



Mendocino County Farm Bureau

303-C Talmage Road • Ukiah, CA. 95482 • (707) 462-6664 • Fax (707) 462-6681 • Email: director@mendofb.org

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

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Via Email: bos@mendocinocounty.org

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: Comments on Agenda item 5b) Discussion and Possible Action Regarding the Receiving and Filing of the Wildfire Vulnerability Assessment and Public Outreach Plan for Mendocino County; Adoption of the Emergency Evacuation Plan as Annex A to the Existing County Emergency Operations Plan

Dear Chair Haschak and Supervisors,

The Mendocino County Farm Bureau (MCFB) is a non-governmental, non-profit, voluntary membership, advocacy group whose purpose is to protect and promote agricultural interests throughout the county and to find solutions to the problems facing agricultural businesses and the rural community. MCFB would like to submit comments on agenda item 5B for the September 21, 2020 Board of Supervisors meeting.

MCFB appreciates the efforts that have gone forward with bringing this item to the Board of Supervisors today. It is unfortunate that Mendocino County now holds the title for the first and second largest wildfires in California. However, natural disasters such as wildfire are events that the county leadership and associated agencies should work to best prepare for.

MCFB would like to offer the following comments for consideration.

Staff Report

P. 8. The Board of Supervisors should direct the Planning and Building Services Department to amend the existing codes and ordinances to require that all new construction:

- ☐ *Provide for emergency on site water storage for fire protection*
- ☐ *Cover all rain gutters with non-combustible leaf shields*
- ☐ *Require only non-combustible fences and decks*
- ☐ *Require enclosed eaves on all structures*

□ *Install fireproof vents on all structures (California Fire Code, Chapter 7A-Listed Vents)*

It should be noted that at this time, amending the current code as described above will have limited financial impacts given that new development is currently limited

Does “all new construction” apply to agricultural structures such as barns or shop buildings or are these proposed requirements limited to residential structures?

P. 8 The County Planning and Building Services Department should support and encourage all regulatory agencies with fire prevention responsibilities to aggressively enforce the existing codes and ordinances.

There are several areas of jurisdictional overlap for enforcing existing codes and ordinances related to fire prevention. See one example below.

Environmental Health Permits:

- Mendocino County Environmental Health Above ground fuel storage tank APSA Tier I and II annual permit fee: \$136/year
- Mendocino County Environmental Health Hazardous Material Management Plan (HMMP)¹, included liquids, solids and gasses in a tiered rate ranging from \$228 to \$1694/year
- Additional state fees apply for HMMP registrations

- Ukiah Valley Fire District Fee:
 - a. Above ground fuel tank: \$165.
 - b. Ammonium Nitrate Storage: \$165
 - c. Compressed gasses: \$165
 - d. Cutting and Welding: \$165
 - e. Flammable and combustible liquid, store and use: \$165
 - f. Miscellaneous Combustible Storage: \$165

If a farming/ranching operation within the fire district above has fuel storage, welding supplies, other combustibles and fertilizers (which many do), the fees listed above are significant and seemingly duplicative with other existing county fees for similar fire prevention/safety related statutes.

If not done so already, the county should look at which county departments and partner regulatory agencies have jurisdiction related to fire prevention and based on what code or ordinance. The goal should be to encourage the public to improve on best management practices or approaches to improve fire prevention measures, not to make fire prevention enforcement a money-making venture for multiple authorities.

P.8 The County Planning and Building Services Department should develop a policy that directs staff to notify all fire agencies of building permit applications that involve new structures, change in structure size, change in occupancy, and/or involve any manufacturing or processing operations.

¹ HMMP registered facilities are listed in CERS data base system with annual update requirements. This data is available to emergency responders to access to know where facilities are located.

Again, clarification is requested regarding what is a noticeable structure and if new agricultural structures are intended to be included.

Is there a definition of what is manufacturing or processing operations?

