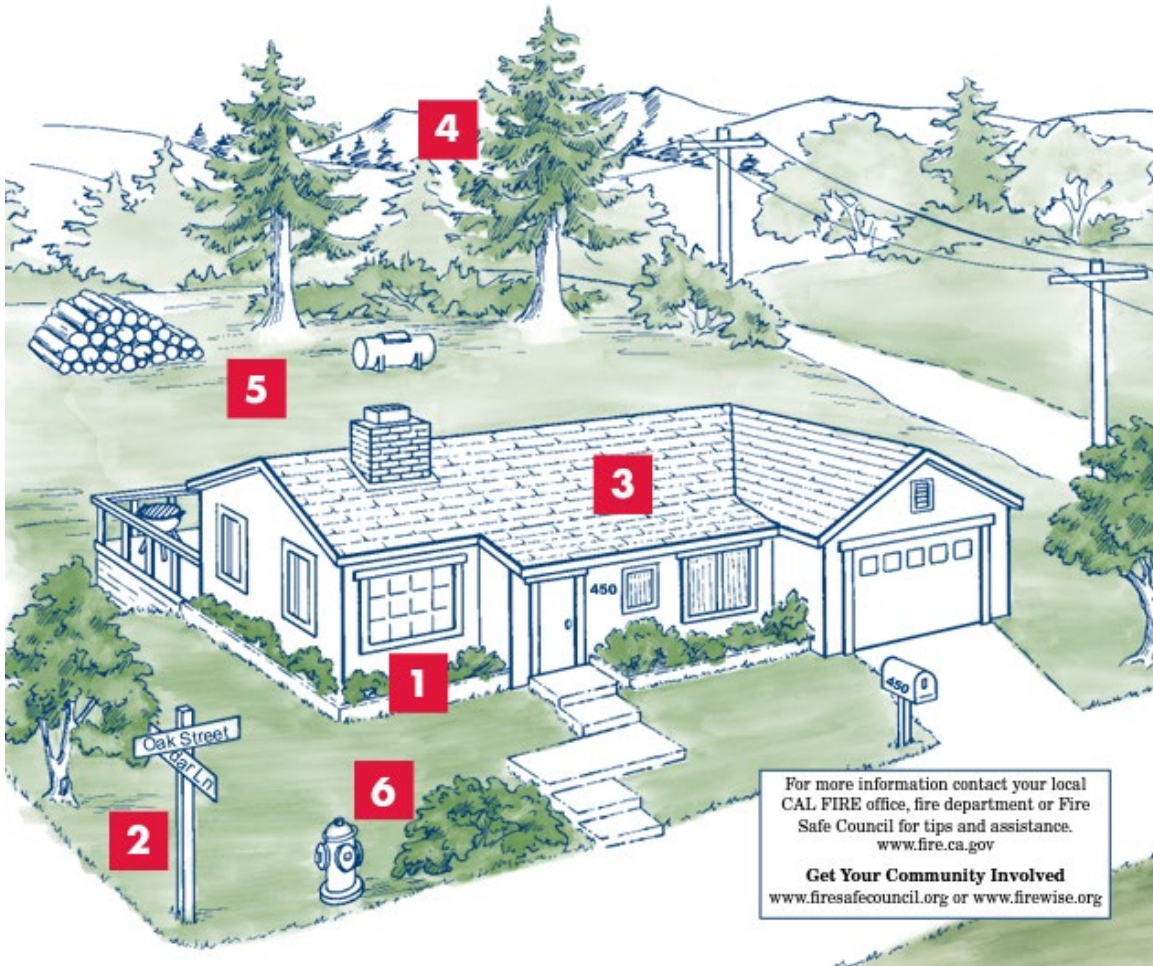
California Department of Forestry and Fire Protection

Homeowners Checklist



www.fire.ca.gov

How To Make Your Home Fire Safe



For more information contact your local CAL FIRE office, fire department or Fire Safe Council for tips and assistance.
www.fire.ca.gov

Get Your Community Involved
www.firesafecouncil.org or www.firewise.org

OUTSIDE

1 Design/Construction

(For new Wildland Urban Interface Construction or Remodels)

- ❑ Use ignition resistant construction for roofs/roof assemblies, gutters, vents, decks, exterior walls, exterior windows. —CBC Chapter 7A
- ❑ Enclose the underside of eaves, balconies and above ground decks with fire resistant materials
- ❑ Show your 100 feet Defensible Space on plot plan
- ❑ Build your home away from ridge tops, canyons and areas between high points of a ridge
- ❑ Consider installing residential sprinklers
- ❑ Make sure that electric service lines, fuse boxes and circuit breaker panels are installed and maintained per code
- ❑ Contact qualified individuals to perform electrical maintenance and repairs

2 Access

- ❑ Make sure that your street name sign is visibly posted at each street intersection
- ❑ Post your house address so it is easily visible from the street, especially at night
- ❑ Address numbers should be at least 3 inches tall and on a contrasting background
- ❑ Identify at least two exit routes from your neighborhood
- ❑ Clear flammable vegetation at least 10 feet from roads and five feet from driveways
- ❑ Cut back overhanging tree branches above access roads
- ❑ Construct roads that allow two-way traffic
- ❑ Make sure dead-end roads, and long drive ways have turn-around areas wide enough for emergency vehicles
- ❑ Design bridges to carry heavy emergency vehicles
- ❑ Post clear road signs to show traffic restrictions such as dead-end roads, and weight and height limitations

3 Roof

- ❑ Install a fire resistant roof. Contact your local fire department for current roofing requirements
- ❑ Remove dead leaves and needles from your roof and gutters
- ❑ Remove dead branches overhanging your roof and keep branches 10 feet from your chimney
- ❑ Cover your chimney outlet and stovepipe with a nonflammable screen of 1/2 inch or smaller mesh

4 Landscape

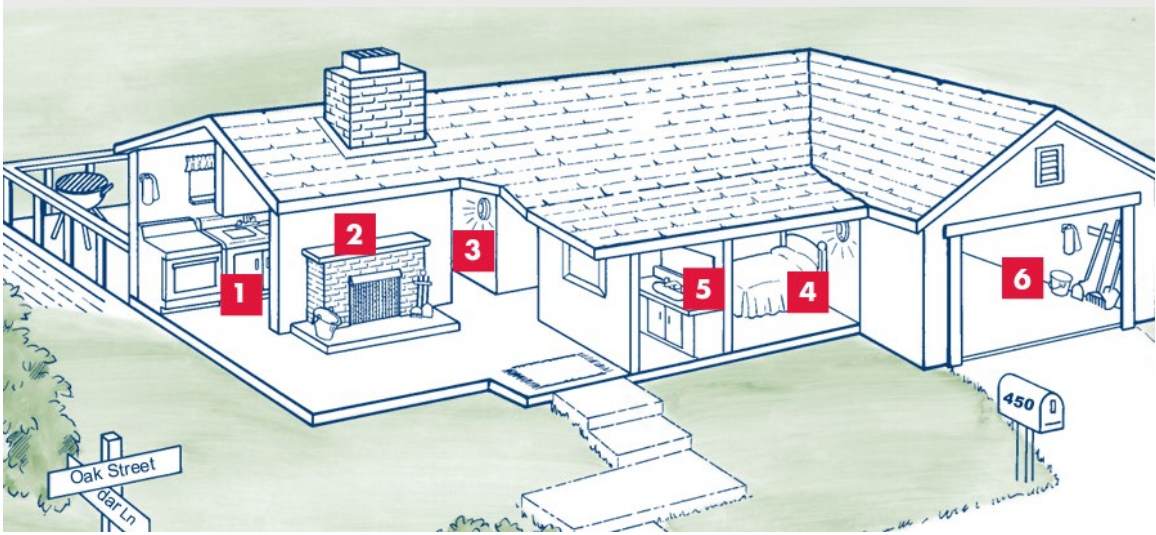
- ❑ Create a Defensible Space of 100 feet around your home. It is required by law
- ❑ Create a **“LEAN, CLEAN and GREEN ZONE”** by removing all flammable vegetation within 30 feet immediately surrounding your home
- ❑ Then create a **“REDUCED FUEL ZONE”** in the remaining 70 feet or to your property line
- ❑ You have two options in this area:
 - A. Create horizontal and vertical spacing between plants. The amount of space will depend on how steep your property is and the size of your plants.**
 - B. Large trees do not have to be removed as long as all of the plants beneath them are removed.**
- ❑ Remove lower tree branches at least six feet from the ground
- ❑ Landscape with fire resistant plants
- ❑ Maintain all plants with regular water, and keep dead branches, leaves and needles removed.
- ❑ When clearing vegetation, use care when operating equipment such as lawn mowers. One small spark may start a fire; a string trimmer is much safer

5 Yard

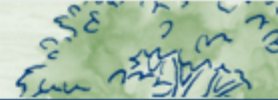
- ❑ Stack woodpiles at least 30 feet from all structures and remove vegetation within 10 feet of woodpiles
- ❑ Above ground Liquefied Petroleum Gas (LP-gas) containers (500 or less water gallons) shall be located a minimum of 10 feet with respect to buildings, public ways, and lot lines of adjoining property that can be built upon. —CFC 3804.3
- ❑ Remove all stacks of construction materials, pine needles, leaves and other debris from your yard
- ❑ Contact your local fire department to see if debris burning is allowed in your area; if so, obtain a burning permit and follow all local air quality restrictions

6 Emergency Water Supply

- ❑ Maintain an emergency water supply that meets fire department standards through one of the following:
 - a community water/hydrant system
 - a cooperative emergency storage tank with neighbors
 - a minimum storage supply of 2,500 gallon on your property (like a pond or pool)
- ❑ Clearly mark all emergency water sources
- ❑ Create easy firefighter access to your closest emergency water source
- ❑ If your water comes from a well, consider an emergency generator to operate the pump during a power failure



INSIDE



1 Kitchen

- ❑ Keep a working fire extinguisher in the kitchen
- ❑ Maintain electric and gas stoves in good operating condition
- ❑ Keep baking soda on hand to extinguish stove-top grease fires
- ❑ Turn the handles of pots and pans away from the front of the stove
- ❑ Install curtains and towel holders away from stove burners
- ❑ Store matches and lighters out of reach of children
- ❑ Make sure that electrical outlets are designed to handle appliance loads

2 Living Room

- ❑ Install a screen in front of fireplace or wood stove
- ❑ Store the ashes from your fireplace (and barbecue) in a metal container and dispose of only when cold
- ❑ Clean fireplace chimneys and flues at least once a year

5 Bathroom

- ❑ Disconnect appliances such as curling irons and hair dryers when done; store in a safe location until cool
- ❑ Keep items such as towels away from wall and floor heaters

6 Garage

- ❑ Mount a working fire extinguisher in the garage
- ❑ Have tools such as a shovel, hoe, rake and bucket available for use in a wildfire emergency
- ❑ Install a solid door with self-closing hinges between living areas and the garage
- ❑ Dispose of oily rags in Underwriters Laboratories approved metal containers
- ❑ Store all combustibles away from ignition sources such as water heaters
- ❑ Disconnect electrical tools and appliances when not in use
- ❑ Allow hot tools such as glue guns and soldering irons to cool before storing
- ❑ Properly store flammable liquids in approved containers and away from ignition sources such as pilot lights

3 Hallway

- ❑ Install smoke detectors between living and sleeping areas
- ❑ Test smoke detectors monthly and replace batteries twice a year, when clocks are changed in the spring and fall
- ❑ Replace electrical cords that do not work properly, have loose connections, or are frayed

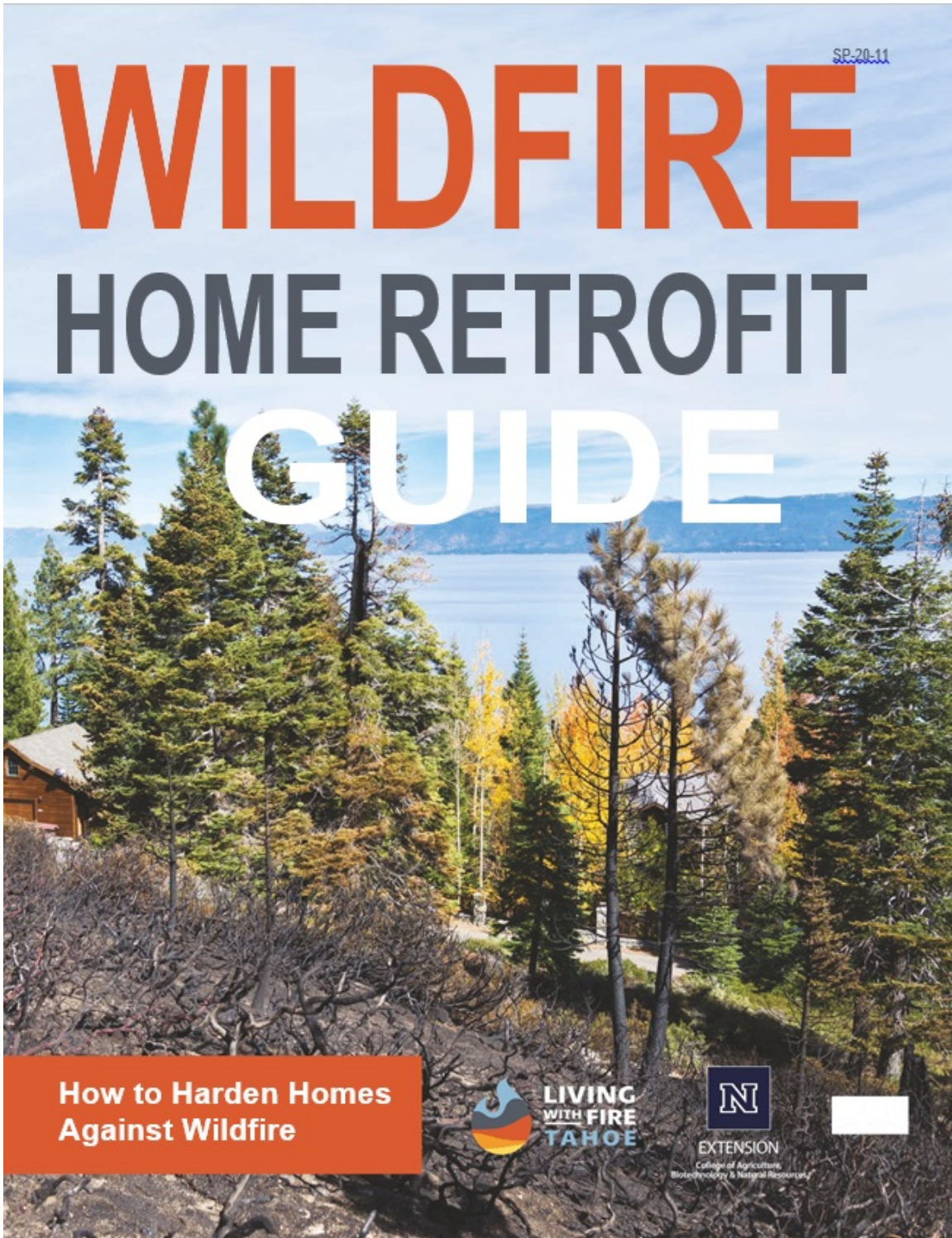
4 Bedroom

- ❑ If you sleep with the door closed, install a smoke detector in the bedroom
- ❑ Turn off electric blankets and other electrical appliances when not in use
- ❑ Do not smoke in bed
- ❑ If you have security bars on your windows or doors, be sure they have an approved quick release mechanism so you and your family can get out in the event of a fire

