

WILDFIRE DANGER IN NEVADA COUNTY

Reason for Investigation

California has recently experienced severe wildfires in the Lake Tahoe Area and in Southern California that resulted in serious damage to property and some loss of life. Because of the increasing threat of catastrophic fire, the 2007-2008 Nevada County Grand Jury (Jury) reviewed the status of wildfire protection services in Nevada County.

Method of Investigation

The Jury interviewed personnel from several fire agencies, Cal Fire (previously CDF), a member of the Board of Supervisors (BOS) and a Local Agency Formation Commission (LAFCo) representative. The Jury examined the Municipal Service Review (MSR) on Fire Protection and Emergency Services (January 2005) prepared for LAFCo, and utilized data from the Review in preparing this report. The Jury also examined a 1992 Study, commissioned by LAFCo, which recommended consolidation of Western Nevada County Fire Protection Districts (FPD) and a 2004/5 Jury study of FPDs in the County. Finally, several members of the Jury reviewed various iterations of the Draft Nevada County Fire Plan (Fire Plan) and attended several public hearings concerning the Fire Plan.

Background

“With its long hot summers, steep terrain, significant accumulations of wild land fire fuels and significant residential development with lagging infrastructure, Nevada County represents the ideal environment for large damaging wildfires.” (Nevada-Yuba-Placer, Fire Management Plan)

“All of us living in Nevada County live in a fire prone environment.” (Draft Nevada County Fire Plan, December 21, 2007).

(See Figure 1, Nevada County: Communities at Risk –list, and Figure 2 Nevada County: Communities at Risk- map).

The increasing threat of extreme wildfire in Nevada County is the result of a complex set of issues that include:

- wildfire and population growth are on a collision course;
- fire is a natural part of our county environment;
- logging practices, and fire prevention and suppression practices and policies have created the potential for catastrophic fires;
- population growth is occurring in areas of high fire hazard;
- Climate change may create an increasing fire danger for all residents.

This report looks at two aspects of the wildfire threat in Nevada County; first, the current status of the resources available to deal with the suppression of wildland fires and second, the efforts of Nevada County Board of Supervisors to develop and implement a Nevada County Fire Plan.

A. Brief Overview of Nevada County Fire Suppression Agencies

The 2005 MSR observed, “Financing is the most critical issue for the fire agencies in Nevada County.” The MSR also concluded that while the wildfire threat is increasing, the revenues to support the various fire departments are not. The MSR observed that some form of reorganization of fire agencies might result in improvements in efficiency while maintaining current levels of service. The same general conclusions had been reached by the 1992 Study that stated; 1) “fire prevention activities are implemented unevenly, 2) there is duplication of resources and effort among the 10 districts and 3) budgets have been significantly rising.”

Fire services in Nevada County are provided by eight independent FPDs, one Water District that provides fire services, two city Fire Departments, Cal Fire, and the United States Forest Service (USFS). These 13 fire organizations have a total of 36 stations (based on data from the MSR). (See Figure 3, Nevada County Fire Agencies and Figure 4, Nevada County Fire stations)

Approximately 80 % of the calls to fire agencies are not directly fire related but are the result of medical emergencies and/or vehicle accidents. However, these numbers vary depending on the individual agencies. (See Figure 5, Emergency Responses by Fire Agency and Figure 6, Emergency Response Times by Agency)

According to data in the MSR nearly all the fire agencies have multiple mutual and automatic aid agreements by which the agencies assist one another. For example, one agreement covers Grass Valley, Nevada City and Nevada County Consolidated Fire District (NCCFD); another agreement covers the City of Grass Valley, and the Ophir Hill Fire District. Truckee FPD has separate agreements with adjacent fire districts and other counties.

Penn Valley FPD and Truckee FPD provide paramedic emergency response service with public funding. The service is provided on a fee for service basis in Truckee and is provided without charge to Penn Valley residents and on a fee for service basis to non- residents.

B. Development of a Nevada County Fire Plan

Nevada County has been working on developing a County Fire Plan since September 2003 when the BOS appointed a Fire Plan Committee (FPC) composed of the County Fire Marshall and four local fire experts. The committee was directed to develop a Fire plan that would recommend measures to reduce the threat of wildfires in the

County, be consistent with the general plan and meet the requirements of the Disaster Mitigation Act of 2000 and the Healthy Forest Restoration Act of 2003.

The FPC held 18 public meetings to draft the Fire Plan and also held 15 public workshops to receive public comments. The BOS approved the Fire Plan on August 4, 2004 with modifications. The FPC was directed to make further modifications, develop a work plan and return for final approval of the Plan. The BOS approved the modifications at its meeting on May 24, 2005.

Before final approval, an initial study (environmental Impact) was released in February 2006 and a public hearing was held on April 21 2006. The FPC after reviewing the initial study and public comments directed the Deputy Fire Marshall to redraft the Fire Plan to incorporate environmental and other concerns. The revisions to the Fire Plan were presented to the FPC and the public on August 6, 2007. After an additional 10 public hearings and subsequent modifications to the Fire Plan, the FPC approved the document at its Dec 11, 2007 public meeting and recommended that the BOS adopt the Fire Plan. The final Fire Plan and the accompanying California Environment Quality Act (CEQA) study were released to the public on Dec 21, 2007.

The Fire Plan was presented to the BOS at a public hearing on Feb 12, 2008. At that meeting the BOS asked the Planning Department to review the Plan, identify the costs associated with the recommendations and report back. At its February 26 meeting the staff recommended and the BOS directed that the Planning Department divide the Fire Plan into three documents, an information document to be included with the Stewardship Program, another document which was a revision to the Nevada County General Plan's Section 10 Safety, and a final document, the CEQA initial study. The BOS at its April 8 meeting voted "... to approve the proposed Nevada County General Plan Safety Element update and direct staff to circulate it for the formal comment period (45 or 90 days) leading up to the adoption of the new Safety Element, including this language."

The Nevada County Fire Plan (December 21, 2007) stated that the County has suffered four major fires in the last 20 years. These fires resulted in the loss of nearly 200 structures and costs of over 70 million dollars in damages and suppression costs. The Draft fire plan further stated..."without significant intervention, large and damaging fires are not only inevitable but will repeat time and again." In the next paragraph, the Plan stated that, "County Government must address the governmental structure and funding process to implement the recommendations."

