

Agenda Item No. 15.

To: Mayor and Ross Town Council
From: Barry Heying, Public Safety Director
Re: Responses to Grand Jury Report: MARIN ON FIRE! Not if, but when.
Date: April 18, 2008

On April 1, 2008, the 2007-2008 Marin County Civil Grand Jury released their report on fire safety in Marin titled MARIN ON FIRE! Not if, but when. The report addresses concerns of vegetation management in Marin and discusses the Wildland-Urban Interface (WUI) problems we face, defensible space zones and enforcement of vegetation control codes.

The report documents the opinions of fire officials in Marin, both active and retired as well as members of FIREsafe Marin and the County Board of Supervisors. The overabundance of flammable vegetation and the lack of control from both policy and enforcement perspectives were cited as the primary concerns.

The Grand Jury requires a response from the Town on ten findings;

F1. Compliance with vegetation management codes and the threat of wildland fires in Marin are not top-of-mind public concerns.

F2. Easily identifiable egregious vegetation management code violations exist throughout Marin County.

F3. Homeowners can decrease fire risk by increasing defensible space, which reduces fuel.

F4. A number of municipalities in Marin have made significant changes in building codes for new construction and major remodels. These new Wildland Urban Interface codes have little impact on the vast majority of Marin homeowners.

F5. There is inconsistency in various vegetation management codes throughout the county.

F6. Most vegetation management codes and homeowner educational materials are difficult to interpret and confusing to the layman.

F7. "Best practice" vegetation management policies require fire department access to the whole property in the company of the owner. No jurisdiction has a plan for this.

F8. Not all Marin County fire jurisdictions proactively inspect for vegetation management code compliance without a complaint or owner request.

F9. Resources for fire jurisdiction inspection and enforcement are limited, and homeowner costs for compliance can be extremely high.

F12. Significant progress in enforcing vegetation management and defensible space codes will require additional resources and/or a change in direction by governing boards.

And two recommendations:

R1. Governing boards of all fire jurisdictions in Marin County review and update current vegetation management and defensible space codes and homeowner educational materials to be certain they are realistic, achievable, enforceable and easily understood by the public-at-large. The boards should target completion by June 30, 2009.

R2. All fire jurisdictions develop plans with specific goals for compliance and enforcement of vegetation management and defensible space codes by June 30, 2009.

Many of the findings are broadly inclusive and assume information not available to the Council. Partial disagreement to findings F1, F2 and F4 through F9 are appropriate due to insufficient information being available for conclusions.

Complete agreement to findings F3 and F12 are appropriate as they apply and are relevant to Ross.

The recommendations are ones for which we have already addressed independently with our own adoption of Ordinance 611 (agenda item #15), establishing a municipal code with WUI compliant provisions throughout. By instituting these revisions, we assure that those projects planned for severe fire hazard areas comply with State law. Additionally, projects planned for areas of high fire risk (defined as being within Hazard Zones 3 & 4, or those with slopes exceeding 30%) will receive recommendations for the same fire-safe construction standards and vegetation management plans during the planning approval process.

Additionally, we participate annually with FIRESafe Marin to publicize the dangers of wildfire and what actions should be taken by property owners to reduce that threat. We distribute exceptional educational material that is easy to understand with color graphic descriptions and uses non-technical language.

This month we have begun including the fire department in resale inspections to better identify issues of vegetation management and fire equipment access requirements.

It is recommend that the Council approve accept this response as outlined in the attached letter to the Grand Jury recommendations and findings.