*Disaster Preparedness

- ❑ Maintain at least a three-day supply of drinking water, and food that does not require refrigeration and generally does not need cooking
- ❑ Maintain a portable radio, flashlight, emergency cooking equipment, lanterns and batteries
- ❑ Outdoor cooking appliances such as barbecues should never be taken indoors for use as heaters
- ❑ Maintain first aid supplies to treat the injured until help arrives
- ❑ Keep a list of valuables to take with you in an emergency; if possible, store these valuables together
- ❑ For safety, securely attach all water heaters and furniture such as cabinets and bookshelves to walls
- ❑ Have a contingency plan to enable family members to contact each other. Establish a family/friend phone tree
- ❑ Designate an emergency meeting place outside your home
- ❑ Practice emergency exit drills in the house (EDITH) regularly
- ❑ Make sure that all family members understand how to STOP, DROP AND ROLL if their clothes should catch fire

Exhibit 3





This Guide includes specific recommendations for how to retrofit existing components of a home to withstand wildfire. Each section contains an explanation of how the component is vulnerable to wildfire and what can be done to improve that component. The illustrations throughout the Guide are intended to show best practices for reducing the vulnerability of a home to wildfire.

Inside This Guide

Defensible Space	p. 5	Siding	p. 10	Chimneys	p. 15
Roofs	p. 6	Skylights	p. 11	Fences	p. 16
Roof Edges	p. 7	Windows	p. 12	Glossary	p. 17
Rain Gutters	p. 8	Decks	p. 13	Online Resources	p. 18
Vents	p.9	Garages	p. 14		

When using this Guide, think about the location and context of the home and how that influences vulnerability to wildfire:



Steep Slopes

When homes are located on steep slopes, decks commonly overhang the slope below, and this downslope area is often heavily vegetated. Prioritize defensible space actions so that flames from burning vegetation cannot reach the underside of the deck and ignite, with subsequent ignition of the home.



Dense Neighborhoods

Dense neighborhoods with homes close together have an increased risk of building to building ignition because of the radiated heat and potential flames that are generated if a neighbor's home burns. Prioritize actions to reduce the possibility of homes igniting each other. Intensify defensible space by thinning trees and shrubs between homes. Engage in neighborhood conversations to encourage all neighbors to take actions to reduce their own vulnerability to wildfire.



Large-Parcel Lots

When homes are on large parcel lots and neighboring homes are far apart, vegetation and other combustible materials on the property (e.g., wood pile, tool shed) can be a large factor in home ignition. Prioritize creating and maintaining defensible space, including the near-home noncombustible zone, and home-hardening techniques to reduce vulnerability from embers.

Living within the natural environment brings both serenity and responsibility.

Communities located in wildfire-prone areas need to take extra measures to live safely. There are many ways to prepare communities and properties for wildfire, including creating and maintaining adequate defensible space and hardening homes through altering or replacing the construction components. This guide will help residents and building professionals better understand how to prepare homes and communities for wildfire.



DURING A WILDFIRE, homes can be threatened by **1) wind-blown embers**, **2) radiant heat**, and **3) direct flame contact**.

In wildfire events, 60-90% of home loss is due to embers. Embers can originate from an approaching wildfire or small parts of nearby burning vegetation and construction materials (e.g., a home, storage shed, wood pile). Embers are important because of what they can do directly (e.g., ignite materials in an attic after entering through a vent) and what they can do



indirectly (e.g., ignite a wood pile or storage shed located close to the home, resulting in radiant heat or direct flame contact to the side of the home). Reducing the vulnerability of homes to ember ignition will increase the chance of homes and neighborhoods surviving a wildfire.

The most effective way for homes to withstand wildfire is a “coupled approach” that considers the exterior

construction materials and how they are put together, as well as the surrounding vegetation and other near-home combustible materials. Selection, location and maintenance of vegetation and other combustible materials on a property can reduce the chance of a wildfire burning the home. This Guide provides information and recommendations for retrofitting an existing or newly constructed home with wildfire in mind.



↑ *Protecting a home from wildfire requires continual defensible space actions in three zones around the property.*

Contact local Extension offices for more information about defensible space recommendations specific to different regions.

Defensible Space

- 0 THE EMBER-RESISTANT ZONE (Zone 0) | 0-5 feet:** The zone within 5 feet of your home has many different names (e.g., the noncombustible zone, the immediate zone, the zero zone), but the objective is generally the same—to reduce the vulnerability of the home to embers by creating a zone of ember-resistant materials around the home. Gravel, a concrete or brick walkway, or another hardscape feature is commonly used to construct this zone. This ember-resistant zone should include the area under and around any attached deck. Be sure to keep this zone clean of any woodpiles, wood mulch, or flammable vegetation.
- 1 THE LEAN, CLEAN AND GREEN ZONE (Zone 1) | 5-30 feet:** The objective of this zone is to reduce the risk of fire spreading from surrounding vegetation to the home. Lean indicates that there is only a small amount of vegetation, if any, present. Vegetation should be grouped in discontinuous islands. Clean indicates that vegetative debris and dead materials are routinely removed. Green indicates that vegetation within this zone is kept green and well irrigated (if appropriate) during the fire season.
- 2 THE REDUCED FUEL ZONE (Zone 2) | 30-100 feet:** The objective of this zone is to reduce fire spread and restrict fire movement into the crowns of trees or shrubs. Remove dead plant material, lower tree branches and other ladder fuels (e.g., shrubs, lower branches, smaller trees). Locate outbuildings (e.g., for storage) at least 30 feet away from the home and create an ember-resistant zone around all outbuildings and propane tanks.

Roofs

Making a roof “fire-safe” is a big step in reducing the vulnerability of the home to wildfire. There are three fire ratings for roof coverings: Class A, Class B and Class C, with Class A providing the greatest fire protection. The roof rating designation provides information for the roof covering material and does not include where the roof meets other materials at the edge of the roof. A non-fire-retardant treated wood shake or shingle roof covering is unrated and is not desirable—these roof types have less than a Class C rating.

HOW TO REDUCE THE VULNERABILITY OF ROOFS

- ▶ Replace a wood shake or shingle roof with a Class A roof.
- ▶ Remove accumulated vegetative debris from the roof.
- ▶ If there is a space between the roofing materials and roof deck, make sure that the openings between the covering and the roof deck are blocked. Repair areas as needed.
- ▶ If the roof consists of Class B or C roofing materials, determine if the underlayment in the assembly provides Class A protection as indicated in manufacturer installation instructions. When viewed from the edge of the roof, these materials would either look like gypsum wallboard or overlapping 4-foot wide sections of an asphalt composition roof covering. Maintain the roof covering and replace with a Class A product when needed.

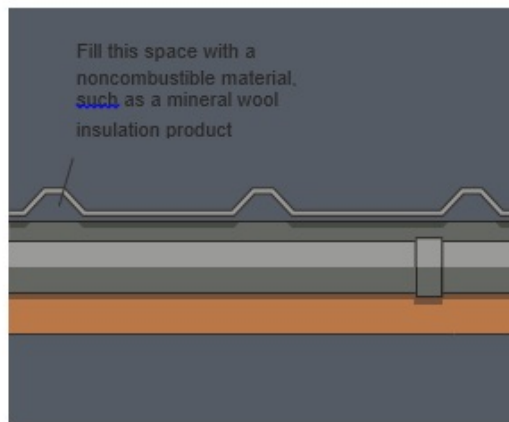
A CLASS A ROOFING materials include asphalt fiberglass composition shingles, clay and cementitious tiles (both flat and barrel shaped), and some metal roofing materials.

B CLASS B ROOFING materials are most commonly exterior-rated, pressure-impregnated fire-retardant treated shake or shingle covering (not allowed for use in many jurisdictions).

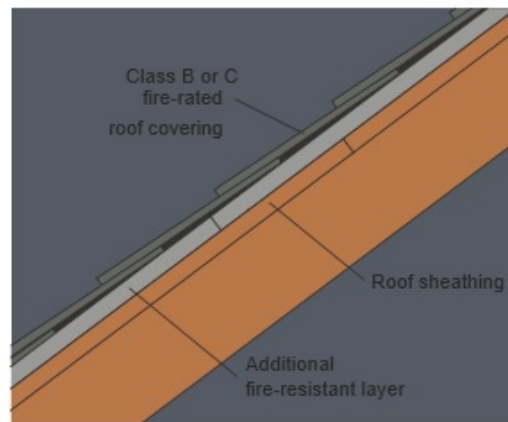
C CLASS C ROOFING materials include recycled plastic, rubber and aluminum.

Class B and Class C roofing materials can have a Class A “by assembly” rating. In these cases, additional materials that enhance the fire resistance of the roof assembly (i.e., the roofing material plus other materials included in the roof assembly) must be installed. In these cases, be sure to follow the manufacturer’s instructions.

METAL ROOF



CLASS A “BY ASSEMBLY” FIRE-RATED ROOF COVERING

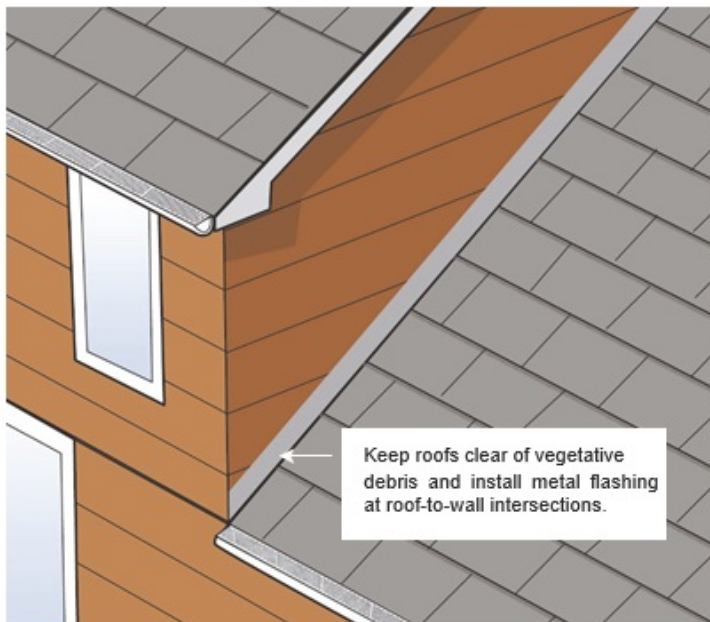


Roof Edges

There can be several areas where the roof meets another material, such as at a roof-to-wall intersection in a split-level home or a dormer on a roof. These intersections are vulnerable areas because wind-blown embers will gather at the same locations where vegetative debris has accumulated, igniting the debris. Building materials usually change at edge-of-roof locations. The adjacent materials should provide comparable protection to the roofing material.

HOW TO REDUCE THE VULNERABILITY OF ROOF EDGES

- ▶ Remove accumulated vegetative debris from roofs on a regular basis.
- ▶ Replace the combustible siding in roof-to-wall locations with a noncombustible option. Replacement of siding only in these locations will be less expensive than replacing all the home's siding. It may be possible to find a noncombustible siding pattern that is similar to the existing siding pattern.
- ▶ At a roof-to-siding location, use of metal flashing that extends up the siding at least 6-inches could also reduce the vulnerability of a combustible siding material. Install flashing so that water cannot get between flashing and siding.

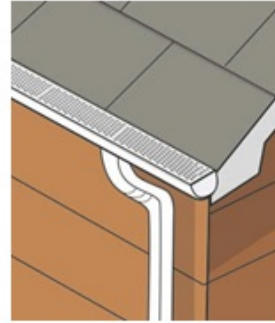


Rain Gutters

Roofs can be vulnerable at the roof edge where a gutter is attached. Debris in the gutter can ignite from embers, and flames can ignite other components at the roof edge (e.g., wood-based sheathing and fascia board).

HOW TO REDUCE THE VULNERABILITY OF RAIN GUTTERS

- ▶ Remove vegetative debris from gutters on a regular basis during fire season.
- ▶ Install a noncombustible and corrosion-resistant metal drip edge to provide protection for the combustible components (i.e., sheathing and fascia) at the edge of your roof.
- ▶ Use a noncombustible gutter cover to minimize accumulation of debris in the gutter. Some gutter covers result in accumulation of debris on the roof behind the gutter, so these will still require routine maintenance.



▲ *Install and maintain a noncombustible gutter cover (as pictured above) to help minimize debris accumulation in gutters.*

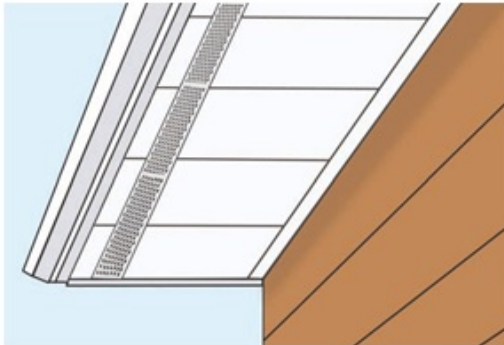
Eaves

The under-eave area provides a point of entry for flames if nearby vegetation or other materials are burning. There are two basic designs for under-eave construction: open-eave and soffited-eave (i.e., one that is boxed in). Open-eave designs are more vulnerable to flames—heat can build up in an area between the roof rafters allowing for more rapid fire spread laterally, which increases the likelihood that fire will find a location to enter the attic. Vents that are in the blocking between rafters in open-eave construction are more vulnerable to the entry of embers than vents in a soffited-eave.

