

July 10, 2019

The Honorable Judge Paul Haakenson
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Pat Randolph, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: Marinwood CSD Grand Jury Report Response

Dear Judge Haakenson and Foreperson Randolph,

Please accept the included response from Marinwood Community Services District Board of Directors to the recent Marin County Civil Grand Jury report “Wildfire Preparedness: *A New Approach*”

The included response was discussed and approved by the Marinwood Community Services District Board of Directors during open session at their regular meeting conducted July 9, 2019.

Sincerely,



Eric Dreikosen
District Manager



775 Miller Creek Road
San Rafael, CA 94903
T: (415) 479-7751
F: (415) 479-7759
www.marinwood.org

Board of Directors
Leah Green
President

Izabela Perry
Vice President

Jeff Naylor
Sivan Oyserman
Bill Shea

District Manager
Eric Dreikosen

Marinwood Community Services District
Response to Grand Jury Report:
“Wildfire Preparedness: A New Approach”
Discussed and Approved in Open Session on July 9, 2019

Link to Report: <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2018-19/wildfire-preparedness--a-new-approach.pdf?la=en>

The Marinwood Community Services District (District) Board of Directors and staff would like to thank the members of the Grand Jury for the attention given to the important issues and concerns facing Marin’s public agencies and resident taxpayers through their research and associated report “Wildfire Preparedness: *A New Approach*.” In addition to all findings, the District is required to respond to recommendations R1, R3 – R13 and R15.

In recognition that wildfire preparedness is a countywide issue, Marinwood CSD has collaborated with Marin’s other affected agencies to create a unified response to the findings and recommendations. On behalf of Marinwood Community Services District, this unified response is presented below. For instances warranted, a separate attachment has been included detailing District-specific clarifications as needed to supplement the included unified response. Furthermore, several findings and recommendations did not pertain to services within the subject matter jurisdiction of the District and as such, the District has no legal authority regarding such. All District-specific clarifications provided via attachment have been noted immediately following the specific finding or recommendation within the unified response.

Report Findings and Unified Response:

F1. Existing vegetation management codes are both inconsistent and inconsistently enforced.

Response: **Agree.**

Fire agency policies differ, as do inspection and enforcement procedures.

F2. There are not enough trained vegetation inspectors or fuel reduction crews.

Response: **Agree.**

Although fire agencies are doing their best to reduce vegetation around existing homes, additional resources and dedicated staff are necessary to enhance existing efforts.

➤ **Marinwood Community Services District – See Attachment**

F3. Current vegetation enforcement procedures are slow, difficult and expensive.

Response: **Agree.**

Although each municipality has its own code enforcement procedures, a consistent countywide approach would allow for a more efficient and effective enforcement effort

F4. Government agencies and safety authorities cannot currently manage vegetation on public lands.

Response: **Partially Disagree.**

While municipal and local governments do not have authority beyond their own jurisdiction, a coordinated countywide effort could help bring focus and consistency, as well as potentially additional resources, to enhance existing efforts on public lands.

Government agencies and safety authorities can and do manage vegetation on public lands over which they have jurisdiction to the extent that resources and funding are available. Much more can be done, which is one of the many reasons the Marin cities, towns, fire agencies and County have formed a working group to explore the creation of a countywide wildfire prevention program to be funded by a parcel tax on the March 2020 ballot.

➤ **Marinwood Community Services District – See Attachment**

F5. All property owners are responsible for vegetation management on their property, yet they are not sufficiently educated about vegetation management and many do not have the physical and financial resources to create defensible space.

Response: **Agree.**

Although education has been provided through individual fire agencies and FIRESafe Marin, we agree that education efforts need to be understood by broader sections of the community. Grant programs should be considered for those that may not have the physical or financial means to complete necessary work.

➤ **Marinwood Community Services District – See Attachment**

F6. Wildfire preparedness education is inconsistent and fails to reach most citizens, especially parents of young children.