Findings

1. Some areas of Nevada County are not within the boundaries of any fire district and rely on Cal Fire and/or USFS for response in the event of a fire. (See Figure 3, Fire Agencies)

2. Nevada County fire agencies rely on paid staff and/or volunteers. Many of the volunteers work out of the area and are not available to respond to all emergency calls. Volunteers and paid staff have to complete the same considerable amount of training time required for certification.
3. Nevada County fire agencies are losing well-trained emergency professionals to wealthier districts, to Cal Fire, and to the USFS.
4. In spite of limited budgets and staff, cooperative efforts have to date allowed the various fire agencies to perform their fire suppression functions in an adequate manner.
5. Successful mergers between fire agencies usually result from the desire to improve services and reduce costs. In general, mergers occur between agencies with similar financial resources.
6. The voters must approve taxes or assessments to increase funding for fire protection. Proposition 13 requires a 2/3 majority for any tax increase. However, under Proposition 218, a fire district assessment requires only a simple majority. (See Figure 7, Voter Requirements For Different Types of Elections and Assessments)
7. Availability of effective fire services is a factor in determining insurance rates for property in Nevada County. Recently, several insurance companies have stopped writing insurance policies in Nevada County because of the increasing risk of catastrophic fires. (See Figure 8, Insurance Service Office (ISO) Rating's of Nevada County Fire Agencies)
8. A recent election sponsored by Chicago Park /Peardale FPD to finance improved fire services failed while the property owners approved a similar election sponsored by the Truckee FPD.
9. Many residents of Nevada County are not aware that the County has no statutory duty to provide fire protection services within the County and assumes no responsibility for providing these services
10. There is a great disparity among fire agencies in the scope and quality of services. (See Figure 6 Emergency Response Time, and Figure 9, Costs and Population Served)
11. The BOS treatment of the Fire Plan on April 8, 2008 significantly reduced the importance of the Fire Plan, shifting its focus from mandates and requirements to persuasion and cooperation.

Conclusions

1. There is a lack of public understanding about who is responsible for the financing, providing, and coordinating of fire protection services within the County. Many residents

are incorrect on their belief that the County government has a significant role in fire protection services.

2. Voter approval of increased financing for fire protection could favorably influence insurance rates.
3. Fire protection is affected by the complex geography of the fire agencies and an even more complex set of funding methods that provide inconsistent and irregular funding for equipment and staffing
4. To date, because of the good will and cooperation of the various fire services, fire suppression activities in Nevada County has been adequate.
5. The citizens of Nevada County currently do not receive equal levels of fire services across jurisdictions within the county.
6. The public should be concerned that a local electorate rejected a ballot measure to increase support for fire services.
7. Recently modified by the BOS, the Fire Plan now does not appear to require adequate action by the County against the threat of catastrophic fires as it no longer "...provides the Board of Supervisors with recommendations to reduce the risk and impacts from wildland fires to life, property and natural resources in Nevada County." (Nevada County Fire Plan)
8. The BOS approval of their modified Fire Plan does not provide the governmental structure or funding process originally envisioned by the FPC, and fails meet Nevada County citizens' desperate needs.

Recommendations

1. The BOS should request that LAFCO commission a study to determine by fire agency the accurate cost of fire protection services in Nevada County. This could be done as a separate study or by modifying the next scheduled MSR on Fire Protection and Emergency Services and by having that Review conducted earlier than is now planned.
2. The BOS should initiate a concerted public education program to increase public awareness and understanding of fire services and how they are financed. Such a program would extend beyond the goal proposed under Nevada General Plan Goal FP-10.9 that directs the County to "Encourage fire safety education and support programs to promote participation, voluntary compliance, and community awareness of fire safety issues."

3. The BOS should sponsor a meeting including LAFCO and all agencies and districts that relate to fire services to discuss the feasibility of developing a uniform and consistent set of services and the potential for future efficiencies through consolidation.
4. The BOS should reassess their action of April 8, 2008 and return the *teeth* to the Fire Plan that their actions removed. They should strengthen the proposed update to the Nevada County General Plan Safety Element, (Chapter 10; Safety). The changes should include rewording of Goal FP-10.12 to read; “The County should implement policies FP-10.12.1.1 through FP-10.12.1.28 prioritizing by the order in which they appear and designate them to be Action Policies.” (Attachment 10 provides the current wording of the Goal and the Advisory Policies.)

Response Required

Nevada County Board of Supervisors October 3, 2008

Attachments

1. Nevada County: Communities at Risk-List
Source, Draft Nevada County Fire Plan December 11, 2007
2. Nevada County: Communities at Risk-Map
Source, Draft Nevada County Fire Plan, December 11, 2007
3. Nevada County Fire Agencies
Source, Municipal Service Review (MSR) on Fire Protection and Emergency Services (Jan 2005)
4. Nevada County Fire Stations
Source, MSR
5. Emergency Responses by Fire Agency
Source, MSR
6. Emergency Response Times by Agency
Source, MSR
7. Voter Requirements for Different Types of Elections and Assessments
Source, MSR
8. Insurance Service Office (ISO) Rating’s of Nevada County Fire Agencies
Source, Nevada County Grand Jury Report on Fire Districts, 2005 modified
9. Costs and Population Served
Source, MSR
10. GOAL FP-10.12 “AS desirable and as funding becomes available; the County should consider Advisory Policies FP-10.12.1.1 through FP-10.12.1.28”
Source, Nevada County General Plan; Chapter 10: Safety-DRAFT

