



Santa Cruz County
Civil Grand Jury

Santa Cruz Grand Jury <grandjury@scgrandjury.org>

**FW: Board of Supervisors Responses--2020-2021 Grand Jury Report
"CZU Lightning Complex Fire - Learn...or Burn?"**

Caitlin Smith <Caitlin.Smith@santacruzcounty.us>

Mon, Sep 20, 2021 at 11:56 AM

Good Morning,

Please see attached for the Board of Supervisors responses to the 2020-2021 Grand Jury Report titled "CZU Lightning Complex Fire - Learn...or Burn?"

Best,

Caitlin C. Smith

County Supervisors' Analyst

Santa Cruz County Board of Supervisors

[701 Ocean Street, Room 500](#)

[Santa Cruz, CA 95060](#)

831-454-3516

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To email all five members of the Board of Supervisors at once,

please use: BoardOfSupervisors@santacruzcounty.us

2 attachments



Grand Jury Report Board Response Cover Letter- CZU Fire.pdf

35K



Board of Supervisors Response CZU Lightning Complex Fire.pdf

247K



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 • FAX: (831) 454-3262 TDD/TTY - Call 711

MANU KOENIG
FIRST DISTRICT

ZACH FRIEND
SECOND DISTRICT

RYAN COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

September 16, 2021

The Honorable Syda
Cogliati Santa Cruz
Courthouse
701 Ocean Street
Santa Cruz, CA 95060

**RE: Response to the 2020-2021 Grand Jury Report "The CZU
Lightning Complex Fire – Learn...or Burn?"**

Dear Judge Cogliati:

The purpose of this letter is to formally transmit the response of the Santa Cruz County Board of Supervisors to the 2020-2021 Grand Jury Report, titled "The CZU Lightning Complex Fire – Learn...or Burn?"

Sincerely,

BRUCE MCPHERSON,
Chair Board of Supervisors

BM:ccs
Attachment

CC: Clerk of the Board
Santa Cruz County Grand Jury



**The 2020–2021 Santa Cruz County Civil Grand Jury
Requires the**

Santa Cruz County Board of Supervisors

**to Respond to the Findings and Recommendations listed below
which were assigned to them in the Report Titled**

The CZU Lightning Complex Fire – Learn...or Burn?

Board Oversight – An Obligation to our Community

by September 22, 2021

Responses are **required** from elected officials, elected agency or department heads, and elected boards, councils, and committees which are investigated by the Grand Jury. You are required to respond by the California Penal Code [\(PC\) §933\(c\)](#).

Your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in this report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. **For the Findings, mark one of the following responses with an “X” and provide the required additional information:**
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.
2. **For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.
3. **Please confirm the date on which you approved the assigned responses:**

We approved these responses in a regular public meeting as shown
in our minutes dated September 14, 2021.

4. **When your responses are complete, please email your completed Response Packet as a PDF file attachment to both**

The Honorable Judge Syda Cogliati Syda.Cogliati@santacruzcourt.org and
The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

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.** Residents are still concerned about response, evacuation, and future preparation in the aftermath of the CZU Lightning Complex Fire. They are understandably irate. The supervisors, elected to their positions by our community, fail to recognize that they are responsible to adequately address these concerns.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

The recovery from the CZU Lightning Complex Fires and preparations for future incidents is ongoing with additional staff resources secured since the fires. The County is committed to supporting recovery efforts for fire survivors and continuing to adapt and evolve in how that support is manifested. The Board established the Office of Response, Recovery and Resilience (OR3) in the County Administrative Office (CAO) which significantly increased staff resources to addressing our capacity to prepare for and respond to disasters as well as build resiliency capacity for the County and its residents. At the Board's direction, prior to the establishment of the OR3, the County deployed an interdepartmental fire recovery team consisting of representatives from the Planning, Public Works, Human Services, and County Administrative Office Departments, and the Health Services Agency Environmental Health Division to support efforts to rebuild, recover, and increase resilience. Additionally, the County created a single email address that fire survivors could use to help streamline their recovery related questions and ensure prompt appropriate responses. The County is also performing internal after-action reviews to glean lessons learned and identify ways to be better prepared for future disasters. The new OR3 is tasked with coordination of the County's recovery efforts to the CZU August Lightning Complex Fire, readiness and response preparations to future disasters and to build resiliency in response to climate change impacts. The Board of Supervisors designated Supervisors Bruce McPherson and Ryan Coonerty to serve as a Recovery effort ad hoc committee to monitor and oversee the implementation of the County's recovery and resilience work over the duration of 2021. County staff, the Board of Supervisors, and its representatives from each district remain available to hear concerns and continue to address concerns raised by County residents on an ongoing basis.

