

SUPPLEMENTAL REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED: June 13, 2023

HEARING DATE: June 14, 2023 AGENDA ITEM: 7

PROJECT NUMBER: PRJ2020-002395-(1-5)

PROJECT NAME: Community Wildfire Protection Ordinance

PERMIT NUMBER(S): Advance Planning Case No. RPPL2020007456

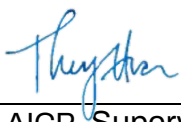
SUPERVISORIAL DISTRICT: 1-5

PROJECT LOCATION: Countywide

CASE PLANNER: Cameron Robertson, Senior Regional Planner
crobertson@planning.lacounty.gov

Item No. 7 is a request to consider the Community Wildfire Protection Ordinance, which will amend Title 21 (Subdivisions) and Title 22 (Planning and Zoning) of the Los Angeles County Code to reduce and manage wildfire and disaster risks to people, property, and environmental resources located in the Very High Fire Hazard Severity Zone and Hillside Management Areas; address adequate evacuation egress during disasters; and improve public safety.

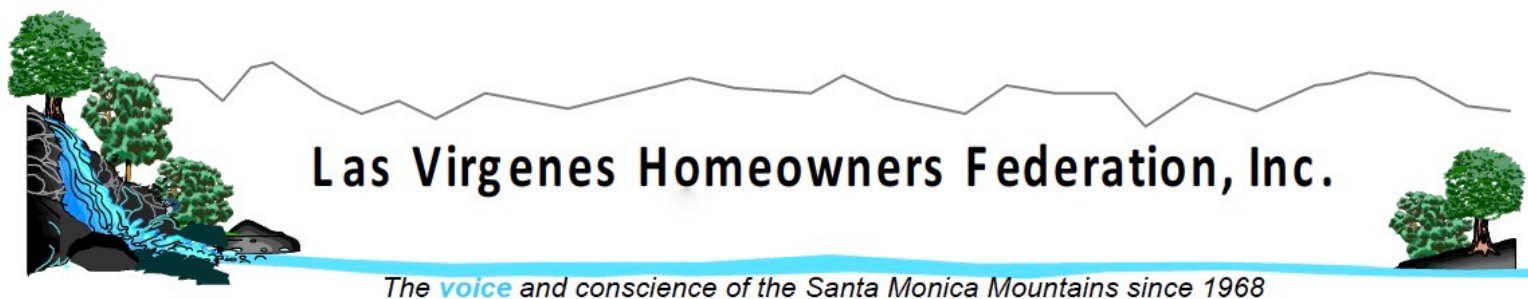
Eight additional public comment letters have been received since the last Supplemental Memo was submitted to the Commission on June 8, 2023. Exhibit E-S contains the eight public comments letters enclosed as part of this Supplemental Report.

Report
Reviewed By: 
Thuy Hua, AICP, Supervising Planner

Report
Approved By: 
Connie Chung, AICP, Deputy Director

LIST OF ATTACHED EXHIBITS

EXHIBIT E-S	Additional Public Correspondence
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June 13, 2023

Honorable Chair and Commissioners:

SUPPORT AGENDA ITEM 7
Project No. PRJ2020-002395-(1-5)
Advance Planning Case No. RPPL2020007456
Community Wildfire Protection Ordinance Countywide

On behalf of the Las Virgenes Homeowners Federation, Inc., and our thousands of Santa Monica Mountains/coastal stakeholders and our community organizations, we **SUPPORT** the Community Wildfire Protection Ordinance (CWPO) and respectively submit additional comments for your consideration.

As you know, all our homeowners and communities are in a VHFHSZ here in the Santa Monica Mountains and environs. We are still recovering from the devastating effects of the Woolsey fire which burned through many of our communities and destroyed thousands of acres of precious habitat.

Kudos to Regional Planning for doing an excellent job with this Ordinance. Expertise went into drawing it up and the process has been lengthy. The public outreach was extensive and helpful -- and community input was incorporated.

Here are additional points for consideration:

- Where possible and applicable make reference to, or supported by, the latest scientific evidence (data). It is an evolving process.
- For example, Page 23 #4 -- Locating development away from portions of the HMAs with the highest wildfire and landslide risks. Add: *based on the latest and continually evolving science*.

- Fuel break. Page 8 #4

Change this word which has a specific fire clearing connotation to an innocuous word -- i.e., separator/divider or to something that reflects the actual intent of this portion of the Ordinance.

- Utility poles. Page 14 #26

Wherever possible we should get away from utility poles. SCE's wires, etc. are a major ignition point and we need to focus on undergrounding and secondarily covered conductors which would reduce wildfire risk tremendously. New projects for example can be conditioned to include the undergrounding of wires.

Thank you very much for your consideration and CWPO support.

Sincerely,

Kim Lamorie

President

Las Virgenes Homeowners Federation, Inc., of the Santa Monica Mountains

**Los Angeles County Regional Planning Commission
2023 June 14 Meeting
Agenda Item 7: Public Hearing
Project No. PRJ2020-002395-(1-5)
Advance Planning Case No. RPPL2020007456
“Community Wildfire Protection Ordinance (CWPO)”**

Public Comment Submitted by
Dr. Michael D. Bicay (non-applicant)
3514 Chaney Trail
Altadena CA 91001
mdbicay@gmail.com
626.808.5614

Let me start by thanking the Los Angeles County Board of Supervisors (BoS) for its February 2020 motion to amend Titles 21/22 of the County Code to “Reduce Damage to Life and Property from Wildfires.” This motion is a rational and much-needed action in an era of increasing wildfire risks, particularly in areas within State-designated Very High Fire Hazard Severity Zones (VHFHSZ). Recent decisions by two major national insurers to cease issuing new residential and certain commercial property policies throughout California vividly illustrate how a risk-based industry views the current and future dangers facing us.

The BoS motion called for the development of *“land use solutions that reduce....impacts from wildfires by limiting new development within areas of extreme fire risk.”* The motion advised that the Director of Regional Planning shall consider an amendment *“that requires a mandatory denial recommendation of any project shown to compromise public safety.”* Moreover, the Director shall consider an amendment *“that requires a denial recommendation of plan amendments that increase allowed density/intensity within FHSZs.”*

The unincorporated Town of Altadena, on the southern flank of the San Gabriel Mountains, is intimately aware of fire dangers and is well-versed in County regulations. Of the 15,860 housing units in Altadena, over 2000 fall within a VHFHSZ. Practicing prudent fire safety 24/7/365 is a way of life for many Altadenans. In recent months, Altadena citizens took the time to review previous drafts of the CWPO and offered many comments.

In general, I support the proposed Title 21/22 amendments described in the draft CWPO. If adopted, the tightened regulations may forestall the worst outcomes – but only if supported by funded enforcement in the future. One change I was disappointed to see excised from the second draft of the amendments was a key sentence in the opening paragraph of the first draft:

“Amendments to Title 21 and 22 require that development in the VHFHSZ provides adequate and safe emergency evacuation routes, does not increase

development density or intensity and does not increase wildfire risk for existing communities.”

It was replaced by the following text:

“The ordinance amends Title 21 and 22 to address adequate evacuation egress during wildfire events, to improve public safety, and to reduce risks to development and environmental resources located within the VHFHSZ and HMA.”

I assert that the former version is more responsive to the BoS motion by preventing significant new developments in high fire zones, while the latter version seems designed to accommodate – and protect -- new developments in such zones.

This subtle – but important – distinction is important in the context of what I refer to as “single egress evacuation routes (SEERs).” These are roads, along with their ‘tributaries,’ for which there is only one ingress route for emergency vehicles and the same egress route for residential vehicles. Such two-lane roads -- often narrow with many hills and curves – already create an evacuation risk. In the case of local fires or other natural disasters, residents along these roads – and their ‘tributaries’ – will face increased challenges to evacuate. For obvious geographical reasons, these roads (often residential) tend to run north-south into the foothills of the San Gabriels. There are six such roads in Altadena (from west to east): Canyon Crest Road, Chaney Trail, Canon Boulevard, Alpine Villa Drive, Rubio Crest Drive, and Woodglen Lane.

The combination of a VHFHSZ and a SEER should ring alarm bells for any entity prioritizing public safety. I believe risks to the County will be much reduced if the Regional Planning Commission has the fortitude to deny projects that increase the density of people or intensity of activity serviced by SEERs in a VHFHSZ.

This is particularly pertinent given a situation now unfolding in northern Altadena. Polytechnic School, a private Pasadena K-12 school, has proposed to purchase 78 acres in the Altadena foothills and build a satellite campus, dominated by a sports complex. The proposed property purchase, currently in escrow, borders the Angeles National Forest, a County-designated Special Ecological Area and is wholly contained within a VHFHSZ. Detailed plans will not be submitted by Poly to the County until later this year. In January and March, however, school leadership revealed to neighbors a vision and subsequent preliminary plans that has alarmed many Altadena residents.

The proposed development of a Poly satellite campus will include a multi-sports stadium, a baseball stadium, tennis courts, spectator seating, high-intensity illumination, amplified sound, locker rooms and weight training facilities, storage buildings, underground parking, and a few environmental classrooms.

Online research using maps provided by the County’s Department of Regional Planning reveals that along the southern flank of the San Gabriels in all of L.A. County, there are 18 schools in a

VHFHSZ. According to online State Department of Education records, *all* of them were built prior to the 2007 State designation of fire zones. Assuming these state records are correct, Polytechnic School is proposing to be the first school to purposefully build a campus in a VHFHSZ.