OPEN EAVE



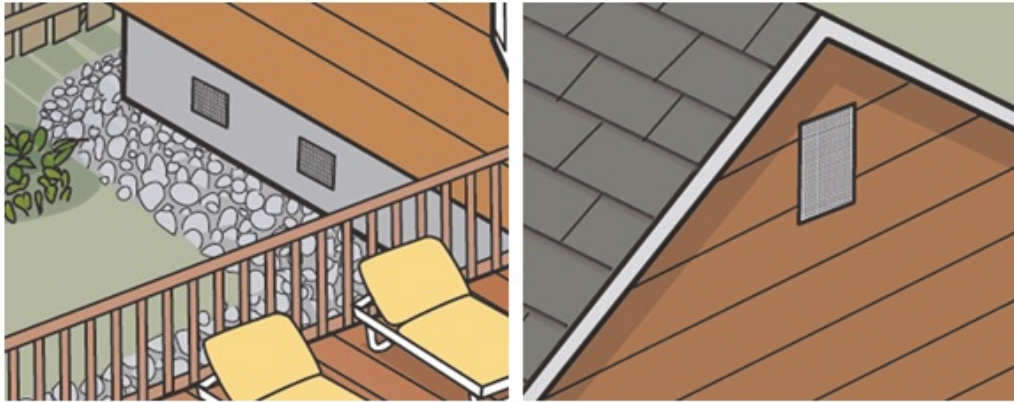
SOFFITED EAVE



HOW TO REDUCE THE VULNERABILITY OF EAVES

- ▶ Inspect open-eave areas for gaps where embers could lodge or pass through into the attic. All vents should be screened and all other gaps should be filled with durable caulk.
- ▶ Enclose under-eave area to create a soffited eave.

▲ *Enclose open eaves to protect attic spaces from ember intrusion.*



▲ Cover all vents with 1/8-inch mesh screening.

WHAT IS THE DIFFERENCE BETWEEN VENT SCREEN SIZES?

Small screens (1/8-inch) can reduce both the size and number of embers that can pass through. Because the embers are smaller, they self-extinguish quickly after entering the attic and crawl space. While this screen size is ideal for resisting ember intrusion, it does require more maintenance because it gets easily clogged. Accumulated debris on vents can become a source of embers if not cleaned regularly. Air flow is also reduced with this size screen. Mid-size screens (1/4-inch) allow more, larger embers to enter the attic and crawl space, but these are still better than 1/4-inch screens. This size screen is a common choice because the maintenance is lower while still being relatively effective. Large screens (3/4-inch) allow many, larger embers to enter the attic and crawl space. It is recommended you replace or cover 1/4-inch screens with a smaller grain.

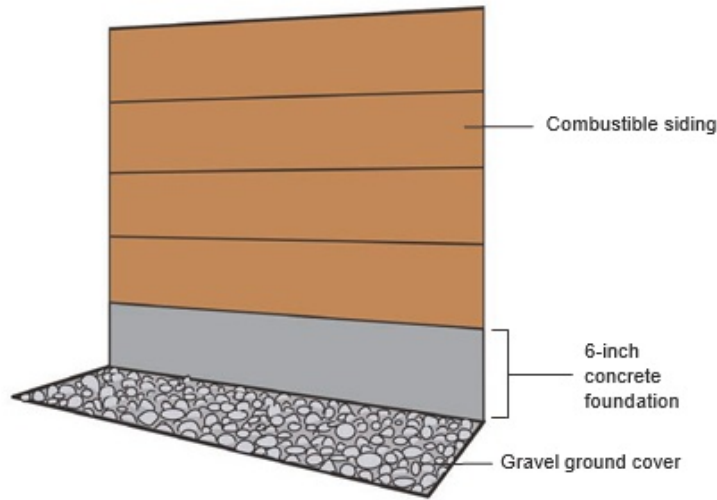
Vents

Attic and crawl space vents provide an entry point for embers. Vents should be covered by, at a minimum, 1/8-inch noncombustible corrosion-resistant metal mesh screening. Screening will not prevent the intrusion of all embers but will minimize their size. Finer mesh screening (e.g., 1/16-inch mesh) is more effective at keeping embers out of the home but requires more maintenance because it can become clogged with debris. Vents that meet the flame- and ember-resistant standard are listed on the California Office of the State Fire Marshal Building Materials Listing Program website. These types of vents are appropriate in areas where maintaining defensible space is difficult, combustible materials are closer to the home, or combustible siding is used.

HOW TO REDUCE THE VULNERABILITY OF ATTIC AND CRAWL SPACES

- ▶ Avoid storing combustible items (e.g., cardboard boxes, newspapers and magazines) near attic or crawl space vents.
- ▶ Inspect vents to make sure they are in good condition (i.e., screen is in good condition with no tears that would result in larger openings).
- ▶ If 1/4-inch mesh screening is present, replace or add, at a minimum, a 1/8-inch noncombustible corrosion resistant metal mesh screen.
- ▶ Consider replacing vents with a flame- and ember-resistant option.

Vent covers that are made ahead of time (i.e., before a wildfire is threatening) can be installed when wildfire is threatening the area. This strategy can be effective, but it does take time and should only be undertaken if ample time is given for evacuation. Preparation activities can be dangerous if evacuation is delayed.



Siding

If the siding ignites, a fire can: 1) penetrate through the stud cavity into the home, 2) spread up the side of the home and enter windows or other openings such as dryer vents, and 3) spread into the attic at a gable-end vent or an under-eave area. Combustible siding can be ignited from direct-flame contact or radiant heat exposure. Ignition of siding from embers can occur, especially if embers ignite combustible materials close to the home (e.g., bark mulch or wood pile), and if siding extends all the way to the ground.

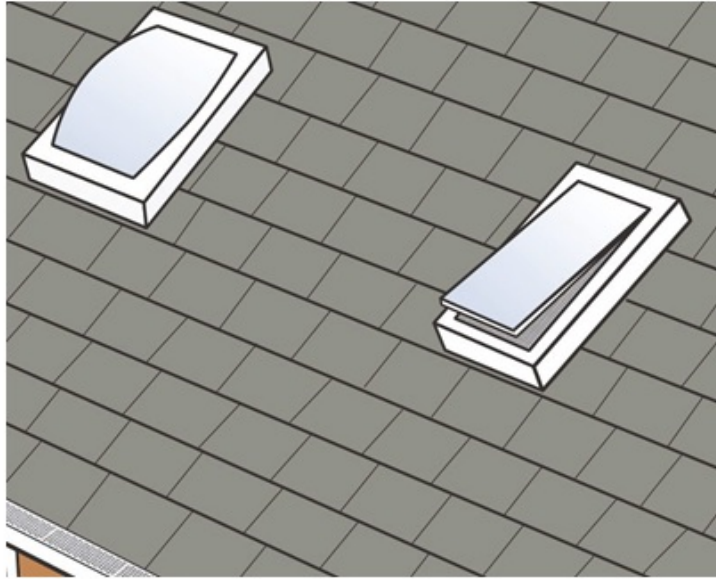
Combustible siding products are widely used, including solid wood, wood composite materials and plastic/vinyl products. Vinyl siding can deform and slough off when exposed to flames or radiant heat. Once this happens, underlying material (e.g., sheathing) becomes important for protection. More complicated lap joints in wood-based siding patterns (e.g., shiplap and tongue-and-groove) are more resistant to fire penetration at the lap joint. Plain bevel joints in wood siding are vulnerable to fire penetration. While fiber cement siding often uses a plain bevel lap joint, it is less vulnerable to fire penetration.

HOW TO REDUCE THE VULNERABILITY OF SIDING

- ▶ Use noncombustible siding (e.g., stucco, steel and fiber cement), especially when neighboring homes are within 30-feet of the home.
- ▶ Make sure to develop and maintain adequate defensible space, particularly within the ember-resistant zone, to minimize the chance that siding will ignite from embers at the ground level or direct-flame contact from nearby combustible materials.
- ▶ In smaller areas that are vulnerable, such as at a roof-to-wall area, replace siding with a noncombustible product.
- ▶ For new construction, use of a one-hour wall design, where an additional fire resistant layer is used in the wall assembly, can provide additional protection when a more vulnerable siding material is used.

It is not recommended to use fire-retardant coatings, such as fire-retardant paint, to provide fire protection for combustible siding. Some state, county and local building codes do not allow these coatings. Recent research has demonstrated that their performance is degraded by exposure to the elements (e.g., snow, moisture, sun). Their effectiveness degrades more quickly than reported.

Clear debris around → skylights and make sure to close before evacuating.



Skylights

Skylights can be a point for ember and flame entry if the cover fails, or if skylights are left open when a wildfire threatens. There are two basic kinds of skylights: domed-style made of plastic and flat-style made of glass. Flat-style, glass skylights have less risk than domed-style, plastic skylights that may melt and burn when exposed to heat from a wildfire. Typically, the glass in skylights consists of two layers, the outer being tempered glass and the inner being a safety glass, such as laminated glass.

Skylights on steeper sloped roofs can be vulnerable to radiant heat and flame contact exposures if nearby combustible materials ignite and burn. Skylights on low-slope (flatter) roofs are more prone to the accumulation of vegetative debris (especially flat-style skylights).

HOW TO REDUCE THE VULNERABILITY OF SKYLIGHTS

- ▶ Remove vegetative debris from the roof, including on and adjacent to skylights, on a regular basis.
- ▶ On sloped roofs, glass skylights are the best choice because of increased likelihood of exposure to radiant heat.
- ▶ If the skylight can open, close it when wildfire is threatening to prevent embers from entering the home. Consider adding a 1/16-inch noncombustible corrosion resistant-metal mesh screening to reduce ember intrusion into the home in case the skylight cannot be closed before evacuation.

Windows

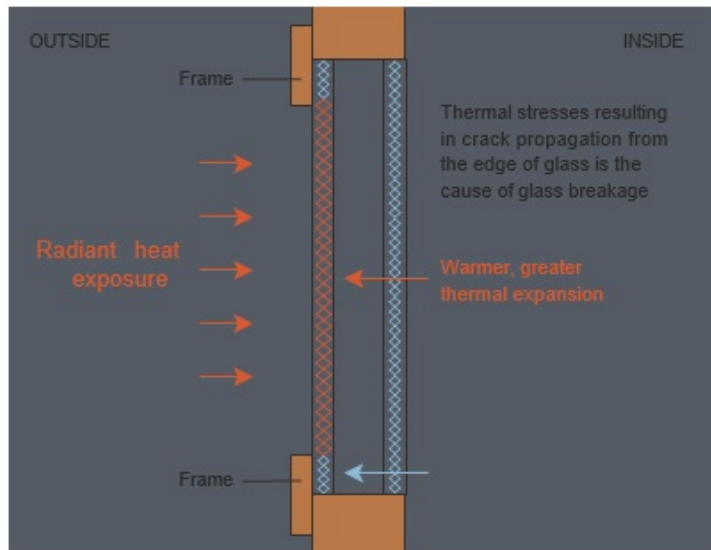
Windows can be a vulnerable component of a home if the framing material ignites or deforms, or if the glass breaks and falls out, both allowing embers or flames to enter the home. The most vulnerable part of a window is the glass. Glass breakage occurs when cracks, propagating from the outer edge inward, occur due to thermal stress that develops when a window is exposed to flames or radiant heat.

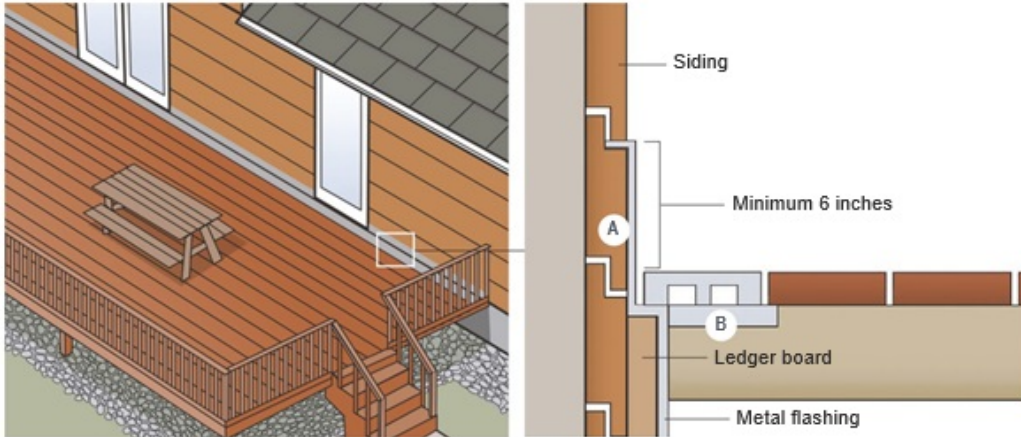
Tempered glass is three to four times more resistant to heat exposures than typical annealed glass and is therefore a better choice when selecting windows. Metal and plastic-clad fiberglass window screening will absorb radiant energy, providing additional protection against radiant heat exposure to the glass in your windows. Plastic-clad fiberglass screening will fail if flames contact it, reinforcing the need for an effective ember-resistant zone.

HOW TO REDUCE THE VULNERABILITY OF WINDOWS

- ▶ When replacing windows, choose multi-pane options containing tempered glass.
- ▶ If neighbors or outbuildings are within 30-feet of the home, consider installing deployable noncombustible shutters to provide additional protection.
- ▶ Install screens in all operable windows. Screens increase ember resistance by keeping embers out of the home and also decrease radiant heat exposure.
- ▶ Close windows when wildfire is threatening.

DUAL-PANE WINDOW





- A** Install metal flashing between the ledger board and joists to protect the combustible siding material. The flashing should extend above and below the ledger board.
- B** Replace the deckboard next to the house with noncombustible material.

Decks

If a deck attached to a home ignites, the home can be exposed to flames and/or radiant heat. What is stored underneath and on top of decks can also be an ignition source. Depending on the decking material, embers can also directly ignite deck boards. Decks that overhang a slope can be exposed to flames if trees and other vegetation downslope of the deck ignite, resulting in flames contacting the bottom of the deck.

Most commercially available deck boards are combustible. These include redwood, cedar and tropical hardwoods, such as ipe, and all plastic composite lumber decking products. Pressure impregnated fire retardant treated (FRT) wood deck boards are less vulnerable to flames and embers. Higher density hardwood decking and plastic composite decking are less vulnerable to ignition by embers compared to softwood decking (i.e., redwood and cedar). Although some metal deck boards are now available, noncombustible options are typically referred to as solid surface decks because they consist of lightweight concrete, possibly with an additional noncombustible walking surface such as flagstone. Use of noncombustible (i.e., steel) joists in conjunction with combustible deck boards will reduce the overall vulnerability of the deck.

