

From: [Suzanne Jones](#)
To: [Info](#)
Subject: Comment re Ordinance 23-08
Date: Wednesday, September 20, 2023 9:05:11 AM

Dear MOFD Board of Directors:

Thank you for the opportunity to comment on proposed Ordinance 23-08 (“Ordinance”) on your agenda tonight, and for the profound dedication of MOFD staff and leadership to providing for the safety of our community.

As an owner of a large parcel (>1 acre) who seeks both to comply with the Ordinance and protect habitat for native plants and wildlife, I request that the following additional amendments be incorporated into the Ordinance:

1. Modify Section 4 (a)(1)(A) to read: “**Annual** grasses cut to less than 3”. **Native California grasses cut to less than 6” once dormant.**”

Native California perennial bunchgrasses constitute a significantly lower fire hazard than non-native annual grasses, as the former remain green well into summer and typically retain some moisture year-round. They also provide significant soil stabilizing and habitat values, and grow in isolated bunches rather than a continuous mat. Many of the large, locally native species will not tolerate cutting to 3”. Additionally, native bunchgrasses should be cut only during dormancy, which generally occurs well after June 1. The proposed revision above will allow for the appropriate treatment of annual vs. native perennial grasses so that the latter can continue to exist in fuel break areas without creating a significant fire hazard. (As one example, I have California fescue plants growing on my property; once they are dormant I cut them to 4”-6”, depending on size, with good results. Photo attached.)

2. Add a provision to Section 4(c)(1) allowing for collaboration between adjoining property owners to obtain a **modification for a shared 100’ fuel break**.

My understanding from conversations with District staff is that neighboring landowners may jointly apply for a modification allowing for a shared 100’ fuel break along their common property boundary, provided any structures within 100’ of the boundary are surrounded by a 100’ break on all sides. This modification will make compliance *significantly more feasible* for owners of large parcels, while greatly reducing unnecessary impacts to wildlife and habitat, and warrants explicit mention in the Ordinance.

3. Remove the qualifiers “**mature**” and “**scenic**” before “trees” in Section 4(d)(2) and 9(a) and clarify exemptions for saplings.

The Ordinance does not define the term “mature, scenic” as applied to trees in Sections 4(d) (2) and 9(a). These qualifiers could be interpreted to require removal of “immature” or “un-scenic” trees. A healthy tree should not be removed because someone considers it less-than-scenic, and unlimited removal of immature trees would impair the ongoing

regeneration of native trees in fuel break areas, which is vitally important for a variety of reasons, not least of which is fire safety, as native trees pose less of a hazard than annual grasses. As such, Section 4(d)(2) and 9(a) should state simply that “healthy trees” are not to be removed. Section 4(a)(1)(F)(2) should also be revised to state clearly that small saplings whose survival would be imperiled by any trimming may remain unaltered until mature enough to tolerate trimming up 1/3 from the ground.

4. Add to Section 9 a statement to the effect that **removal of riparian vegetation or damage to riparian habitat is unlawful** and shall not occur as a result of efforts to comply with the Ordinance.

The absence of such a statement sets the stage for homeowners to unwittingly commit violations of state protections for riparian areas in their attempt to comply with the Ordinance, as most property owners (and many contractors) are entirely unaware of these protections. Its omission would also seem to jeopardize the District’s claimed exemption from CEQA. The fact that the Ordinance neither requires nor allows fuel abatement impacts to riparian zones should be made explicit, and the term “riparian” should be incorporated into the Ordinance’s “definitions” section.

5. Add language to the Ordinance providing for the publication of **supplemental guidelines** to help landowners simultaneously comply with the Ordinance and applicable laws protecting natural resources.

Additional guidance is needed to educate property owners and their contractors as to what constitutes sensitive habitat, and to illustrate options available for avoiding that habitat while meeting the Same Practical Effect standard of the Ordinance. Inadvertent violations of CA Fish and Game Code § 1602 have already occurred in my community and others, as discussed with District staff on prior occasions, due to the mis-application by landowners and their contractors of the District’s fuel break requirements in riparian areas. In the absence of very clear visual and written guidance in plain language, future takings of protected species and/or unlawful water quality and habitat impacts in violation of CEQA appear inevitable. I and others in the community who share a commitment to both fire safety and natural resource protection would be eager to work with the District to develop such guidelines.

I ask that the District incorporate the revisions outlined above to help ensure that the Ordinance successfully enables landowners to achieve fuel mitigation goals while also complying with state laws protecting the environment.

Many thanks for your consideration.

Sincerely,

Suzanne Jones
1285 Bollinger Canyon Rd.