Exacerbating the threats to public safety, Chaney Trail is the sole access road proposed for the second campus. This north-south road dead-ends at Millard Campground and National Forest trailheads. It is a narrow and hilly two-lane road and is one of the SEERs in northern Altadena. Seventy-five homes are solely dependent on Chaney Trail for escape in the event of a threatening wildfire. Residents would presumably be trying to share the road with northbound fire-fighting vehicles. One can only imagine the chaos if hundreds of students and staff are trying to flee high school facilities at the same time.

Adding many hundreds of staff, students, parents and visitors to a Chaney Trail site that typically hosts 10-20 people (including hikers/cyclists), will substantially increase the density of people and intensity of activity within the proposed development site. [The property sale, currently in escrow, consists of a 13-acre nursery and 65 acres of vacant wildlands.] Most of these people, whether they be from Poly or from visiting schools, will come from urbanized environments where the imminent threat of brushfires and wildfires is minimal. In contrast, neighbors in the Altadena foothills -- and visiting recreationists -- live with fire threats year-round and are accustomed to practicing safe outdoor behaviors. A large infusion of students and spectators in a VHFHSZ will likely increase the prevalence of unsafe practices, including fireworks and smoking.

Given the inexorable trend in wildfire frequency and severity impinging on the wildland-urban interfaces, it defies reality and logic to consider any proposal by a school to build a campus in the Altadena foothills VHFHSZ. In less than four months, more than 4000 residents of Altadena, Pasadena and nearby communities have signed a petition of opposition to Poly's preliminary plans sponsored by the non-profit organization AltadenaWILD. If the CWPO is to have any lasting impact, the County must deny the required Conditional Use Permit needed to implement such an ill-conceived plan.



June 13, 2023

VIA U.S. MAIL AND EMAIL: safety@planning.lacounty.gov

Los Angeles County Department of Regional Planning

Attn: Cameron Robertson

320 W. Temple Street, 13th Floor

Los Angeles, CA 90012

SUBJECT: Community Wildfire Protection Ordinance Comment Period

Dear Regional Planning Commissioners:

Tejon Ranch Co., on behalf of itself and its subsidiary/affiliated entities, Tejon Ranchcorp and Centennial Founders, LLC (collectively, the “Tejon Ranch”) offers this written comment for the proposed Community Wildfire Protection Ordinance (“CWP”).

Tejon Ranch supports Los Angeles County’s leadership in public safety and its holistic effort to update fire protection for the unincorporated County. Scientific research and data have helped fire experts and California’s fire regulators to develop stringent fire prevention and protection standards for buildings and communities, and to more accurately predict wildfire patterns at a project level providing for more effective planning for wildfire response actions. As discussed further below, extensive examination of recent wildfires in California have confirmed that today’s regulations and standards, as well as improved technology and fire response resources, provide a much better level of protection to residents and most effectively through their implementation in master planned communities.

We agree that it is important to periodically revisit the latest County ordinances, and update them in response to climate change, advancing technologies, newly developed infrastructure and more effective resources, that when combined with the expertise of fire professionals, could lead to changes in how the County addresses the threat of wildfires and the codes that apply to reducing fire risk. Most importantly when crafting a countywide ordinance update, the County should continue to recognize that a single standard for a County the size of Los Angeles, which includes many types of vegetation and development patterns, has different fire protection resources by location, includes significant temperature and topographic differences, and consists of a complex patchwork of both public agency and private land ownership, makes it highly problematic to create a one-size-fits-all list of fire safety mandates. This diverse complexity is thoughtfully considered in the County’s General Plan which includes tailored approaches for the various incorporated Area Plans and Community Plans. The CWP should take the same approach with consideration and continued support of this acknowledged and carefully planned for complexity.

In practice and application, the County must ensure that fire safety determinations be made by qualified fire professionals, tasked to expertly consider a broad spectrum of diverse conditions. For example, there is a stark contrast in considerations for expanding an aging community with old fire codes at the end of 15 miles of substandard roads located more than half an hour from the nearest fire station which is surrounded by high risk combustible unmanaged vegetation in roadless open space as compared to a master planned, new urban community where all structures must meet proven and effective post-2010 state fire code, with firefighting resources located only five minutes away, and incorporating fire protection specific community design features that include multiple safe and efficient evacuation routes. Whether and how the remote mountain cabin should expand (e.g., with an accessory dwelling unit) presents entirely different regulatory issues than assuring that new master planned communities such as Centennial (which have been recognized as providing a safe refuge for firefighters and for evacuees in real world fire emergencies in SoCal communities) are developed. We urge that the County's wildfire ordinance update recognize these vast differences, as well as the benefits of accommodating County development with fire resilient master planned communities that actually benefit surrounding communities by bringing additional fire resources to increase mutual aid and can provide refuge in the case of evacuation.

Premature to Advance the Community Wildfire Protection Ordinance

Los Angeles County's Community Wildfire Protection Ordinance relies solely upon a DRAFT update of CAL FIRE's Wildfire Fire Hazard Severity Zones ("FHSZ") maps in the State Responsibility Area ("SRA") to determine applicability. The SRA comprises 31 million acres of California. If a project is in a moderate, high, or very high fire hazard severity zone, there are certain mandatory requirements that apply to the project. Those include requirements to comply with disclosure obligations for new and resale of homes, compliance with Chapter 7A building code and defensible space requirements, subdivision design requirements, Chapter 49 of the California Fire Code, and other provisions of the California Residential Code. In addition, these designations trigger California Environmental Quality Act ("CEQA") requirements, increasing both the time and litigation risks for these projects.

In December 2022, CAL FIRE released draft updated FHSZ maps for the SRA. However, CAL FIRE has not completed the SRA mapping update, and is unable to confirm when the SRA maps will be finalized. The initial round of public comments closed in April 2023. The Office of the State Fire Marshal received over 2,600 comments on the initial maps and data, along with some suggested remedies for the inaccuracies identified in the maps. Tejon Ranch submitted a comment letter dated April 4, 2023, (see Exhibit A), detailing how our historical Ranch wide management practices serve to significantly reduce fire hazard and presents our project level scientific data supporting this assessment as a more accurate method to the high-level data approach used by CAL FIRE. The State Fire Marshal has recently communicated to stakeholders that additional information will be released that reflects a fuller picture of the modeling methodology that the draft SRA maps were based on. Thereafter, there will be another opportunity for the public to provide comments when the second version of the maps and data are released. It is anticipated that there will be a further public review and comment process on the second release of draft SRA

maps, and then the regulatory approval process for the SRA maps must be completed. After the SRA FHSZ mapping is completed, CAL FIRE plans to then release new FHSZ maps for the Local Responsibility Areas (“LRA”). The LRA maps represent the vast majority of the remainder of Los Angeles County.

Since CAL FIRE’s SRA mapping update remains incomplete and the LRA mapping update has not yet been initiated, approval of the County’s revisions to the ordinance is premature. The ordinance effort should be paused until the entirety of CAL FIRE’s FHSZ maps – both SRA and LRA – are finalized and a complete picture of FHSZ mapping across the county is known. Acting now, before this statewide effort is finalized, means that the County would be adopting an ordinance based on knowingly inaccurate, and soon to be revised, draft SRA FHSZ maps. It would be both arbitrary and capricious for the County to update a revised ordinance at this time. The County’s existing ordinances should be left in place, and revisions to the ordinance should be postponed, until the final SRA FHSZ maps are adopted by regulation as required by state law – at which point the County ordinance can be appropriately tailored to the new State regulations as well as the vast diversity of site-specific conditions within the County.

Additionally, the CWP uses CAL FIRE’s FHSZ maps in a way not intended for the maps, or the legislation that requires the maps. The maps are hazard maps, not risk maps and are intended to be used with modern building and fire codes designed to address the risks identified by the hazard maps. The maps are NOT intended to deter fire safe housing, but rather they are intended to educate communities as to where mitigation is necessary. They are intended to be used hand in hand with Chapter 7A of the California Building Code and Chapter 49 of the California Fire Code which were specifically designed to mitigate risk.

Inconsistent with Los Angeles County Area Plans

The CWP fails to recognize projected growth designations and economic opportunity areas that the County has already approved. The CWP relies on CAL FIRE’s data, which does not look at County land use or zoning, therefore, by default, the CWP is now inconsistent with other approved County plans and the CWP will restrict those plans from being fully implemented with these new restrictive measures. An ordinance is subordinate to the County’s General Plan, and the Area Plans are part of the General Plan, as a matter of law. No new ordinance which would have the effect of precluding implementation of the approved General and Area Plans may lawfully be approved without corresponding changes to these General and Area Plans.

We urge that the CWP be area specific, similar in approach to how each County Area Plan is crafted for a specific location. The name “Community” Wildfire Protection Ordinance would indicate that the ordinance has reviewed fire hazard and fire risk at a community level of detail in support of its mandates, but in fact application of the ordinance is based on the high-level mapping from a State agency and CAL FIRE did not consider adopted County plans or analyze data at a community detail level. To effectively reach its State mandated requirement for housing growth (over 812,000 new homes by 2029) and to be consistent with the already adopted Area Plans, the County must ensure a cohesive approach to all County ordinances and agency rule making. The

CWP should primarily rely on direction from the Los Angeles County Fire Department (LACoFD), which possesses technical fire expertise, has command of its resources and their capabilities and are expert in determining community level fire hazards and assessing fire risk. LACoFD has reviewed currently approved County projects and helped craft and approve of specific fire protection design features and mitigation measures for projects, subdivisions, and plans (collectively, "projects"), based upon thoughtful analysis and evaluation at a project level including Centennial.