HOW TO REDUCE THE VULNERABILITY OF DECKS

- ▶ Create an ember-resistant zone under the footprint of and around all decks. This action will reduce the likelihood of under-deck flame exposure.
- ▶ If a deck overhangs a slope, create and maintain an effective defensible space downslope of the deck to reduce the chance of flames reaching the underside of the deck.
- ▶ Apply metal flashing or foil-face bitumen tape on top of and a few inches down the side of the support joists. This is an effective strategy to minimize fire growth when a deck is ignited by embers, but would not help if the deck were ignited directly by flames under the deck. Using steel joists also reduces the vulnerability of the deck from both flames and embers.

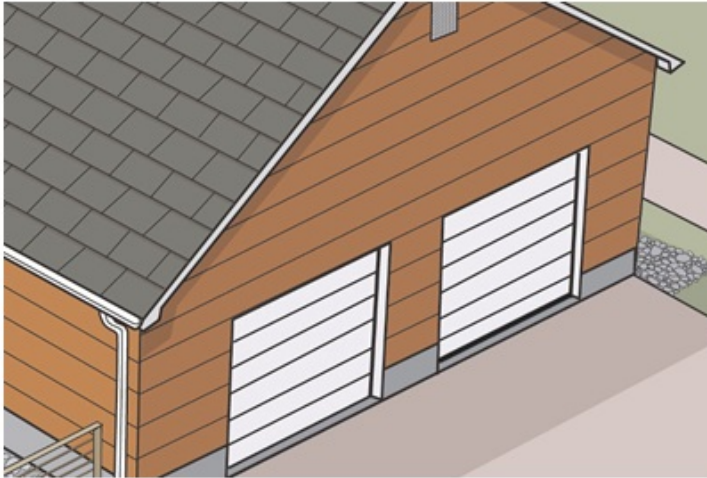
- ▶ For cedar and redwood decks, increase the size of the gap between deck boards to $\frac{1}{4}$ inch so that vegetative debris can fall through rather than accumulate on the deck. Be sure to routinely clear debris from under the deck.
- ▶ If a deck is made of combustible decking materials, replace the board closest to the home with a noncombustible material.
- ▶ In new deck construction, consider using noncombustible or higher density decking products.
- ▶ Move combustible cushions from deck furniture to inside and relocate combustible furniture (especially those with woven components that can trap embers) away from the house.

Garages

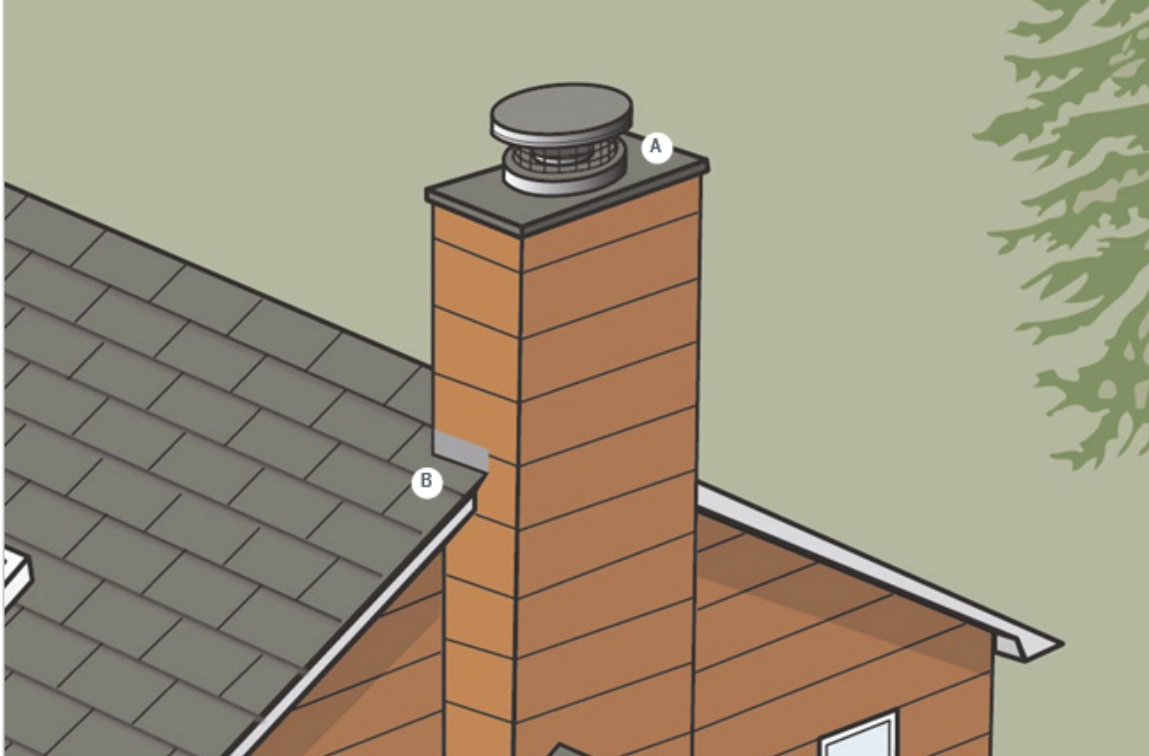
Garages, whether attached to the home or detached as a separate building, can threaten homes if the garage ignites. Since it is normal to store combustible materials in a garage, steps should be taken to reduce the ignitability of the garage because embers can easily enter under or around poorly sealed garage doors.

HOW TO REDUCE THE VULNERABILITY OF GARAGES

- ▶ Whether a garage is detached or attached, include it in defensible space planning and maintenance, including the ember-resistant zone.
- ▶ Make sure the space between the garage door and framing is well sealed to minimize the entry of embers into the garage.
- ▶ Garage windows, vents and other construction components should be treated the same as they would be if part of the home.
- ▶ Add a battery back-up to the garage door motor so that the garage can easily be opened or closed if power is out.
- ▶ Close garage doors when wildfire is threatening.



← Make sure garage doors are well sealed and closed before evacuating.



- A** Cover the stovepipe/
chimney with a metal screen
(no smaller than 3-inch
and no larger than 1-inch).
- B** Install metal flashing at the
Chimney-roof intersection.

Chimneys

Chimneys and stovepipes can be a vulnerable part of the home if not installed correctly and properly cleaned and maintained annually. Vegetative debris can accumulate on the roof adjacent to the chimney chase. This is another roof-to-wall connection that can be vulnerable to ignition by embers.

HOW TO REDUCE THE VULNERABILITY OF CHIMNEYS

- ▶ Use of metal step flashing at roof-to-siding intersection (flashing extending up the wall) can reduce the vulnerability to embers.
- ▶ Cover chimney and stovepipe outlets with a noncombustible screen. Use metal screen material with openings no smaller than 3/8-inch and no larger than 1/2-inch to minimize embers leaving the chimney.
- ▶ Close the fireplace flue during fire season when the chimney is not in use.

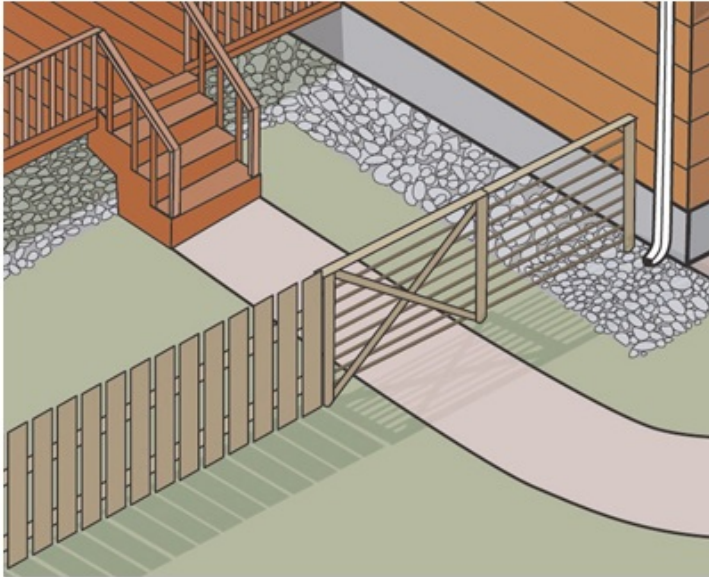
Fences

Combustible fencing can provide a direct path to a home if surrounding vegetation or embers ignite it. Best practice is to separate the fence from the house or upgrade the last 5-feet of the fence to a noncombustible material to reduce the chance of the fence from bringing fire to the home.

Privacy fences (planks all on one side of horizontal supports) are the most vulnerable to ignition because the horizontal to vertical intersection provides a ledge and backstop where embers can accumulate and ignite the fence. Good neighbor (planks alternating) and lattice are more porous, and therefore more difficult to ignite via ember exposure. Vinyl fences are not as vulnerable to embers, but can ignite through direct flame exposure if vegetative debris has accumulated at its base. As is the case with vinyl siding, vinyl fencing will be vulnerable to deformation from radiant heat exposure. All fences are more vulnerable when vegetative debris has accumulated at their base.

HOW TO REDUCE THE VULNERABILITY OF FENCES

- ▶ Replace the combustible portion of the fence near the home with a noncombustible section. The noncombustible section should be a minimum of 5-feet long.
- ▶ Remove vegetative debris that can accumulate at the base of the fence on a regular basis. Do not use fences as a trellis for plants because plants can create and trap ignitable vegetative debris.



← Rather than replacing the entire fence, replace the 5-feet closest to the home with a noncombustible option.

Glossary

BEVEL JOINT A type of lap joint, typically seen in horizontally applied siding. This lap joint, when used with a combustible siding product, is the most vulnerable to fire penetration.

CHIMNEY CHASE The area or structure around metal fuel pipes. The chase is usually built with wood, metal or brick.

DORMER A part of a building that extends beyond the vertical plane of the roof. This extension also has a roof covering and typically incorporates a window on the exterior wall.

EMBER Also called firebrand. Burning (or glowing) particles of vegetation from tree branches, parts of shrubs or chaparral, or other combustible materials (e.g., construction materials) that ignite and burn during a wildfire and are carried in wind currents to locations beyond the wildfire front.

FIBER CEMENT A generic term for a siding product that is made using cement, wood fiber and other additives.

FINE-MESH SCREENING In the context of this document, 1/4-inch or finer screening that is used to cover vent openings and operable windows.

FOIL-FACE BITUMEN TAPE A flashing material whereby an aluminum foil material is part of a bitumen tape system.

GOOD-NEIGHBOR FENCE In the context of this document, this type of fence is one where the vertical planks alternate between the sides of the horizontal support members. A “good-neighbor” fence is usually compared to a “privacy” fence, where the vertical planks are all on the same side of the horizontal supports.

GYP SUM WALLBOARD A panelized product made from calcium sulfate dihydrate. These panels are commonly used for paneling on the interior of homes and buildings. A special type of gypsum wallboard can be used as a fire-resistant component in a one-hour wall assembly.

LADDER FUELS Low-lying branches and vegetation that can help carry flames from the surface into the canopy of trees or shrubs.

LAMINATED GLASS A type of safety glass that consists of two (or more) layers of annealed glass that are connected with adhesive interlayers.

LAP JOINT The type of overlap connection between boards or panels on the siding of a building.

METAL DRIP EDGE FLASHING Also called angle flashing, this material is typically used to protect the edge of the roof where the roof covering meets the exterior (vertical) framing.

MULTI-PANE WINDOW A term used to indicate multiple glass panes in a window. One pane of glass would be indicated by “single-pane.”

ONE-HOUR WALL CONSTRUCTION An assembly that provides enhanced resistance to the penetration of fire.

OPEN-EAVE A type of construction whereby roof rafters are exposed in the area where they extend beyond the exterior walls of the building. In this type of construction, wood members, typical nominal 2-inch thick lumber, are used to fill the space between roof rafters.

PLASTIC-CLAD FIBERGLASS SCREENING Commonly used window screening material. Typical screen size is 1/16-inch mesh.

PRESSURE-IMPREGNATED FIRE-RETARDANT TREATED A process whereby a fire-retardant chemical is injected into the material (e.g., wood) under a pressurized process. This process results in a deeper penetration of the chemical into the wood.

ROOF COVERING The part of the roof assembly visible from outside the building. Common roof covering materials include asphalt composition shingles, tile and metal.

SHEATHING The first covering of boards or of waterproof material on the outside wall of the house.

SHIPLAP A type of lap joint used for horizontal and vertical siding. Along with tongue-and-groove pattern, this pattern is a better choice when considering improved resistance to fire penetration.

SOFFITED-EAVE A type of construction where the area of the roof rafters that extend beyond the exterior wall of a building are enclosed, typically by attaching a panelized product that connects the edge of the roof to the exterior wall.

STUCCO A siding material usually consisting of a mixture of sand, Portland cement, lime, water and other additives.

TEMPERED GLASS A heat-treated glass that enhances resistance to heat exposures three to four times over that of regular (annealed) glass.

UNDERLAYMENT A panel or sheet material in the roof assembly, underlying the roof covering, that improves the fire rating of the covering.

VENT COVER A solid material used to temporarily cover a vent opening to prevent the entry of embers.

Online Resources

The following websites have resources and information on home-hardening, defensible space, and other tips to prepare for wildfire.

[Living With Fire Program - www.livingwithfire.com](http://www.livingwithfire.com)

[University of California Agriculture and Natural Resources - www.ucanr.edu/sites/fire](http://www.ucanr.edu/sites/fire)

[Insurance Institute for Home and Business Safety-Wildfire - www.ibhs.org](http://www.ibhs.org)

[CAL FIRE Ready for Wildfire - www.readyforwildfire.org](http://www.readyforwildfire.org)

[Sustainable Defensible Space - www.defensiblespace.org](http://www.defensiblespace.org)

Acknowledgments

The following individuals provided substantial contributions to the development of the Wildfire Home Retrofit Guide: Amanda Milici (Sierra Nevada Alliance AmeriCorps), Forest Schafer (California Tahoe Conservancy), Mark Regan (NV Energy), and Chris Anthony (CAL FIRE). Graphic design was provided by Maja Thaler and Emma Mitchell of SDBX Studio, LLC. Illustrations were provided by Liz Bradford. We thank members of the Lake Tahoe Regional Fire Chiefs Association, the Tahoe Fire and Fuels Team, and five anonymous peer reviewers for valuable feedback. CAL FIRE awarded funding to develop and publish the Wildfire Home Retrofit Guide. The Wildfire Home Retrofit Guide project is part of California Climate Investments, a statewide program that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy and improving public health and the environment—particularly in disadvantaged communities. For more information about this publication contact the Living With Fire Program at LWF@unr.edu, a program of University of Nevada, Reno Extension conducted in collaboration with numerous partners.