F2. There was a marked difference in content and depth of analysis between Cal Fire’s Virtual Community Meeting presentation given to San Mateo County and the two given to Santa Cruz County. The discrepancy is disappointing and not acceptable.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

CalFire reports that the difference between the San Mateo County presentation and The Santa Cruz County Community Meetings were geared towards different audiences: San Mateo County accounted for only 1/3 of the total acreage, less than half of the structures lost, and impacted less urbanized areas compared to Santa Cruz County. The San Mateo County meeting provided a more in-depth technical presentation specifically geared toward ongoing efforts to advance fuel reduction programming, highlighting the work of their Forestry Technician, two Limited Term fire Captains, and a six-person fuels crew. The presentation included approximately eight minutes of public interaction. The meeting in Santa Cruz County was more of a community meeting with discussion and over an hour of public interaction due to input from residents in Santa Cruz County.

F3. The Board of Supervisors did not adequately respond to their constituents' concerns and questions.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

The Board established the Office of Response, Recovery and Resilience (OR3) in the County Administrative Office (CAO). The new OR3 is tasked with coordination of the County's recovery efforts to the CZU August Lightning Complex Fire, readiness and response preparations to future disasters and to increase resiliency of the County overall in response to climate change. At the Board's direction, prior to the establishment of the OR3, the County deployed an interdepartmental fire recovery team consisting of representatives from the Planning, Public Works, Human Services, and County Administrative Office Departments, and the Health Services Agency Environmental Health Division to support efforts to rebuild, recover, and increase resilience. Additionally, the County created a single email address that fire survivors could use to help streamline their recovery related questions and ensure prompt appropriate responses. In October 2020, the Board of Supervisors designated Supervisors Bruce McPherson and Ryan Coonerty to serve as an ad hoc committee to monitor and oversee the implementation of the County's recovery and resilience efforts. They serve in this capacity to ensure that the County is addressing the concerns and questions raised during the recovery process for fire survivors. County staff, the Board of Supervisors, and its representatives from each district remain available to hear concerns and continue to address issues raised by County residents on an ongoing basis. Supervisors McPherson and Coonerty also hosted numerous community meetings virtually to provide updates to the community, including taking questions regarding recovery, debris flow risk and other topics.

The OR3 is engaged in constituent support for fire recovery and has developed a monthly newsletter and website to disseminate important and timely information to concerned stakeholders.

F4. The Board of Supervisors has not held Cal Fire accountable for their lack of analysis of their performance in the CZU Lightning Complex fire.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

The CZU Lightning Complex Fire was unprecedented in its scope and complexity. Many residents are understandably distressed. While the County contracts with CalFire for local fire protection and Emergency Medical Services in local unincorporated areas, CalFire is a State agency independent of County oversight. The fire was classified as a State Responsibility Area (SRA) fire and CalFire responded to the incident through this larger State role. County Fire resources were deployed in response to the incident and the County can request a local review of County resources deployed. CalFire has published a report titled, 2020 Fire Siege, documenting the Statewide response to the 2020 fire season, which is available online.

F5. No provision exists in the current contract between the county and Cal Fire to develop after-action reports during the non-fire season.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

CalFire, as County Fire has participated in County after action reviews and participates in monthly coordination meetings with law enforcement, CAO, and the OR3. Additionally, CalFire is active in leading evacuation planning efforts. CalFire is an engaged partner, and remains so, despite the significant pressure of recent significant fire seasons. After action reviews and transparency are best practices for all responding agencies. The County can explore incorporation of after-action reviews into future agreements with CalFire.

