



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

Response to Findings and Report

1 message

John Stipes <jstipes@zayantefire.com>
To: grandjury@scgrandjury.org

Fri, Sep 4, 2020 at 3:11 PM

Please find attached response to findings and recommendations specified in the report titled Ready?
Aim? Fire!
Regards

John Stipes, Fire Chief

Zayante Fire Protection District

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FireRisks_ZayanteFPD_Packet.docx
141K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the
Zayante Fire Protection District Board of Directors
Respond to the Findings and Recommendations
Specified in the Report Titled
Ready? Aim? Fire!
Santa Cruz County on the Hot Seat
by October 1, 2020**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of the Board's response approval: August 18, 2020

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. Vegetation/fuel management and abatement are not receiving the attention nor funding needed from the County of Santa Cruz Board of Supervisors, and therefore are not adhering to California Government Executive Order 1.8.19-EO-N-05-19.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The compound sentence is affirmed in the nature of concern but utilizes an uninformed and inappropriate source citation as a basis for the conclusion. The Executive Order is applicable only to State Agencies receiving Forestry Management funding. (p. 6; p.11)

F2. Santa Cruz County residents are at increased risk of fire danger due to the lack of risk management for wildfire. Specific risks are not formally identified, tracked, assessed for impact, nor is progress reported by fire departments in the County. Therefore, leaders responsible for budgets and accountability are left unprepared to manage risk, impact, or performance.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F3. City and County officials have not collaborated with PG&E to identify the location of high risk PG&E electrical equipment, and so are left uninformed as to how to manage their responsibilities or how to instruct residents about potential danger due to proximity to this equipment.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F5. Santa Cruz County would greatly benefit if steps were taken to implement the CAL FIRE, San Mateo - Santa Cruz Unit 2018 recommendation of developing detailed, site specific Community Wildfire Protection Plans for communities throughout the County.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F6. Response time data for fire departments in Santa Cruz County is challenging to obtain. Santa Cruz Regional 9-1-1 previously reported response time data in their annual reports, but did not do so in the 2018 or 2019 annual reports.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F10. Roadside vegetation in rural areas of the County is not being cleared consistently which could potentially increase emergency response time, putting life and property in unnecessary danger. Furthermore, evacuations could be restricted as there is no rule or program that mandates that roads, even critical evacuation routes, be kept cleared meeting defensible space requirements.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F11. There are only approximately 17,000 accounts for the Santa Cruz County opt-in CodeRED™ emergency system, which implies that a significant portion of the County may not receive emergency alert messages, which potentially reduces residents' opportunity to take action in a timely, life-saving manner.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F12. Long Range Acoustic Devices (LRADs), have been deployed in other areas of the state and have proven effective tools in alerting residents in urban and rural areas to a wildfire. However, Santa Cruz County has no such devices, increasing the risk to County residents.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The report exposes its lack of field observations in that Felton, Zayante -(2), Ben Lomond and Boulder Creek Fire Districts continue to maintain Station Sirens first utilized to summon volunteers and continue to provide community wide notification of an emergency.

F13. High risk communities in the County are left unnecessarily vulnerable due to the lack of easily accessible, published information of refuge/assembly areas and structures.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F14. Because the County does not publish a “shelter in place” plan, when a fire expands rapidly, residents cannot make informed decisions about whether to shelter in place or evacuate.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

This is a flawed premise in that a shelter in place plan requires the specific real time situational awareness to drive a decision-making process. The general public lacks the general knowledge to evaluate all risks. What is the hazard, where is the hazard, what is the time continuum and will movement of large numbers of persons negatively impact the emergency response thus allowing it to become larger than necessary. Public shelter orders and evacuation orders disseminate from Emergency Officials who are incident informed, trained and tooled to initiate and organize effective evacuations.

F15. Unlike the City of Santa Cruz, the County does not publish emergency evacuation routes, purportedly to avoid having old or untimely information being followed in an emergency. The County therefore withholds revealing evacuation routes until an emergency is in progress, likely creating unnecessary risk and potential for chaos.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F16. In the Wildland Urban Interface zone, and in many town centers, traffic choke points exist, and in some instances have roadway obstacles to traffic flow such as overgrown vegetation, concrete medians, curbs, and lane reductions resulting in roads that are inadequate for mass evacuations.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F19. Wildfire preparedness informational materials are well done and public education is attempted by fire departments in the County, but fails to sufficiently reach and motivate residents to act.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F20. The FireWise institution provides a valuable fire prevention program and, as of March 2020, there were eight FireWise communities registered in the County. Marin County, by contrast, with a similar population, has sixty registered communities, highlighting the need for more FireWise promotion and participation in Santa Cruz County.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F21. The County Office of Emergency Services and fire agencies in the County encourage residents to be prepared for an emergency, however the passive mechanisms such as web sites used to encourage preparedness are not proving to be sufficient.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F22. Property owners in the County are responsible for their own vegetation management, yet they are often not sufficiently educated about vegetation management practices, or do not have the capability, financial resources, or desire to create defensible space.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F23. No single organization in the County is assuming a leadership role in Fire Hazard Mitigation. It is not clear whose responsibility it is to minimize this County wide risk.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