Response: **Partially Disagree.**

Although education is consistent countywide among the fire agencies and FIRESafe Marin, we agree the demographics of our hosted meetings/forums and exercises generally lack a younger demographic - especially parents of young children.

➤ **Marinwood Community Services District – See Attachment**

F7. The most effective method of education is person to person in neighborhoods.

Response: **Agree.**

Defensible space home evaluations with a trained professional are the preferred and best method for educating residents.

F8. Although Marin has 30 plus Firewise neighborhoods, the most in California, they only cover a small percentage of population and land.

Response: **Agree.**

We agree that Firewise Communities are a great mechanism for bringing communities and neighborhoods together. They provide an organized approach to reducing hazards and risks.

➤ **Marinwood Community Services District – See Attachment**

F9. Sufficient public funds have not been provided to sustain comprehensive wildfire preparedness education.

Response: **Agree.**

Generally, fire agencies are funded for response and mitigation of emergency incidents. Development into the Wildland Urban Interface and climate change, with attendant major fires in recent years, are requiring resources greater than those available by local municipalities and fire agencies.

F10. Educating the public requires a different set of skills than firefighters usually have.

Response: **Partially Disagree.**

Firefighters have experience that adds value to educating the public; however, they also have other, often more pressing responsibilities. Dedicated public education staff and defensible space home evaluators can spend more quality time on task than Firefighters.

F11. Any hesitation to use the WEA system can be deadly even if its alerts might reach people outside of its intended target zone.

Response: **Partially Disagree.**

All appropriate emergency alert systems should be used to the fullest capacity as soon as possible depending on the conditions and needs to maximize safety. The WEA system is not geographically specific and can bleed over to areas where evacuations are not necessary. This would result in adding unnecessary traffic to already congested roadways impeding evacuation egress of those most affected. We agree it is a useful tool, but it must be well-coordinated between the incident commander and Sheriff's Office of Emergency Services.

F12. Alert Marin sends the most accurately targeted warnings to endangered populations, but it reaches too few residents because it is not well publicized. Both Alert Marin and Nixle require opt-in registration, a serious design flaw.

Response: **Partially Disagree.**

Nixle and Alert Marin are two very different systems. Nixle, by design, is an "opt-in" solution providing general information to the public. Alert Marin is an emergency notification system. Nixle and Alert Marin information is publicized at almost every community event hosted by Fire Departments and Sheriff-OES, with information also available on social media and agency websites.

Listed and unlisted/blocked Marin County landline and VoIP (Voice over Internet protocol) phone numbers are already included in our emergency notification system (Alert Marin), unless the owner specifically requests to have their phone number opted-out. Cell phone numbers are not included in Nixle and do require registration in our Self-Registration Portal. We agree that more of our residents need to "opt-in" to Alert Marin with their cell phone numbers. Additionally, we support changes in State law mandating that cellular information be accessible with an "opt-out" provision like landlines and VoIP data. We are also pursuing newly available authority to cooperate with utility companies to obtain customer cell phone numbers for these purposes.

We will work with legislators to support bills like SB 46 (Hueso; 2019) which would allow local governments to enter into agreements to access resident cell phone contact information for enrolling county residents in a county-operated public emergency warning system.

F13. Sirens could be a useful and reliable warning system if their numbers and locations were increased to broaden their reach and if they were enhanced with a customized message through LRAD.

Response: **Partially Disagree.**

Long Range Acoustical Device (LRAD) is the name brand of one type of acoustical notification system. This system may have limited reach and limited ability to be heard inside a building. Local testing has provided mixed results based on topography and other outdoor existing noise. This type of system will not be effective in some areas of the County.

F14. In the WUI and in many town centers, infrastructure and roads are inadequate for mass evacuations.

Response: **Agree.**

➤ **Marinwood Community Services District – See Attachment**

F15. Evacuation routes are dangerously overgrown with vegetation and many evacuation routes are too narrow to allow safe passage in an emergency.