Moraga, CA 94556



From: [Judi Wellens](#)
To: [Info](#)
Subject: Re: Amended Fuel Break Ordinance 23-08
Date: Wednesday, September 20, 2023 9:20:56 AM

Attention MOFD Board of Directors:

I am a resident of Orinda. I'm writing today to ask that you table the ordinance to give Orinda and Moraga residents time to comment and seek clarification on this extremely important matter.

Thank you,

Judi Wellens

From: [Robert Finch](#)
To: [Info](#)
Subject: Amended Fuel Break Ordinance 23-08
Date: Wednesday, September 20, 2023 10:26:20 AM

MOFD Board— I am writing in connection with the proposed fire code Ordinance 23-08, which will be considered at the MOFD Board Meeting on September 20, 2023. Consistent with the Orinda City Council’s communication with you, I believe that this novel and controversial Ordinance requires more than two weeks between introduction and vote on approval. This is a very complex proposal that has not been sufficiently taken note of by the Orinda community; while it is very detailed, it is at the same time confusing and vague insofar as it raises many and varied questions as to interpretation and is a major departure from what the residents of Orinda are currently attempting to comply with.

Moreover, the residents of Orinda are not yet, in general, even aware of the new proposal. It will take some time to educate the residents, your constituents, as to the intent and effect of the proposal sufficient for them to be able to consider it, ask for clarification, etc. This educational effort will take some time and require town hall or similar meetings. It will also require significant general education materials produced by MOFD in the form of templates, specific guidelines, pictorial representations, etc.

In addition, while it is undeniable that fire protection/mitigation is crucial and must be top-of-mind, and while MOFD’s remit is exclusively focused on that issue, there are other issues that deeply affect Orinda and its residents and all of these must be considered.

For example, the economic impact on the value of Orindans’ homes and Orindans' ability to sell their homes, which is a function of many factors including aesthetics, raises legal issues as to whether the proposed Ordinance would constitute a ‘taking’. The MOFD Board should anticipate that the proposal could generate significant new litigation.

In light the above, I urge the MOFD Board to *slow the process down* and not approve the proposed Ordinance at this time. The Ordinance was introduced just before the long Labor Day weekend and the following two week period is clearly a rush to judgment, especially unfair when the proposal has such deeply significant consequences and would put Orindans to great expense. It took the Orinda City Council many years to finalize and approve its Downtown Precise Plan, which has far fewer direct impacts on its residents' principal investment, their homes.

I urge the MOFD Board to slow the the process down and not approve the proposal at your September 20 meeting. Thank you.

Bob Finch
Wilder HOA Director and Vice President

From: [Daniel Burrows](#)
To: [Info; ssmith@cityoforinda.org](mailto:ssmith@cityoforinda.org)
Cc: [Annissa Alusi](#)
Subject: Amended Fuel Break Ordinance 23-08
Date: Wednesday, September 20, 2023 1:03:28 PM

Hello,

I am writing about the Amended Fuel Break Ordinance 23-08. While details still remain hazy, I am deeply, deeply concerned about the potential impact to our town and a general lack of outreach/engagement with the community. I do not feel like there has been enough consultation for such a change and would urge the council to rethink the speed of this dramatic and unprecedented proposal on the livability of the city.

I get a notification if my garbage cans are picked up a day late. This type of sweeping change to our town and environment warrants multiple outreaches to all residents explaining the proposal and the rationale. I urge the council to reconsider the speed and lack of community engagement that has taken place so far.

Thank you,
Daniel Burrows
58 Tomcat Way, Orinda

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Daniel Burrows
daniel.james.burrows@gmail.com
+1 425 275 1898

From: jonathan@sojourningsoul.net
To: [Holbrook, Marcia](#)
Subject: Comments
Date: Wednesday, September 20, 2023 1:09:00 PM

Good afternoon, Mrs. Holbrook. Please copy this missive to our "usual suspects." Thanks.
~JG

1. Your legal consultant's presentation at your last meeting was mere boilerplate which could be generalized to any fire agency in the State, essentially arguing that every fire agency is entirely exempt from CEQA compliance. Your argument is that your dictates are legitimate environmental planning simply because you are protecting resources and lives, but this argument has no standing in the world of environmental law because it is, evidently, completely unsupported by case law. In the world of environmental law this a massive red flag. Unlike Health & Safety Codes or Building Codes, there are few statutes defining appropriate behavior. Rather, much or most of what we call CEQA is understood through case law, and to overlook this diminishes your standing to near zero. Where are the precedents supporting your claims? What other fire agencies are operating under such premises? If there are none, then why would any judge listen to your wishful thinking?
2. According to Greenfire Law, you have overlooked UCB, EBRPD & EBMUD telling you that your policies would be environmentally destructive. Do you suppose a judge would accept your newly found unsupported arguments over the documented planning of sister agencies which have been practicing environmental stewardship since long before the night of your conception? Maybe not.
3. Your consultant spoke only of your purported exemption from CEQA, but if you read the Migratory Bird Treaty Act of 1918 you will find there no exceptions. Should someone in the district do something very stupid and be turned in by a neighbor, that somebody will go to jail, and from there on to prison. Should anyone say that they did so per the order of this fire district, your legal fees will fly away with themselves, in a manner of speaking. I point this out just to expand your picture of the territory you have entered. Welcome to environmental law.
4. I could go on, but I would rather introduce a solution which might smooth all of this over. Rather than throwing thousands or tens of thousands of dollars at environmental and legal consultants, find \$100k or so for a year or two and hire a competent environmental planner to join your management team and, rather than moving the buckets around the floor to catch new leaks every time it rains (as they did for over ten years in the old Station 44), actually repair your roof. After all, this fire district is trying to make advances unknown to other agencies, and to deploy a second metaphor, it may be more sensible to build a bridge to other agencies and to local governments which traverses the quagmire than it is to become hopelessly bogged down in it. You decide.

