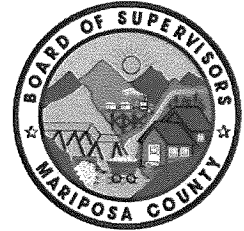


MARIPOSA COUNTY

Administration • 966-3222



RESOLUTION - ACTION REQUESTED 2021-277

MEETING: May 18, 2021
TO: The Board of Supervisors
FROM: Dallin Kimble, County Administrative Officer
RE: Approve Board of Forestry and Fire Protection

RECOMMENDATION AND JUSTIFICATION:

Approve a Letter Commenting on the Board of Forestry and Fire Protection's 2021 Fire Safe Regulations; and Authorize the Board of Supervisors Chair to Sign the Letter.

The formal 45-day comment period on the Board of Forestry and Fire Protection's 2021 Fire Safe Regulations began on April 23, 2021, and ends at the close of a public hearing to be held on June 22, 2021. Proposed regulations include impacts for public roadways and private construction primarily within the Very High Fire Hazard Severity Zones. Additional information is attached for reference.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board routinely approves or ratifies letters of support or comment that it determines to be in the best interest of the county.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve. Staff would not send this letter.

Approve with revisions. Staff would make directed revisions prior to sending the letter.

ATTACHMENTS:

2021 Board of Forestry and Fire Protection Letter(PDF)
Board of Forestry and Fire Protection Initial Statement of Reasons (PDF)
Full Text Amended Proposed Regulations (PDF)
RCRC CSAC Urban Counties Letter Feb 17 (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

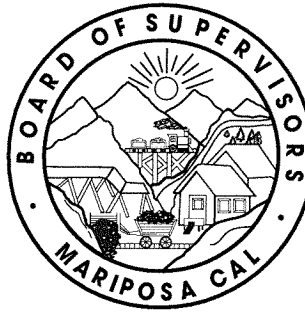
MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Tom Sweeney, District II Supervisors

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Mariposa County Board of Supervisors

District 1 ... ROSEMARIE SMALLCOMBE
District 2 TOM SWEENEY
District 3 MARSHALL LONG
District 4 WAYNE FORSYTHE
District 5 MILES MENETREY



DALLIN KIMBLE
County Administrative Officer

RENÉ LAROCHE
Clerk of the Board

P. O. Box 784
Mariposa, CA 95338
(209) 966-3222
(800) 736-1252
Fax (209) 966-5147
www.mariposacounty.org/board

Edith Hannigan
State Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Transmittal via email: edith.hannigan@bof.ca.gov

RE: State Minimum Fire Safe Regulations, 2021

Dear Ms. Hannigan:

The Mariposa County Board of Supervisors would like to thank the Board of Forestry and Fire Protection for listening to the concerns of local governments and making several amendments in response to those concerns. There is more we can do together to improve fire safe regulations so they can be practically applied in our community and we encourage the Board and Fire Protection to give thorough review to the comments provided through the California State Association of Counties (CSAC) and Rural County Representatives of California (RCRC). Our purpose in writing is to emphasize three goals we would like to see in the regulations: local discretion and control, map update provisions and clear mitigations or exemptions.

Communities across California are wonderfully diverse. We have beautiful mountains, valleys, deserts and coastal regions. We have forests surrounded by urban areas and others that are extremely remote. No one wants public health and safety in our community more than the people who live here; and no one is more knowledgeable about how to apply health and safety regulations in our community than the elected leaders and professional staff that work here. While general guidelines and support are often appreciated, we feel strongly that those guidelines must include provisions for local control. There is simply not a one-size-fits-all approach to fire safe regulations that will work well for all of our diverse communities and every situation.

Within the regulations, we understand that some of the requirements may be needed in the Very High Fire Hazard Severity Zones (VHFHSZ). We are very concerned that those requirements would be applied based on four criteria evaluated more than twenty years ago. Prior to mandating any of the proposed regulations, we believe those zones need to be updated with a more sophisticated analysis that leverages both modern technology and on-site observation. Mariposa County has taken this approach in our latest Community Wildfire Protection Plan with great success. We are

very willing to contribute what we have learned to a statewide update of the Fire Hazard Severity Zone map.

Finally, there should always be reasonable provisions provided to mitigate a fire hazard designation. VHFHSZ in Mariposa includes Greeley Hill, Midpines, Fish Camp, Ponderosa Basin and other communities where people already live and own property. These are desirable areas for residents and travelers who want to experience the forest, recreate on public land and connect with nature in Yosemite National Park. To suddenly eliminate the ability of landowners in these areas to develop or add to their properties violates individual rights given and endorsed by authorities superior to that of the Board of Forestry and Fire Protection. Accessible mitigations, such as the use of clearing and open space, designated materials for construction, and so on, should be provided for every regulation that limits development based on fire risk.

We again encourage the Board of Forestry and Fire Protection to review the materials provided through CSAC and RCRC. Thank you for continuing to listen and for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Marshall Long". The signature is fluid and somewhat stylized, with a large loop at the end of the last name.

Marshall Long, Chair