Response: **Agree.**

Marin County has many narrow roads with limited access and overgrown vegetation, often in sloped and difficult terrain. Much of the vegetation encroachment into the road right of way is the responsibility of homeowners. Public works agencies regularly work with fire agencies identifying and working in the most critical areas.

➤ **Marinwood Community Services District – See Attachment**

F16. Emergency planners often do not publicize evacuation routes due to their mistrust of the public.

Response: **Disagree.**

In 2009 the Marin County Fire Agencies developed mutual threat zone maps, pre-identifying primary and secondary evacuation routes as well as evacuation zones. This information is available for first responders to access in conventional paper maps or online. It has also been made available to mutual aid responders outside of Marin County. Fire agencies are in the process of making these maps publicly available.

We do caution residents to take personal responsibility and identify and regularly travel different routes away from their home. Wildland fires can be very dynamic and depending on wind and topography can change direction with little to no warning. A pre-identified evacuation route may not be the safest route for residents to take deepening upon the specific type and location of the incident.

F17. Town councils, planners and public works officials have not addressed traffic choke points, and, in some instances, they have created obstacles to traffic flow by the installation of concrete medians, bump outs, curbs, speed bumps, and lane reductions.

Response: **Partially Disagree.**

Although we agree that more needs to be done, we do not agree that public officials have not attempted to address these issues to date. Additionally, while we agree that traffic flow in an evacuation warrants renewed attention in our circulation planning, many of the elements labeled as “obstacles to traffic flow” by the Grand Jury are intended to increase public safety on a daily basis under regular conditions. Each agency must weigh these daily safety concerns against the use of roads during an evacuation.

➤ **Marinwood Community Services District – See Attachment**

F18. No studies have been performed to determine how long it would take to evacuate entire communities via existing evacuation corridors.

Response: **Agree.**

The fire chiefs are exploring opportunities with technology companies and higher educational institutions studying this type of work. Large scale evacuation planning needs further study and development within Marin.

F19. The implementation of traffic-light sequencing and coordination to allow mass egress, and the conversion of two-way roads into one-way evacuation routes to ease traffic congestion, are dangerously delayed and years away from being implemented.

Response: **Agree.**

Large scale evacuation planning needs to identify which corridors would benefit greatest from contra-flow traffic-light sequencing. Coordination with public works agencies and identification of funding sources would be needed to make this a reality.

➤ **Marinwood Community Services District – See Attachment**

F20. Public Transit is a neglected asset of emergency response preparedness: all operators except one transit agency are left out of the command structure and none is integrated into the emergency radio communication system MERA.

Response: **Partially Disagree.**

Use of the term “neglected” suggests an active decision to exclude transit from emergency response preparedness. The current arrangements reflect an assessment by transit officials of their ability to respond to disasters. Many of these protocols reflect planning for a broad spectrum of disasters that might occur, and it would be appropriate to revisit these protocols for the “new normal” concerning wildfire preparedness and response to an event concentrated in Marin County.

F21. A bureaucratic culture of complacency and inertia exists in Marin. Government often fails to act quickly to repair known gaps in emergency preparedness, to think flexibly, and to prioritize safety in its planning and policies.

Response: **Disagree.**

We agree that more needs to be done to address this critical public safety issue in the face of what now is commonly referred to as the “new-normal.” Accelerating climate change has led to larger, costlier, and more frequent wildfires in the state than ever before, burning almost year-round. Because of this, all fire agencies, the County, and its cities and towns are working together to explore the creation a countywide Wildfire Prevention program

F22. No countywide comprehensive, coordinated policies have been made and no funds have been allocated to prepare for wildfires.

Response: **Disagree.**

There are several coordinated documents, policies or procedures within Marin County including: mutual threat zone plan, Community Wildfire Protection Plan, and the 2017 North Bay “Lessons Learned” report. All of Marin’s agencies are evaluating their budgets and making difficult decisions to make more money available for wildfire preparedness. It is our belief that a stream of revenue dedicated to this purpose is the best route to addressing the resource needs identified in these documents.