Figure 1

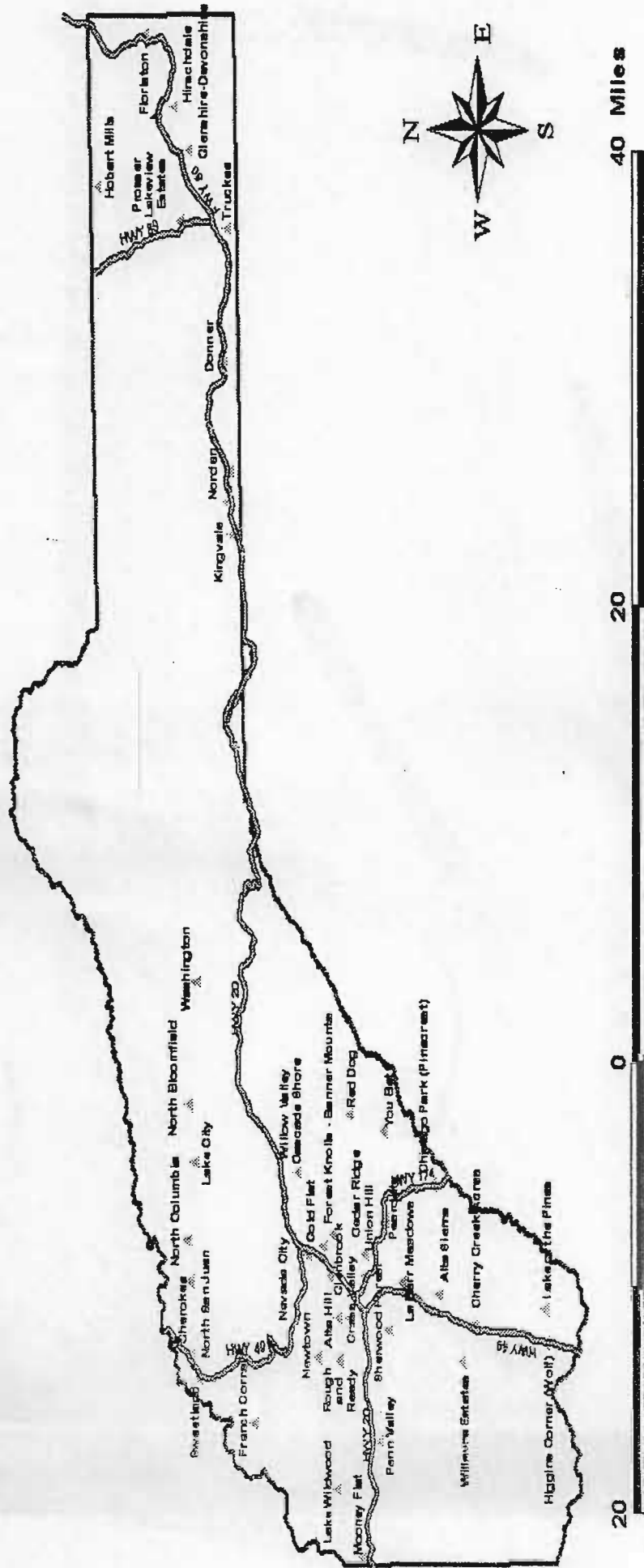
Nevada County: Communities at Risk-List

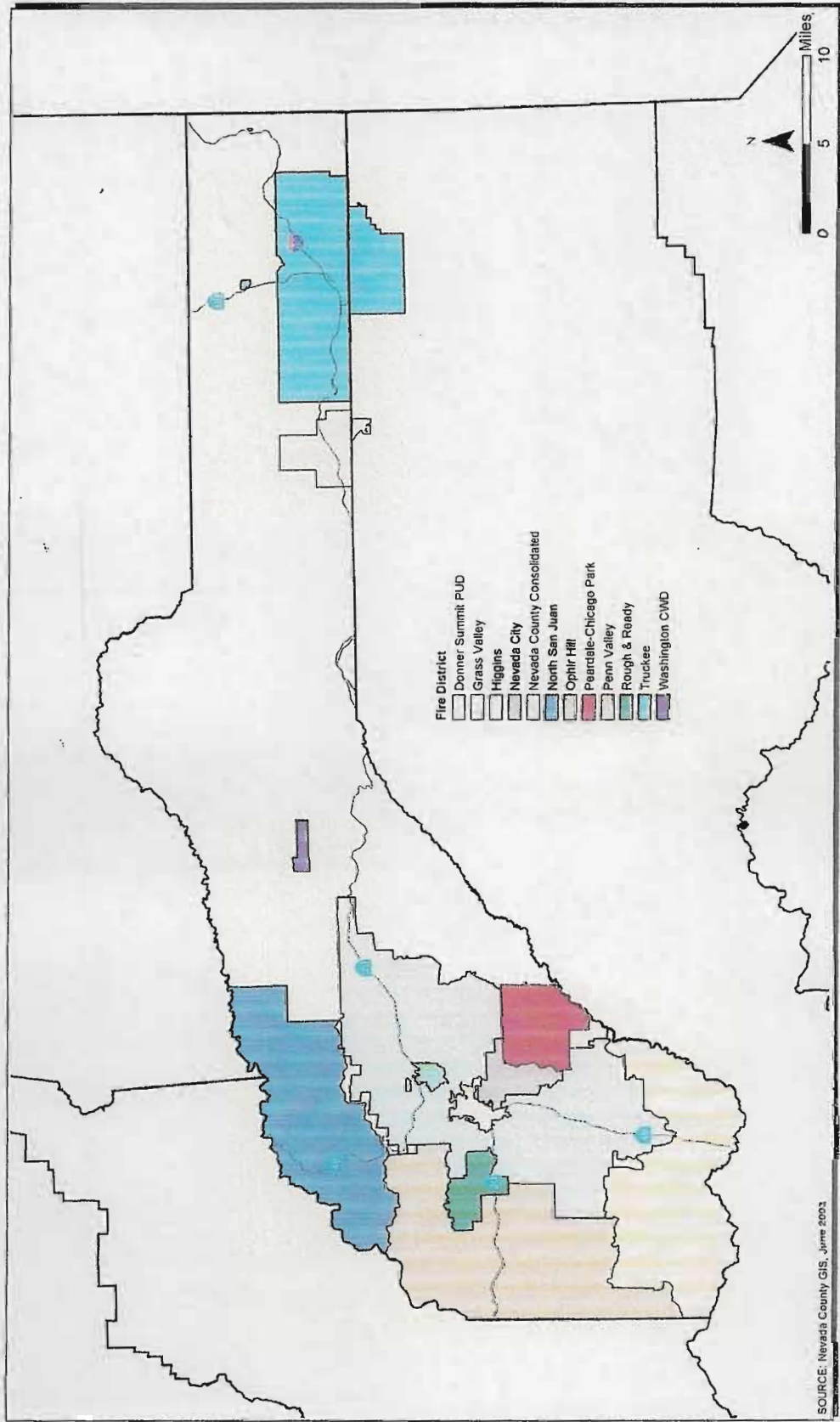
No.	Place Name	Federal Threat	Federally Regulated	Year	No.	Place Name	Federal Threat	Federally Regulated	Year
1	Alta Hill	X	X	2001	23	Mooney Flat	X	X	2001
2	Alta Sierra	X	X	2001	24	Nevada City	X	X	2001
3	Cedar Ridge		X	2001	25	Newtown	X	X	2001
4	Cherokee	X	X	2001	26	Norden	X	X	2001
5	Cherry Creek Acres	X	X	2001	27	North Bloomfield	X	X	2001
6	Chicago Park (Pinecrest)	X	X	2001	28	North Columbia	X	X	2001
7	Donner	X	X	2001	29	North San Juan	X	X	2001
8	Floriston	X	X	2001	30	Peardale		X	2001
9	Forest Knolls - Banner Mountain	X	X	2001	31	Penn Valley		X	2001
10	French Corral	X	X	2001	32	Prosser Lakeview	X	X	2001
11	Glenbrook	X	X	2001	33	Red Dog	X	X	2001
12	Glenshire-Devonshire	X	X	2001	34	Rough and Ready (Bitney)	X	X	2001
13	Gold Flat	X	X	2001	35	Sherwood Forest	X	X	2001
14	Grass Valley	X	X	2001	36	Soda Springs	X	X	2001
15	Higgins Corner (Wolf)	X	X	2001	37	Sweetland	X	X	2001
16	Hirschdale	X	X	2001	38	Truckee	X	X	2001
17	Hobart Mills	X	X	2001	39	Union Hill		X	2001
18	Kingvale	X	X	2001	40	Washington	X	X	2001
19	La Barr Meadows	X	X	2001	41	Willaura Estates	X	X	2001
20	Lake City	X	X	2001	42	Willow Valley - Cascade	X	X	2001
21	Lake of the Pines			2001	43	You Bet	X	X	2001
22	Lake Wildwood		X	2001					