Partner Logos



SP-20-11

Authors: Christina Restaino¹, Susan Kocher², Nicole Shaw³, Steven Hawks⁴, Carlie Murphy³, Stephen L. Quarles²

¹University of Nevada, Reno Extension

²University of California Cooperative Extension

³Tahoe Resource Conservation District

⁴CAL FIRE

The University of Nevada, Reno is committed to providing a place of work and learning free of discrimination on the basis of a person's age, disability, whether actual or perceived by others (including service-connected disabilities), gender (including pregnancy related conditions), military status or military obligations, sexual orientation, gender identity or expression, genetic information, national origin, race, color, or religion. Where discrimination is found to have occurred, the University will act to stop the discrimination, to prevent its recurrence, to remedy its effects, and to discipline those responsible.

Copyright © 2020, University of Nevada, Reno Extension.

All rights reserved. No part of this publication may be reproduced, modified, published, transmitted, used, displayed, stored in a retrieval system, or transmitted in any form or by any means electronic, mechanical, photocopy, recording or otherwise without the prior written permission of the publisher and authoring agency.

A partnership of Nevada Counties;
University of Nevada, Reno; and the
U.S. Department of Agriculture



Photo Courtesy of California Tahoe Conservancy / Nick Spannagel

Exhibit 4

**Lake County - Aligning to Action
Healing the Land, Healing the People**



Prepared by the Community Mitigation Assistance Team - May 27, 2021

EXECUTIVE SUMMARY

Large wildfires over the past six years, which scorched thousands of acres and resulted in the loss of several thousand homes, served as wake-up call to the residents and land managers in Lake County. In 2019, talk about bringing in a Community Mitigation Assistance Team (CMAT) began. Those same fires, as well as the pandemic in 2020, delayed the Team's start but both the community and the CMAT recognized the need and finally made it happen, albeit virtually.

The County has many things going for it - numerous Firewise USA® Communities working to increase mitigation with their neighborhoods; strong relationships between CAL Fire and the local fire departments; adoption of both the Wildland Urban Interface Code and Buildings Codes; a partnership between the Scotts Valley Band of Pomo Indians, Robinson Rancheria Band of Pomo Indians, USFS, BLM, and New Paradigm College formed a non-

profit, the Tribal EcoRestoration Alliance (TERA) to create a training program for Tribal members to increase the mitigation workforce in the County. In 2018, the County adopted a Hazardous Vegetation Abatement Ordinance, though implementation has been slowed by the pandemic.

Though efforts were underway, mitigation leaders, residents, organizations, and governmental agencies recognized that they often didn't know who was doing what and that their efforts had minimal cohesive focus. Amazing work and partnerships were flourishing with some groups and in some areas of the County but not at the level everyone felt was needed.

Lake County and the Mendocino National Forest requested a CMAT to enhance Lake County's collaborative efforts and evaluate their wildfire mitigation strategy, including relevant plans, programs, and activities. They also requested CMAT develop priorities, clarify roles and responsibilities of involved parties, and provide them with an actionable plan to implement.

This report summarizes the CMAT's findings and provides recommendations that incorporate wildfire mitigation best practices to support the further development of collaborative efforts and increase mitigation actions across Lake County, California.

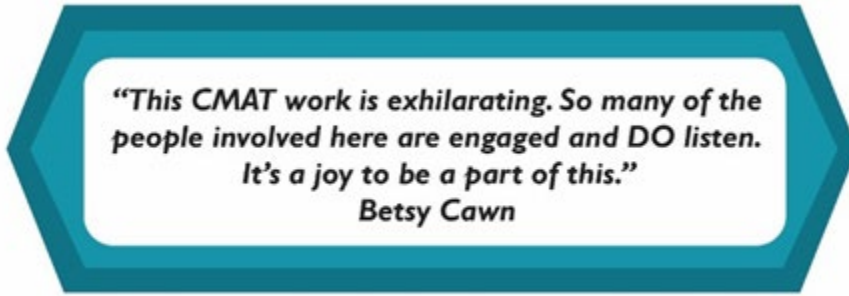
This CMAT assignment was conducted virtually due to travel and in-person gathering restrictions related to the COVID-19 pandemic. Team Members undertook an extensive review of existing mitigation resources and documents, followed by hosting an intensive SWOT (Strengths, Weaknesses, Opportunities, and Threats) exercise with active members of the mitigation community, and followed up with numerous individual and small group dialogues which enhanced the CMAT's understanding of the situation. An additional interactive workshop focused on learning about successful mitigation efforts from CMAT members.

EXECUTIVE SUMMARY

The report captures findings and provides actionable recommendations to increase public participation in mitigation activities and enhance the overall effectiveness of Lake County's strategies and tactics. The Mitigation Guiding Principles are overarching best practices gleaned from numerous successful practitioners and should be used to guide all partner's mitigation and

engagement efforts. The Team’s findings and recommendations fall into two categories, Collaboration and Mitigation.

CMAT has created an online Community Toolbox (link) that contains research and reference documents related to the specific recommendations provided in this report.



GUIDING PRINCIPLES

Consider these guiding principles when developing your Lake County wildfire mitigation strategy and the projects that comprise it; they will make your efforts more effective.

Work together -A group of people who share the same goals can get more done together than separately. They plan together, piggyback on strengths, share resources, staff, and the work. A partnership is more likely to get supporting funding. Collaboratively planning, implementing, sharing successes and lessons learned is an essential first step in building a common vision and gaining broad community support.



Be strategic - Be strategic by creating larger landscape fuel treatments and helping clusters of homes reduce risk but realize this takes time. Incremental actions, (one home / one acre), is progress!

No boundaries - Wildfires do not stop at jurisdictional boundaries. Link fuel reduction and defensible space projects to benefit cross-boundary areas. Engage with other neighborhoods and other jurisdictions to accomplish work on adjoining properties.

Promote home hardening and defensible space -Having homeowners prepare their yard and structure for wildfire is the most important thing they can do to avoid loss and is always where work should begin.

Help underserved populations - Provide mitigation assistance for low-income, elderly, and disabled residents who may be unable to accomplish this work on their own.

Face-to-face engagement - Sharing with residents is best done face-to-face through a home assessment and conversations about actions they must take.

Often this discussion has to take place many times before someone takes action.

Stretch project funds - Homeowner contributions should be part of the funding equation, but expectations for investment vary by community and homeowner. When and where appropriate, require an investment of labor, time, or financial resources. This investment empowers the homeowner to take responsibility for what's theirs and makes them more likely to maintain their project over time.

Think creatively to meet unfunded needs - Always engage local and regional partners that have something to lose or gain; these individuals and businesses may have financial resources to contribute. Even when a grant received does not have a match requirement, consider asking for some percent (5-10%) of the sub award amount from the homeowner group or resident that could be used to help increase the overall value of the project or program. Funds could be used to: Assist with coordination or administrative costs, provide support for the underserved or chipping programs, or conducting fuel reduction assessments.

Invest most of your time and resources on risk reduction actions - Meetings, recognition programs, news releases, or going to events do not accomplish mitigation. Respect everyone's time. Do not hold additional meetings if wildfire mitigation discussions can be consolidated into existing forums. Make meetings short and strategic. Ensure tasks and initiatives are clear at the end of each meeting and are moving the partnership forward.

Celebrate success! - Sustained participation in any partnership will require frequent communication and recognition of everyone's contributions. Recognition does not have to be formal and can be as simple as a handwritten thank you. Recognition in the presence of peers and partners goes a long way toward retaining volunteers. Share accomplishments through media, presentations, yard signage, or site visits to build momentum for mitigation work. Stories, especially those from the perspective of the property owner, often have the biggest impact.

INTRODUCTION

Located in the west-central portion of northern California, Lake County lies midway between the Pacific Ocean and the Sacramento Valley. Clear Lake, the oldest and largest lake in California, sits in at the center of the County, surrounded by burned and unburned ridges. The diverse topography of Lake County ranges from level valleys and rolling hills to rugged mountains. Public lands comprise just over half of the County's acreage. The area experiences warm, dry summers and cool winters with moderate precipitation.



Lake County is home to seven Tribal Nations, and as of 2018, had a population of 64,382. Recreation and tourism make up a significant sector of the County's economy along with vineyards, pear, and walnut orchards. Mining and timber harvesting are a minor component of the economy.

Wildfires have impacted the majority of Lake County, resulting in numerous homes lost and almost every resident being evacuated at least once. Since 2015, three of California's largest

wildfires have occurred in and adjacent to Lake County, including the Valley Fire (2015), Ranch Fire (2018), and August Complex (2020), renewing the community's interest in wildfire mitigation.

Planning efforts have been extensive. A revision of the 2009 Community Wildfire Protection Plan is currently underway and is expected to be approved in late June. Both the County of Lake and the cities of Lakeport and Clearlake have current Natural Hazard Mitigation Plans. The Tribal Nations developed a Multi-Tribal Natural Hazard Mitigation Plan, the first in the nation, that has been approved by FEMA. The County has also formally adopted the Wildland Urban Interface Code as well as the 2008 Building Code. In 2018, they adopted a Hazardous Vegetation Abatement Ordinance.

In 2017, the County formalized the Risk Reduction Authority, which under a Joint Powers Authority (JPA), is responsible for a wide variety of programs and projects for all hazards

COLLABORATION

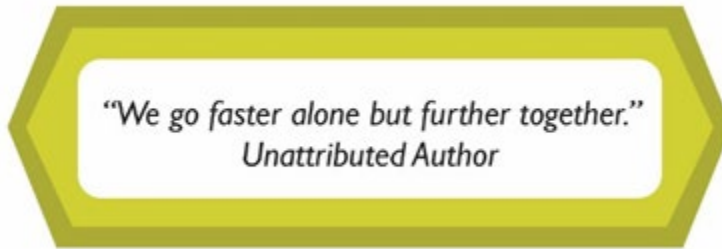
Lake County, California has a multitude of resources focused on all phases of wildfire. Individual neighbors, groups, organizations, agencies, and governments are arranged in formal (with authority) and informal (without perceived authority) working groups. Some organizations have a clear chain of command and hierarchy in place for decision making and action, while others have little oversight and decision-making accountability. The County is geographically large and demographically diverse. Because of this, programs do not always cover the entire land area or populations.

To frame this section of the findings and recommendations, CMAT focuses on the activities of:

1. County-wide organizations: Risk Reduction Authority, Fire Safe Councils
2. Individual organizations (Partners) which provide mitigation services within Lake County.

County-wide organizations, such as the Risk Reduction Authority (RRA) and Lake County Fire Safe Council (LCFSC) act as convening bodies for the individual organizations and have a vital role to play in fostering collaborative mitigation.

There are several individual organizations with independent and autonomous governing oversight bodies that invest in the community, provide resources, and add to the overall mitigation ecosystem. Their inclusion in this section is intended to highlight the value they bring and the opportunities that may be enhanced. If an organization was not included, this was not intended to reduce their value, rather it is because they did not fit within the context of the analysis or we did not directly interact with them.



CMAT compiled a Lake County Partners List to be used as a template ([link](#)).

The Collaborative - Developing a Common Direction A well-defined structure of an organization allows participants to easily understand the flow of information, how decisions are reached, expectations, and where to go for assistance. In the fire response world, the hierarchy is known as the Incident Command System. This structure focuses on accountability, action planning, unity of command, personal responsibility, span of control, and resource tracking. In this section we highlight the current structure and strongly suggest some changes.

1. Finding - Work occurs in organizational silos and while some good work is getting done, often it is not being completed together. Three organizations appear to carry a great deal of responsibility and there is no clear definition of which organization is responsible for which activity.
 - a. The Risk Reduction Authority (RRA), under the Joint Powers Authority (JPA), is responsible for a wide variety of programs and projects for all hazards. These include:
 - i. Development of low- or no-cost resources to reduce the risks of fire from hazardous vegetation, earthquakes, and environmental causes.
 - ii. Development of community infrastructure improvements.
 - iii. Development of property inspection programs with scoring and assessment tools to prioritize the level of individual and community risk.
 - iv. Development and management of funding sources necessary to the Authority's risk reduction programs.
 - v. Development of educational and training tools to assist Authority members, the public and non-member

- governmental agencies in discovering, assessing, reducing the risks associated with fire and other disasters, and mitigating potential impacts.
 - vi. Development of community programs to improve the resilience of our local forested areas.
 - vii. Enforcement of County, State, and Federal laws.
 - b. The Lake County Fire Safe Council is currently a stand-alone organization, staffed by one individual.
 - c. The vision of the Lake County Fire Safe Council is to foster a fire adapted county developed through ongoing public education, training, community collaboration, and is responsible for a wide variety of programs and projects. These include:
 - i. Implementing the Lake County CWPP and supervising the re-write of the document. (The CWPP process by its very nature is collaborative. Collaboration is not the current process.)
 - ii. Empowering Lake County residents and businesses with the information, knowledge, and support to protect their families and properties from wildfire.
 - d. The South Lake Fire Safe Council (SLFSC) has taken responsibility for coordinating wildfire mitigation efforts within the boundaries of the South Lake Fire District since the early 2000s. They are incorporated as a501(c)(3) with a volunteer Board of Directors and no staff.
2. Finding - Due to the extensive responsibility placed on the Risk Reduction Authority (RRA) it is evident that they need to delegate responsibility to other partners.