Report Recommendations and Unified Response:

R1. Create a comprehensive, countywide vegetation management plan that includes vegetation along evacuation routes, a campaign to mobilize public participation, and low-income subsidies.

This recommendation requires further analysis.

The Marin cities, towns, fire agencies and the County are addressing this recommendation with a working group to explore the creation of a countywide wildfire prevention program governed by a countywide Joints Power Agency. We agree that more needs to be done to address this critical public safety issue in the face of what now is commonly referred to as the “new-normal.” Accelerating climate change has led to larger, costlier, and more frequent wildfires in the state than ever before, burning almost year-round. Because of this, all fire agencies, the County, and its cities and towns are working together to explore the creation a countywide Wildfire Prevention program.

The program scope for an ongoing, locally-controlled, Countywide Wildfire Prevention program would include the following:

- Fire fuel reduction and vegetation management
- Defensible-space home evaluations and education
- Evacuation planning and neighborhood preparedness
- Alert and warning enhancements
- Pursuit of grant funds for countywide efforts, as well as grant funding for Seniors, financially disadvantaged and those with access and functional needs.

This program would require new ongoing funding. We are currently exploring a potential countywide parcel tax measure in March 2020.

R3. Develop and implement a fast, streamlined procedure to enforce vegetation citations.

This recommendation requires further analysis.

Fire prevention officers throughout the county are working on a countywide, streamlined approach updating codes and processes. It is the intention of the group to implement some items as part of regular code adoption cycle this fall. Larger scale collaboration and a more streamlined approach will be addressed as part of the countywide wildfire prevention program. At the countywide, our intention is to educate homeowners for cooperative compliance. Addressing non-compliance would be a matter for each jurisdiction to address.

R4. Adopt and deliver a comprehensive education program focused on action for all residents of Marin on a regular schedule by a team of expert trainers.

This recommendation requires further analysis.

A countywide wildfire prevention program would include a comprehensive education program for all residents. Although agencies have made efforts to educate the public, without additional resources to enhance existing efforts, we believe these efforts will continue to be insufficient and not consistent throughout the County.

R5. Promote the creation of Firewise Communities in every neighborhood by all local jurisdictions.

This recommendation has already been implemented.

As the Grand Jury report points out, Marin currently has over 30 Firewise neighborhoods. With the creation of a countywide wildfire prevention program, our current efforts can be substantially enhanced and expanded throughout the County.

➤ **Marinwood Community Services District – See Attachment**

R6. Employ individuals with skills in public speaking, teaching, curriculum design, graphics, web design, advertising, community organization, community relations, and diplomacy to educate the public.

This recommendation has already been implemented.

We currently have very articulate fire professionals and FIRESafe Marin educating the public. However, we recognize more needs to be done and this work may not need to be done by our firefighters, who often have competing response priorities.

R7. Collect Marin residents' information and add it to Alert Marin and Nixle databases to make them opt-out systems.

This recommendation requires further analysis.

This recommendation would require changes in State law. We will work with legislators to support bills like SB 46 (Hueso; 2019), which would allow local governments to enter into agreements to access resident cell phone contact information for enrolling county residents in a county-operated public emergency warning system.

We are also pursuing newly available authority to cooperate with utility companies to obtain customer data for these purposes, but state legislation would be needed to obtain cell phone contact information.

R8. Expand the use of sirens with LRADs.

This recommendation requires further analysis.

Sirens and LRAD's have limited reach and ability to be heard inside a building. Local testing has provided mixed results based on topography and other competing outdoor existing noise. This type of system does have valuable application in some areas within the County. Some communities are moving forward replacing existing sirens with LRAD's and or expanding the use of sirens or LRAD's where appropriate.

R9. Research, develop, and publish plans for the mass movement of populations along designated evacuation routes.

This recommendation requires further analysis.

Large scale evacuation planning needs to identify which corridors would benefit greatest from contra-flow and of traffic-light sequencing. The use of experts in this field should be engaged. Coordination with public works agencies and additional funding from a countywide Wildfire Prevention initiative will be a critical component to our success.

