

Private Roads as Emergency Access and/or Evacuation Routes – Sherwood Firewise Communities Pilot Project

January 24, 2023– Presentation before the Board of Supervisors

(Last Direction from Board meeting of March 1, 2022)

Goal: Separate Fire Traffic & Evacuee Traffic Increased Access Capacity During An Emergency

Consider providing a basic "private (dirt) road" for emergency access. Road maintenance efforts by agreement with willing owners over their resource type roads or with private road association roads.

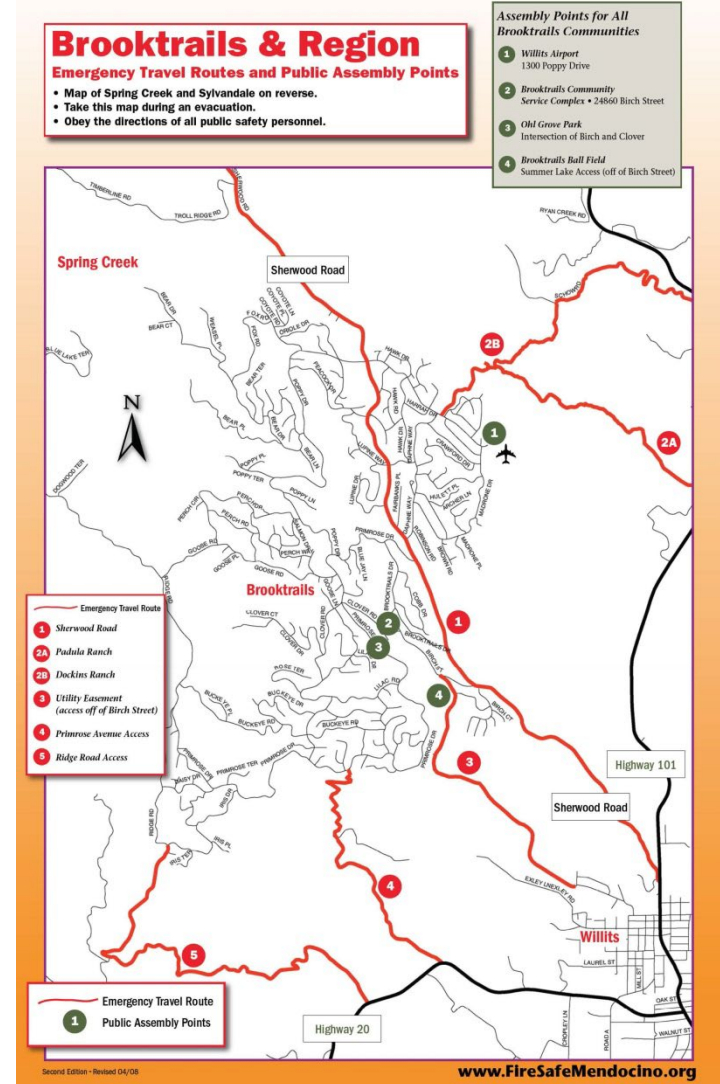


1991 Oakland Hills Fire – Fire Equipment
Road/Driveway Standards

Pilot Project: Old Brooktrails Evacuation Routes Number 2A & Number 3

Private Roads were shown as Emergency Travel Routes

(As published on Brooktrails Township Community Services District webpage before 2018)



Two Emergency Access Routes (EAR) Studied for Pilot Project

- # 2a-Old FirCO logging haul road that connects with Poppy Drive between the Willits Airport and Sherwood Road in the Brooktrails Subdivision to Highway 101.
- #3-Willits Creek Trail or “sewer easement road” or Summer Lake Road or “Bates Lane” and traverses 2 miles of private property from Birch Street in Brooktrails to Mill Creek Drive in Willits

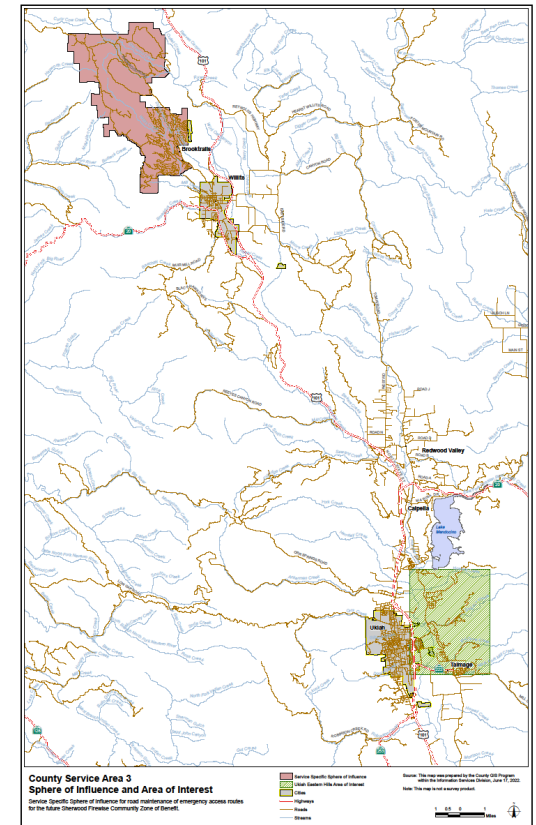


On July 11, 2022 the Mendocino Local Agency Formation Commission (LAFCo) Approved the County Service Area (CSA) No. 3 Municipal Service Review (MSR) and Sphere of Influence (SOI) Study

Exhibit "A".

LAFCo Resolution 2022-23-02, on July 11, 2022 did approve the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study and establishing a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes as depicted in Exhibit "A".