At the time of its entitlement during the Los Angeles Board of Supervisors hearing in 2018 and in response to a question about his comfort in approving Centennial, then Los Angeles County Fire Chief Daryl Osby publicly testified that Los Angeles County Fire Department reviewed and “signed off” on the fire related approval of the project and its fuel modifications.

“And also, for this particular situation, for the project, we’ll have, around the perimeter, proper fuel modification to reduce the impact of potential fire. And the difference between this new type of development, as opposed to existing developments, is that, when we do fuel modification projects as it relates to the exterior, then also the individual homes, it will be the current code. And so, most of the – well, all of the vegetation will be non-flammable.”¹

Also, Chief Osby was “extremely confident and comfortable” about the fire safety of residential development of Centennial at Tejon Ranch.

“I’m extremely -- as the fire chief, I am confident and comfortable. We’re planning this community from the inception, and, it was mentioned by a previous speaker, as relates to these types of communities, the retired fire marshal from Santa Barbara County that the Los Angeles County and the Los Angeles County Fire Department is really the gold standard as it relates to these types of communities.”²

Furthermore, once a master planned community's fire protection regime has been thoroughly analyzed and approved, the resulting project will greatly enhance fire protection not only for that community but for surrounding areas as well. This will be achieved through implementation of project level mandatory design features and mitigation measures, including provision of firefighting resources, as well as comprehensive wildfire protection measures and enactment of an emergency response plan. Approved master plan projects will include features such as State and County mandated fuel modification setbacks, natural fire breaks through created project roads, modern water systems with approved LACoFD fire flow pressures with hydrants on every street and additionally thoughtfully considered site specific conditions. Employment of such protective measures and improvements will serve to mitigate fire risk and drastically change the conditions and environment that CAL FIRE evaluated in designating the land as VHFHSZ. The CWP must provide a pathway to update very high fire hazard severity zone designations on County maps and documents once development with approved protective measures and improvements has

¹ Transcript from Los Angeles County Board of Supervisors meeting, December 11, 2018, pages 133-134.

² Transcript from Los Angeles County Board of Supervisors meeting, December 11, 2018, pages 136-137.

materialized rather than tie a County ordinance to CAL FIRE's effort. This process could be very similar to how the Federal Emergency Management Agency ("FEMA") considers blue streams within projects. Once construction is completed, there is a process to review and prove actual conditions vs. aerial map conditions.

Master Planned Communities

The CWP tries to create a one-size-fits-all mandate for all development projects within Los Angeles County. The CWP should consider that some developments are of a larger scale and have incorporated project design features, design standards, mitigation measures, public benefit features, and comprehensive fire protection plans that go beyond what the CWP can address with its limited language and one-size-fits all applicability approach. These projects are reviewed by every department within Los Angeles County through the highly detailed CEQA approval process, including the LACoFD and the conditions of approval for those projects are specifically designed to create a safe and resilient community. Master planned communities are stand-alone developments that don't rely on old infrastructure or poorly planned existing streets and ensure that from the beginning, the community will be designed to protect the homes and implement fire-safe elements to keep residents safe. The CWP should take into account master planned communities with approved specific plans and add flexible language within the CWP to exempt these plans and allow them to implement the approved specific plans designed for these master plan communities.

A significant benefit of a master planned community is the scale of the project and the benefits that scale provides the County. For example, the Centennial project's planned 19,333 homes are equivalent to 21.5 percent of Unincorporated Los Angeles County's 2029 RHNA goals and would create 3,480 affordable housing units for County residents. Such scale allows for the provision of fire protection design features and mitigation measures that would be economically infeasible for smaller-scale developments. In addition, master planning a community allows for far more care and thoughtful attention to detail that can be interwoven into each neighborhood of the community. Newly constructed homes must meet the far more stringent wildfire prevention and protection state building codes adopted in 2010 and are proven to be effective in protecting new homes even in older neighborhoods hit by recent wildfires. Furthermore, new fire stations are required in master planned communities, and must be located to allow fire responders to be on scene within five minutes of notification. That requirement is based on guidance from fire experts that fires responded to within a 5-minute period are contained quickly and are unlikely to spread to adjacent structures. Fire-safe vegetation and landscaping standards are also imposed on all property owners, including common property owners, in a perpetually funded and enforceable fire prevention regime that further reduces wildfire risk. This fire-safe governance structure is nonexistent in traditional subdivisions, rural and mountain communities where tens of thousands of property owners and homeowners are not required to fund and fully enforce firesafe vegetation and landscaping mandates. Master planned communities also include master planned roadways and circulation patterns that include safe and expedited routes for evacuation should there be the need during a wildfire event. The community wide property owner associations are also a major resource for all the residents and employers of the master planned community by ensuring the

funding and performance of maintenance of fire-safe measures in common areas, including perimeter setbacks, ensuring that landscaping and maintenance standards are kept current enforcing fire-safe vegetation standards and regular maintenance on irrigated landscape by residents and educating community members on fire prevention protocols.

Post-2010 Homes Are Inherently More Fire Resilient

Los Angeles County's release of the CWP is a response to the 2018 Woolsey Fire that devastated parts of the County. In fact, according to the Woolsey Fire After Action Report ("AAR")³, there are two primary lessons for the public and policy makers to take. The lessons, described below, are listed on Page 1 of the AAR Executive Summary:

- Where wildfire threats are significant, buildings must be hardened against ember ignition and vegetation mitigations must be followed and maintained.
- The public must be prepared to receive information and follow the advice given.

However, we suggest that there is also a third lesson for policy makers to acknowledge, and it is one that fire professionals know instinctively: New home construction in master planned communities is the safest and most fire resilient construction. Recently analyzed data backs up this belief. According to data sourced from the Office of State Fire Marshal and evaluated by an industry expert⁴ to determine how new homes constructed after January 1, 2010, a date when the state's most modern fire code regulatory modifications took effect, fared in the ten worst property-loss fires dating back to 2017 compared to homes built prior to 2010.

The summary of findings for this data analysis shows that on average, for the nine worst property-loss fires dating back to 2017, only approximately 1 percent of the homes and apartments destroyed, damaged, or affected were new dwellings (built after 1/1/10) even though new dwellings make up roughly 7 percent of the state's total housing stock.

In fact, legacy developments do not stand up to the fire safety features of modern, master planned communities. New homes fared extremely well compared with older legacy neighborhoods during these major fires. The evaluation of data also reinforced the fact that there is no example of a master-planned community in California constructed after January 1, 2010 (i.e., a planned community with all new homes and typically including measures such as fuel breaks) suffering significant structural loss even during extreme wildfire events.

Moreover, new homes not only are more fire protective individually as compared to older homes, but new homes (particularly aggregations of new homes) help resist the spread of fire within residential areas by decreasing home-to-home spread and ember intrusion-based spread.

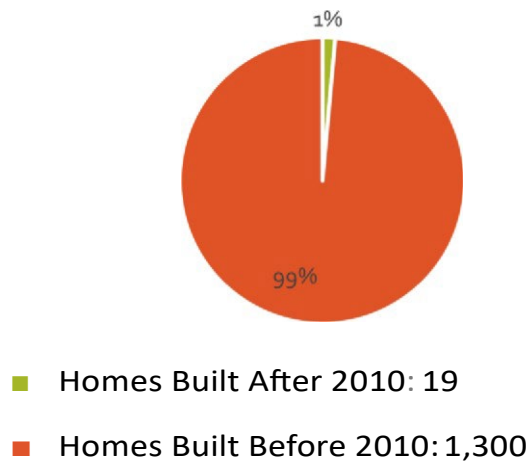
³ [After Action Review of the Woolsey Fire Incident](#), November 17, 2019.

⁴ Analysis of State Fire Marshal Property Loss Data, memorandum authored by Bob Raymer, January 18, 2022.

This understanding by fire experts also bears out in the experience of the Woolsey Fire where 1,319 structures were destroyed or damaged. Importantly, when it came to homes built to modern code, the fire destroyed only 12 and damaged 7 structures.

Woolsey Fire

Total Structures Affected or Destroyed: 1,319



Woolsey Fire: 1,319 (destroyed/major damage/affected)

Built after 1/1/10:	12 destroyed	= 0.0091
	7 affected	= 0.0053
	19 Total	= 0.0144 or 1.4%

If Los Angeles County residents want to live in a resilient community, buying a newly constructed home within a master planned community is the safest decision a person can make.

Tejon Ranch's Centennial

Tejon Ranch, a working ranch since 1843, has historically employed and continually evolved best management practices to prevent or limit fire exposure on the Ranch. This effort includes management grazing, miles of proactive fire breaks, historic long-term partnership and cooperation with local state and federal fire responders, banning of open flames on the Ranch, and smart equipment management by our ranching and farming operations throughout the Ranch. These measures have led to significantly fewer, and smaller, fires throughout the Ranch's history, and will continue to protect the Ranch moving forward. The Centennial site, for example, has historically and is actively grazed, dramatically reducing fuel loads and vegetation on the site consists of almost all low-level fueled grasslands with a small amount of open space oak woodlands to the south of SR-138. With gentle rolling slopes, great access from all directions, the California Aqueduct running through the middle of the site with an open water canal, and Quail Lake directly to the west providing a massive and immediately proximate supply of water, the site should not be considered a Very High Fire Hazard Severity Zone ("VHFHSZ"). The Centennial community must provide a minimum of three and up to four additional fire stations to serve the community, which assures compliance with modern proximate response times within the community and also provides a massive influx of mutual aid resources available to more vulnerable older structures and communities in this region. The Centennial terrain is not reflective of the steep canyon terrain located elsewhere in Los Angeles County, which typically contains brush that has been allowed to grow unchecked for decades or longer. The Centennial project should be recognized for the excellent stewardship that Tejon Ranch provides and has continually provided these lands for well over 150 years.