R10. Give the highest priority to mitigating known choke points and to maximizing the capacity of existing evacuation routes.

This recommendation requires further analysis.

Large scale evacuation planning needs to identify "choke points". The use of traffic analysis experts in this field should be engaged. Coordination with public works agencies and additional funding from a countywide Wildfire Prevention initiative will be a critical component to our success.

➤ **Marinwood Community Services District – See Attachment**

R11. Incorporate and prioritize plans for mass evacuations in all pending and future traffic/road projects along major escape routes.

This recommendation requires further analysis.

Consideration of mass evacuations is an important element for agencies to add to their assessment of road-related capital projects. However, prioritizing evacuation plans above all other considerations may lead to design decisions that impair other important considerations, such as safe use of roads on a daily basis. A balanced approach of each project is required.

➤ **Marinwood Community Services District – See Attachment**

R12. Educate, prepare, and drill for evacuations in all communities.

This recommendation has been implemented.

Although all Marin Fire agencies has done this work to some extent, a countywide Wildfire Prevention program would substantially expand efforts to educate, prepare and drill for evacuations through Marin.

➤ **Marinwood Community Services District – See Attachment**

R13. Fully integrate public transit into the MERA communications system without further delay.

This recommendation requires further analysis.

The member agencies of MERA welcome the addition of transit agencies serving Marin. It will be necessary to analyze how to integrate these agencies in a manner that is fair and equitable.

R15. Establish in the form of a Joint Powers Authority an umbrella organization for wildfire planning and preparedness (vegetation management, public education, alerts, and evacuation), funded by a ¼ cent sales tax.

This recommendation requires further analysis.

The Marin cities, towns, fire agencies and County are addressing this recommendation with a working group to explore the creation of a countywide Wildfire Prevention program governed by a countywide Joints Power Agency. The program scope for ongoing, locally-controlled, Countywide Wildfire Prevention program would include the following:

- Fire fuel reduction and vegetation management
- Defensible-space home evaluations and education
- Evacuation planning and neighborhood preparedness
- Alert and warning enhancements
- Pursuit of grant funds for countywide efforts, as well as grant funding for Seniors, financially disadvantaged and those with access and functional needs.

This program would require new, ongoing funding. We are currently exploring a potential countywide parcel tax measure in March 2020. Based on our feedback from Marin fire-responsible agencies, we believe that a parcel tax is the appropriate funding mechanism.

In addition, we believe the Grand Jury’s recommendation may have been based on their assumption that “each jurisdiction would have to pass exactly the same parcel tax measure for the same amount of time.” It is worth noting that, based on the support of agencies that are responsible for fire suppression, it is allowable for the Board of Supervisors to place a single, countywide parcel tax measure on the ballot. A recent example is Measure A on the November 4, 2014 countywide ballot, which implemented a countywide parcel tax for the Marin Emergency Radio Authority (MERA). Therefore, the results of a countywide measure would require a two-thirds support countywide, but would not require two-thirds support in each jurisdiction.

➤ **Marinwood Community Services District – See Attachment**

ATTACHMENT

Marinwood Community Services District
District-Specific Supplemental Responses to Grand Jury Report:
“Wildfire Preparedness: A New Approach”
Discussed and Approved in Open Session on July 9, 2019

Report Findings: Supplemental Responses

F2. There are not enough trained vegetation inspectors or fuel reduction crews.

In addition, Marinwood CSD has adopted policies similar to Marin County encouraging private property owners to assist in creating defensible space by allowing them to clear tall grass, low lying tree limbs and debris 100-feet into bordering open space lands without need for special permits. If requested, fire department personnel will meet with them on-site to help identify proper clearance methods and targets.

F4. Government agencies and safety authorities cannot currently manage vegetation on public lands.

Marinwood CSD has doubled their existing vegetation management budget allocation from the prior year yet still recognize that additional resources are needed. For an agency with severely limited resources, this budget allocation represents an opportunity cost to other District services and functions.