Will a Board of Equalization (BoE) map & description be required? How to budget for additional process?



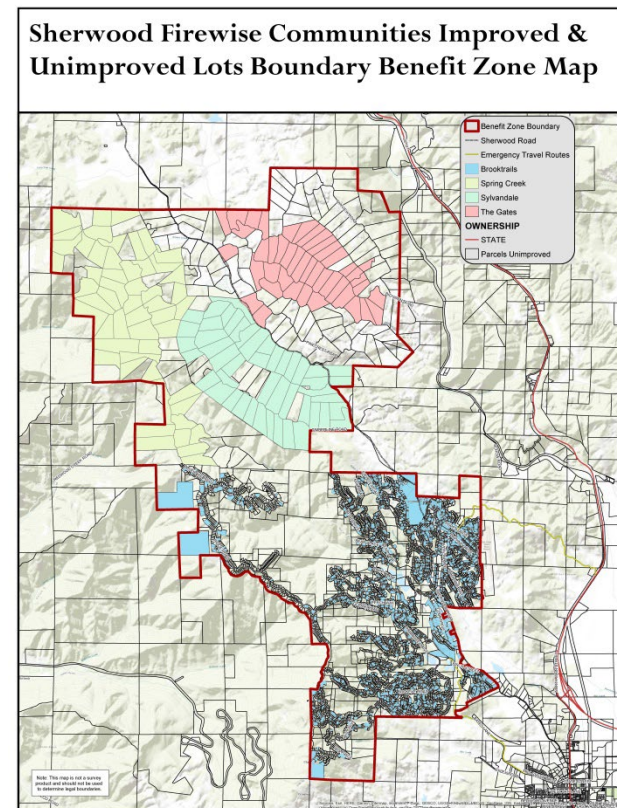
BU 1910 will have some salary savings for some staff effort but not enough to fund consultant contract for map and/or easement acquisition.

County Service Area (CSA#3) with a Sherwood Firewise Zone (SFW) of Benefit (ZoB)

DURABLE LAND USE RIGHT VS. REVOCABLE LICENSE?

Assuming CSA #3 is collecting \$30/year tax assessment for maintenance only - fixing culverts, grading, vegetation management, etc. But; if a license is revoked and the community loses their emergency road then what will the County be faced with? Will the County be compelled to acquire the 5.3 miles of road? That could cost a \$1million or more based of "threat of commendation" takings. If we spread that acquisition cost over 1547 improved lots we need \$650 to \$750 from those owners! If they vote NO then County says to them then no more EAR! Yet simply hoping the property owners continue to license the EARs in perpetuity for free is problematic.

1547 Improved Lots PAY \$30/Year +/- Depending Maintenance Needs

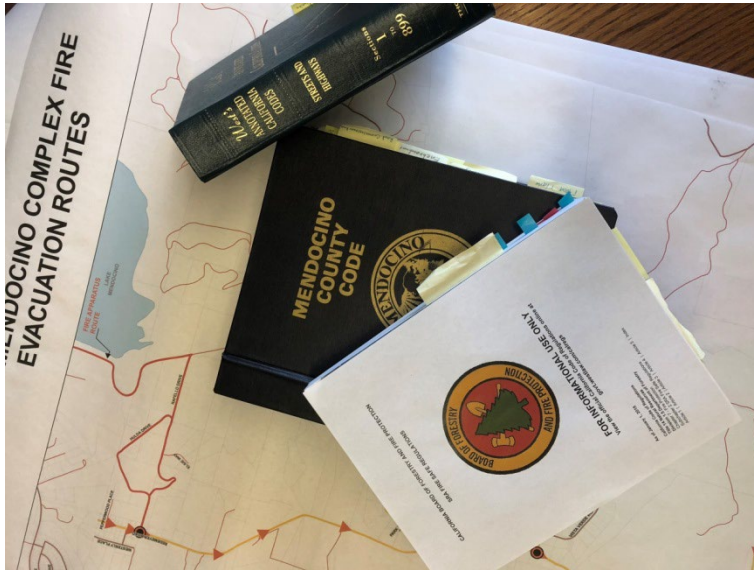


Consider new Mendocino County Policies or Codes

DEFINE LEGAL AUTHORITY AND STANDARDS FOR EMERGENCY ACCESS

RESPONSIBILITY TO PARTICIPATE IN PRIVATE ROADS AS EMERGENCY ACCESS AND/OR EVACUATION ROUTES

Will we condemn private property? Or seek willing owners? Will we lease or buy? For how long?



RECAP – Decisions Made

- In the absence of EAR standards we have used Natural Resources Code Title 14 – State Responsibility Area (SRA) Fire Safe Regulations to qualify as a “one-way road” as defined in the code.
- EAR that are at less than code standard for turnarounds, turnouts, slope, and gate width may be used for emergency equipment access if Public safety professionals are willing to waive some of those code standards because the exclusion of evacuee traffic somewhat negates the need for opposite direction traffic and “frees up the public roads”.
- We “spread” the assessment to occupied lots only because the benefit is to free up public access for better evacuation traffic movement. Unoccupied, undeveloped lots do not contribute to traffic volumes but, if developed would be subject to assessment.

RECAP - Decisions – Big Questions

- Will we just use a revocable license?
- Shall staff meet with private road owners – negotiate easements? Relocation clause easements?
- Budget addition General Fund seed money for relocation clause easements.
- Budget addition General Fund seed money for ZoB mapping to Board of Equalization Standards.
- Continue to 50% protest election for 1,547 occupied parcels in the ZoB with disclosure of annual revocable loss of easements.

QUESTIONS