The list identifies communities that are at high risk of danger from wildfires. These high risk communities were identified within the wildland-urban interface, the area where homes and wildland intermix. The list includes the name of the community, whether it is within one and a half miles of Federal land(Federal Threat), whether it is listed in the Federal Register(Federally Regulated) and if so the date of the Federal Register Notice (year).

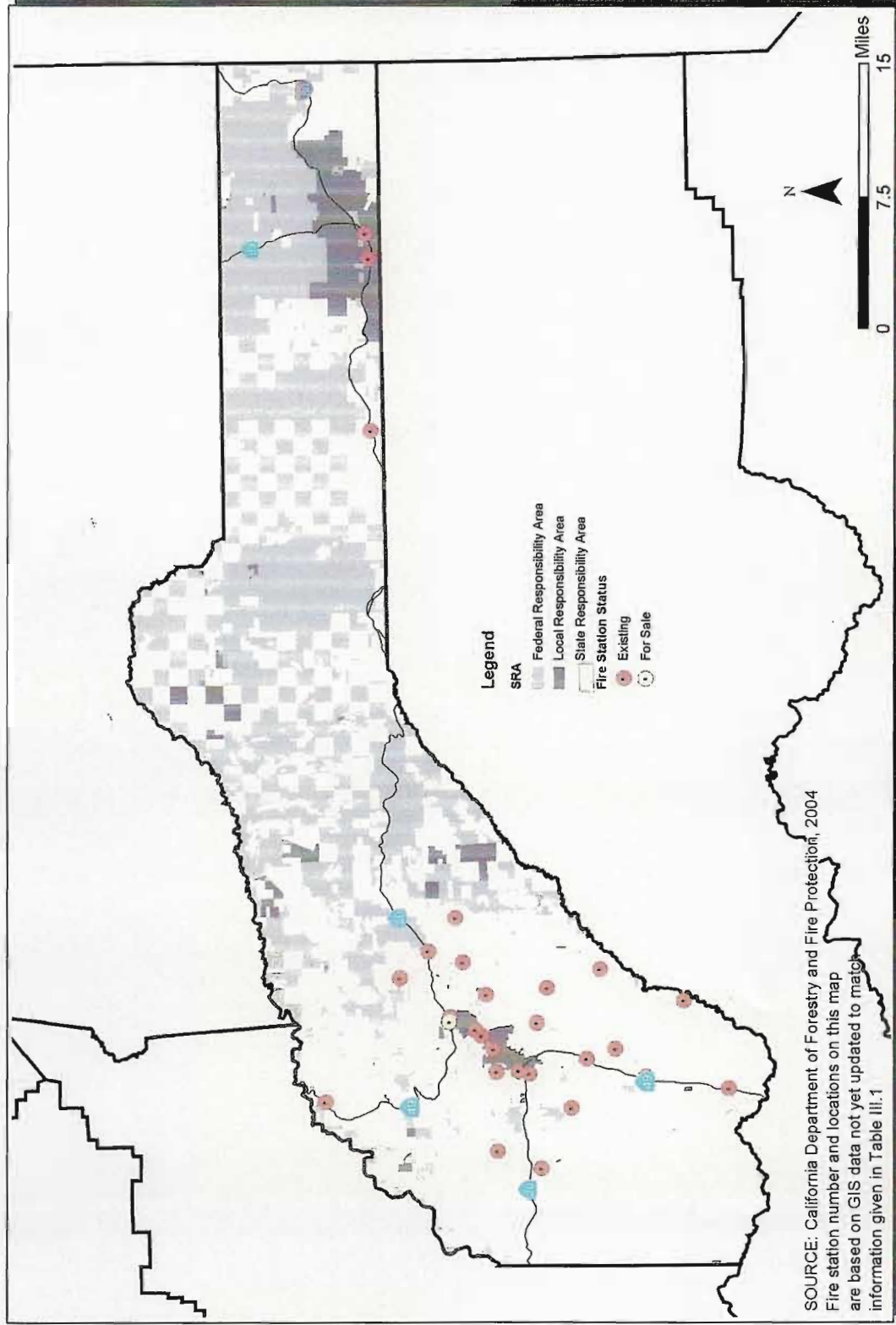
Figure 2

Nevada County: Communities at risk-Map





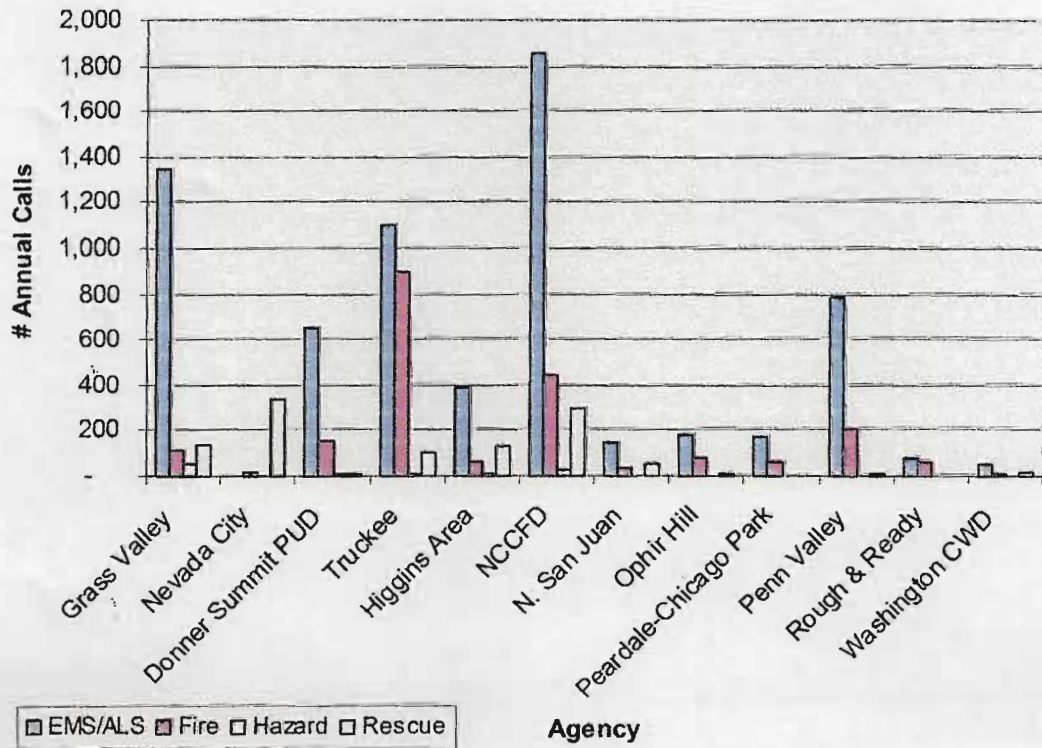
NEVADA COUNTY FIRE AGENCIES Fig. 3



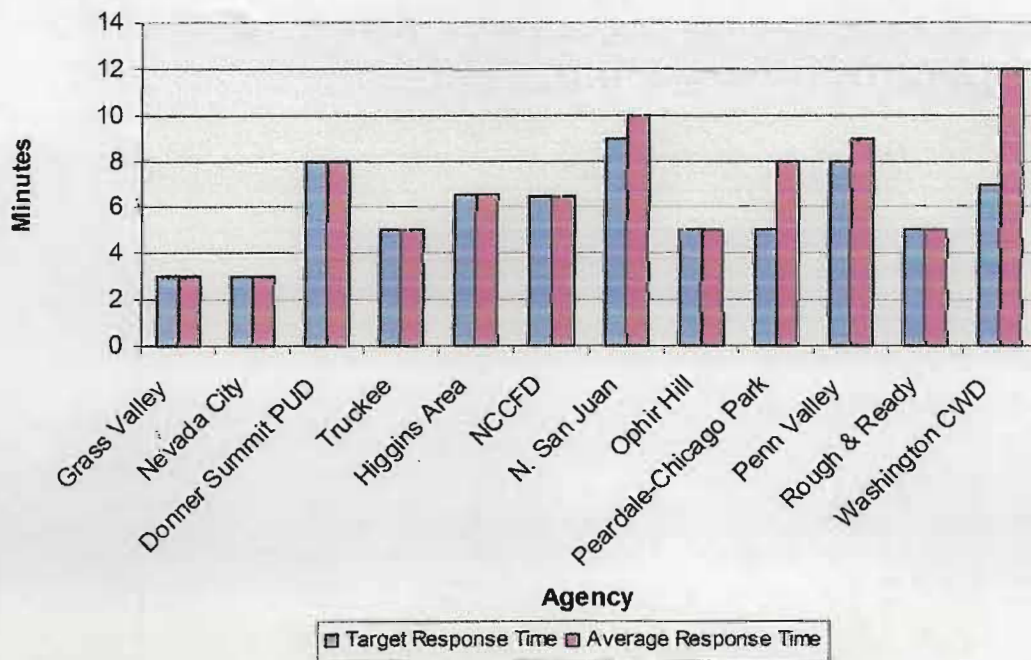
SOURCE: California Department of Forestry and Fire Protection, 2004
 Fire station number and locations on this map
 are based on GIS data not yet updated to match
 information given in Table III.1

NEVADA COUNTY FIRE STATIONS Fig. 4

Emergency Responses by Fire Agencies Fig. 5



Emergency Responses by Agency Fig. 6



Voter Requirements for Different Types of Elections and Assessments Fig. 7

TYPE	VOTE NEEDED	WHO VOTES	VOTE REQUIREMENT
<i>TAXES</i>			
General	Yes	All voters in affected area	Majority
Special	Yes	All voters in affected area	2/3
<i>ASSESSMENTS</i>			
All	Yes	Property Owners	Majority
<i>FEES</i>			
Property Related	Yes	Either property owners or voters	Majority of property owners or 2/3 voters