P. 11 Improving Existing Alternate Access Routes

It is true that private property owners are hesitant to allow for access through properties even for emergency use only. This is mainly due to liability, but also abuse of the access allowance during non-emergency situations.

There have been recent examples where not all property owners with shared private roads have been brought to the table to discuss access for emergency purposes. If the county is going to be a proponent of encouraging private property owners to allow emergency access through their properties, all parties need to be part of the discussion at the same time to look for shared solutions.

P. 16 Vegetation Management

It would be beneficial for language to be added to have the county continue to work with Cal Fire on providing annual data on the acreages within the county covered by the Vegetation Management Program (VMP) and work on annual goals to increase the participation within the program. Large ranches currently participate in the VMP program and there is additional interest in participation. Most property owners are hesitant to use controlled burning as a tool for vegetation management due to liability concerns. The VMP program could assist with this.

Also, the Fire Safe Council could consider future action to develop a Mendocino County Prescribed Burn Association. The model in Humboldt County has been a success at bringing private property owners together with various organizations, including Cal Fire, for education, training and application examples of how to use fire as a positive management tool.

Appendix C: Closed Area Entry/Travel Permit

MCFB appreciates the creation of Appendix C.

For the 2017 and 2018 wildfires in Mendocino County, there was a need to work with law enforcement and first responders to assist with access for farmers to access vineyards for grape harvest, to assist with access for pear trucks to deliver fruit and for ranchers to move or tend to livestock. MCFB worked with various agencies to develop a process for allowing access for farmers and ranchers, but there were challenges. Appendix C should provide some consistency with how access needs are determined and granted.

For the recent 2020 fires there were some examples of access permissions that were directly working with the agricultural community related to access. In Solano County, the Solano County Agricultural Department issued verification card permits to grant permission to travel into and out of closed areas for activities such as harvest, irrigation and caring for livestock. Napa and Sonoma Counties also had similar programs in place.

For Mendocino County, the Department of Agriculture should be the department working as the liaison between law enforcement/first responders and the agricultural community to assist in streamlining the process for access once deemed safe to do so.

For Appendix C, some questions to consider:

- Has there been consideration for when access forms are going to be required to be submitted to the incident command post prior to entry permission being granted? (i.e. the night before by ??? PM for access at ??? AM the next day)
- It would be beneficial to consider an online submittal process that allows for electronic submittal of access requests. The actual permit would still be picked up at the incident command post.
- Will permits processed at the incident command post be updated, aggregated and provided to law enforcement staff at the various access points as needed? Since multiple agencies assist during natural disasters, many from out of the area, communication will be key.

Appendix F: Animal Evacuation

Appendix F is a good document for basic information regarding planning and evacuation practices for livestock and pets during a natural disaster. However, a more thorough discussion is needed to develop a plan for working with ranchers with commercial sized herds. Moving livestock in larger quantities in situations where fences may be gone or handling facilities aren't available is a skill set that most first responders haven't had the training for.

MCFB requests that the county departments related to working on evacuation planning (Sheriff, OES, Animal Care, Agriculture Department, etc.) work with UCCE, MCFB, the ranching community and others to discuss the development of a more thorough plan for livestock and large animal evacuation.

Agriculture has been impacted by natural disasters such as fires and floods in the past. It is anticipated that future wildfire events will continue to overlap with harvest season for farming commodities in the county. Livestock are dispersed throughout the county and a thorough plan for contending with evacuation and care during natural disasters will be beneficial. MCFB appreciates the efforts that have gone into bringing this agenda item forward today and we are willing to continue to have conversations to assist in any way that we can to try to reduce the impacts to farmers and ranchers from natural disasters.

MCFB requests that the Board of Supervisors consider all the points above in the process of discussing agenda items 5B. If there are any questions on any of the above points, please do not hesitate to contact the MCFB office.

Sincerely,

A handwritten signature in black ink that reads "George Hollister". The signature is written in a cursive, flowing style.

George Hollister
President