In 2015, the County of Los Angeles approved the Antelope Valley Area Plan, which identified the Centennial project as a future Economic Opportunity Area for growth and development. Since that Antelope Valley Area Plan approval, Los Angeles County, processed and approved, the Centennial project and specific plan, a master planned community consisting of 19,333 homes, 10.1 million square feet of commercial and business park and institutional uses. Centennial was given final approval by the Board of Supervisors in 2019 and brings with it a model for future projects to emulate and implement, setting a new standard for wildfire measures to help keep Californians safe. Centennial has diligently planned the entire community with thoughtful and intentional commitments to ensure that, once complete, Centennial will be one of the safest new communities within Los Angeles County. The following are just a few of the commitments to fire protection that Tejon Ranch has made for Centennial that focus on Centennial's specific land topography needs and project developments.

- A minimum of three, and up to four, new fire stations are required to be built within the community. These state-of-the-art stations will be located to ensure a 5-minute response time to every single home within Centennial per Mitigation Measure 16-1⁵. These stations will be built in response to the number of homes being constructed and are tied to permits issued. These stations are also available, under the County's mutual aid process, to provide offsite fire response services to nearby communities.

⁵ https://case.planning.lacounty.gov/assets/upl/case/sp_02-232_pm060022-20181211-attR.pdf - page C-130

- Under its legally-binding settlement agreement with Climate Resolve, Centennial is obligated to implement a project wide Fire Protection Plan (FPP) for Centennial, the current version of which is attached as Exhibit B, as well as meeting the many standards and County fire safety approval requirements already included in state laws and regulations, existing County ordinances, the comprehensive project-specific design features, mitigation measures, and conditions of approval included in the Centennial project entitlements approved by the Board of Supervisors. This Fire Protection Plan provides yet another additional layer of fire protection enforcement accountability, as it requires Centennial to fund a non-profit organization called the Centennial Monitoring Group (“CMG”) to ensure that the FPP is being fully implemented. Tejon Ranch is also required to prepare a Fuel Modification Plan demonstrating compliance with County Fire Code Title 32 and must provide all new residents and business owners with recorded Covenants, Conditions and Restrictions that identify fire protection mandates as well as responsible parties for maintaining the fuel modification zones on their property or under the Homeowners Association authority.
- In conjunction with the Fuel Modification Plan, Centennial is also required to ensure that the master Homeowners Association for Centennial will hire a qualified third-party compliance inspector approved by the Los Angeles County Fire Department to conduct a fuel management zone inspection and submit a Fuel Management Report to the CMG before June 1 of each year certifying that vegetation management activities throughout the Project site have been timely and properly performed. The CMG Board will review the Fuel Management Report and will vote whether to verify ongoing compliance of the defensible space, vegetation management, and fuel modification requirements of, and any continuing obligations imposed under, the FPP.
- An Emergency Response Plan will be created and be periodically updated specifically for Centennial and the elements within the community. This will include providing a copy of this plan to every resident of the project and will be updated to include the latest streets, roads, circulation and infrastructure as Centennial builds out in support of an evolving and effective evacuation plan. More details on this Emergency Response Plan can be found in Exhibit B.

In addition to these plans and measures undertaken for the protection of the residents of Centennial, Centennial is also committed to enhancing the fire protection regimes for residents of surrounding legacy communities that may not have the resources to better protect their homes.

- Under its legally-binding Climate Resolve settlement agreement, Centennial is required to establish a Good Neighbor Firewise Fund, which will provide grants to needs-based applicants to be awarded by the CMG to aid communities with a population of less than 100,000 within 15 miles of the boundaries of Tejon Ranch to reduce offsite fire risks, increase fire prevention, protection and response measures, and avoid adverse impacts of fire, for the Project’s residents and neighboring communities. The 100,000 population limit will be adjusted commensurately with population changes in Los Angeles, Kern and Ventura Counties as documented by each Census. Centennial shall fund the Good Neighbor

Firewise Fund in the inflation-adjusted amount of \$500,000 annually. CMG will review applications and award the grants to applicants based on a majority vote of the CMG Board.

Examples of Community Wildfire Protection Ordinance Concerns

Developers in Southern California must navigate a number of risks to be successful. Many of these risks are costly, and could lead the long litigation battles in the courts. CEQA litigation risks and uncertainties are particularly daunting, but CEQA includes a pathway to fully mitigate a project and allows an applicant, subject to the expert input of County Fire as well as the policy judgments of the Planning Commission and Board of Supervisors acting by majority vote, to move forward.

The updated draft ordinance increases uncertainty while reducing the role of fire professionals and elected officials in an already complicated and lengthy process. For example, the CWP consistently refers to the “Advisory Agency” which will be the lead agency to determine with projects are consistent or not with the CWP. However, even that is unclear as language such as “shall consider” or “may” is found throughout the CWP. This gives applicants no assurance that in their efforts to adhere to the updated ordinance that they will be successful in navigating the desires of the Advisory Agency. One such example of this is in regard to Flag Lots. The new CWP language gives the Advisory Agency sole discretion on approving or disapproving the platting of a flag lot if “*ANY portion of the proposed flag lot is located in the VHFHSZ*”. This creates multiple levels of uncertainty for a project as Flag Lots are often odd shaped, large lots that include all the surrounding land to ensure no gaps within a map. With this new language, if any portion of that lot, even dedicated irrigated open space, is within the VHFHSZ, the Advisory Agency may disapprove it with no justification needed.

The following are some additional examples of concerns with the CWP that will be especially difficult for master planned communities to address in their designs:

Parkland – *“If located in a VHFHSZ, park spaces shall be located between development and wildlands to serve as a fuel break, where feasible. Continuous routine vegetation management and long-term maintenance shall be provided by the applicant.”*

The updated language in the CWP mandates that all park spaces within a VHFHSZ need to be placed between development and wildlands to provide additional buffer or fuel breaks. State and County law already require a 200-foot setback from structures located in a VHFHSZ to create buffers and fuel breaks. By requiring all parklands to be located between these mandated buffers and development, the CWP is creating an additional burden, beyond County law that is unnecessary. Furthermore, by pushing all parkland to the perimeter of development, it will encourage neighborhoods without open space and create gaps for disadvantaged communities located within higher density zones located in the center of town centers and community villages. Parklands will be more distant from residents and create fewer opportunities for those who no longer can walk to them but will now have to bike or drive to enjoy them. This new language goes against the current planning school of thought of creating walkable communities that are integrated

with parks through each neighborhood. The CWP should be consistent with and comply with State and County law to dictate appropriate fuel modification setbacks, but it should not impact the utilization of parklands for multi-modal connectivity and the convenient enjoyment of residents of the community.

Wildland Access – *“Notwithstanding the provisions of Sections 21.24.020 and 21.24.190, the advisory agency ~~may~~ shall disapprove a design of a division of land which utilizes a cul-de-sac or branching street system or other single-access street or street system as the sole or principal means of access to lots within the division, where the forester and fire warden advises”*

By mandating the Advisory Agency shall disapprove cul-de-sacs or branching street systems the updated CWP is further restricting land planning. Originally tied to Wildlands, the CWP combines the “shall disapprove” to “within a VHFHSZ” which vastly expands the restrictive nature of the ordinance. It is unclear how a single access road or street system will be considered by the Advisory Agency and how they will determine if future tract maps comply or not. Many street systems are large and will eventually connect to Secondary Highways or Highways, but this language creates uncertainty as to what criteria the Advisory Agency will employ in its determination agree with the applicant on circulation connections. This restriction will hinder builders from clustering homes on cul-de-sacs and systematic streets to allow better defense of these homes should a wildfire occur. Neighborhoods and street systems should be reviewed and approved by the Los Angeles County Fire Department, the experts in fighting fires and protecting our homes and built to their standards. The CWP language takes control from the experts and mandates developers adhere to a vague language that is difficult to interpret.

Gates – *“Streets should not be gated unless recommended otherwise by the County Sheriff, or as determined by the advisory agency that determines the street may be gated for safety reasons.”*

The new restrictions on gates within VHFHSZ ignore other safety measures, such as road widths and unit restrictions, that are already implemented by this ordinance and the Los Angeles County Fire Department. This is a far-reaching addition that assumes, with no tangible data, gates will prove to be a hinderance should a wildfire occur. With today’s societal concerns for security and given advancement of technology for solar power generation and battery storage capacity and with the employment of automatic and manual overrides for gate systems there should be flexibility for incorporating appropriately designed and properly equipped gates in projects located within VHFHSZ.

Closing Considerations

In closing, Tejon Ranch Company thanks the County for providing the opportunity for us to share our concerns regarding the Community Wildfire Protection Ordinance. Tejon Ranch takes seriously its responsibility in addressing the dangers of wildfires in California which is why Centennial will be a model community for others to emulate and implement into their projects. We strongly feel that the County should consider large master planned communities to be a unique category of development project which is subject to the requirements and conditions of an approved Specific Plan which is highly detailed in its approach to wildfire protection measures

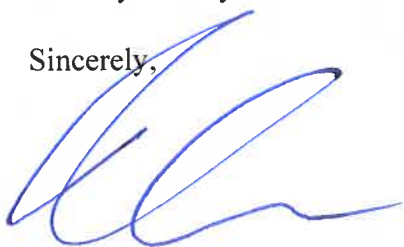
that are developed with LACoFD guidance, vetting and approval and is tailored to the specific conditions of the given site. This intensive process and the resulting fire protection measures for an approved Specific Plan should supersede application of the CWP. Furthermore, we feel that project specific measures are more effective and mitigate impacts explicitly for that project, verses a Countywide ordinance that is trying to address development for a 4-home project and 19,000-unit master plan community under a one-size-fits-all approach. To provide flexibility for evaluation of future developments and give some certainty to existing approved projects while keeping wildfire protective measures in place, we suggest the following revisions to the Community Wildfire Protection Ordinance.