Figure 8

ISO RATING NEVADA COUNTY FIRE AGENCIES

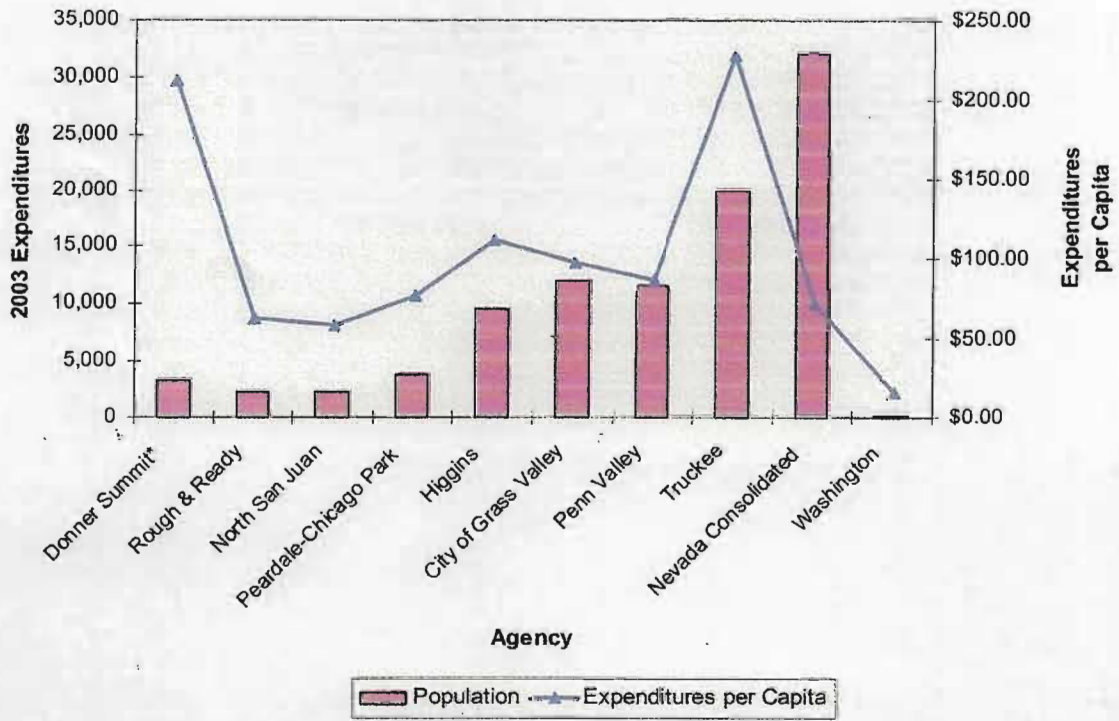
Fire Protection Agency	ISO Rating	
	Within*	Outside**
Western Nevada County		
North San Juan FPD	N/A	8
Penn Valley FPD	5	8/9
Higgins Area FPD	4	8/9
Central Nevada County		
Grass Valley FD	4	N/A
Nevada City FD	5	N/A
Ophir Hill FPD	4	8
Peardale-Chicago Park FPD	5	8
Washington Co. Water. Dist.	N/A	10
Nev. Co. Consolidated FPD	4	8
Eastern Nevada County		
Truckee FPD	6	8/9/10

* Within refers to within hydrated area and within 5 miles of fire station

** Outside refers to outside hydrated areas that are no more than 5 miles from station or /the area beyond

The Insurance Service Office (ISO) rates all fire agencies. The ISO is a nationwide nonprofit service organization that provides rating services to the property and casualty insurance industries. The ISO's Fire Suppression Rating Schedule classifies fire protection into 10 categories: Class 1 recognizing the highest level of fire protection and class 10 recognizing the lowest or no level of fire protection.

Costs and Population Served Fig 9



GOAL FP-10.12

As desirable and as funding becomes available, the County should consider Advisory Policies FP-10.12.1.1 through FP-10.12.1.28, prioritized by the order in which they appear.

Advisory Policies

- FP-10.12.1.1 Establish an official department of the Nevada County Fire Marshal's Office, and provide funding for the appropriate staffing of the County Fire Marshal's Office to provide oversight and implement fire protection policies.
- FP-10.12.1.2 Recognize and support the Fire Safe Council as a significant contributor of providing fire safe education and information to the residents of the County by assisting in funding their services and programs.
- FP-10.12.1.3 Coordinate with the Fire Safe Council in their efforts to update and maintain the countywide Community Wildfire Protection Plan. These efforts include:
- Identifying areas within the County that potentially could be the source of large and damaging wildfires; and
 - Prioritizing those potentially hazardous areas for grant funds to reduce the fire hazard and risk.
- FP-10.12.1.4 Provide a permanent funding mechanism for the Fire Safe Council's chipping program and services.
- FP-10.12.1.5 Develop a water storage inspection program.
- FP-10.12.1.6 Sponsor workshops that develop cooperative efforts between businesses, professional services, and governmental agencies in the fuel and resource management industry, including those that provide fire-safe operations, fuel management services, and environmental compliance services.
- FP-10.12.1.7 Support the establishment and publication of a list of business resources that includes businesses and professionals that have attended the County's fire safety workshop and are knowledgeable of County fire-safe programs.
- FP-10.12.1.8 Support and expand greenwaste pickup and chipping programs and develop a mulching-composting program as the preferred methods for leaf and pine needle disposal.
- FP-10.12.1.9 Provide consulting services for private landowners for the restoration and rehabilitation of wildlands impacted by fire, insects, and disease.

- FP-10.12.1.10 Create a directory of assistance programs for large landowners, including CAL FIRE's Vegetation Management Program, CAL FIRE's California Forest Improvement Program, and the Natural Resources Conservation Service's Environmental Quality Incentives Program.
- FP-10.12.1.11 Provide financial aid to those landowners who can demonstrate financial need based upon established criteria and who are incapable of accomplishing the fuels management on their own to meet the requirement of the Nevada County Defensible Space Standards.
- FP-10.12.1.12 Nevada County Department of Public Works and the Fire Marshal's Office should work together to identify County-maintained arterial and collector roads or segments of these roads that are not meeting design standards for current or anticipated average daily trips, and prioritize these roads for upgrading as funds become available.
- FP-10.12.1.13 Direct the Fire Marshal's Office to coordinate with the Fire Safe Council to create a multimedia format lending library. The lending library shall focus on proper land stewardship, defensible space, fire prevention, disaster preparedness and application of fuels management prescriptions. The Fire Marshal's Office should seek outlets to inform the public of this library.
- FP-10.12.1.14 Develop a compliance program for future development to ensure that proposed roads are maintained over the long term to the same standard as they were originally approved and conditioned.
- FP-10.12.1.15 Encourage the Board of Supervisors to reconvene a Fire Safety Committee at least every five years for a comprehensive review of the effectiveness of the fire protection policies in the General Plan.
- FP-10.12.1.16 Develop an evacuation road standard and private landowner incentives to participate in the standard.
- FP-10.12.1.17 Encourage the Board of Supervisors to explore feasible funding mechanisms for those County roads not meeting the evacuation road standard.
- FP-10.12.1.18 Conduct a study for funding a countywide system of strategically located rural fire protection water storage tanks.
- FP-10.12.1.19 Conduct an analysis of private roads with offers of dedication on them and identify those of significant regional importance for public safety and evacuation. Once identified, those roads should be prioritized for inclusion into the County-maintained mileage program through a public process.
- FP-10.12.1.20 Explore feasible funding mechanisms to add roads that are regionally important for connectivity and public safety access under County maintenance.
- FP-10.12.1.21 Support the Fire Safe Council's effort to create a biomass reutilization center.

