



SONOMA GROUP

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October 27, 2020

Members of Board of Forestry
California Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244

Re: Request to deny certification of Sonoma County 2020 fire ordinance

Dear Board Members,

We are writing on behalf of the Sierra Club to request that the BOF deny certification of Sonoma's County fire ordinance that does not meet or exceed SRA regulations, or have the "same practical effect." Richard Sachen represents the Sierra Club Sonoma Group of the Redwood Chapter of ~4800 members. Jeanne Chinn recently retired from the California Department of Fish and Wildlife and is Chair of the Sierra Club Northern California Forest Committee, representing six counties. Ms. Chinn is also chair of Ukiah's Western Hills Firesafe Council in Mendocino County, and is a Commissioner on Ukiah's Paths, Open Space, and Creeks Commission.

The legislature directed the California Board of Forestry and Fire Protection (BOF) to issue regulations to require fire-safe roads for development in the State Responsibility Area (SRA) where Cal Fire is responsible for fighting fires. The BOF promulgated regulations in 1991, the basic approach being to require new development to provide concurrent emergency and civilian vehicle access to the parcel and unobstructed traffic circulation during a wildfire or emergency. The minimum SRA requirements include:

- 20-foot wide roads (Cal Fire Type 3 engines are 9-10 feet wide, plus mirrors and most civilian vehicles are 6+ feet wide)
- No dead-end roads longer than 1 mile
- Turnarounds are required on dead-end roads so firefighters will not be trapped in a conflagration if they can't turn around their fire apparatus on a narrow road

Sonoma County often contends the SRA regulations do not apply to pre-1991 or in fact any existing road, thus all roads in unincorporated Sonoma County. Deputy Attorney General Nicole Rinke, Office of the Attorney General, has rejected this in a July 9, 2019 letter to the Planning Commission of Monterey.

Counties can adopt their own fire safe ordinances if the ordinance "meets or exceeds" the SRA regulations or if it has "the same practical effect." If the BOF won't certify that an ordinance that meets these criteria, the SRA regulations apply.

On August 4, the Sonoma County Supervisors adopted an ordinance that substitutes a 12 foot "path of travel" for all SRA requirements. It requires only 12 feet (one lane), not 20 feet (two lanes); it contains no limitations on dead-end roads; it has no requirement for turnarounds; and many other road standards are ignored. Twelve does not "meet or exceed" 20 feet. A one lane road where a fire engine and vehicles fleeing from a fire create a bottleneck and cannot pass one another does not "have the same practical effect" as a two-lane road where vehicles can pass one another.

From the SRA regulation § 1273.00. Intent. *“Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), **shall provide** for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.”* This language **“shall provide”** is clear, and we ask that it guide you in your consideration to not certify the flawed ordinance before you.

Sincerely,

Richard Sachen
Sierra Club, Chair of Sonoma Group Executive Committee

Jeanne Chinn, Chair of Sierra Club Northern California Forest Committee

cc:

Kathryn Philips, Sierra Club Director California
Daniel Barad, Sierra Club California