- Section 21.24.010 General Requirements and Section 21.24.370. The Community Wildfire Protection Ordinance
 - Add new subsection (D) *“Lots within a project that are within 2.5 miles of a fire station AND featuring only new structures constructed on or after January 1, 2020, AND have an approved through an EIR are Exempt from this Community Wildfire Protection Ordinance.”*
- Section 21.24.020(A) establishes the maximum number of homes or lots on streets or street systems in or outside of VHFHSZ.
- Section 21.24.020(B) establishes the maximum number of homes or lots for smaller streets.
 - Add new subsection (C) to both subsections above with the following language, *“Subsections (A) and (B) above do not apply to streets or street systems located within two and a half (2.5) miles of a fire station, which include only new structures constructed on or after January 1, 2020.”*
- Section 21.24.030 prohibits cul-de-sac, branching street system, or other single-access street or street system as the sole or principal means of access to lots within the division.
 - Add new subsection (A.3) with the following language, *“Subsections (1) and (2) above do not apply to streets or street systems located within two and a half (2.5) miles of a fire station, which include only new structures constructed on or after January 1, 2020.”*
- Section 21.24.320 prohibits flag lots in VHFHSZ locations.
 - Add new phrase after VHFHSZ prohibition on flag lots to Section 21.24.320, *“ does not apply to flag lots located within two and a half (2.5) miles of a fire station, which include only new structures constructed on or after January 1, 2020.”*
- Section 21.24.100 limits street grades within VHFHSZ.

- Add new final sentence to Section 21.24.100: *"For streets located within two and a half (2.5) miles of fire station, a street may not exceed an average grade of 10%."*
- Appendix I – Hillside Design Measures
 - Add new sentence to Section 21.24.350(E)(4), *"This subsection (4) does not apply to parks and open space located within two and a half (2.5) miles of a fire station, which include only new structures constructed on or after January 1, 2020."*
- Add new sentence to Section 1.21, which requires a 200-foot minimum setback from structures and designated open space or public parkland areas to assure that fuel modification occurs within project boundaries and no brush clearance is required within public parklands, and to prevent impacts to habitat and recreational resources.
 - *"This section does not apply to subdivisions located within five (5) miles of a fire station, which include only new structures constructed on or after January 1, 2020, and which includes a fuel modification zone on the exterior perimeter of the development project boundary."*

Thank you for your consideration of these important items.

Sincerely,



Marc W. Hardy
Senior Vice President and General Counsel

CC: Board of Supervisors, District 5
Los Angeles County Fire Department

Exhibits:

A – Tejon Ranch April 4, 2023 letter to CAL FIRE RE: FHSZ
B – Centennial Fire Protection Plan



April 4, 2023

VIA U.S. MAIL:

Office of the State Fire Marshal
C/O: FHSZ Comments
California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

VIA EMAIL: fhszcomments@fire.ca.gov

VIA COURIER:

California Department of Forestry and Fire Protection
Office of the State Fire Marshal
C/O: Scott Witt
California Natural Resources Building
715 P Street, 9th floor
Sacramento, CA 95818

SUBJECT: Fire Hazard Severity Zones Public Comment Period

Dear Chief Berlant:

Tejon Ranch Co., on behalf of itself and its subsidiary/affiliated entities Tejon Ranchcorp and Centennial Founders, LLC (collectively, the “Tejon Ranch”) offers this written comment for the proposed 2022 Fire Hazard Severity Zones. We are in receipt of the Department of Forestry and Fire Protection’s (CAL FIRE) notice to adopt proposed regulations pursuant to Public Resources Code (PRC) Sections 4202-4204, relating to the classifying of lands in the State Responsibility Area (SRA) into Fire Hazard Severity Zones (FHSZs).

Tejon Ranch welcomes the 60-day extension of the comment period and has taken the opportunity to provide CAL FIRE with project level information to help inform adoption of FHSZ maps in the Kern and Los Angeles SRAs. In submitting this written comment and the supporting fire analysis reports prepared by an expert third-party (*see Dudek Wildfire Hazard Technical Analysis reports*), which are incorporated into and made a part of this letter, we want to express our concern that the proposed maps inaccurately represent actual wildfire hazard classification across Tejon Ranch and specifically within Tejon Ranch’s master planned community sites that have been intensely analyzed and publicly reviewed for wildfire hazard and risk, among other things. Specifically, this letter highlights for reasons related, but not limited to, the lack of site-specific fuels and vegetation data, burn probability of the site, and fire history data that necessitates significant correction of classification of Tejon Ranch lands and future projects as described in the accompanying technical fire hazard reports.

Potential Misuse of Hazard Maps

Property owners within the SRA have reason to be concerned that the proposed FHSZ maps have potential for misuse beyond CALFIRE’s intended purpose. Insurers will be tempted to use hazard maps that are based on the worst-case scenario rather than the most probable scenario as a baseline for determining risk, resulting in substantially higher insurance costs and limiting insurance availability for all Californians. Project opponents will seek to argue that the high-level science applied in these draft maps constitute the “best available science” for California Environmental Quality Act (“CEQA”) purposes. Further, these new hazard designations may be considered “significant new information” that can be weaponized to challenge greenfield housing developments through CEQA litigation, leading to delay of projects delivering benefit to Californian’s housing crisis. It is only master planned communities that can achieve wildfire resiliency and greenhouse gases (“GHG”) reductions at scale. The same is true for achieving net-zero GHG communities, which Centennial at Tejon Ranch¹ will achieve. In fact, the state’s leading climate regulatory agency, the California Air Resources Board, has recognized Centennial as a net-zero GHG community².

Governor Newsom has stressed that California needs 2.5 million homes by 2030³ and officials at the California Department of Housing and Community Development are implementing state law to achieve this goal. To meet the demand of the housing crisis, including achieving the goal of 1 million units of affordable housing, California must ramp up housing construction in all parts of the state. Fortunately, well-planned newly constructed homes, especially homes within master planned communities built since 2010, are some of the most fire resilient structures in the state.

Regrettably, the reality is that hazard maps will be misused by others to stop housing development and there is no process for quickly converting lands within an SRA to LRA (“Local Responsibility Area”) when warranted or to accurately reflect hazard conditions when hazard conditions have significantly changed. Builders of master planned communities are establishing the very type of fire resilient neighborhoods that fire officials want constructed. We know that new construction of homes built since 2010 with Wildland Urban Interface (WUI) building standards – and new construction of these structures at scale – diminishes fire hazard and creates modern, fire resilient communities.

Recent analysis⁴ shows that in the last nine largest California wildfires, new homes accounted for *less than 1 percent* of the homes destroyed or damaged despite being 7 percent of the state’s total housing stock. This fact is attributed to the success of the combination of the tougher fire code building standards, defensible space, and other applicable laws, regulations, and ordinances. New construction helps resist the spread of fire by decreasing home-to-home spread and ember intrusion-based spread, which regrettably, is not reflected in hazard maps. The inability to update real conditions on the ground is consequential, causing delays and challenges that incorrectly place a hazard designation on developed lands for years.

¹ [Environmental group and Tejon Ranch agree on plan to build 19,300 zero-emission homes](#), Los Angeles Times, December 1, 2021

² [California Air Resources Board Final 2022 Scoping Plan Update](#), Appendix D, pages 25-26.

³ [Governor Newsom’s Newly Created Housing Accountability Unit Marks First Year](#), Nov 4, 2022.

⁴ [CBIA Analysis of State Fire Marshal Property Loss Data](#), January 18, 2022.

Corrective Actions to Address Misuse of SRA Hazard Maps

There are actions CAL FIRE can take to address the real potential for harm connected to hazard map misuse. These include, but are not limited to, the following:

1. Accompanying finalization of the SRA maps, CalFire should publicly state how the maps are to be used and how they are not to be used, including clarifying that the science and modeling supporting the hazard maps **does not constitute** the “best available science” for CEQA purposes, nor do the maps constitute “significant new information” for CEQA, and they may not be used for any CEQA purpose other than identifying applicable regulations and code compliance requirements based on map status.
2. There is conflation among most Californians and certain sectors, particularly the insurance community, about the definitions of “hazard” and “risk.” CAL FIRE see these terms as distinctly different, but most do not and use them interchangeably. CAL FIRE should acknowledge the confusion and address its consequence. Fire professionals see wildfire hazard as the “as is” physical condition of the land without any additional mitigation of the hazard. On the other hand, wildfire risk is the potential damage that fire presents but does consider the many forms of mitigation that fire officials routinely champion. Whether it’s SRA or LRA maps, it is vital that CAL FIRE provide additional more context around this characterization, which the public, insurers, and, importantly, the courts readily conflate and confuse.

Knowing that private insurance companies will use the hazard maps as a baseline for risk underwriting, CAL FIRE should promote greater transparency as to how insurance companies should determine their risk assessment from the fire hazard safety zone maps.