- FP-10.12.1.22 Create a forum to bring together private and public groups with a statutory or general interest in wildfire risk reduction with the intent of creating and maintaining a consistent public message regarding fire prevention and risk reduction requirements and activities.
- FP-10.12.1.23 Task the County Fire Marshal, in cooperation with the Fire Safe Council, to develop and maintain a forum with public and private land managers to treat hazardous vegetation on their lands in order to increase community wildfire protection.
- FP-10.12.1.24 Conduct seminars for landowners on proper stewardship techniques based upon County fuels management guidelines and programs.
- FP-10.12.1.25 Provide educational workshops on environmental protection measures for property owners to minimize environmental impacts while implementing fuels treatment projects on their property.
- FP-10.12.1.26 Increase the County roadside vegetation management program treatment rate from the current rate of 6% to a minimum of 10% of County-maintained road miles, thus decreasing the rotational period from an estimated 17-year return interval to a 10-year return interval.
- FP-10.12.1.27 Implement recommendations based on the countywide water storage study.
- FP-10.12.1.28 Provide cost-share assistance through grant programs to property owners who have collectively organized and develop a project based on the Community Wildfire Stewardship Program.

COUNTY OF NEVADA

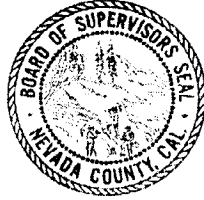
STATE OF CALIFORNIA

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August 12, 2008

The Honorable Judge Robert Tamietti
Presiding Judge of the Nevada County Grand Jury
Nevada County Courthouse
201 Church Street
Nevada City, CA 95959

Re: Board of Supervisors' Responses to the 2007-2008 Nevada County Civil Grand Jury Report, *Wildfire Danger in Nevada County*.

Dear Judge Tamietti:

The attached responses by the Board of Supervisors to the 2007-2008 Nevada County Civil Grand Jury Report, dated June 11, 2008, entitled *Wildfire Danger in Nevada County*, are submitted as required by California Penal Code Section 933.

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their regular meeting on August 12, 2008. Responses to Findings and Recommendations are based on either personal knowledge, examination of official County records, information received from the County Executive Officer, the Community Development Agency Director, the Nevada County Fire Marshal or the Board of Supervisors and County staff members.

The Board of Supervisors would like to thank the members of the 2007-2008 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Respectfully submitted,

Ted S. Owens
Chairman, Board of Supervisors

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2007-2008 CIVIL GRAND JURY REPORT
DATED JUNE 11, 2008**

Wildfire Danger in Nevada County

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the County Executive Officer, the Community Development Agency Director or testimony from the Board of Supervisors and county staff members.

A. RESPONSES TO FINDINGS

- 1. Some small areas of Nevada County are not within the boundaries of any fire district and rely on Cal Fire and/or USFS for response in the event of a fire. (See Figure 3, Fire Agencies)**

Agree.

- 2. Nevada County fire agencies rely on paid staff and/or volunteers. Many of the volunteers work out of the area and are not available to respond to all emergency calls. Volunteers and paid staff have to complete the same considerable amount of training time required for certification.**

Partially agree.

The Board is aware that Nevada County fire agencies rely on paid staff and/or volunteers. However, while the Board of Supervisors is generally knowledgeable about Fire District operations, Fire Districts are outside the jurisdiction of the Board of Supervisors. Therefore, it is not appropriate for the Board of Supervisors to comment as the authority regarding this finding as the Board does not necessarily have complete information about this issue.

- 3. Nevada County fire agencies are losing well-trained emergency professionals to wealthier districts, to Cal Fire, and to the USFS.**

Neither agree nor disagree.

While the Board of Supervisors is generally knowledgeable about Fire District operations, Fire Districts are outside the jurisdiction of the Board of Supervisors. Therefore, it is not appropriate for the Board of Supervisors to comment as the authority regarding this finding as the Board does not necessarily have complete information about this issue.

- 4. In spite of limited budgets and staff, cooperative efforts have to date allowed the various fire agencies to perform their fire suppression functions in an adequate manner.**

Neither agree nor disagree.

While the Board of Supervisors is generally knowledgeable about Fire District operations, Fire Districts are outside the jurisdiction of the Board of Supervisors. Therefore, it is not appropriate for the Board of Supervisors to comment as the authority regarding this finding as the Board does not necessarily have complete information about this issue.

- 5. Successful mergers between fire agencies usually result from the desire to improve services and reduce costs. In general, mergers occur between agencies with similar financial resources.**

Neither agree nor disagree.

While the Board of Supervisors is generally knowledgeable about Fire District operations, Fire Districts are outside the jurisdiction of the Board of Supervisors. Therefore, it is not appropriate for the Board of Supervisors to comment as the authority regarding this finding as the Board does not necessarily have complete information about this issue.

- 6. The voters must approve taxes or assessments to increase funding for fire protection. Proposition 13 requires a 2/3 majority for any tax increase. However, under Proposition 218, a fire district assessment requires only a simple majority. (See Figure 7, Voter Requirements for Different Types of Elections and Assessments)**

Agree.