Recommendations:

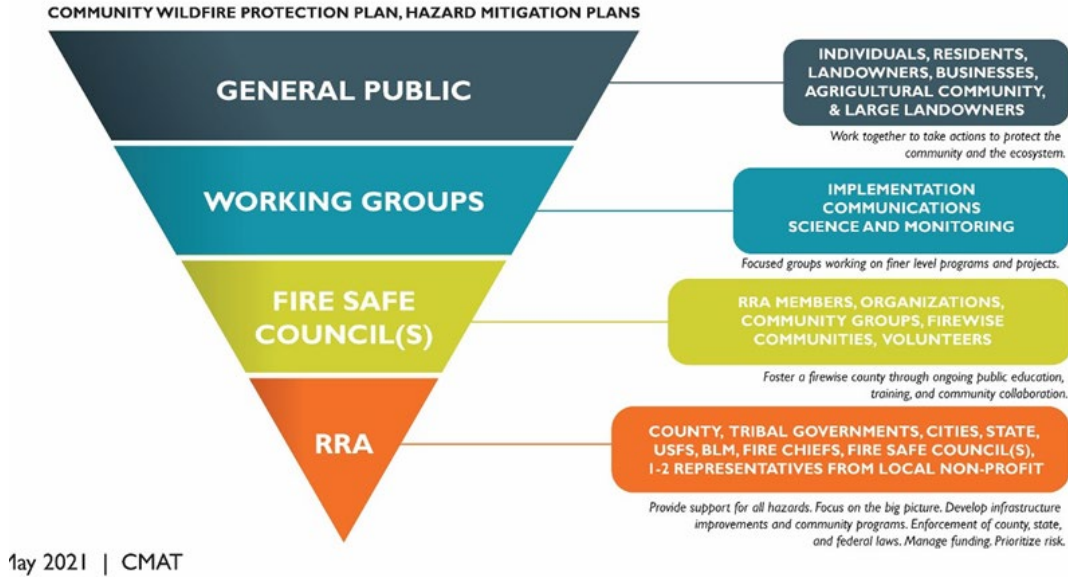
- a. Agree upon and formally designate one entity to pull the entire group together.
- b. The Risk Reduction Authority (RRA) will serve as the bridge to provide high level direction and support to the overall goals and objectives of wildfire risk reduction activities throughout the entire county (amongst other RRA duties.)
- c. Fire Safe Councils will act as the convening body for partners in wildfire mitigation work and must develop working groups to focus on specific tasks. The working groups should include, at a minimum:

- i. Implementation
 - ii. Communications - Outreach, Education and Training
 - iii. Science and Monitoring
 - d. The role of the Fire Safe Council will be multi-pronged and include the following:
 - i. Community liaisons to local organizations and citizens
 - ii. Education, outreach
 - iii. Implementation of a consistent communication strategy
 - iv. Source for available resources and programs
 - v. Grant clearinghouse (sharing, informing, and assisting with grant applications)
 - vi. See Appendix A (page 29) for details
 - e. To achieve these recommendations, consideration must be given to the structure, funding, and staffing of the Fire Safe Council. See Appendix B (page 32) for more details.
3. Finding - There is no clear vision on how to work together to increase mitigation efforts.

Recommendations:

- a. Create mission, vision, goals, and objectives for the collaborative. This is not intended to replace any existing organization's mission, rather to bring all organizations together.
- b. A mission statement is a format summary that explains what you do, how you do it and why you do it. Include the target audience, services, and contributions and what makes you different (distinction). The Mission statement should be no more than two sentences.
- c. A Vision statement is a short description of an organization's aspirations and the wider impact to aims to create. This statement is very concrete, describes a future state and provides clear focus.

LAKE COUNTY MITIGATION COLLABORATIVE PARTNERS AND VISION



- d. Goals are general guidelines that explain what you want to achieve in your community.
 - e. Objectives define strategies or implementation steps to attain the identified goals
4. Finding - Accountability for project implementation and completion at the County-wide scale is lacking, and no comprehensive project tracking mechanism exists.
Opportunity: Make accountability a priority.

Recommendations:

- a. Articulate deadlines and milestones and stick to them
- b. At RRA meetings require partners to report out on project progress, identify needs and areas requiring additional collaboration.
- c. Using the existing plans, Lake County - Community Wildfire Protection Plan (CWPP) and the Natural Hazards Plan, develop a tracking system capturing project updates, progress, and completion.
- d. Throughout all levels of the collaborative, develop strategies and evaluate direction on a regular basis

Partners within the Collaborative

“Substantive and durable conservation success arises when community members from many backgrounds come together from day one to shape a common sense of place and develop a future vision grounded in respect for diversity of perspective.” (M. Whitfield, speech for Network for Landscape Conservation, 2018). Partners play a critical role in the success of a collaborative. Partners provide institutional memory, are the worker bees are integral to a functioning group. Who you invite to the table will define your collaborative.

1. Finding - The roles and responsibilities of each partner are not clearly defined and articulated.

Recommendation: A long-lasting collaborative group requires certain skills to sustain the organization and interest. The following table depicts the necessary role and partners who should or are fulfilling this role.

2. Finding - Entities, groups and individuals are missing from Collaborative.

Recommendation: Compile a list of entities missing from the collaborative that should be included. Develop a strategy for inclusion for each of these entities.

3. Finding - Numerous post fire emergency response organizations and social services organizations are active in the area following past wildfires.

Recommendations:

- a. Determine the names and roles of these organizations and their capacity for additional mitigation work. Compile information of how these organizations could contribute to wildfire mitigation.
- b. Use “A GUIDE TO ORGANIZATIONS IN LAKE COUNTY in Wildfire Mitigation and Emergency Preparedness” (prepared by Cindy Leonard, Terre Logsdon, and Magdalena Valderama) as your starting point.
- c.

Effective Leadership/Authority

Just as important as an organization's structure are the critical concepts of leadership and authority. It is important that partners understand leadership has little to do with seniority or one's position in an organization. Leadership is not management, but good management is needed to lead. Within Lake County there are many amazing leaders. Empowering, inspiring, collaboratively developing and setting the course are the critical elements focused on in this section.

1. Finding - The community does not feel empowered to make decisions because they do not understand the approval process for mitigation actions. There is frustration on all levels that projects can take years to get approval especially when the project has to have completed environmental and archaeological reviews. These reviews can be delayed because of capacity limitations.

Recommendations:

- a. Develop a list of mitigation projects, which need prior approval.
 - b. Increase the number of resources that can get archeological reviews completed.
 - c. Create a streamlined mechanism for the community to use for understanding the approval process to move forward with projects.
 - i. Provide information for compliance for each type of approval and an easy-to-follow flow chart depicting applicable process. Have a clear step-by-step approach to understand if and when environmental assessment is required.
 - d. Invest in organizations that can conduct environmental review, (CLERC, Tribal governments).
 - e. Empower everyone to take action. Provide a clear, consistent message to the community about the responsibility individuals have to protect their homes. It is up to the community on how they will implement these projects to reduce risk.
2. Finding - Individual organizations, tribal governments, and communities are actively getting mitigation work done, however, they don't share their successes and lessons learned with the larger group.

Recommendations:

- a. Invite community representatives to share their experiences with each other.

- i. Present on your successes, processes, lessons learned and challenges.
 - ii. Share useful documents and tools.
- b. Visit each other's communities and projects for demonstrations.
 - c. Celebrate successes together and publicly.
 - d. Reach out to neighboring collaborative groups to learn and adopt their successful strategies. Example: Marin County Fire Safe Council- <https://www.firesafemarin.org/programs>
4. Finding - There are plans and codes developed to regulate mitigation actions, but it is unsure who will implement and enforce them. Authority is delegated without accountability.

Recommendations:

- a. Share the list of state and county laws that govern wildfire mitigation and who is responsible for enforcing them.
- b. Determine if those responsibilities can be delegated to additional authorities or entities.
- c. Assign responsibility for CWPP monitoring, oversight, implementation tracking, and collaborative revisions and updates.



TERA

Stoney Timmons (Robinson Rancheria) and Philip Patereau (Robinson Rancheria) prepare for a prescribed fire in Scotts Valley during TERA training.

Communications

“Communication” is an essential part of life. It is fundamental to our relationship with the world we live in and ourselves. It is a process of exchanging ideas, thoughts, knowledge, and information such that the purpose or intention is fulfilled in the best possible manner. In simple words, it is nothing but the presentation of views by the sender in a way best understood by the receiver. As we have learned in life, conveying a message effectively is an art as well as a skill developed after continuous practice and experience.

“A FRESH START” - As we come out of the “Year of the Pandemic” there is an opportunity to pause, reflect on how to improve our lives, and reconnect with oneself and the community. Developing improved communication skills, methods, and building a communication strategy can assist in accomplishing this.

1. Finding - A clear communication strategy does not exist. Messaging and communication methods are inconsistent and are creating disruptions for building and maintaining relationships through effective communication.

Recommendations:

- a. The LCFSC will lead the countywide communication strategy.
 - b. Develop a LCFSC communication strategy including mitigation messaging and branding.
 - c. Have the LCFSC develop and send out a newsletter on a regular schedule that shares upcoming grant and training opportunities (esp. for residents), project updates, success stories, and articles of interest.
2. Finding - Communication barriers exist, and mitigation information and resources do not reach all audiences.

Recommendations:

- a. Determine which communities are not being reached and develop message delivery methods to reach them.
 - b. Use existing messaging emergency communication capabilities to share mitigation information.
 - c. Provide accessible information in the appropriate languages including, but not limited to Spanish, American Sign Language (ASL), other languages and dialects as needed.
 - d. Use different mediums of communication (in different languages) such as radio, newspaper, letters, virtual meetings, social media, posters, workshops, and town halls.
 - e. Create innovative methods for communicating and engaging with absentee property owners. Direct engagement tactics are shown to be most successful- pick up the phone and give them a call whenever possible.
 - i. Insert mitigation requirements and resources into their annual tax bill.
 - ii. Invite them to participate in virtual community meetings.
 - iii. Use sample letters developed by Cobb View to connect with absentee owners.
 - f. Post notices of upcoming meetings for all residents by using different methods and media channels. Not all sectors of the community use the same methods of communication. Find out what methods are being used in the community and use ALL of them.
 - g. Provide interpreters at public meetings.
 - h. Share mitigation information through the California Environmental Education Initiative to reach younger audiences by developing mitigation lesson plans.
 - i. Support the County's initiative to upgrade the communication infrastructure to broadband. This can enable mitigation information to flow easily to more community residents.
3. Finding - In some cases, such as fixed location outreach booths, information is one-way communication and not an engaged interaction with interested individuals.

Recommendations:

- a. Understand the limitations of booths at events and fairs. If you use booths to get information out, take the following steps to increase your effectiveness.
 - i. Provide information on available programs and assistance with contact phone numbers and emails clearly identified.
 1. Take contact information for follow-up engagements.
 2. Schedule risk reduction site visits and assessments.
 - ii. Ensure the booth or information centers are staffed with trained mitigation personnel that engage in direct face-to-face conversation.
 - iii. First impressions matter - Establish credibility by wearing agency- or organization-branded attire.
- b. Use interactive visuals
 - i. Risk maps with parcels visible - Ask residents to point out where they live.
 - ii. Before and after photos of mitigation project.



Lake County Fire Safe Council
Volunteers clear brush for fuel reduction

4. Finding - There is a to employee and volunteer turnover at communities, agencies, and organizations.

Recommendations:

- a. Develop a system to pass information on to new employees and partners.

- i. Develop a “two-deep” personnel approach to provide a legacy of information within the collaborative and its partners.
- b. Create a “living” document containing historical and current information on shared files and tools, collaborative relationships, communication strategies, and other pertinent information.
- c. Take time to introduce new participants to the culture, history of the area and the collaborative at meetings.

MITIGATION

Residents, organizations, and governmental agencies in Lake County are working on wildfire mitigation efforts and have done so for over a decade. Projects and activities support individual organization and agency priorities yet encounter significant challenges which slow progress despite the desperate need for more action. Understanding and evaluating the dynamic pieces of a mitigation strategy are imperative to address and improve wildfire risk reduction efforts.

To frame this section of the findings and recommendations, CMAT focuses on the issues and/or activities of:

1. Capacity: Project Implementation, Prescribed Fire and Biomass
2. Private Landowner Mitigation: Mitigation Incentive Programs, Risk Reduction Assessment Site Visit Program, Hazardous Vegetation Abatement Ordinance and Funding

Project Implementation Capacity

1. Findings - Lack of mitigation workforce capacity. Capacity is reduced as personnel are recruited by other entities outside the county, reducing the number of qualified personnel to implement local mitigation projects.

Recommendations:

- a. Forecast workforce needs based on knowledge, skills, and abilities required on current and future mitigation projects.



TERA - Diana McCloud (Robinson Rancheria) fells a tree as part of a tribal hazardous fuels reduction training with TERA on Tribal lands.

- b. Develop and implement recruitment incentive programs as appropriate. Incentive examples include:
 - i. One-time signing bonus
 - ii. Relocation assistance
 - iii. Providing temporary housing
 - iv. Tuition assistance
 - c. Actively recruit new hires using available methods such as KPFZ radio, Facebook, billboards, flyers, job fairs, and local events.
 - d. Provide and communicate career path opportunities within your organization.
2. Findings - There are limited local mitigation contractors. One local contractor seems to be serving the whole county and is scheduling 18 months out. No consolidated list of available mitigation companies exists.

Recommendations:

- a. Create a consolidated list of available mitigation contractors who will work in the county. Include contact information, the kind of work they do (example: hand-thinning, mastication, forestry plans,

wildfire risk assessments, weed abatement, burning, etc.), and if they have any certifications or insurance. Include a disclaimer that the list keeper is not responsible for verifying workmanship, certifications, or insurance status.

- b. Invest in entrepreneurial enterprises to create mitigation contracting businesses and explore opportunities for community economic development.
- c. Support the Tribal EcoRestoration Alliance (TERA) with adding a training component on “How to Start Your Own Business” to address contractor capacity issues.
- d. Investigate a Heavy Equipment Co-op to coordinate resource utilization and availability.

Recommendations:

- a. Provide workforce development training to increase mitigation knowledge, skills, and abilities.
- b. Implement on-the-job training programs to increase worker qualifications. Example: CLERC is recruiting two foresters and will assist with certification registration if they do not have the qualifications upon hiring.
- c. Support the TERA program to train a new implementation workforce.
- d. Work with the Fire Safe Councils to provide mitigation implementation training to volunteer groups, Firewise USA® communities, and individuals.
- e. Offer an annual workshop for mitigation contractors to build skills, aid in the recruitment of new contractors, and provide an orientation to local programs and resources.

Recommendations:

- a. Develop and increase opportunities to use TERA, Team Rubicon, and other mitigation crews.
- b. Investigate the availability of the California Conservation Corps as a mitigation resource.
- c. Use community members, community organizations, and regional volunteer groups.