Sept 20, 2023

To Chief David Winnacker,

President Jex and members of the MOFD Board;

Dear Chief and Boardmembers,

At the City Council meeting last night, it was again made clear that the Council is sincerely interested in collaborating with all of you, to facilitate the flow of information between and among MOFD, the city's residents, and Orinda's staff and representatives. They feel strongly that landowners need better resources in order to make appropriate decisions with regard to their property, and our community's safety.

Speaking for myself, I have some questions I feel are significant and deserving of answers , discussion, or explanation. I save the hardest ones for last.

1.The public meeting scheduled for the Founder's Room yesterday was called off. I can find no information regarding the posted videos that were said to replace it.

QUESTION: Is there a plan to better inform residents about the Fire District's plans and procedures? Will MOFD be available to attend or help the City organize a community forum to publicize the fire requirements and listen to residents' concerns?

2. In an effort to provide you with some valuable feedback, I have begun research on the publications and information available to citizens. The brochures I was directed to by the Fire Chief were developed by Butte County Fire Safe Council in 2007. They include helpful advice such as: spark arresters are required on your tractors and harvesters; grinding and welding operations require a permit plus a 46-inch round point shovel...; don't drive your vehicle onto dry grass or brush; consult CDF if any wood products from your property are sold, traded, or bartered, including sawmill logs.

In several different paragraphs, they advise that "hazardous vegetation should be replaced with less flammable, irrigated landscape vegetation including lawn... and flowering plants." Bad advice for water conservation.

Where regulations are clear, they may be incorrect for our area, such as the statement that "Mature trees should be limbed up to 10 feet..."

These brochures are also printed in microscopic print, I have enlarged the copies I provide you.

QUESTION – What is MOFD's plan to develop printed brochures appropriate to our city? Who is responsible for improvements to the website, and what is their task? Wouldn't you like to have some input from well-meaning citizens to assist you?

3. Quite a few letter writers mentioned concerns about landslides and soil erosion on steep slopes. The lidar mapping and GIS technology available today make mapping much simpler, and good maps of topography may already exist. MOFD should NOT REQUIRE landowners to clear all the vegetation from the steep areas. MOFD need not be responsible for production of the map or making decisions about which properties are steep/not steep.

QUESTION: Will MOFD be proactive in identifying geologic hazard areas so as to avoid liability for “unintended consequences” of inappropriate clearing mandated by the District?

4. Wildlife and Plant Communities of Concern: As I have written before, admonishing residents to protect threatened species without telling them what those species are is a shabby dodge. Where is the brochure for Orinda Nature?

For those who object that this information belongs on the website, I can only say, try leaving that in someone’s mailbox.

QUESTION: Where are the brochures educating us about our unique and beautiful plants and animals and how to protect them when possible?

5. The Chief is collecting data on how many Requests for Modification have been made, and how many approved. While this information is welcome, there is a bigger question behind it. How many landowners SHOULD have made a request due to steep slope, landslide, riparian area, threatened species habitat etc. BUT DID NOT owing to lack of information? How many people deeply regretted the damage they were obliged to inflict on their own property but did not know they had any options?

The City of Orinda’s request to provide templates or models for the Modification process was met with skepticism if not derision by some board members. Is this an example of the kind of collaboration we should expect to see?

QUESTION: Are the 2x2 meetings with representatives of MOFD, Orinda, and Moraga capable of producing results?

6. It was stated at the last meeting that instructions for requesting a Modification appear on the Pre-Citation Notice. That does not seem to be true.

QUESTION: Why not advise the public of the existence of Modifications on the Pre-Citation Notice?

7. Ordinance 23-08 Section 4 (a) (1) (C) is one of the very few meaningful changes in this document. It allows landowners to retain some scattered “non-irrigated” brush. The Fire Chief mentioned at the last meeting September 6 that this change was instigated by the CEQA lawyers.