F6. The Board of Supervisors' responses to the Findings and Recommendations of the 2020 Ready? Aim? Fire! report show a lack of engagement with the material and a lack of understanding of their role as advocates for the county.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

The Board responded to the report with accurate information and strongly advocates for its residents. The Board, through County staff, has created the OR3, is seeking new grant funding opportunities, and is working with the Resource Conservation District and Fire Safe Council on strategic planning, grant development, and capacity building. Additionally, OR3 and Planning Department staff went before the State Board of Forestry to advocate that no State regulatory changes impede the ability of CZU survivors to rebuild.

F7. The adequacy of resources for firefighting in the future is questioned due to uncertainty of mutual aid assistance, deployment and management of volunteer companies, and availability of funding.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

The mutual aid response from local partners was exemplary. At the time of this incident, many other incidents were active concurrently, creating competition for mutual aid resources. Statewide mutual aid has experienced challenges due to the magnitude, scope, and duration of the mutual aid requests being received. Volunteer staffing is strained locally, statewide, and at the national level as a result of the high standards necessary to certify volunteer firefighters. Changing weather patterns have created a need for more adaptive approaches. The State, in response to this changing environment, has allocated \$25 million for repositioning fire resources in anticipation of incidents.

Recommendations

- R1.** In the next 30 days the Board of Supervisors should conduct an investigation to challenge Cal Fire on their preparation for future fire events, Cal Fire's response to the CZU Complex Fire, and give satisfactory answers to all residents' questions and concerns as documented in this report. (F1, F2, F3)

HAS BEEN IMPLEMENTED – summarize what has been done

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

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

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

The County Fire Chiefs Association met to discuss lessons learned and continue to meet and work together. Substantive concerns at the State level are outside the local span of control to address. County Fire and its State CalFire partners provided a professional response under considerable strain from the magnitude of this incident. The County will continue to partner with CalFire and community-based organizations to prepare for future fire incidents within Santa Cruz County.

- R2.** In the next six months the Board of Supervisors should adopt a formal policy for handling and logging resident complaints and requests for information. (F1, F3)

HAS BEEN IMPLEMENTED – summarize what has been done

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

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

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

Each Board of Supervisors district has their own process for logging resident

complaints and requests for information. Additionally, each County department has a process for receiving and responding to resident concerns. Residents may also request information through the Public Records Act process, voice concerns via Board of Supervisors meetings, and use of the Whistleblower Hotline.

R3. Within the next six months, the Board of Supervisors should require that Cal Fire produce timely after-action reports for all major incidents. (F1, F2, F4, F5)

HAS BEEN IMPLEMENTED – summarize what has been done

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

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

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

CalFire, as County Fire has participated in County after action reviews and participates in monthly coordination meetings with law enforcement, CAO, and the OR3. The County Fire Chiefs Association met to discuss lessons learned and continue to meet and work together. Substantive concerns at the State level are outside the local span of control to address. County Fire and its State CalFire partners provided a professional response under considerable strain from the magnitude of this incident.

R4. In the next 90 days the Board of Supervisors should direct staff to produce a lessons-learned document for the public summarizing their investigation of Cal Fire and an action plan detailing how preparation for future fire events and response will be improved. (F1, F2, F4, F5)

HAS BEEN IMPLEMENTED – summarize what has been done

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

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

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

CalFire is a State agency independent of County oversight, however, the County will continue to work with CalFire as it relates to their County Fire protection of CSA's 48

and 7, and will consider elements of strategic planning in determining future preparedness efforts.

R5. The Board of Supervisors should revisit its responses to the Grand Jury’s 2020 Ready? Aim? Fire! Report, and rewrite their responses by December 31, 2021 in a document posted on their website to demonstrate hands-on engagement and better preparation for the next fire season. (F6)

HAS BEEN IMPLEMENTED – summarize what has been done

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

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

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

The Board responded to the report with accurate information and strongly advocates for its residents. The Board, through County staff, has created the OR3, is seeking new grant funding opportunities, and is working with the Resource Conservation District and Fire Safe Council on strategic planning, grant development, and capacity building.

R6. Within six months the Board of Supervisors should direct staff to advocate for additional funding for fire preparation and prevention resources from the state of California. (F7)

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

Required response explanation, summary, and timeframe:

County staff are engaged in efforts to secure additional revenues to support fire preparation and prevention efforts. The OR3 is actively identifying and applying for a variety of grants to support preparation and prevention efforts.