Prescribed Fire Capacity

“Prescribed fire is an important tool to restore the landscape and reduce biomass from hazardous fuels treatment on all lands. Prescribed fire is being used in the County and seems to be accepted by local residents.” Lake County CMAT SWOT Outcome

1. Findings - There is a lack of qualified personnel to implement prescribed fire as qualified personnel are frequently engaged in suppression efforts during the same time period.

Recommendations:

- a. Support the current development of a multi-agency and landowner Prescribed Burn Association to increase the number of qualified personnel to implement prescribed fire.
 - b. Continue to support fire departments in burning community slash windrows.
 - c. Pursue a Prescribed Fire Training Exchange (TRES) in partnership with TERA. Invite landowners to participate in TRES opportunities.
 - d. Host California Certified Pile Burning training.
 - e. Develop a system to track, schedule, monitor, report, and share prescribed fire activities.
2. Findings - There is a desire to use more prescribed fire on private land, but issues with liability hinder implementation.

Recommendation:

- a. Create a liability waiver form for landowners to accept liabilities and indemnify the burn boss and all prescription burning operations and personnel.

Biomass Capacity

“We have completed the hazardous fuel reduction, but now what do we do with all this cut material?”

1. Findings - There are limited means to dispose of and utilize brush, logs and other mitigated fuels. The local infrastructure to support biomass conversion for cut fuels is saturated or not currently available. There

are limited outside wood product markets. Market barriers such as combining volumes of materials and the cost of material transport are cost prohibitive for some agencies and residents.

Recommendations:

- a. Develop a local Biomass Working Group to investigate and address biomass opportunities. Include the Economic Development Council, PG&E, and other multifaceted partners.
 - b. Research potential new markets for sale or utilization of small diameter and low-quality wood products. Lake County Economic Development Council offers resources and loans for small businesses
 - c. Increase support of the Scotts Valley Band of Pomo Indians in their biochar efforts.
 - d. Connect with an organization or agency in a nearby county that manages an Air Curtain Burner to determine the practicality of purchasing, managing, and operating.
 - e. Explore the opportunities for large scale chipping operations to produce high quality wood chips for agricultural permaculture use.
2. Findings - Private landowners have limited means to dispose of brush, logs, and other residual fuels. The local infrastructure to support biomass conversion for cut fuels is not available.

Recommendations:

- a. Expand the Lake County Recycles program countywide.
- b. Lake County Recycles runs a Green Waste program for their customers. Residents using curbside waste collection can request a special container and leave at no extra cost.
- c. Develop curbside chipping and slash disposal locations throughout the county.
- d. Develop biochar demonstrations to support personal and agricultural biochar making and utilization.



Removing invasive and highly flammable Scotch Broom green waste from Lake County

Mitigation Incentive Programs

A perception within the county is that if information is shared with individual responsibility with wildfire mitigation. Developing the “right” mitigation incentive program to address perceived barriers results in more engagement and direct action by individual landowners.

1. Findings - There are mitigation programs established in parts of the community, but no county-wide programs that incentivize all residents and landowners to reduce their risk.

Recommendations:

- a. Investigate existing mitigation incentive programs and services in the county and expand effective programs. Examples of incentive programs that could be adapted and scaled up include:
 - i. The Siegler Springs Community Redevelopment Association manages CalFire homeowner grants for brush clearing - providing up to \$1,250 per acre of financial support to residents.

- b. Individual groups must be encouraged to develop their own risk reduction services in addition to county-wide programs. Multiplicity of services is far better than an absence.
 - c. Develop new programs to serve unmet needs of residents.
 - i. Risk Reduction Assessment Site Visits
 - ii. Vegetation abatement compliance assistance
 - iii. Home hardening financial
 - iv. Property maintenance for
 - v. Options for biomass removal
2. Findings - There is no coordinated effort to create programs and manage projects to address underserved populations.

Recommendations:

- a. Develop a needs-based vegetation management assistance program.
 - i. Leverage the Area Agency on Aging, County In-Home Support Services, and Tribal Health to engage and help elderly and disabled residents in meeting mitigation requirements.
 - ii. Enlist volunteers to conduct mitigation projects for elderly residents who are aging in place.
 - 1. Use release of liability waivers such as South Lake Fire Safe Council's "Neighbor helping Neighbor" right of entry agreement. Use three-way agreements between landowner, organizer, and volunteer or contractor.
 - 2. Potential volunteers include: Team Rubicon, Region I of the California Conservation Corps, Community Emergency Response Teams, Habitat for Humanity Lake County, Lake County COAD members, and neighbors.
 - iii. Utilize needs-based projects as training sites with: TERA, PG&E, Cal Fire, Fire Departments, and others.
 - iv. Seek grants and hire contractors to complete mitigation projects where residents are unable to do the work themselves or afford a contractor.
- b. Provide free or low-cost slash removal options. For efficiency, set a route schedule and limited collection windows, such as spring and fall clean-up, or during key mitigation windows, rather than functioning on a year-round request basis. Accept donations or charge a small fee. Coordinate program development with community groups that already run chipping programs:

- i. Expand the Lake County Recycles Green Waste program.
- ii. Expand South Lake Fire Safe Council curbside slash pick-up program to other areas of the County.
- iii. Provide low- and no-cost programs based on income based or MediCal qualification criteria.
- iv. Develop sliding scales for incentive and regulatory mitigation programs.
- v. Bundle grant-funded projects across a broad landscape and population to spread out funding match responsibility (if applicable) and leverage more in-kind investments. Support programs such as chipping services that can be matched with the labor or contract work for the cutting and hauling to the roadside. This results in a match greatly exceeding the chipping cost.

Recommendations:

- a. Build new homes with fire-resistant materials and use approved home hardening techniques.
- b. Look to examples from other counties and adopt a streamlined permit process for re-builds.
- c. Waive fees for uninsured and underinsured rebuilds.
- d. Develop a home hardening program that fills the funding gap for rebuilding a wildfire damaged home with current building standards.

Risk Reduction Assessment Site Visit Program

Property-level wildfire risk assessments are commonly recognized as a paramount service to inspire and enable mitigation action by providing individualized recommendations and support resources to residents.

1. Findings - There is no coordinated property level risk reduction assessment system. Opportunities: Develop and launch a Lake County Wildfire Risk Reduction Assessment system.

Recommendations:

- a. Establish a temporary working group to develop this system. Incorporate into grant request for coordination or to hire a consultant to assist.

- i. Identify who is already conducting parcel-level assessments (CalFire, FPDs, CLERC, BLM, SSCRA) and who is willing to conduct assessments (contractors, USFS, TERA, HOAs, FSCs).
 - ii. Evaluate existing tools and methods.
 - iii. Develop an outreach plan.
 - iv. Create simple resident sign-up opportunities promoted by many partners.
2. Findings - There are no incentive programs in place to support home hardening. The financial burden of trying to bring the 1970s housing stock up to the state standards has been insurmountable for many homeowners.

Recommendations:

- a. Partner with Habitat for Humanity's Brush with Kindness program to provide basic home hardening retrofits: screening, non-combustible apron, flashing and fascia.
- b. Evaluate remodeling requirements to align with the intent of adopted codes and develop a process that enables owners of outdated housing stock to gradually improve structure hardening.
- c. Pursue home hardening support resources to assist homeowners with structure hardening expenses.
- d. Provide a wildfire resistant retrofit training opportunity for local builders. Include information on local permitting and financial assistance programs.

Hazardous Vegetation Abatement Ordinance

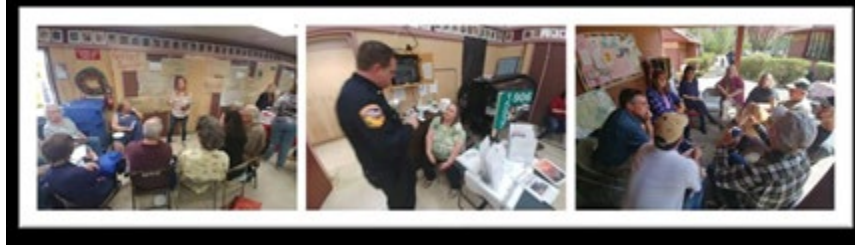
The County Hazardous Vegetation Abatement Ordinance is well written, encourages voluntary compliance and aligns with state CEQA exclusions. Code enforcement is most effective where longstanding codes have been enforced by CalFire. The county program is new, and it will take time and focus to build an effective regulatory program.

1. Findings - The systems and capacity for the County Hazardous Vegetation Abatement Ordinance implementation, educating, tracking, enforcing, and abating, have not been well established.

Recommendations:

- a. Host a stakeholder's workshop with all “county fire officials” to gather input on how to improve the implementation systems related to the Hazardous Vegetation Abatement Ordinance.
- b. Develop a code enforcement taskforce working group to:
 - i. Establish appropriate expectations with partners about carrying out code enforcement.
 - ii. Develop a countywide program for education, inspections, assessments, and tracking of all components.
 - iii. Some HOAs provide friendly notices about the requirements and available incentives to support compliance which could serve as a model.
 - iv. Develop a map overlaying code requirements and jurisdictions to aid in enforcement and enable code enforcement throughout the county.
 - v. Evaluate contracting with CalFire to integrate a countywide assessment into existing State Responsibility Area (SRA) code enforcement system.
- c. Conduct an annual refresher training for ordinance enforcement personnel. Invite residents who are actively educating and enforcing the code in their own neighborhoods.
- d. Track complaint and citation occurrence and feedback from residents to evaluate challenges of code compliance faced by all or subsets of residents and landowners.
- e. Integrate the code inspection process with the educational and voluntary risk reduction assessment program when that is established and functioning.
- f. The code enforcement taskforce reports code compliance needs back to the Risk Reduction Authority at least annually to consider adapting regulations, fee structure, and allowable expenses based on program feedback.

*Note: The Vegetation Abatement Ordinance may compound disparities amongst residents who do not have the wherewithal to complete the required vegetation abatement. Feedback from tracking and assessments should inform the development of mitigation support services and programs to assist with hazardous vegetation removal.



2. Findings - Funding from citations is available and earmarked specifically for vegetation abatement of non-compliant properties. There does not seem to be a common process for implementing vegetation abatement on non-compliant properties.

Recommendations:

- a. Prior to citations, connect those in need of vegetation abatement support with any available volunteer resources or incentive programs that could support their voluntary compliance.
- b. At least annually the code enforcement taskforce develops a scope of work for abatement of noncompliant parcels, directly or through a contracted partner.
- c. Determine who can best provide the mitigation service and start with a term-limited contract to allow for evaluation of effectiveness. Options include:
 - i. Designating a public entity
 - ii. Non-competitively select an existing local contractor such as the Tribal EcoRestoration Alliance or Timberline.
 - iii. Publish a Request for Proposal (RFP) to accomplish the scope of work.
- d. Evaluate the effectiveness of abatement measures, process, and cost at least annually and adjust accordingly.
- e. Consider the use of a sliding fee structure for non-compliance with the vegetation abatement ordinance.
- f. Expand the allowable use of a percentage of fees collected to provide for program education and coordination.

Communities and Firewise USA® Sites

Promoting and supporting the Firewise USA® recognition program is a key function of both Fire Safe Councils. Engaging residents in effective mitigation and preparedness activities is a struggle among professionals and

neighborhood leaders. Seigler Springs Community Redevelopment Association is actively managing a grant to recruit new Firewise USA® site leaders. Residents are only beginning to recognize their full potential to lead wildfire mitigation activities.

1. Findings - Community mitigation professionals and residents are looking to one another to do more. Partner support for neighborhood efforts is strong, but partners don't always know how to best support resident requests and use their limited capacity efficiently.

Recommendations:

- a. Determine the basic support structure for community volunteer efforts. See potential Fire Safe Council structure and responsibilities in Appendix B.
 - b. Establish a working group to design a custom Neighborhood Ambassador volunteer approach. Leverage existing efforts (LCFSC, SLFSC, Cobb Area Council, SSCRA, Firewise USA® sites) and include key partners. A customized "Fire Adapted Communities Neighborhood Ambassador Approach" workbook is included in the Toolbox.
 - c. Develop an orientation program for new FirewiseUSA® site leaders. A 2021 example "Master Gardener" style orientation from Tri-Lakes United Methodist Church Emergency Preparedness Group (CO) is included in the Toolbox.
 - d. Invite and train volunteers to:
 - i. Support local implementation of the county-wide risk reduction assessment system.
 - ii. Develop property level mitigation plans.
 - iii. Participate and lead fuel reduction activities.
 - iv. Participate and lead planning efforts using tools such as SWOT, FAC Self-Assessment tool, and Asset Based Community Development to identify community needs and opportunities.
2. Finding - Volunteer led risk reduction and planning activities are often under-recognized and under-supported. Locally developed community plans provide a fine scale detailed prioritization which are often overlooked in larger efforts.

Recommendations:

- a. Continue to invite the public and engage volunteer leaders as active members of the Risk Reduction Authority and Fire Safe Councils.
- b. Incorporate local community risk assessment and action plans into countywide planning documents.

Funding and Grant Management

An enormous hurdle to complete wildfire mitigation activities for an individual, organization, or agency is funding. This section highlights diverse options and strongly encourages changes.

1. Findings –

- a. There is a perceived shortage of 501(c)(3) non-profit organizations and capacity within existing organizations in the county to seek and manage grants funds. CLERC, a 501(c)(3), has partially filled that niche by securing grant funding for a variety of public and private partners; however, they lack the funding and capacity to offer immediate reimbursement, which residents would like.
- b. South Lake FSC is also a designated 501(c)(3) organization, however it does not have paid staff.
- c. Many HOAs are 501(c)(4) not-for-profit organizations and are unable to secure funding on their own. Many would like to become 501(c)(3) organizations. A newly created 501(c)(3) organization may not be able to overcome the gap of immediate reimbursement that the homeowner groups are desiring.
- d. State agencies prefer to fund larger grants to established organizations to disburse rather than to fund a request from individual homeowner groups.
- e. Limited opportunities exist for homeowners outside of Firewise USA® Communities to receive financial assistance for mitigation.

Recommendations:

- a. Work with existing non-profit organizations to develop a solution that meets the needs of residents.
- b. Pass-through funding organizations need to set clear parameters, like reimbursement guidelines and timeframes, when setting up programs and clearly communicate those details.
- c. If capable, existing homeowner and property associations should cover mitigation project costs up front until the entire project (in

their community) is completed, approved, and grant reimbursement is received by the fiscal sponsor.

