

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

225



FROM: Executive Office

SUBMITTAL DATE:
November 25, 2003

SUBJECT: Report on Mountain Communities Fire Safety Issues

RECOMMENDED MOTION: That the Board of Supervisors receive and file the attached report and direct the Fire Department to provide monthly updates to the Board until the three remaining issues presented in the attached report are resolved.

BACKGROUND: In accordance with the Board's directive of November 18, 2003, item 3.1, the Executive Office met with representatives from the Sheriff's Department, Fire Department (California Department of Forestry and Office of Emergency Services), and California Highway Patrol to discuss the five issues outlined in the attached report. Information Technology has also provided input. As these issues are evolving, it is critical that monthly updates be provided by the Fire Department in collaboration with the Sheriff's Department, Information Technology and other agencies as deemed necessary.

Departmental Concurrence

Sally Beavan
Sally Beavan, Principal Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

[Signature]

County Executive Office Signature

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 3.1 11/18/03 | District: All | Agenda Number:

3.20

Report on Mountain Communities Fire Safety Issues



County of Riverside

Executive Office

November 25, 2003

Introduction

The Board of Supervisors declared a Local Emergency on March 5, 2002 due to the extreme fire hazards threatening the mountain communities of Riverside County because of unprecedented drought and insect infestations. A year later, the Governor took action to declare a State of Emergency and has been actively seeking a Presidential Declaration of Emergency.

Specific steps have been taken to deal with this emergency situation. A Mountain Area Safety Task Force (MAST) was formed consisting of USFS, CDF/County Fire Department, Sheriff's Department, Idyllwild Fire Protection District, Transportation and Land Management, Caltrans, California Highway Patrol (CHP), Southern California Edison, Waste Management, State Office of Emergency Services, County Office of Emergency Services, Mountain Communities Fire Safe Council, and AQMD, to collaborate on responding to this devastating situation. Since the initial investment provided by the Board of Supervisors of nearly \$500,000 to deal with the tree mortality, a federal grant of \$617,298 has been awarded to Riverside County with a 25% matching requirement of \$205,766. Also, the grant provided \$17,461 to cover administrative costs. An additional federal grant was awarded to Riverside County in the amount of \$200,000 for removing dead and dying trees in and around the structures on private property in order to reduce the dead fuel loading and reduce falling hazards. This grant also requires a 25% match, which the private property homeowners will cover. Although Riverside County has already expended nearly \$500,000 for the tree mortality project, the County has recently been informed by the Federal Emergency Management Agency (FEMA) that they have denied our request to use these already expended county funds as a match for the \$205,766 discussed above. The Fire Department is appealing this denial. In the event that the County is unsuccessful in their appeal, then county funding would be needed to cover any remaining match requirements. In addition, other alternatives are being explored to partner with other public and private agencies to meet the match requirements.

Although removal of trees is actively occurring now by various agencies, there are still other related issues to be dealt with. The Board directed the Executive Office on November 18, 2003, item 3.1 to work with the Riverside County Sheriff's Department, Riverside County Fire Department/California Department of Forestry and Fire Protection (CDF), Riverside County Fire Department/Office of Emergency Services (OES), and Information Technology to research the following five issues:

1. Determine how we can quickly access our County's fair share of \$20 million of federal appropriation funding for dead tree removal, and utilize the County funds that we have expended so far as our required "match" for these critically needed dollars;

2. Determine how we can obtain through CDF "additional staffing as necessary to expedite the processing of contracts and grants in order to pass federal funds to the communities as quickly as possible", as so directed in the Governor's Executive Order D-69-03, dated June 20, 2003;
3. Research the feasibility and cost of a "reverse 9-1-1" system to be used for emergency evacuation notices;
4. Determine what process would be required and what agencies would be involved in closing all highway access to Riverside County's mountain communities in the event of "red flag" fire conditions; and,
5. Evaluate the potential of enacting an emergency tree removal ordinance due to the extreme fire danger.

Representatives from the Executive Office, Sheriff's Department, and Fire Department (CDF/OES) met to discuss the five issues above. The Information Technology representative has provided information on the reverse 9-1-1.

Below is a status report regarding the five issues:

Issue 1: Quick access of Riverside County's share of \$20 million

Officials from federal and state agencies, as well as the counties of Riverside, San Bernardino, and San Diego met and approved the proposed distribution of the \$20 million grant funding as shown in Attachment A.

It is estimated that the portion of the \$20 million grant funding that would be applicable for the tree removal would be \$11.5 million. Of this amount, it is anticipated that Riverside County would receive between \$1 million to \$3 million. If San Diego County does not participate, Riverside County could possibly receive up to \$5 million in grant funding. The matching requirement is unknown at this time. Typically, the match can range from 50-50 to 75-25. The County Fire Department is exploring the possibility of eliminating the match requirements. A Tri County Multi Agency Command meeting will be held on December 8, 2003 to discuss the grant funding distribution methodology among these counties and to explore ways and measures to quickly access the \$20 million federal grant funding.

