

COUNTY OF SONOMA
BOARD OF SUPERVISORS
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October 16, 2020

Honorable Board of Forestry Members
California Department of Forestry and Fire Protection
1416 9th Street, Room 1506-14
Sacramento, CA

RE: Sonoma County Fire Safe Standards - Board of Forestry Certification

Dear Honorable Board of Forestry Members,

On behalf of the Sonoma County Board of Supervisors, I am writing to respectfully request certification of the County of Sonoma's fire safe standards ordinance at the Board of Forestry's November 3-4 meeting.

The County has been working collaboratively with Board of Forestry staff toward this certification for the past nine months. We have modified our ordinance as Board of Forestry staff has requested to ensure we meet or exceed all State standards or have the same practical effect. We appreciate all of the effort the Board of Forestry staff has devoted to work with Sonoma County. In addition, CalFire has reviewed Sonoma County's fire safety evaluation practices. CalFire has submitted a letter of support for Sonoma County. We have a valued long-term partnership with the Board of Forestry and CalFire.

As we near full containment of the Glass Fire, Sonoma County's fourth wildfire disaster since the devastating 2017 Sonoma Complex Fire, we seek certification of our fire safe standards based on our extensive experience with wild fire disaster. Since the 2017 wildfires, Sonoma County has prioritized fire recovery and resiliency and continues to be a collaborative partner with local, state and federal agencies to further our fire protection efforts. The Board of Supervisors supports strenuous standards in this regard, and in fact, the County's standards far exceed State law. Below is an outline of those exceptional standards:

- Requires county fire experts to evaluate all development projects subject to the Board of Forestry's regulations for safe ingress, egress and ensure capacity for concurrent evacuation and fire response.
- The Board of Supervisors has exercised its police powers and land use authority to require far more. These include the following:
 - The Board of Supervisors has worked with the stakeholders in our community for the past several years to embrace numerous advanced fire protections throughout the State Responsibility Area and the Local Responsibility Area. These include requiring development approvals, in compliance with federal and state laws, to include strategically placed turnouts, turnarounds and secondary access routes where necessary to ensure safe concurrent ingress, egress and wildland fire equipment access.
 - Fire protection plans are required for all new residential and commercial developments in the Very High Fire Severity Zones.
 - Secondary access routes are required for large single family home and multiple family dwelling projects.
 - Commercial and industrial structures over 30 feet require secondary access routes and aerial fire apparatus roads.

JOINT 3(a)(6)

Sonoma County has adopted one of the most powerful set of fire protections in the State. Our ordinance combines the force of the Board of Forestry's regulations, the California Fire Code, and the County's police powers to create a unique set of fire protections that are tiered proportionately based on the particular development project. The Board of Forestry wisely has adopted flexibility in its regulations (14 CCR §1270.06) to allow alternative methods as long as those measures have the same practical effect. Otherwise, it would have granted one opposing neighbor sole control over and power to stop most development on the entire street – simply by refusing to sell an easement to widen a road over their own property. That is not fire protection. That would be a policy allowing one property owner control over most development on the street without due process rights. It would have dire consequences for social justice, as well as skyrocketing housing costs.

Fortunately, to avoid that result, Sonoma County has worked collaboratively with the Board of Forestry staff for the past nine months. The County's standards are supported with strict criteria to confirm that development approvals will have the same practical effect to ensure safe ingress, egress and capacity for concurrent evacuation and fire response. The Board of Forestry's own planner has reviewed the ordinance and has made a recommendation that it meets or exceeds all State standards and has the same practical effect.

Wildfire resiliency is a top priority of Sonoma County's Legislative Platform –we need to work together to become more resilient, more prepared, and more aggressive in ensuring our community's safety. The longer the Board of Forestry waits to act on our certification, the longer our community must wait for even more enhanced safety standards throughout our community. We look forward to a continued partnership with the Board of Forestry, CalFire, other counties and stakeholders statewide and locally to find more ways to enhance fire safety to protect our community. We know that we can do more together and we welcome the opportunity to meet in person or virtually at your convenience to discuss this further.

In conclusion, we are asking for your Board to certify the County's fire safe ordinance because it meets or exceeds that of the Board of Forestry's standards and has the same practical effect. Thank you for your continued support on this important issue.

Sincerely,



Susan Gorin
Chair, Sonoma County Board of Supervisors

CC: Sonoma County Board of Supervisors
Wade Crowfoot Secretary of Natural Resources
Jessica Morse Deputy Secretary of Forest Stewardship
The Honorable Bill Dodd, California State Senate
The Honorable Mike McGuire, California State Senate
The Honorable Jim Wood, California State Assembly
The Honorable Marc Levine, California State Assembly
The Honorable Cecilia Aguiar-Curry, California State Assembly
Paul Yoder & Karen Lange, Shaw/Yoder/Antwih/Schmelzer & Lange, Inc.