This finding assumes one organization must be responsible for leadership. There are multiple agencies including County Fire, the municipalities and individual Fire Protection Districts that encompass and serve the entire County. These agencies each have separate boundaries but share similar responsibility and goals for risk reduction within the constraint of their economic means and emergency response resources. Since the equity factors in the model “LGB” discussed on page 49 were not evaluated by the Grand Jury the obvious disparate funding levels and subsequent differing levels of proactive prevention measures cannot be evaluated nor can it provide a nexus to impact on a leadership model.

F24. The annual report to the County Board of Supervisors and the County Administrative Office by County Fire/CAL FIRE does not provide data or analysis of resources, response times, code enforcement, inspection, or education. This information is necessary to show what gaps exist between current performance and community needs in order for informed budget decisions to be made. Without adequate background information, the Board of Supervisors is unable to hold CAL FIRE accountable for the specific responsibilities specified in their contract.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F25. The four fire protection districts in the San Lorenzo Valley would benefit by further aligning their policies and procedures in anticipation of future consolidation.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Valley Fire Districts’ policies and procedures are not significantly contrasting to infer a benefit in a consolidation discussion. The issue is not policy but rather demographics, economics and most importantly cultural within the communities served and a key indicator is the pride demonstrated by each community towards their locally responsive fire protection agency.

Consolidations occur for specific reasons, frequently associated with the stress of insufficient resources. As long as the communities in question are solvent, staffed and satisfied with the level of service they receive there will not be substantial benefits realized from a regional consolidation. The benefits have been realized through the proactive leadership of District Fire Chief’s and their Boards through the utilization of the master mutual aid system for shared response and a consistent utilization of joint training, prevention and purchasing opportunities.

F26. Reporting data, statistics, and formats utilized by fire agencies throughout the County are highly inconsistent, uncoordinated, and therefore not readily evaluated and compared. The standard Insurance Services Office (ISO) rating system would be useful to adopt. Response time data are not well described or consistently reported by the jurisdictions, making accurate assessment difficult, especially by other agencies or by the public.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The ISO Grading system is utilized by the Fire Agencies in the County and is driven by private industry demands for insurability. The ISO provides for reoccurring evaluations to satisfy the insurance market. It is not something that is adopted. Response time data and assessment are not readily available.

F27. The 2015 County of Santa Cruz Emergency Operations Management plan does not adequately address evacuation, and references data too outdated to be useful, such as a population density map from the 2000 census.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F29. The Grand Jury finds that formally specified baseline and target performance statements, in alignment with the Center for Public Safety Excellence Assessment Process, neither currently exist nor are they reported by fire departments in the County as required by best practice standards. There are no goals set or measures made of progress for review by the Board of Supervisors regarding County Fire/CAL FIRE performance. Other fire districts in the County are similarly remiss in reporting to their governing bodies. Appropriate goals would include progress on response times, vegetation management, and code inspection progress, all of which are necessary to properly quantify the budget and resources required for full-time, volunteer, and prison inmate workforces, in appropriate, affordable proportions.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

this is a flawed compound thought and sentence. The Fire Agencies are not required to adhere to the Center for Public Safety Excellence assessment process and the Fire Districts are not staffed, funded, or required to meet the Standard. Secondly, Best Practices are not a requirement but rather goals to be aware of and striven towards when possible. Thirdly, no fire agencies at the County level have incorporated, maintain or direct prison inmate workforces – that resource is a State of California program incorporating Department of Corrections and Cal Fire. There is a difference between the Cal Fire mission and County Fire Department. They have separate missions and separate budgets. Missing in this finding is the lack of study in the equity balance between agencies in the County. A critical omission and failed opportunity in this report and one that would have illustrated to the public the levels of service supported by public tax funding sources and the direct link between the haves and have nots.

Recommendations

R1. Santa Cruz County, under the auspices of the Emergency Management Council (EMC) with LAFCO support, should study a governing structure that would tie all fire agencies in the County together with common leadership, objectives, sharing of data, and maximized use of resources. (F23, F25)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

the identified entities do not have the appropriate representation structure to engage a Fire specific study, the authorities to implement recommendations nor the staff to conduct a professional, competent study that will be credible. A successful approach would be for LAFCO to commission a study from a private consultant.