- d. Examine pros and cons of having or using one umbrella organization for grant assistance versus potentially working with numerous groups. For example, CLERC seeking funding for larger landscape projects and the Fire Safe Council(s) seeking funding for HOA and resident projects and programs.
 - e. Diversify funding sources by asking large local businesses such as casinos, vineyards, orchard owners, and utility companies to support wildfire mitigation efforts with an annual contribution.
2. Findings - Fire Safe Councils need funding for supplies and outreach materials, printing and mailing non-compliance letters, volunteer recognition events, video conferencing accounts, and branded materials.

Recommendations:

- a. Allocate portion of County's timber receipts (old Title III) for Firewise USA® Community support.
 - b. Have Fire Safe Councils secure funding and create a mini grant fund for Firewise USA® site support.
3. Findings - No grant funding currently available for home hardening programs.

Recommendation:

- a. Pursue opportunity for funding through Fire Resilience Task Force (2021 state budget projected to offer \$25 million for home hardening and home retrofits) (State Bill 85 and Assembly Bill 79).
4. Findings - Fire Safe Councils are primarily serving as information clearinghouses but could potentially serve as fiscal agents.

Recommendations:

- a. Partner with existing community groups (like CLERC, TERA, etc.) to apply for and administer mitigation grants for residents.
- b. One FSC should secure funding for mitigation work on private lands across the County and to meet other non-mitigation needs of Firewise USA® Communities.

APPENDIX A - PARTNERSHIP

DEVELOPING A PARTNERSHIP

“Substantive and durable conservation success arises when community members from many backgrounds come together from day one to shape a common sense of place and develop a future vision grounded in respect for diversity of perspective. Success starts by building a foundation of mutual trust, trust that each participant’s values will be heard and respected. Such trust is the foundation for creating an open-source arena for dialogue and information exchange - a place where we work together in true collaboration to find common ground, a safe place where participants can change their perspectives, a platform that purposefully fosters a continual re-earning of mutual trust.” (M. Whitfield, speech for Network for Landscape Conservation, 2018).

Whitfield (2018) strongly believes several key elements are central to this approach, including:

- The full array of stakeholders should be invited to the discussion from day one (or as soon as we identify them). From there we will have to invest in our collective capacity to allow all sectors to continue to participate.
- We start by building trust that diverse values and perspectives will be respected, and we will work together to discover common ground.
- We need to work across boundaries in an “All Lands and All Hands” approach.
- We need to develop and share science at appropriate scales that allow practitioners to define what conditions will be if we choose one vision over another, to help us understand the advantages or disadvantages of various conservation strategies.
- We rely upon our investment in one another and our shared stewardship of nature and the land to make the right choices for the landscape.
- Our goals will necessarily be holistic: social, cultural and ecological.
- We must stay the course; true collaboration is a long iterative process. We must nurture the collaborative.
- Results matter—small successes keep people at the table. We should celebrate success together.
- We have a much better chance of succeeding if we worry less about Who authored the success and more about Who gets to share in the outcomes.

Partnerships enable us to productively interact and communicate with each other and to remove barriers. Collaboration within partnerships can result in several benefits, including:

1. Synergy. The sum of the whole is bigger than the sum of each part. Working together collaboratively can result in greater accomplishments as compared to each organization working on its own.
2. Sharing resources. Whether collaborating with one organization or several, there will always be things and resources that can be shared. One organization may be an expert in one field and can help another organization learn about it.
3. Overcoming obstacles. When an organization encounters problems that hinder it from achieving its goals, another organization may be able to help. Partnerships, coalitions, and networks are more powerful than organizations that operate on their own.
4. Increased community awareness. By getting involved with others, your organization's message is better relayed to the community.
5. Access to constituents and funding. Partnering with other organizations can give you the benefit of more grant opportunities as well as make a bridge for more exposure.

ATTRIBUTES OF A SUCCESSFUL PARTNERSHIP

- Agreed upon mission, vision to provide a base for the development of organizational goals and objectives. Mission or vision will evolve into your elevator speech about wildfire mitigation and your role.
- Develop goals and objectives that are connected to your mission. Periodically review these goals and objectives to track progress and ensure completion. Goals provide an overarching framework that can guide decision making. Objectives are specific, measurable action steps that can help you to successfully attain your goals.
- Trust amongst participants is key. The benefits of collaboration don't come for free. Amidst its benefits are the challenges that need to be overcome. Organization management and project managers as well need to find ways to create a successful collaboration. By combining knowledge, skills and experiences, organizations and team members can accomplish more than if they worked alone. It is important that collaborative teams trust each other and communicate effectively so that they can overcome the challenges.
- Focus on "Partnership Care" - make this a credo that you all live by.

- a) Understand and promote each other's work and programs.
 - b) Work together, not apart. If concerns are raised regarding program operations, efficacy or outcomes, address them immediately. Acknowledge that partners are all trying to reduce risk and have a common vision.
 - c) Be inclusive. Make sure all voices are heard. Be willing to rotate the location of your meetings around the county or provide virtual access to meetings.
- Establish membership. Use and maintain the partner contact list.
 - a) Create a list of partners' roles and how they will participate.
 - b) Determine who is the responsible agency.
 - c) Identify who can add value to the collaborative and invite them to participate.
 - d) Consider formal agreements for commitment and active partnership.
 - e) Be sure to establish a two-deep approach. Each organization should have two people involved so that if one leaves, the other will be familiar with vision and operations.
 - Structure of Collaborative. Determine if you will have core members, auxiliary members, working groups to implement goals and objectives: Core members would guide the entire collaborative and ensure completion of tasks. This could also be a steering committee. Auxiliary members would play a role when their expertise is needed. Working groups or ad hoc committees could be established when looking at specific items like CWPP updates, project implementation, or membership development.
 - Hire a Coordinator as a full-time position dedicated to the daily operations of the collaborative. The coordinator is neutral, supportive and flexible to ensure continued functioning of the collaborative. A few tasks of the coordinator could include:
 - a) Ensure collaborative members understand, embrace, and work towards collaborative's goals and objectives.
 - b) Organize and facilitate meetings and agendas.
 - c) Checking in with members on assignments and keep them accountable.
 - d) Maintaining contact list and website.
 - Consistent Meeting schedule. Host meetings at regular times (e.g., the third Thursday of each month) and at a location that will allow the greatest participation possible. Members should discuss plans and progress as well as provide a learning opportunity for future training

- and education opportunities (i.e., cost-share program, fire ecology, changes in agency authorities).
- Develop an annual action plan that accomplishes goals and objectives. Identify specific objectives and who will get them done. Set deadlines and hold people accountable. Make the final plan easily accessible.
 - Internal communication mechanisms.
 - a) Set up a common platform for sharing information. Utilize a free or low-cost document-sharing platform (ex: Google Drive, Dropbox) to hold documents and contact lists.
 - b) Depict mitigation projects and jurisdictions of all members on a map.
 - c) Map layers to include are completed projects, planned projects, parcels, wildfire risk areas, existing CWPP coverage areas.
 - d) Identify areas of overlap for opportunities to collaborate.
 - e) Agree upon common language and speak with a collective voice.

Review progress often and address challenges as a team. Success and failures must be addressed in a timely fashion. Ask for help when needed and share resources to overcome barriers.

General parameters of a partnership are included in this website: <https://ctb.ku.edu/en/creating-and-maintaining-partnerships>

You have the ingredients in place for starting a partnership. This website offers ways of inviting people to participate and addresses some of the common roadblocks to diverse opinions and ways to overcome that diversity. Steps to starting a partnership can be found on this website. <https://ctb.ku.edu/en/table-of-contents/assessment/promotion-strategies/start-a-coalition/main>

APPENDIX B - FIRE SAFE COUNCILS

OPPORTUNITIES AND OPTIONS FOR FIRE SAFE COUNCILS

To achieve some of the goals of the RRA and to offer additional support to the many Firewise USA® sites and active communities in the County, there may need to be a re-structuring of one or both Fire Safe Councils, if those Councils are amenable. This is an opportune time to consider some changes with the Board Chair of the South Lake Council resigning in July and the Risk Reduction Authority exploring restructuring staff roles for the Lake County Fire Safe Council.

Step 1: Convene the RRA, Council Coordinators, RCD, the South Lake Fire Safe Council Board, the Lake County Fire Safe Council Advisory Board, and interested Firewise USA® community leaders to forge a structure that will meet community needs. Keep the group small and engage a neutral facilitator to help you through the process.

Before you begin discussion, recognize that desired changes could result in the need for organizational restructuring, additional funding, staffing, or training. It will take time to implement changes; however, a highly functional Fire Safe Council will result from a common vision with set objectives.

Think first and foremost about what is best for Lake County residents.

- Make a list of desired Council roles.
- Determine what each Council is currently doing. What programs are each running beyond education and outreach? Which of these programs might be desirable to expand or re-vamp to meet the needs of residents? The CMAT report contains some recommended roles.
- What roles can be filled by current Coordinator and Board(s)?
- Then do a gaps analysis. What gaps need to be filled and what skills are needed to fill them?
- Revise Coordinator position description as needed.

Step 2: As your discussion progresses, be open to possibilities and continue to think about what structure will serve the County best. Some food for thought:

- The Lake County FSC could be the overarching FSC with “Chapter” Councils that increase support throughout the county and represent various geographic areas.

- Do partners have the capacity to provide all the risk reduction assessments or would it be helpful to have “staff” that could do assessments as well?
- Lake County FSC could probably use South Lake’s 501(c)(3) status and “Do Business As” or modify the articles of incorporation and bylaws so they wouldn’t need to jump through the hoops of registering as a 501(c)(3).
- Would it make sense to have one Board of Directors providing overall guidance or does it make sense to have two separate Boards?
- Discuss the pros and cons of having grant writing and grant management as part of your vision. The South Lake FSC is currently a 501(c)(3) with a Board of Directors; Lake County is not a 501(c)(3) and has an advisory board with loosely defined roles.
- What capacity would be needed to renew a countywide chipping program? SLFSC has an active program, LCFSC had a former program, and this is a relatively easy opportunity to provide a countywide service.
- Could job duties be divided between the two Councils? One has communication and outreach; the other might have programs and grant management?

As the CMAT developed recommendations, there were numerous items that we noted were missing. These items have helped other Fire Councils and collaborative groups operate successfully and increase their momentum. They are helpful resources for residents and partners. Developing and maintaining the following could be a responsibility of the Lake County Fire Safe Council, a working group, or a combination of the two.

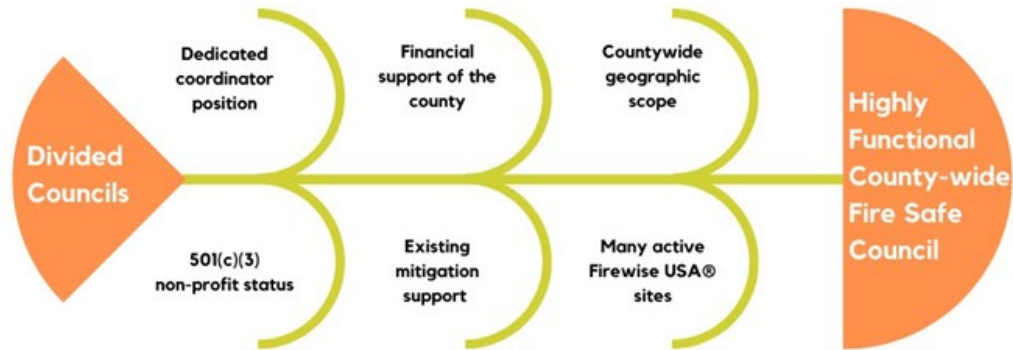
- Maintain the collaborative’s Partner List and associated contact information.
- Create a consolidated list of available mitigation contractors who will work in the county, including contact information, the kind of work they do (hand-thinning, mastication, forestry plans, wildfire risk assessments, weeds abatement, burning, etc.), available equipment (chipper, masticator) and if they have any certifications or insurance. Include a disclaimer that the list keeper is not responsible for verifying workmanship, certifications, or insurance standing.

- Create an online request form to request risk reduction assessments on the firesafelake.org site. Have the Fire Safe Council monitor and coordinate the site visits to increase efficient use of partner's' time.
- Set up an online mechanism for tracking volunteer investments and accomplishments. Share information widely on a regular basis.
- Recognize the mitigation efforts of residents, communities, and partners and celebrate these successes.
- Create an annual report to share accomplishments of the residents and the support provided through the Council.

Strengths of a County-wide Fire Safe Council

Both wildfire councils have a deep history, excellent educational programs, shared partners, and passion for a common mission. What would happen if ... ?

Lake County Fire Safe Council



South Lake Fire Safe Council

Exhibit 5



Tree Mortality Update: May 2022

Risk Reduction Authority's Tree Mortality Task Force

Tree Mortality Task Force

The Task Force includes interested Risk Reduction Authority (RRA) members/participants and invitees:

- County of Lake
 - Supervisors for District 1 and 5
 - Public Works
 - OES/Sheriff
- RRA Members and Participants
 - Cal Fire
 - UC Extension Forester and Master Gardener
 - National Forest Service
 - USDA- NRCS
 - BLM
 - Tribes
 - CLERC
- PG&E
- Cal Trans



Strategies for Public Safety:

1. Harden Roadways & Evacuation Routes
 - a. PG&E
 - b. Cal Trans
 - c. Calpine
 - d. Public Works
2. Remove Hazardous Trees from Communities
 - a. CLERC- Cobb Area
 - b. PG&E
 - c. "Zone of Benefit" & Code Enforcement
3. Fuel Breaks
 - a. CLERC
 - b. BLM



Grants and Funding Opportunities:

1. CFSC 2021 County Evacuation Route Grant- Soda Bay Corridor- \$380,000
2. Cal OES Prepare CA Jumpstart- Chief Climate Resiliency Officer - 5 year \$636,545
3. Home Hardening Initiative, defensible space- \$22 Million
4. "Zone of Benefit" Funds

Critical Needs:

1. Proclaim Local Emergency
2. Direct, Agile Funding Pool
3. Chief Climate Resiliency Officer
4. Disposal Sites and Long-Term Strategy
5. DPW & County Easement Strategy
6. Homeowner Assistance in Heavily Affected Areas
7. Capacity: Contractors and Crews



Next Steps:

1. Proclamation of Local Emergency
2. "Tree Mortality Designation" by the State of California
3. Regional Approach- Napa and Mendocino Counties
4. Engagement with State, WFR Task Force, Federal RCRC, and CSAC
5. Dept. Public Works Strategy





Trevor Singley
Cal Fire – Wilbur Springs Cache Fire 8/18/21