I am profoundly troubled that this one, lonely change with the potential to benefit wildlife and preserve native plants was NOT intentional, does NOT reflect any concern for nature nor an awareness of the drastic effects the fuelbreak Ordinance would have on our natural landscape. No, this change was made at the behest of lawyers, who evidently felt that demanding complete scalping of hillsides might somehow appear to have SIGNIFICANT ENVIRONMENTAL EFFECTS AFTER ALL, and could oblige the Fire District to actually do the environmental studies it is trying to avoid.

At the suggestion of the lawyers, then, some unirrigated brush could be saved. Since the Fire Chief would never allow a change to be made that was not in accord with modern Fire Science, the inescapable conclusion is that the previous rule prohibiting such “brush” entirely was NOT necessary,

and NOT required by Fire Science. And it seems this could never have been discovered, let alone implemented, except by threat of legal action.

This is what happens when you have no open channels of communication with the public, who can sometimes be helpful in pointing out things in your blind spot.

It also reminds me of the time the MOFD board approved increasing the PERIMETER fuelbreak from 30 feet to 100 feet in order to simplify regulations, and not for any reasons of fire safety.

QUESTION: Is MOFD planning to, or at all willing to, discuss fine-tuning their regulations to avoid unnecessary damage to Nature and the environment?

8. In a recent Op-Ed piece in the Daily Dispatch, (Daily News for America's Fire Service) Chief Winnacker questions the effectiveness of shaded fuel breaks in no uncertain terms. He points out that fuelbreaks no longer typically include vehicle access, without which "firefighters are unable to rapidly access the critical points in time to make a difference." And, "the opportunity to hold the fire will be lost once fire is over the line."

More quotes:

"Fuel breaks are fixed linear features that have no value if the fire starts and or burns in a location that does not cross the fuel break." "Critically, there does not appear to be a body of evidence supporting the efficacy of fuelbreaks, shaded or otherwise." "In the absence of quantifiable reductions in the potential for wildfire loss, we cannot show our communities the value of the work we have completed..."

I admire the Chief for following the science here, and for his concern that limited local resources be spent as effectively as possible. As he says in closing,

"Another part of protecting our communities is ensuring our work is focused on beneficial outcomes and not performative acts which may provide a false sense of security. It is time to follow the science through advocacy and implementation of risk reduction measures that will work."

I suggest that we follow the Chief's lead in examining other options for increasing our fire safety. Fuelbreaks may be effective in some areas, but probably not on inaccessible, randomly placed lot lines.

In addition, risk reduction measures that will work are those that are embraced by the public. The best way to ensure that outcome is to involve the public in their development.

QUESTION: Are perimeter fuelbreaks proven to be effective in controlling fire? Are other strategies more promising? What makes sense for our community?

FINALLY –

I think we can do better. I am willing to help. I am trying to help! I hope you will find the strength to accept the help that is being offered from so many sides.

Sincerely,

Sandy Pearson

Daily Dispatch – Daily News for America’s Fire Service

We Can Do It Better

Published: 8/07/2023

Author: [Dave Winnacker, Fire Chief, Moraga-Orinda Fire District](#)

Shaded Fuel Breaks Will Not Deliver a Fire Adapted Future in the WUI, but Strategic Placement of Treatments (SPLATs) Can Help

In the face of unprecedented wildfire loss and an increasingly uncertain insurance market, resources and attention have been directed to reducing the wildfire risk facing our WUI communities. Understanding that public attention and budgets are fickle, it is critical that these resources be used in the most effective manner to achieve measurable outcomes. In many WUI communities, including my own, fuel breaks, particularly shaded fuel breaks have become the primary risk reduction measure. Having been involved in the construction of several shaded fuel breaks in the WUI, I have come to believe we are inappropriately and unwittingly applying controversial techniques developed for landscape level management of natural resources in an inefficient and potentially ineffective manner.

For review, a fuel break is an area of modified fuels designed to reduce fire intensity and provide a location from which suppression efforts can be successful. Traditionally, fuel breaks included the clearance of trees and ground fuels and were constructed in a manner designed to allow for the passage of vehicles. Perhaps the greatest example of this type of fire control measure was the [Ponderosa Way](#), an 800 mile fuel break constructed as part of the New Deal in 1933 and 1934. As an aside indicating how much has changed, this project was undertaken to prevent foothill brush fires from burning into [valuable Sierra timber](#).

For a fuel break to work as designed, by providing a location from which suppression efforts can be successful, it must include access for firefighting resources and there must be an effective force of available firefighters to make use of the location. All of which includes a temporal component as the opportunity to hold the fire will be lost once fire is over the line.