Issue 2. Additional CDF staffing to expedite the processing of contracts

CDF's Resource Management branch is currently under major review by Sacramento CDF staff. Six additional foresters have been assigned to the Riverside Unit effective November 19, 2003. The assignment of these personnel to the Riverside Unit is crucial as Southern California Edison (SCE) is aggressively abating the tree hazards within their boundaries and Riverside County will also be aggressively abating the tree hazards. With this aggressive approach, more personnel are needed to ensure contractors adhere to the

state's forest practice rules. SCE has hired two forestry firms to inventory all dead and dying trees that are within the SCE boundaries and has hired a firm for tree removal services while Riverside County has also hired a firm for tree removal services. The additional staff from CDF will assist in the field survey and forest practice inspections. At this time, these assignments are temporary in nature and the Fire Department is closely working with CDF to permanently assign these foresters by utilizing grant funding over the next three years. In addition, the Fire Department will need county support personnel to track expenditures and monitor contracts.

Issue 3. Reverse 9-1-1-system

The Fire Department and Sheriff's Department have conducted initial research on employing an automated notification system (commonly referred to as "reverse 9-1-1"). Both departments agree that this is a useful tool to augment but will not replace the existing notification procedures. Information Technology provided comments on the initial research. The Sheriff's Department will continue to make personal contact with residents during evacuations. Precise costs for the system could not be determined at this time without additional research. However, the initial start-up cost (county-wide) is estimated to be \$150,000 with varying monthly charges. In addition, more telephone lines will be needed to ensure timely distribution of the messages. Based on this information additional time is needed to further research this system and provide updates as new information is obtained. The Executive Office recommends that Information Technology will be the lead in researching the feasibility of a reverse 9-1-1 system in Riverside County and shall coordinate with the Sheriff's Department and Fire Department to avoid duplication of efforts.

Issue 4: Closing of all highway access

The Sheriff's Department and the CHP have road closure protocols in place in the event of declared emergencies. Law enforcement agencies are authorized to close public roadways when conditions are present that would endanger the public, emergency responders, or the roadway itself. These conditions include emergencies, hazardous conditions, or crime scenes. Such an emergency needs to be immediately present, with no safe alternative to road closures. Section 126 of the California Streets and Highway Code prohibits closure of roadways absent an actual emergency. The "Red Flag Fire" conditions do not meet the criteria for road closure according to the code. The closing of the roadways and denying access to lawfully licensed and authorized drivers/vehicles, outside of legal authority, has serious economic consequences and exposes the involved agencies to potential liability. The Sheriff's Department is committed in continuing to provide additional preventative patrols in the mountain communities during time of fire threat. No further action is needed for this issue at this time.

Issue 5: Emergency tree removal ordinance

County Ordinance 695.2, Section 1 states that "every owner, occupant, and person in control of any land or interest therein, or premises which are located in the unincorporated territory of the County of Riverside as that territory is determined and classified by the Board of Supervisors to abate therefrom, and from all sidewalks and parkways, except for those roads accepted into the County Maintained System, all dry grass, Russian thistle (tumbleweeds), **trees** or other flammable vegetation, that constitutes fire hazard, which may endanger or damage neighboring property." Also County Ordinance 772 Section 2A states that it is the "duty of every owner, occupant, and person in control of any land or interest therein, or premises which are located in the unincorporated territory of the County of Riverside to abate therefrom, any dead or substantially dead orchard, or grove trees, vines, corps, smudge pots, smudge pot fuels, ancillary equipment and dry grass, and/or other flammable vegetation, that constitutes a fire hazard which may endanger or damage neighboring property and/or crops." The County Fire Chief or designee has been authorized to enforce both ordinances. Violations of the ordinances constitute infraction or misdemeanor. The Fire Department believes that the current two ordinances can be used to regulate and enforce the dead tree removal. According to the Fire Department, these ordinances also provide exemptions for removal of dead trees without permit in the absence of property owners. No further action is needed to resolve this issue at this time.

Recommendation:

As discussed above, significant progress has been made in evaluating these five issues. However, more needs to be done because of the urgent need to protect the public's safety in the mountain communities. The Executive Office recommends that the Fire Department (CDF/OES) coordinate with other agencies to effectively resolve the remaining issues and report to the Board on a monthly basis regarding solutions to these issues.

Attachment A

Proposed distribution of the \$20 million grant funds:

Priority of Work	Program	Proposed Amt - Original	Proposed Amt – New
Removal of dead trees in evacuation corridors and around communities. Cost-share component that could help with felling trees on private lands.	State Fire Assistance	\$12 Million	\$11.5 Million
Removal and utilization of dead material that is being cut down. This component would deal with the waste stream that is reaching maximum capacity under current system. This fund would assist in developing new ways to deal with and wisely use the dead material.	Rural Development	\$6 Million	\$5.75 Million
Restoration and forest health treatments. This component would help restore the areas where dead trees are being removed to assure that the future forest is a healthy forest. Treatment includes: treating understory vegetation, prevention treatment for root diseases, investments in gene resistances, and education.	Cooperative Forest Health Protection - \$1.75 Million	\$1.75 Million	\$1.75 Million
Support and equip volunteer fire departments in the tri-county area to enable them to better assist with initial attack fire suppression.	Volunteer Fire Assistance	\$250,000	\$1 Million

TOTAL

\$20 million