



Moraga-Orinda Fire District

TRI-AGENCY MEETING

CALL AND NOTICE OF A SPECIAL MEETING

October 21, 2024 – 6:00 PM

TRI-AGENCY MEETING:
City of Orinda | Moraga-Orinda Fire Protection District | Town of Moraga

LOCATION:
Orinda Library Auditorium
26 Orinda Way
Orinda, CA 94563

Members of the public may provide written comment via info@MOFD.org prior to 12:00 p.m. on the day of the meeting. Public comment during the meeting will be limited to in-person participants utilizing speaker cards.

To VIEW/LISTEN the meeting via ZOOM:
<https://us02web.zoom.us/j/83855000453>
or By Phone: 1-669-900-6833 Webinar ID: 838 5500 0453

To VIEW the meeting by YOUTUBE:
<https://www.youtube.com/@moraga-orindafiredistrict4222/streams>

Public Participation

This meeting will be conducted in person. The public may view this meeting via Zoom or MOFD's YouTube Channel, however comments will be limited to written comment received prior to 12:00 p.m. on the day of the meeting and in-person comments during the meeting using speaker cards.

Speaker Cards: Members of the public may comment on any item on the agenda during the Board's consideration of the item. If you would like to speak on an item listed on the agenda, you are invited to submit a speaker card to the District Clerk. You will be permitted to speak even if you elect not to submit a speaker card or decline to provide the information requested on the card. After the Board of Directors has heard from everyone who submitted speaker cards, anyone electing not to submit a speaker card may form a line at the podium. Public comment is limited to 3 minutes per speaker per agenda item.

Remote Comments: Remote Public Comments are limited to written comment received prior to 12:00 p.m. on the day of the meeting.

Written Comments: Written comments may be hand delivered to the MOFD Administrative Office at 1280 Moraga Way, Moraga, CA or sent via e-mail to info@mofd.org no later than 12:00 p.m. on the day of the meeting. Written comments will be distributed to the City of Orinda Council, MOFD Board of Directors, and Town of Moraga Council and posted on the MOFD District's website as part of the public record by 5:00 p.m. on the day of the meeting. Note: any written public comments received after the deadline will not be distributed to the City of Orinda Council, MOFD Board of Directors, Town of Moraga Council, or posted on the MOFD website until the following day. Written comments will NOT be read into the record. All written public comments will be available to view at mofd.org/agendas.

- 1. OPENING CEREMONIES**
 - Call the Meeting to Order
 - Roll Call
 - Pledge of Allegiance

2. **SPECIAL AGENDA**

2.1 **Community Wildfire Risk Reduction Measures**

Staff Recommendation: Information Only

3. **ADJOURNMENT**

The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4501, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.

Any disclosable public records related to an open session item on a Regular meeting agenda and distributed by the Moraga-Orinda Fire District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspections at 1280 Moraga Way, Moraga, during normal business hours, and available on our website at www.mofd.org/agendas.

I hereby certify that this agenda in its entirety was posted on October 15, 2024, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45 and electronically at www.mofd.org/agendas. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Marcia Holbrook
District Secretary/Clerk



Moraga-Orinda Fire District

TO: TRI-AGENCY MEETING

FROM: Dave Winnacker, Fire Chief

DATE: October 21, 2024

SUBJECT: **Item 2.1 Community Wildfire Risk Reduction Measures**

BACKGROUND

Due to the combination of topography, weather, and vegetative fuels, the LAMORINDA area is at risk of structure loss as a result of uncontrolled wildfire. Recognizing this fact, the Moraga-Orinda Fire District (MOFD) has a long history of risk reduction activity, dating back to former State Fire Marshal Tanya Hoover's progressive work in the early 2000s. Following the North Bay fires in 2017 and the destructive 2018 fire season, these efforts have intensified in accordance with the priorities established in the [MOFD Wildfire Prevention Strategic Plan](#). As described in the plan, wildfire risk is a combination of hazards (the presence of natural conditions capable of carrying fast-moving fire) and vulnerabilities (the presence of unprepared homes at the point of vegetation to structure fire transition).

To reduce the speed with which fire will arrive at the edge of the built environment, MOFD and regional partners have undertaken major grant-funded fuel modification and reduction activities along the northern edge of Lafayette and Orinda ([2019 North Orinda Shaded Fuel Break](#)), around portions of Lafayette ([2023-2024 Lafayette Walnut Creek Shaded Fuel Break](#)), and along the western and southern portions of Orinda and Moraga ([2023-2024 East Bay Hill Tunnel Fuel Break](#)). Many additional smaller-scale projects on public and private land have also been carried out by MOFD's prescribed fire program, Contra Costa Fire Crew 12, large private landowners, and landowning public agencies such as EBMUD, EBRPD, and CalTrans. While these projects reduce exposure to wildfire through the creation of extended defensible space by modifying vegetation in close proximity to populated areas, according to recent work completed with actuaries and catastrophe modelers, the upper limit of the benefit such projects can provide is capped at around 20% of the possible risk reduction activity. The remaining 80% of risk reduction benefit is tied to defensible space (modification of combustible materials within 100' of a structure) and home hardening (changes to the structure). The impact of mitigations towards reducing wildfire-caused disruption to the pricing and availability of property and casualty insurance was discussed in May 2025, as summarized in this [MOFD staff report](#).