F5. All property owners are responsible for vegetation management on their property, yet they are not sufficiently educated about vegetation management and many do not have the physical and financial resources to create defensible space.

In addition, further property owner education efforts are being explored as a result of the increased vegetation management allocation during this fiscal year.

F6. Wildfire preparedness education is inconsistent and fails to reach most citizens, especially parents of young children.

Marinwood CSD is exploring the use of mailers to all District residents as a means to reach the broadest audience, especially parents of young children who do not always have the availability to attend meetings and other hosted education events.

F8. Although Marin has 30 plus Firewise neighborhoods, the most in California, they only cover a small percentage of population and land.

Marinwood CSD has been actively promoting and discussing the creation of additional Firewise neighborhoods in our community. Discussions have included the most appropriate support roles the District can play as a government agency with limited resources in what is intended as a citizen volunteer-driven effort. Initiatives such as Firewise are dependent upon “community volunteer champions” to dedicate the time and efforts to organize and manage.

F14. In the WUI and in many town centers, infrastructure and roads are inadequate for mass evacuations.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over infrastructure and roads.

F15. Evacuation routes are dangerously overgrown with vegetation and many evacuation routes are too narrow to allow safe passage in an emergency.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over roads, roadway design or the public road right-of-way.

F17. Town councils, planners and public works officials have not addressed traffic choke points, and, in some instances, they have created obstacles to traffic flow by the installation of concrete medians, bump outs, curbs, speed bumps, and lane reductions.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over roads, roadway design or the public road right-of-way.

F19. The implementation of traffic-light sequencing and coordination to allow mass egress, and the conversion of two-way roads into one-way evacuation routes to ease traffic congestion, are dangerously delayed and years away from being implemented.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over roads, roadway design or the public road right-of-way, including traffic light sequencing and the conversion of two-way roads into one-way routes.

Report Recommendations: Supplemental Responses

R5. Promote the creation of Firewise Communities in every neighborhood by all local jurisdictions.

In addition, this topic has been discussed at multiple Marinwood CSD Fire Commission meetings in regards to community awareness of the benefits of the program, including presentations by subject matter experts. The District is also exploring hosting stand-alone community presentations regarding Firewise and encouraging participation in the program. Discussions have included the most appropriate support roles the District can play as a government agency with limited resources in what is intended as a citizen volunteer-driven effort. Initiatives such as Firewise are dependent upon “community volunteer champions” to dedicate the time and efforts to organize and manage.

R10. Give the highest priority to mitigating known choke points and to maximizing the capacity of existing evacuation routes.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over roads, roadway design or the public road right-of-way.

R11. Incorporate and prioritize plans for mass evacuations in all pending and future traffic/road projects along major escape routes.

As a special district with limited scope and powers, Marinwood CSD has no authority and little influence over roads, roadway design or the public road right-of-way.

R12. Educate, prepare, and drill for evacuations in all communities.

In addition, Marinwood CSD has played a support role with the local Community Emergency Response Team (CERT) who has also focused on some of these issues.

R15. Establish in the form of a Joint Powers Authority an umbrella organization for wildfire planning and preparedness (vegetation management, public education, alerts, and evacuation), funded by a ¼ cent sales tax.

While a sales tax measure may prove slightly more volatile than a parcel tax measure in regards to consistent and predictable revenue, Marinwood CSD does believe a sales tax measure warrants further consideration. Such measures have also been successful in the recent past with the passing of Measure A on the November 2012 ballot to maintain parks and farmland. However, the District has no authority over sales tax nor does it receive any direct sales tax. As such, the District would be unable to place any such measure on the ballot directly, reinforcing the potential need for a countywide sales tax measure distributed equitably, such as the aforementioned Measure A for Parks.

However, while a parcel tax measure should also be further considered as an option, it should be weighed carefully against the fact that parcel tax special assessments also represent primary funding for several other public services without sales tax authority such as local schools, library districts and other special districts providing essential community services. Too many parcel taxes have already been cited by many residents as a concern and competing parcel taxes could have a negative impact on each other.