R4. The fire districts of Santa Cruz County should establish a plan by January 2021, to develop actionable Community Wildfire Protection Plans (CWPP) that follow the framework established by the 2018 Santa Cruz County - San Mateo County CWPP. (F2, F5, F22)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Although commendable, unrealistic in its presentation. The Santa Cruz –San Mateo CWPP took more than five years to evolve not five months. This recommendation does not respect the equity discrepancy between agencies because it was not studied. It is evident some agencies have the funding and resources such as staff to follow up on this recommendation. Most fire agencies specifically the Volunteer Districts do not have the funding, staffing nor expertise to develop this recommendation.

R10. Santa Cruz County and Cities should create and/or update Hazard Mitigation Plans by July 1, 2021. Any new or existing plans should be updated a minimum of every three years. All plans should address wildfire risk, evacuation and shelter in place plans, emergency alerts, vegetation management, and confirm compliance with California SB 821. (F1, F2, F10, F11, F14–F16, F29)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

NOT APPLICABLE TO FIRE DISTRICTS. FEMA REQUIRES LHMP'S TO BE UPDATE EVERY FIVE YEARS AND HAVE A FORMAT AND ARE TIED TO FEDERAL REMIBURSEMENT. ALTHOUGH, IN ADDITION TO THE REQUIRED LHMP FORMAT ADDITIONAL ASSESSMENTS CAN AND SHOULD BE ADDED AS APPROPRIATE.

R11. The CAL FIRE Ready for Wildfire website should be actively promoted and shared within the community via all available means, including printed descriptive materials inserted into utility and property tax bills, by December 31, 2020. (F19–F21)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

THE FIRE DISTRICT HAS NO AUTHORITY OR LEVERAGE OVER PRIVATE UTILITIES OR THE COUNTY TAX COLLECTOR NOR A BUDGET TO PRODUCE COPY RIGHTED MATERIAL FOR DISTRIBUTION TO THOUSANDS OF RESIDENTS.

R15. All fire districts in Santa Cruz County should coordinate with utility companies to provide information to residents, via information inserted in utility bill mailings, describing how to sign up for emergency notifications by December 31, 2020. (F19)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

OUTSIDE AHJ SCOPE - THIS OUTREACH SHOULD BE DIRECTED TO SCR-911 OR COUNTY OES AND THE SANTA CRUZ BOARD OF SUPERVISORS.

R16. Fire departments throughout the County should take an active role in encouraging communities and neighborhoods to sign up for FireWise, and be measured on their success by their respective governing boards on an annual basis. (F19–F22)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE: THE FIRE DISTRICT WILL CONTINUE COMMUNITY OUTREACH, WEB SITE POSTINGS AND DISTRIBUTION OF FIREWISE MATERIALS. FIRE PREVENTION MEASURES IS AND WILL CONTINUE TO BE MEASURED ANNUALLY BY THE BOARD OF DIRECTORS AND INCORPORATED IN ANNUAL DISTRICT GOALS AND OBJECTIVES.

R18. County Fire and the fire districts within the County should evaluate whether purchase of Long Range Acoustic Devices (LRADs) would be beneficial in helping notify residents to evacuate in an emergency by December 31, 2020. (F12, F15, F17, F18)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

THE FIRE DISTRICT HAS TWO LRAD'S IN OPERATION AT FIRE STATION 1 AND 2 SERVING ITS COMMUNITY. ADDITIONAL PLANNING AND FUNDING FOR UNDERSERVED AREAS SHOULD COME FROM THE COUNTY BUT SINCE THEY ABANDONED THE FELTON GROVE LRAD DUE TO MAINTENCE COST'S AND PLACE RELIEANCE ON CODERED - UNLIKELY THERE WILL BE A POLICY SHIFT. SHOULD THE BOARD OF SUPERVISORS DIRECT COUNTY FIRE TO STUDY THE ISSUE - THE COUNTY FIRE CHIEFS ASSOCIATION WOULD REPRESENT FIRE DISTRICTS.

R21. County emergency planners at all levels should provide notification of evacuation routes and/or shelter-in-place options by March 31, 2021. Notification plans should be provided for when power is out and dissemination of information by wireless or internet is difficult or impossible. (F11, F14, F15, F17, F18, F27)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

NOT APPLICABLE TO A FIRE DISTRICT WITH LIMITED RESOURCES AND INSUFFICIENT STAFFING TO CONDUCT SUCH AN INITIATIVE. COUNTY OES SHOULD BE THE LEAD ON THIS OUTREACH.

R23. Santa Cruz County and Cities should invest in an ALERTWildfire Imaging Surveillance system. Cameras should be purchased, installed, and tested to achieve full coverage of the County by the beginning of the 2021 fire season.
(F4)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe
(not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

NOT APPLICABLE TO A FIRE DISTRICT WITH LIMITED RESOURCES NOR JURISDICTION.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**