3. CAL FIRE should state that the FHSZ maps should not be used for land planning purposes, particularly in the case of large master planned communities in excess of 500 units. Rural planning approaches, Title 14 for example, are not appropriate for direct application to larger master plans because these projects are more urban in nature and have the scale to include significant fire protection features (such as fire stations and firefighting apparatus, large capacity water supply systems, managed defensible space, etc.) and all structures to be constructed within them must be compliant with the then most current Chapter 7A fire codes. Large master planned communities must endure a tortuous CEQA approval process that address fire hazard planning and involve exhaustive study and litigation, which requires many years at tremendous cost to complete. These delays and costs exacerbate the housing crisis by failing to timely add housing supply and increasing housing costs. Planning decisions should be made at the discretion of local fire authorities who have more specific and expert knowledge of the lands in question and are best suited to effectively determine the effectiveness of design and mitigation in providing for a fire resilient community.

Master plan communities of scale are required to provide significant planning, resources and ongoing maintenance and education required to properly address fire safety. These communities have clustered housing layouts that minimize and limit the interface with the wildlands area to the perimeter of the community. Further, master planned communities provide additional mitigation features like multiple fire stations for response, Home

Owners Associations (HOAs) to provide for ongoing fuel management and enforcement of defensible space, require the latest building standards (Chapter 7A) for structures, provide comprehensive fire protection plans, emergency response plans, evacuation plans, and promote fire prevention and education. The public safety features inherent in modern-built master plan communities cannot be understated.

4. CAL FIRE should rely upon site specific data, when available, in determining the level of fire severity hazard. Project level analysis should take precedent over a high-level statewide one-size-fits-all model. The FHSZ maps should consider actual conditions as they exist on the ground. In terms of scale, Tejon Ranch is as large a land mass as several California counties are individually. We can offer CAL FIRE modelers more accurate information on current and future conditions to better inform the hazard map models.
5. The industry standard approach to modeling has not been correctly applied. Independent fire experts have asserted that hazard maps should not be modeled on the “worst-case” scenario, but rather the “most probable” scenario. Further, it is disappointing that CAL FIRE has been unwilling to provide the public with the model’s underlying methodology, including the weighting of data sets, the model’s driving assumptions, and algorithm information, despite requests made for disclosure and transparency on these critical methodologies.

Outside of these enumerated items, CAL FIRE should support a process to timely update hazard



maps using a ministerial modification approval process for projects as they are approved and developed as fire hazard risks are mitigated through community and infrastructure design, new and expanded professional fire stations, fuel modifications and management, and development of modern (post-2010) fire wise structures.

Introduction to Tejon Ranch

Tejon Ranch is the owner of the largest contiguous expanse under single ownership in California and has a demonstrated 180-year legacy of active land management in Kern and Los Angeles counties.

Located along Interstate 5 (“I-5”) and State Routes 138 (“SR-138”), 58 (“SR-58”), and 223 (“SR-223”), Tejon Ranch encompasses 422 square miles and extends from the floors of the San Joaquin Valley to the Antelope Valley and between the

southern regions of the Sierra Nevada Mountains and the Tehachapi Mountains. Tejon Ranch is about a third of the size of the state of Rhode Island.

Founded in 1843 from four Mexican land grants, Tejon Ranch possesses significant stretches of land that remain in a sustainably managed state as a product of historic and ongoing stewardship. Tejon Ranch actively manages the Ranch to protect its resource values. These lands are not wildlands as they are expertly and carefully managed. Our agricultural activities, including ranching, use the latest and best management practices available. Our commercial and residential real estate development activities are using the most suitable land to meet the housing, employment, open space, and lifestyle needs of current and future generations of Californians with a commitment to environmental sustainability. Conservation and good stewardship tenets are woven across Tejon Ranch and are an integral part of our business operations.

Over the last two decades, Tejon Ranch has invested hundreds of millions of dollars in the planning, entitlement, and permitting of four master planned communities – Tejon Ranch Commerce Center⁵, Grapevine⁶ and Mountain Village⁷ located in Kern County and Centennial⁸ located in Los Angeles County. Tejon Ranch's development projects are long-considered and have been expertly planned for fire protection and safety. Each of these communities are, and will be, built to the state's most current building standards. They are designed to be sustainable communities that help resolve California's severe housing crisis by providing tens of thousands of jobs and 35,000 homes, including affordable housing units that help achieve Governor Newsom's housing vision of a *California for All*.

⁵ A 1,450-acre master planned community of 20 million square foot state-of-the-art commercial/industrial development and 495 apartment homes.

⁶ A master planned community of 12,000 homes and 5.1 million square feet of commercial development, providing a balance of homes for the over 4,000 existing jobs and the 20,000 total planned jobs at Tejon Ranch.

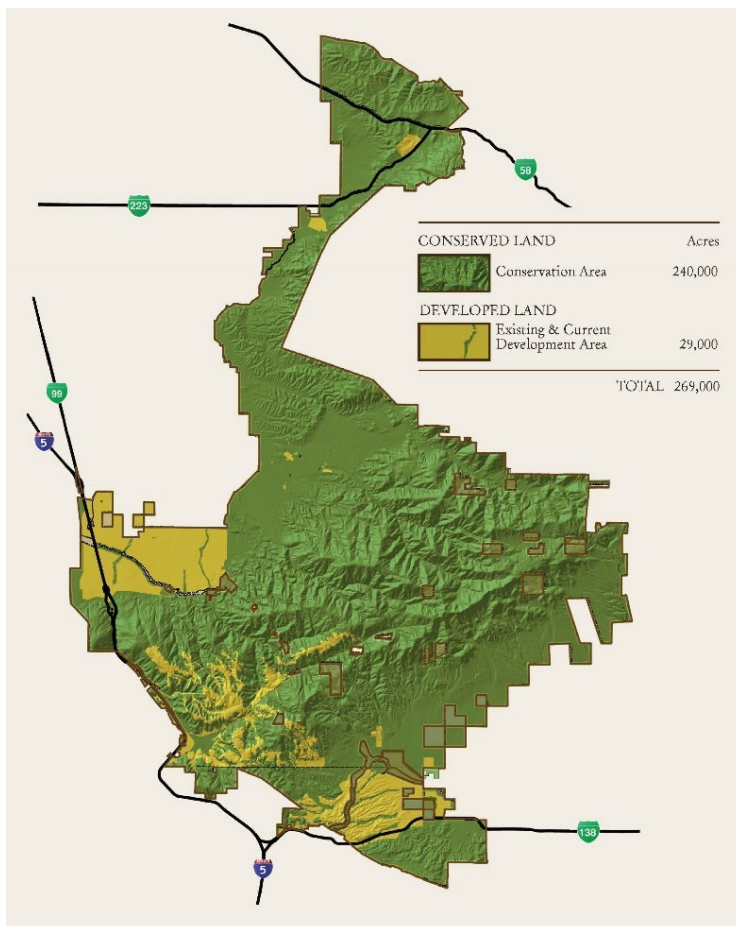
⁷ A master planned community of 3,450 homes (resort residential) and a publicly accessible Farm Village.

⁸ A master planned community of 19,333 price attainable homes including 3,500 affordable housing units, which makes it an important part of addressing Los Angeles County's housing crisis, and 10.1 million square feet of retail/civic/commercial development.

The Tejon Ranch Commerce Center adjacent to Grapevine is a 1,450-acre, 20 million square foot state-of-the-art commercial/industrial development on Interstate 5 just north of the Los Angeles basin. Over six million square feet of industrial, commercial, and retail space has already been constructed, including distribution centers for some of the largest global brands, two large travel centers, multiple food and gas offerings and a large retail outlet center, The Outlets at Tejon. Already an established job center of 5,000 workers daily, an additional 3 million square feet of industrial space is currently in the development pipeline of which over 900,000 square feet is currently under construction. Soon, we are to break ground on up to 495 apartment units immediately adjacent to the Outlets at Tejon, which will provide much needed quality housing for the workforce of the Tejon Ranch Commerce Center and surrounding area.



In 2008, Tejon Ranch entered into a historic conservation agreement that conserves approximately 240,000 acres (90 percent) while the Company continues the significant agricultural and commercial operations throughout the property and pursues the development of the approximately 30,000 remaining acres (10 percent) as mixed-use, master planned communities (see *2008 Ranchwide Agreement map*). Entered voluntarily by Tejon Ranch and several of the nation's largest and most respected environmental resource organizations, the Ranchwide Agreement is the largest private land conservation commitment in California history and followed many years of detailed project-level scientific analysis and data collection on Tejon Ranch. At 240,000 acres, the open space preservation at Tejon Ranch is larger than any other private conservation commitment in California, such as those made at Hearst Ranch (82,000 acres) and the Irvine Ranch Land Reserve (50,000 acres). Most importantly, continued farm and ranch practices, grazing primary among them, are a supported use under the Ranchwide Agreement and a feature of Tejon Ranch's Ranchwide Management Plan.



Tejon Ranch is an iconic California property in remarkable condition – but not from being untouched. It is working land that is cared for with intention and principles of good stewardship that inspired the creation of huge conservation areas and plant and animal species conservation plans. Tejon Ranch's extensive water assets meet current and future needs. The Ranch has adopted environmentally sensitive practices, including water conservation in ranching, farming, and real estate operations. Sustainability has guided the thoughtful development of new fire resilient communities to help solve California's housing crisis. All communities at Tejon Ranch will be built with fire prevention and resiliency in mind, featuring defensible space, state-of-the-art water conservation measures, reclaimed water for irrigation, stormwater capture, and drought-tolerant landscaping. Employee housing already populates strategic areas of the Ranch.

Tejon Ranch: A Bustling and Thriving Working Property

First and foremost, Tejon Ranch is not correctly classified as wildlands. Since 1843, it has been a working ranch, raising livestock, growing crops and, today, is operating a multitude of established and diverse commercial business activities.