Which raises the question of shaded fuel breaks, which are areas of modified fuels designed to reduce fire intensity, but critically, do not include access. In the absence of access, a shaded fuel break becomes a strip of modified fuels, over which fire will inevitably cross as firefighters are unable to rapidly access the critical points in time to make a difference. Early reference to shaded fuel breaks suggests widths of 400’ or less are not effective without suppression efforts and “defensible fuel profile zones” of up to [¼ mile are more effective](#). When constructed with sufficient depth as roadside clearance, shaded fuel breaks can be very effective since access is assured and fuel modifications build upon the inherent fire control qualities of the existing road. However, many shaded fuel breaks are being built far from roadways and it is unclear how these projects will reduce the probability of wildfire loss in the communities they surround.

All fuel breaks must be located on the right topography to be effective, and ridge tops are often the [most effective place](#) for their construction. However, many communities are not located on or near ridgetops, leading to either fuel break placement far from WUI communities or sub-optimal

mid-slope fuel breaks.

Fuel breaks are fixed linear features that have no value if the fire starts and or burns in a location that does not cross the fuel break. As a Marine Corps infantry officer, I look no further than the [Maginot Line's](#) performance in 1940 for the definitive critique of a fixed fortification's value. Defensive measures of this nature simply lack the adaptability to address dynamic threats.

Critically, there does not appear to be a body of evidence supporting the efficacy of fuel breaks, shaded or otherwise.

In the absence of quantifiable reductions in the potential for wildfire loss, we cannot show our communities the value of the work we have completed and lack a mechanism to link our efforts to insurance access and affordability. Recent studies have shown the potential for up to 75% reduction to the [average annual loss calculation](#) used for community level insurance rate setting based on mitigations. However, these benefits can only be achieved through projects carried out in an effective manner.

This raises the question of what we should be doing instead of fuel breaks.

In his 2001 paper, Design of Regular Landscape Fuel Treatment Patterns for Modifying Fire Growth and Behavior, Dr Mark Finney outlined a concept to model and implement “treatment patterns reduce the spread rate or fireline intensity over much of the area burned, even outside the treatment units where the fire was forced to flank”. These have since been implemented at test scale in the Tahoe Basin as Strategic Placement of Treatment ([SPLATS](#)).

SPLATS can be created through a variety of fuel treatments to include grazing, prescribed fire, and thinning of vegetation to create a varied fuel mosaic, mimicking the natural state in fire adapted and dependent landscapes such as the American West. This varied mosaic serves as a labyrinth through which fire must find its way, [thus slowing its advance](#) and buying time for a firefighting response to protect homes and communities. The additional time gained through a reduced rate of spread, also opens opportunities to manage a naturally occurring fire for beneficial outcomes. Further, by virtue of their distributed nature, SPLATS can be used to minimize disruptions in environmentally sensitive areas.

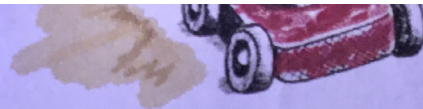
When combined with defensible space in the form of rigorous [fuel reduction efforts within 100'](#) of homes and thoughtful [home hardening retrofits](#) at [actuarially significant](#) levels of adoption, the combination of mitigations sets the stage for significant reductions in potential wildfire loss experience.

This is no secret weapon, the [New Yorker](#) featured them in a 2019 article, yet we keep putting in shaded fuel breaks without any validation that they will work.

As fire service professionals, we are charged with protecting our community from a number of perils, one of which is wildfire. Part of protecting a community is ensuring the limited resources available to mitigate risk, in the area of our expertise, are used in the most effective manner. Another part of protecting our communities is ensuring our work is focused on beneficial

outcomes and not performative acts which may provide a false sense of security. It is time to follow the science through advocacy and implementation of risk reduction measures that will work.

**Here's how
to do it the
RIGHT WAY:**



- Mow before 10 a.m. If it's too hot for you, it's too hot to mow. **REMEMBER, DON'T MOW DURING THE HEAT OF THE DAY OR WHEN THE WIND IS BLOWING!**
- **Beware**—Lawn mowers are designed to mow lawns, not dry grass, weeds or rocks! A grass-hidden rock is enough to start a fire when struck by a metal blade. Remove rocks from the area before you begin mowing.
- **In wildland areas, spark arresters are required on all portable gasoline powered equipment. This includes tractors, harvesters, chainsaws, weedeaters and mowers.**
- Keep the exhaust system, spark arresters and mower in proper working order and free of carbon buildup. Use the recommended grade of fuel and don't top off.
- **In wildland areas, grinding and welding operations require a permit plus 10 feet of clearance, a 46-inch round point shovel, and a backpack watertype fire extinguisher—all ready to use.**
- Hot exhaust pipes and mufflers can start fires you won't even see—until it's too late! **Don't drive your vehicle onto dry grass or brush.**
- Keep a cell phone nearby and call 911 immediately in case of fire.