- 7. Availability of effective fire services is a factor in determining insurance rates for property in Nevada County. Recently, several insurance companies have stopped writing insurance policies in Nevada County because of the increasing risk of catastrophic fires. (See Figure 8, Insurance Office (ISO) Ratings of Nevada County Fire Agencies)**

Partially agree.

The Board of Supervisors is aware that the availability of fire protection and suppression services is a factor in the determination of insurance rates. However, the Board does not have any independent knowledge that “. . . several insurance companies have stopped writing insurance policies in Nevada County . . .”

- 8. A recent election sponsored by Chicago Park/Peardale FPD to finance improved fire services failed while the property owners approved a similar election sponsored by the Truckee FPD.**

Agree.

- 9. Many residents of Nevada County are not aware that the County has no statutory duty to provide fire protection services within the County and assumes no responsibility for providing these services.**

Partially agree.

The Board of Supervisors is aware that the County has no statutory duty to provide fire protection and suppression services within the County. The Board does not, however, assume that County residents are unaware of the details regarding the provision of their fire protection services.

- 10. There is a great disparity among fire agencies in the scope and quality of services. (See Figure 6 Emergency Response Time, and Figure 9, Costs and Population Served).**

Neither agree nor disagree.

While the Board of Supervisors is generally knowledgeable about Fire District operations, Fire Districts are outside the jurisdiction of the Board of Supervisors. Therefore, it is not appropriate for the Board of Supervisors to comment as the authority regarding this finding as the Board does not necessarily have complete information about this issue.

- 11. The BOS treatment of the Fire Plan on April 8, 2008 significantly reduced the importance of the Fire Plan, shifting its focus from mandates and requirements to persuasion and cooperation.**

Disagree.

The Board of Supervisors elevated the status of the "fire plan" by including its policies and programs within the Safety Element of the General Plan. The Board did not assume the responsibility for local implementation of some State legislative mandates (PRC Sec. 4290 and 4291) where those requirements are currently being implemented and the cost of the service paid by Cal Fire. Local implementation would not only be redundant but would shift financial responsibility from the State to the County for the same services currently provided by Cal Fire.

B. RESPONSES TO RECOMMENDATIONS

- 1. The BOS should request that LAFCO commission a study to determine by fire agency the accurate cost of fire protection services in Nevada County. This could be done as a separate study or by modifying the next scheduled MSR on Fire Protection and Emergency Services and by having that Review conducted earlier than is now planned.**

This recommendation will not be implemented.

The Local Agency Formation Commission (LAFCo) has a prepared Municipal Service Reviews (MSR) dated January 31, 2005 for the various fire departments and districts within Nevada County, which contains information relative to the cost of providing fire protection services. The Board believes that this recommendation would be more appropriately implemented by the Local Agency Formation Commission. LAFCo has the statutory responsibilities to prepare and update Municipal Service Reviews, Spheres of Influence, and governmental organization/reorganization studies. In addition, LAFCo by statute is funded not only by the County, but City/Towns, and Special Districts. The cost of such a request encumbers the funds of all these jurisdictions.

- 2. The BOS should initiate a concerted public education program to increase public awareness and understanding of fire services and how they are financed. Such a program would extend beyond the goal proposed under Nevada General Plan Goal FP-10.9 that directs the County to "Encourage fire safety education and support programs to promote participation, voluntary compliance, and community awareness of fire safety issues."**

This recommendation will be partially implemented.

The MSR's prepared by LAFCo (see Recommendation #1 above) include an explanation of the financial aspects of current fire prevention and suppression services and how those services are financed. These LAFCo reports serve as an important educational resource for the public in understanding how fire services are provided and financed.

The Board has directed the preparation of educational materials as a result of their review of the Fire Safe Plan. In addition, the Board also supports the preparation of Community Wildfire Protection Plans (CWPP) prepared by the Fire Safe Council which also serve a community educational function. The educational materials to be developed by the County, coupled with the CWPP's, address the goals contained within the Safety Element. The content of the Draft Safety Element appears to be adequate and appropriate as presented but will be conclusively determined only after public notice and hearing(s) prior to adoption of the Plan.

- 3. The BOS should sponsor a meeting including LAFCO and all agencies and districts that relate to fire services to discuss the feasibility of developing a uniform and consistent set of services and the potential for future efficiencies through consolidation.**

This recommendation will not be implemented.

The Board believes the issue of consolidation and service level consistency for the nine fire districts and two city fire departments is not within the Board of Supervisors jurisdiction. Agency consolidation and service consistently can only be addressed by a decision of individual fire district boards and city councils.

However, the Board of Supervisors remains very concerned for the safety and welfare of County residents, the Board would actively participate in any meeting or meetings held relative to the provision of fire prevention and suppression in Nevada County.

- 4. The BOS should reassess their action of April 8, 2008 and return the *teeth* to the Fire Plan that their actions removed. They should strengthen the proposed update to the Nevada County General Plan Safety Element, (Chapter 10; Safety). The changes should include rewording of Goal FP-10.12 to read: "The County should implement policies FP-10.12.1.1 through FP-10.12.1.28 prioritizing by the order in which they appear and designate them to be Action Policies." (Attachment 10 provides the current wording of the Goal and the Advisory Policies.)**

It would be inappropriate for the Board to commit to specific modifications of the content of the Safety Element prior to completion of the public hearing(s) on that document. The Board's final action on the Safety Element will be based on all public testimony received, including that from the Grand Jury.

The revised Safety Element, incorporating the recommendations of the Fire Plan, is currently in the mandatory public review period. No final decisions have been made by the Board as of this date. Upon completion of the public review period, and a hearing on the document by the Planning Commission, the Board will conduct an additional public hearing or hearings to solicit public comment. The concerns expressed by the Grand Jury will be entered into the public record, and considered by the Board, at that time.

The format of the Safety Element is appropriate as drafted. Implementation of all of the policies of the Safety Element will require considerable future, on-going, resources and will be dependent upon Board priorities and budgetary considerations, including grant funding. These issues will be addressed annually by the Board during the development of the County budget.

Full implementation of all of the goals of the Safety Element would require local (County) assumption of services and programs currently funded and provided by the State of California (Cal Fire). It is not clear that local implementation, and assumption of the costs associated with these programs, would provide superior service to the current statewide provision of those services by Cal Fire.