Historic Grazing at Tejon Ranch

Depending on the amount of vegetation, up to 14,500 head of cattle roam the Ranch and graze on its grasses year-round as part of a permanent, fenced grazing program (*see Livestock Operations map*). Leasing ranch lands for this purpose reduces wildfire hazard. According to researchers at the University of California, livestock grazing at this size and scales plays an important role in limiting the severity of wildfire by reducing fuel loads across the landscape, which is known by fire experts to reduce both heat and ember production⁹. Research has found that livestock grazing reduces rangeland fuels by removing fine fuels, affecting fire behavior by reducing rate of spread, flame length and fire intensity. More compelling, the San Joaquin-Sierra region (where Tejon Ranch is situated) experiences on average 1,020 pounds per acre of fuel removed from grazed rangelands, the most of any region in the state.

Continued grazing of Tejon Ranch is a practice that continues a way of life dating back to vaqueros on the property prior to statehood. Similarly, California's state government has long recognized livestock grazing as a beneficial hazardous fuels removal practice. In response to the catastrophic fires experienced in 2018, one of Governor Newsom's first acts in office was to support¹⁰ and fund¹¹ grazing as a statewide fuel reduction strategy because managed livestock grazing reduces fire hazards by controlling the amount and distribution of grasses and other fuels, which downgrades fire intensity. CAL FIRE's own prevention mandate has focused on fuels reduction¹² to reduce hazards and the department has developed programs like the Wildfire Prevention Grants Program¹³ to promote and conduct livestock grazing as a tool for hazard management. This fact is irrefutably proven out for the lands of Tejon Ranch by the documented fire history of the Ranch going back many decades as described in the attached Wildfire Hazard Technical Analysis reports.

Moreover, like the state's support of grazing, Kern County Fire Department Chief Andrew Kennison recently offered his professional opinion that Tejon Ranch's scale and history of grazing could be considered when evaluating fuel type and fuel loads on the property. (*see KCFD Chief Kennison statement to Tejon Ranch*)

With a physical reduction in the amount of flammable vegetation, the private and public sectors are both recognizing the diminishment of hazards that livestock grazing brings.

Within Kern County, Tejon Ranch has enrolled approximately 160,000 acres in the California Land Conservation Act (the "Williamson Act"), the state's premier agricultural land protection program. The Williamson Act, overseen by the California Department of Conservation, is designed to restrict the uses of agricultural and open space lands to farming and ranching – not wildlands. Combined, Tejon Ranch has demonstrated a historic use and future commitment of land use through its development entitlements and environmental permits as evidenced in the 50-year Tehachapi Upland Multi-Species Habitat Conservation Plan¹⁴ that Tejon Ranch has established

⁹ "Cattle grazing reduces fuel and leads to more manageable fire behavior", University of California Agriculture and Natural Resources, California Agriculture April-September 2022 / Volume 76 Number 2-3.

¹⁰ [Executive Order N-05-19, January 8, 2019.](#)

¹¹ [Community Wildfire Prevention and Mitigation Report/California Climate Investments.](#)

¹² [CAL FIRE Fuels Reduction and the SRA.](#)

¹³ [Wildfire Prevention Grants for Prescribed Grazing solicitation, January 18, 2023.](#)

¹⁴ [Tehachapi Upland Multi-Species Habitat Conservation Plan](#), Federal Register, October 26, 2012.

with the U.S. Fish and Wildlife Service, multiple Fire Protection Plans, the historic Ranchwide Agreement covenants, and Williamson Act contracts.

Farming and Other Ranch Operations

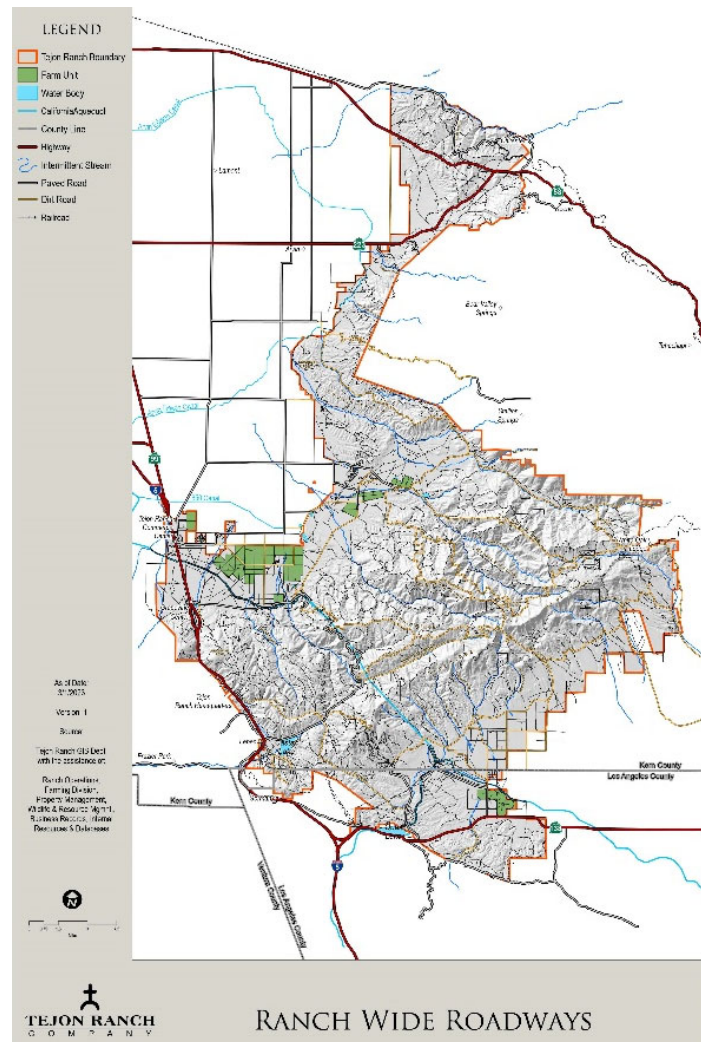
Although cattle and sheep were Tejon Ranch's earliest focus, farming began over 125 years ago in the 1890s. Today, almost 6,000 acres of Tejon Ranch are devoted to pistachios, almonds, wine grapes, and alfalfa. Tejon Ranch utilizes sustainable farming practices. For example, tree trimmings are shred into chips that generate electricity, not burned as agricultural waste, and stream runoff is captured for agricultural use. Tejon Ranch also stores water in our own water bank and reservoirs.

Tejon Ranch has an extensive network of arenas, barns, and miles of equestrian trails. At an elevation of 3,500 feet (with summer temps averaging 15 degrees cooler than the San Fernando and San Joaquin valleys), the Tejon Ranch Equestrian Center offers an ideal climate for boarding and training horses or embarking on tailrides.

The property is home of many wildlife species, including Rocky Mountain Elk, California Mule Deer, wild pigs, turkey, pheasant, and quail that allow us to operate the largest private hunting ranch in California – and considered one of the country's most desirable ones. Keeping stewardship of the land and wildlife always top of mind, we work closely with California's Department of Fish and Wildlife to maintain balance between our big and small game species.

Tejon Ranch's vast landscapes are reminiscent of distant locations. This is why Tejon Ranch has attracted hundreds of filming projects, from major motion picture and television shows to print and film ads, including nine commercials for the Super Bowl. The property offers 420 square miles of scenic locations that include rolling hills and mountains, sweeping valleys, plains, orchards, vineyards, lakes, streams, high deserts, and miles of private roadways.

Major roadways, including Interstate 5 and State Routes 58, 138, and 223 run through the Ranch. There are also 1,720 net miles of improved and unimproved roads on the Ranch that also serve as



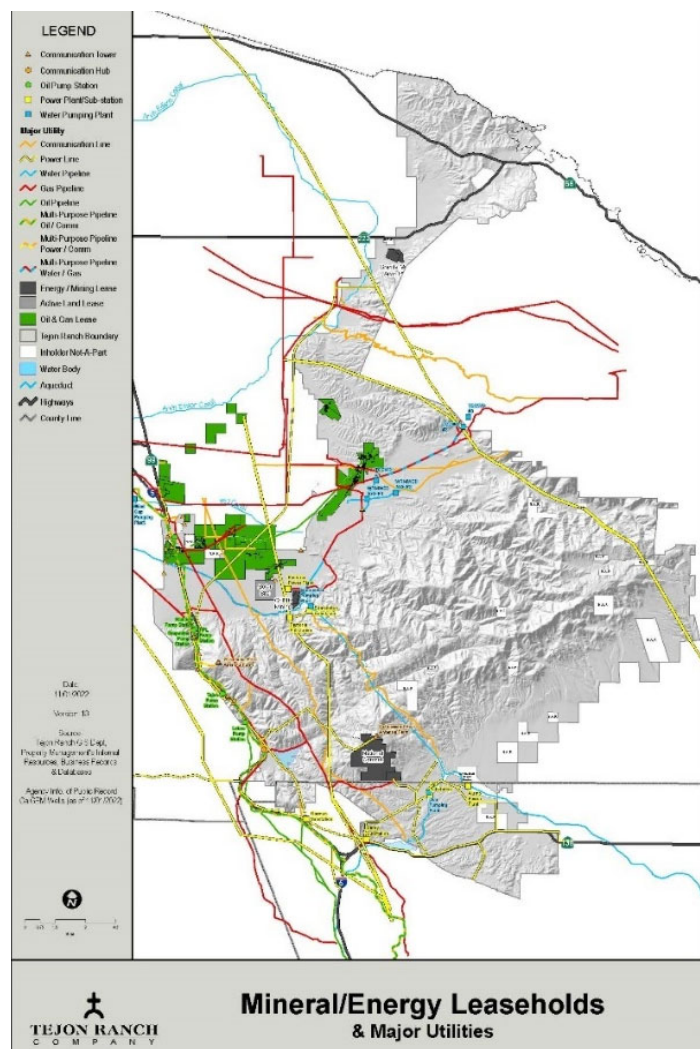
fire breaks and provide access for fire apparatus. We maintain many more miles of fire breaks beyond this road network. (see *Ranch Wide Roadways Map*)

The natural resources of Tejon Ranch, and its location at the geographic and population center of California, provide a variety of other opportunities to California beyond traditional ranching and farming operations. These include leases with operators for the exploration and production of oil and gas on the Ranch, as well as aggregate and limestone mining operations. For example, National

Cement has already produced more than 23 million cubic yards of cement from its limestone mining lease on the Ranch, enough to pave 2,300 road miles or build foundations for thousands of hospitals, schools, and homes. (see *Mineral/Energy Leaseholds & Major Utilities map*)

The California Department of Water Resources operates the Edmonston Pumping Plant, and the State Water Project's California Aqueduct transects Tejon Ranch for 30 miles, serving as both a source and a delivery system for our abundant water resources and transporting much needed water to Southern California.