Here's How to Get Started: Create a Fire Safe Landscape in Seven Steps

Step One

Evaluate the environment around your home. What will catch on fire? Be on the lookout for those "little things" that can burn your home; this can include lounge cushions, papers or anything flammable outside your home. Also consider slope, prevailing winds, vegetation type and density, and exposure to direct sun.

Step Two

Determine what you need to do. Start with the closest Home Ignition Zone and work toward the Defensible Space Zone and through the Wildland Fuel Reduction Zone.

Step Three

Develop a plan for correcting any fire safe problems identified in steps one and two. Consider completing your work prior to June 1 of each year before fuel conditions become too dry. Make sure your power tools have approved spark arresters and, if working in the summer months, complete all work before 10 a.m. Coordinate with adjacent land owners if possible and incorporate existing formal landscape features.

Step Four

Consider codes and regulations related to defensible space, burning, work performed near waterways, and tree removal; if necessary, secure permits such as burn permits.

- The Department of Forestry & Fire Protection (CDF) should be consulted if any wood products from your property are sold, traded or bartered. Types of regulated wood products include sawmill logs, firewood or wood chips. For more information, contact your local CDF unit.
- The Department of Fish & Game should be notified and consulted if work occurs near a river, stream, lake, or tributaries. Go to: www.dfg.ca.gov/1600/1600.html
- Before cutting down trees, residents should check local association and special district regulations.

Step Five

Implement the plan. Get help and any needed equipment. Begin work in the Home Ignition Zone and work out from there. Remember: It's the little things—such as patio furniture and cushions, leaves, needles, bark, etc.—that can ignite and cause a fire to your home.

Step Six

Remove all slash and debris generated during the fuel modification process by chipping, burning or disposal at your local vegetative waste site. Contact your local fire department for permit requirements. Contact your local Fire Safe Council about permit requirements and other programs. Find your

Is Your Home a Safe Place to Stay

You live in an area of natural beauty—but it's also a wildfire. In fact, it's not a matter of *if* the grasslands or will burn, it's a matter of *when* that will happen.

Fortunately, you can take steps today to dramatically increase your odds of survival by making your property "fire safe."

A fire safe property is one where the home and landscape resist the impact of fire. A fire safe landscape is a beautiful landscape that not only protects your home from fire, but also increases the value of your home.

The Fire Environment

Fire behavior is affected by a variety of factors—some you can do something about and others are weather conditions beyond your control. Understanding these terms will help you make your home and the surrounding property fire safe.

Fuels: Any flammable materials that will burn. This includes everything from the home itself to plants, dried leaves, rain gutter, brush, wood shingles, patio furniture, and any material. If it will burn, it's a fuel.

Ignition: The point at which a fire starts as a result of contacting with embers, firebrands (hot, flying ember), flame, or superheated air.

Topography: Primarily slope or the steepness of the slope which your house is situated. Also your home's proximity to canyons or ravines.

Weather: Primarily wind, but also air temperature and humidity (moisture content of the air).

eXtreme X-Factor: A multiplication factor used to determine the defensible space around a home due to extreme weather factors such as slope, and/or constant or unusually strong wind. If your home is located on or near the top of a hill, it receives constant or unusually strong wind, you should increase the defensible space in Zones 2 and 3 by a multiplier (X-Factor). For instance, in Zone 2, increase the defensible space from 100 feet to 150 feet.



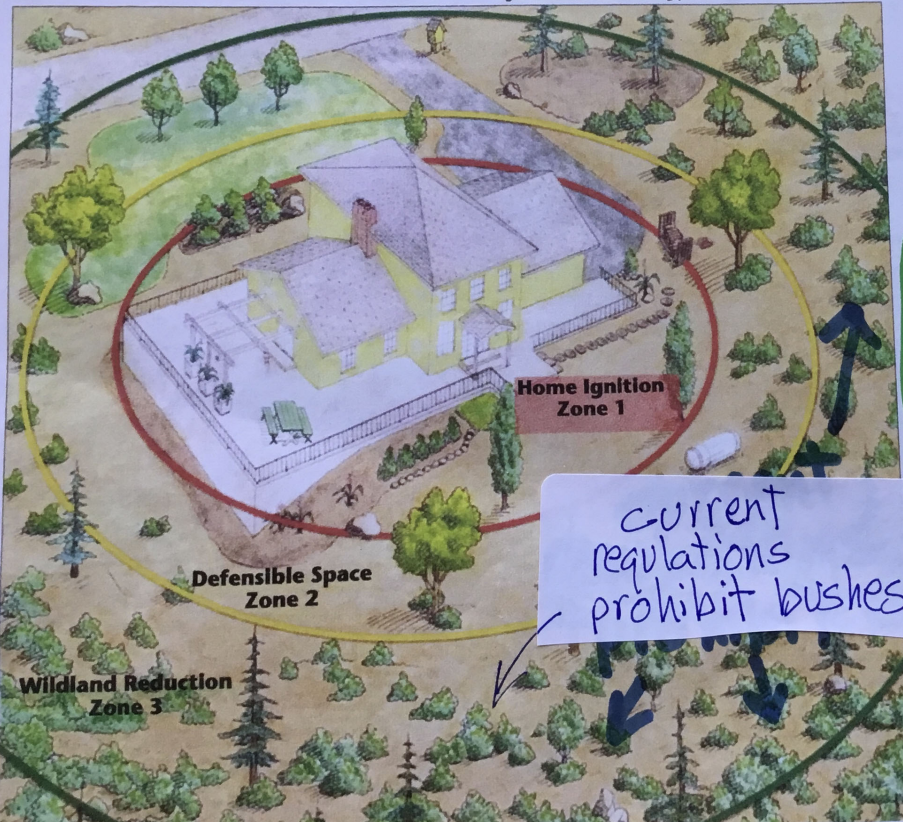
Defensible Space Zone (100 feet or more distance) • Keep this area lean and green!