Starting with the 2019 Fire Code and continuing through the 2022 Fire Code and related Exterior Hazard Abatement Ordinances [23-03](#) and [23-08](#), MOFD has established a progressive code environment that includes the following elements that exceed state-established fire safety minimum requirements:

- Fuel breaks required within 100' of property lines for parcels one acre or larger
- Removal of combustible ground cover within 2' of structures
- Juniper removed within 10' of a roadway
- Eucalyptus and Monterrey Pine trees removed within 6' of structures
- Certificate of compliance required for property transfers

MOFD enforces these requirements with an [inspection program](#) that has conducted 2726 inspections in FY24.

Of note, the most recent Exterior Hazard Abatement Ordinance, 23-08, was adopted in September 2023, and public comment was received from a wide range of stakeholders expressed concern that the fuel break requirements intended to compartmentalize the populated areas of our community were too onerous or were adopted with insufficient opportunity for members of the community or other government agencies to provide comment. A full list of correspondence received on this item is available [here](#):

Zone Zero

In 2020, the legislature passed AB3074 requiring the California Board of Forestry to publish standards for fire safety requirements in the area from 0-5' of a structure (Zone Zero) by January 1st, 2023. To date, this standard has not been released, and it is unclear when it will be published. Zone Zero is the area where the presence of combustible material is most highly correlated to structure loss, as shown in research conducted by the National Institute of Science and Technology (NIST) and the Institute for Business and Home Safety (IBHS). The importance of Zone Zero has been emphasized by its inclusion in the California Department of Insurance (CDI) [Sustainable Wildfire Strategy](#) and [Safer From Wildfires](#) framework as well as the [IBHS Wildfire Prepared Home](#) certification program. Voluntary insurance discounts and guarantees of availability have been linked to the IBHS program for the past two years. In a recent development, as part of the Sustainable Insurance Strategy, rate filings for admitted carriers, which will be in effect no later than April 2025, now include [formal credit for mitigations](#) included in the CDI program. Of note, for the first time, the new rate filing criteria allow the use of Catastrophe Models to generate forward-looking estimates of future losses.

While progressive and controversial within our community, MOFD's current exterior hazard standard falls short of several elements included in the CDI and IBHS programs. Of the greatest importance is the absence of a Zone Zero requirement to remove all combustible material within 5' of structures. As outlined in [NIST Technical Instruction 2205](#) and summarized in the [MOFD staff report](#) dated April 2022, establishing a science-based Zone Zero mitigation requirement can dramatically reduce a structure's vulnerability to ember caused ignition. In addition to the NIST publication, the value of Zone Zero mitigations has been reinforced through the meetings of the State Fire Marshal's Wildfire Mitigation Advisory Committee established pursuant to [PRC § 4209.4](#) as well as the [report](#) published by the [California Wildfire Risk Modeling Advisory Workgroup](#) established pursuant to [PRC § 4204.1](#).

The inclusion of Zone Zero mitigations was discussed as part of the 2019 Fire Code adoption process; however, at that time, it was determined to be too onerous, and a 2' non-combustible requirement was adopted instead. In the Spring of 2024, Orinda City staff proposed including Zone Zero mitigations in fire safety education material as a voluntary recommendation. Due to concerns regarding confusion and divergent messaging, MOFD staff suggested convening a tri-agency meeting to provide elected officials an opportunity to discuss the merits of adopting a Zone Zero mitigation requirement within MOFD's service area.

MOFD's service area consists of both Local Responsibility Areas (LRA) and State Responsibility Areas (SRA) as defined by the state pursuant to [PRC § 4125](#). Within the [fire district's boundaries](#), MOFD is charged with the prevention and suppression of fire to include the enforcement of either state fire safe minimum standards included in CCR Title 14 and CCR Title 19 or locally adopted standards that meet or exceed state minimums. Authority to establish more restrictive standards is specifically outlined in Govt Code 51175 for LRA and PRC 4117 for SRA:

Govt Code § 51175

- *(b) The prevention of wildland fires is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead, a matter of statewide concern. It is the intent of the Legislature that this chapter apply to all local agencies, including, but not limited to, charter cities, charter counties, and charter cities and counties. **This subdivision shall not limit the***

authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

- **(c) It is not the intent of the Legislature in enacting this chapter to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.**

Public Resources Code § 4117

- Any county, city, or district may adopt ordinances, rules, or regulations to provide fire prevention restrictions or regulations that are necessary to meet local conditions of weather, vegetation, or other fire hazards. **Such ordinances, rules, or regulations may be more restrictive than state statutes in order to meet local fire hazard conditions.**

RECOMMENDATION

Staff Recommendation: Information Only