Your "defensible space" is the area that is a minimum of 100 feet from your home (as required under State Public Resources Code 4291 or other local ordinances). This is the area where you've modified the landscaping to allow your house to survive on its own—greatly improving the odds for firefighters who are defending your home.

If your home is on a slope or subject to high winds, extend the distance of this zone based upon the "X-Factor." For instance, this zone may increase, then, to 150 feet (1.5 X 100 feet).

Create a Defensible Space Zone by keeping in mind the three R's of defensible space:

- **Remove**—dead and dying grass, shrubs and trees.
- **Reduce**—the density of vegetation (fuel) and ladder fuels, those fuels extending from the ground to the tree canopies.
- **Replace**—hazardous vegetation with less flammable, irrigated landscape vegetation including lawn, or other low growing groundcovers and flowering plants.



Wildland Fuel Reduction Zone (Beyond 100 feet distance)

Getting rid of the undergrowth and thinning out densely-crowded smaller trees in this outlying area will reduce fire intensity and slow the spread of a fire moving toward your home. Defensible space increases the odds of your home's survival.

Experts recommend a minimum of 10 feet of spacing between individual trees and shrubs, measured at the crown (widest part) of the tree or shrub. You may need to increase this distance based on your property's X-Factor.

Mature trees should also be limbed up 10 feet, or 1/3 of their live crown height, whichever is greater.

It's possible, depending upon the size of your property, that you will be limited by your property boundary and unable to complete the fire safe measures identified in Zones 2 and 3. If this happens, talk with your neighbors and ask for their cooperation. A safer home means a safer neighborhood for everyone.



Reduce density by giving brush and shrubs more space—ideally they should be about 10 feet apart from one another.

good, clear

not our rule

Fire "climbs" neighboring trees—don't give it a ladder that reaches from low to high. Limb live trees up to 10 feet or 1/3 of live crown height, whichever is greater.





daughter, Khalilah, 4, stroll on a trail at Roberts Regional Recreation Area in the 87-acre location that's known for its lush setting in a grove of fragran

Classes aid English learners in h

language skills, in addition to English language arts and all other academic classes.

But at Hernandez's high school, Mountain Empire High School in the mountains of rural San Diego County, English learners enroll in English as a second language classes through the local community college. They earn college credit while learning English.

Researchers and advocates say that dual enrollment — taking college courses during high school — can increase rates of graduation, college enrollment and college success. Yet students who are still learning English in high school often face barriers to dual enrollment courses.

According to one study by Wheelhouse: The Center for Community College Leadership and Research at UC Davis, 10% of English learners had taken at least one community college class while in high school, compared with 18% of all students.

English learners are less likely than many other groups to finish the required courses for entering UC and CSU — known as A-G requirements — and to attend college in the first year after graduating from high school. Only 16.8% of students not proficient in English were marked as “prepared” for college and career on the California School Dashboard in 2019, compared with 44.1% of all students.

A Different Kind of Memory C

Pleasanton your loved one isn't a
are a person.

Take a tour —



Here's How to Get Started: Create a Fire Safe Landscape in Seven Steps

Step One
Evaluate the environment around your home. What will catch on fire? Be on the lookout for those “little things” that can burn your home; this can include lounge cushions, papers or anything flammable outside your home. Also consider slope, prevailing winds, vegetation type and density, and exposure to direct sun.

Step Two
Determine what you need to do. Start with the closest Home Ignition Zone and work toward the Defensible Space Zone and through the Wildland Fuel Reduction Zone.

Step Three
Develop a plan for correcting any fire safe problems identified in steps one and two. Consider completing your work prior to June 1 of each year before fuel conditions become too dry. Make sure your power tools have approved spark arresters and, if working in the summer months, complete all work before 10 a.m. Coordinate with adjacent land owners if possible and incorporate existing formal landscape features.

Step Four
Consider codes and regulations related to *defensible space*, burning, work performed near waterways, and tree removal; if necessary, secure permits such as burn permits.

- The Department of Forestry & Fire Protection (CDF) should be consulted if any wood products from your property are sold, traded or bartered. Types of regulated wood products include sawmill logs, firewood or wood chips. For more information, contact your local CDF unit.
- The Department of Fish & Game should be notified and consulted if work occurs near a river, stream, lake, or tributaries. Go to: www.dfg.ca.gov/1600/1600.html
- Before cutting down trees, residents should check local association and special district regulations.

Step Five
Implement the plan. Get help and any needed equipment. Begin work in the Home Ignition Zone and work out from there. Remember: It's the little things—such as patio furniture and cushions, leaves, needles, bark, etc.—that can ignite and cause a fire to your home.

Step Six
Remove all slash and debris generated during the fuel modification process by chipping, burning or disposal at your local vegetative waste site. Contact your local fire department for permit requirements. Contact your local Fire Safe Council about their chipping, home consultation and other programs. Find your local Fire Safe Council at www.FireSafeCouncil.org.

Step Seven
Continue to monitor and evaluate the fire safe condition of your home and landscape. Maintain your home's resistance to fire and the *defensible space* in the surrounding property on a routine basis—annually or more frequently, if needed. For new construction, consider fire resistant materials such as concrete panels, stone, brick or other material that doesn't burn easily.

Design and printing: www.FireSafeHelp.com. To order, call: 530.872.0850
Special thanks to the Butte County Fire Safe Council

Is Your Home a Safe P

You live in an area of natural wildfire. In fact, it's not a matter of *if* it will burn, it's a matter of *when* it will. Fortunately, you can take steps to increase your odds of survival by making your home more fire resistant. A fire safe property is one that can resist the impact of fire. A fire safe landscape that not only protects your home, but also increases the value of your home.

The Fire Environment

Fire behavior is affected by a variety of factors. You can do something about and beyond your control. Understand the factors that make your home and the surroundi

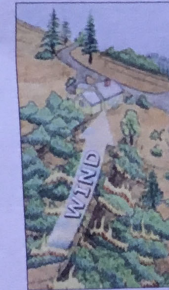
Fuels: Any flammable materials that can burn everything from the home itself to rain gutter, brush, wood shingle, or other material. If it will burn, it's a fuel.

Ignition: The point at which a fire starts, such as a flame, ember, firebrand, or superheated air.

Topography: Primarily slope or which your house is situated. Also includes slope and proximity to canyons.

Weather: Primarily wind, but also includes humidity and moisture content of the air.

eXtreme X-Factor: A multiple factor that increases the *defensible space* around a home. Factors such as slope, and/or other factors that increase the risk. If your home is located on or near a slope that receives constant or unusual wind, the *defensible space* in Zones 2 and 3 (X-Factor). For instance, in Zones 2 and 3, the *defensible space* margin is 100 feet to 150 feet.



During the summer and fall months, high humidity, high temperature, and high wind speed create a “flag” weather warning. Drought conditions are very high. The X-Factor explains the *defensible space* margin.

From: jrikeda@aol.com
To: [Info](#)
Subject: Amend Fuel Break Ordinance
Date: Wednesday, September 20, 2023 1:57:28 PM

We all agree that fire is a major danger.

However the proposed ordinance, although well intended, appears to be a draconian overstep. This allows for the department to make up rules as they go along without public input.

I have recent experience with their randomness in building a fire safe house and yard. The MOFD staff did not even define what plants were safe for our yard and have allowed various sized non combustible zones in our neighborhood.

Strongly suggest a slow down in the process, hold public forums and educational sessions with better written definitions and policies contemplated that can placed in the public record and can be relied upon.

Thank you.

[Sent from the all new AOL app for iOS](#)

From: [Sheida Vakili](#)
To: [Info](#)
Cc: ssmith@cityoforinda.org
Subject: Amended Furl Break Ordinance 23-08
Date: Wednesday, September 20, 2023 2:54:54 PM

To whom it may concern

I believe, it was discussed at the Orinda city council meeting that the amended plan essentially removes the majority of landscaping, all grass and all mulch/bark in parcels under 1 acre and would allow only scenic trees with a mandatory 6' clearance, and a minimum of 3-4' between any single plants. It would be punishable as a misdemeanor offense if not implemented? In addition, homeowners will be require to saturate the ground in the summer which goes against current water regulations.

Besides the massive personal costs and decrease of value in property, there are environmental impacts for removing all slope plantings - like mud/landslides and erosion.

Is this all accurate? And why has the community not been given more time to voice there concerns?

Best