Tejon Ranch is also home to natural gas-powered and renewable energy production. The 750-megawatt Pastoria Energy Center, a clean-burning natural gas power plant owned and operated by Calpine Corp., produces enough electricity to power 750,000 homes. Calpine, taking advantage of the Ranch's managed spaces and abundant sunshine, has also developed plans, and obtained approvals for an industrial-scale solar



facility on land adjacent to the power plant.

In addition, Tejon Ranch provides easements for major utility infrastructure to meet California's current and future energy and telecommunication needs. The Union Pacific Railroad operates across the northern most reaches of the property alongside SR-58 and the California High Speed Rail Commission has identified this corridor for its future Bakersfield to Palmdale segment. Multiple pipelines, electrical transmission lines (PG&E and SCE), fiber optic cables and other vital telecommunications infrastructure also cross Tejon Ranch connecting northern and southern California. (see *Mineral/Energy Leaseholds and Utilities map*)

Operational Commercial Development at Tejon Ranch

Bisected by I-5, the primary north-south transportation feature for California, Tejon Ranch is a vital 21st-century crossroads with commercially developed areas that proudly serve Californians not only with the food and coffee they need, but world-class business opportunities, too. The Tejon Ranch Commerce Center is a 1,450-acre commercial/industrial center and boasts over eight million square feet of industrial, commercial, and retail space including distribution centers for IKEA, Caterpillar, Famous Footwear, L'Oréal, Camping World, Sunrise Brands, and Dollar General.

The Tejon Ranch Commerce Center is a thriving urban location for some of America's favorite stores and restaurants, including the Outlets at Tejon and two of the country's top-performing Starbucks stores. A convenient stop for the estimated 20 million visitors each year, the Tejon Ranch Commerce Center offers more than 30 dining options, 100+ fuel pumps, 100+ EV chargers, three hotels, truck services and more.



Hazard Classifications and Their Application to Tejon Ranch Lands

When considering the specific elements of Fire Hazard classification and their relationship to the lands of Tejon Ranch, we offer the following items for CAL FIRE's consideration.

Vegetation Sources

The sources of data for vegetation growth over a 30- to 50-year time horizon do not appear to accurately reflect both historic and present vegetation conditions at Tejon Ranch. As referenced earlier, Tejon Ranch has been actively grazed for nearly two centuries and depending on the amount of suitable feed available maintains up to 14,500 head of cattle annually and sheep, as well. Operators who run livestock on Tejon Ranch possess year-round leases.

The 2013 Ranchwide Management Plan¹⁵, a formalized product of Tejon Ranch and the non-profit Tejon Ranch Conservancy for the working ranch, has established Best Management Practices (BMPs) to ensure the sustainability for practices, grazing primary among them, on the property. The distribution of livestock is controlled by available feed, fences, water, and other infrastructure.

In addition to tracking the head of cattle who graze Tejon Ranch, our grazing program conducts rangeland monitoring, in partnership with the non-profit Tejon Ranch Conservancy, at sites across

¹⁵ [Ranchwide Management Plan, 2013.](#)

the property and possesses historical records from at least 2013 that catalog the Residual Dry Matter (RDM) at multiple sites across the property (*see Dudek Wildfire Hazard Technical Analyses*). The Tejon Ranch Conservancy has selected RDM monitoring as the means to assess the effectiveness of grazing and livestock management on the property. RDM is an indicator that describes the health or condition of rangelands, and this data also serves as an indicator of wildfire hazard. The vast majority of Tejon Ranch's 270,000 acres, including the master planned communities of Grapevine, Mountain Village and Centennial, are grazed and monitored during each year.

History and Status of Ranching and Livestock Management on Tejon Ranch

Tejon Ranch has supported sheep and cattle ranching since the mid-1800s. The Tejon Ranch Cross and Crescent brand was first recorded in Los Angeles County on February 15, 1865, and in Kern County on August 10, 1868. In the 1930s Tejon Ranch began to shift to a full cattle operation with a significant reduction in head of sheep. The operation continued to grow throughout the 1900s and ranged from 11,000 to 17,000 head of cattle. Currently, Tejon Ranch accommodates up to 14,500 head of cattle dependent on feed availability. Livestock, primarily cattle, graze approximately 250,000 acres of the Ranch through two long-standing livestock leases (*see Livestock map*). Tejon Ranch manages its commercial ranching operation with a 2013 published grazing management plan, designed to provide for the continued operation of a sustainable ranching operation and to provide an important fuel modification tool.

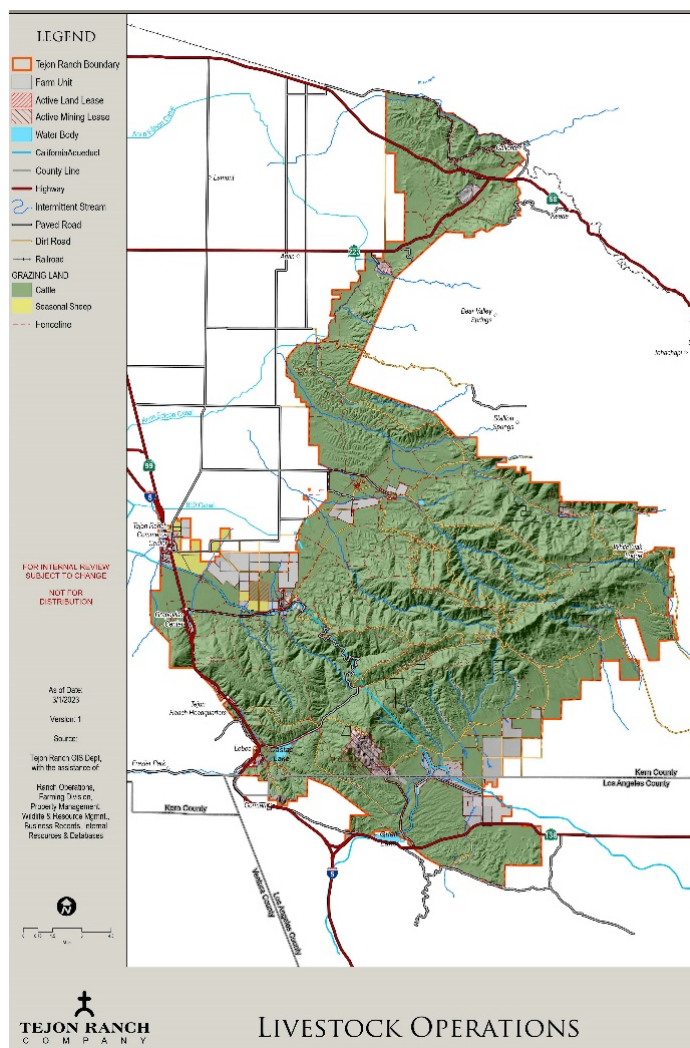
Livestock Distribution

Livestock operations, including stocking levels, are generally driven by available feed, defined as grass or forage levels of a certain height and quality. The feed level determines which pasture livestock are in at a given time, and the amount of water required to maintain livestock health. Because livestock focus on feeding and their distribution is dictated by available feed, grazing operations must respond to this driving factor. Further, different types of livestock and different breeds pursue feed differently, resulting in different distribution patterns. In addition to feed, the primary factors affecting livestock distribution and impact are livestock type, water distribution, barriers (such as fencing), and mineral distribution (salt licks, etc.). Tejon Ranch and its lessees manage these factors to produce a distribution of livestock that ensures environmental and grazing conditions are sustainable.

Livestock Rotation

Livestock rotation is the practice of managing the location of livestock in pursuit of quality feed as conditions change across a landscape. Because Livestock inherently pursue available feed, the most efficient way to provide for the movement is to open pasture gates as feed conditions change and allow livestock to drift through gates into different pastures where feed is available. Alternatively, cattle can be directly driven from pasture to pasture as feed conditions change.

Tejon Ranch's lessees operating on Ranch lands primarily use the drift approach, continually assessing feed quality based on experience and enabling livestock to access suitable feed. The season starts in winter when green suitable feed is available in the valley floor. In February and March, the green line representing desirable feed begins to move uphill as the lowlands warm and feed dries out. The valley floor pasture gates are opened, allowing cattle to drift uphill into the next pasture to follow the green line. This process continues, with cattle eventually reaching the highest elevations of the Ranch (including the Mountain Village project area) in mid-summer, where they feed on the last of the green feed. Then, the downhill drift begins as the cold season begins and gated to mid-elevation pastures as opened, generally by September or October. Cattle move downhill to avoid the decreasing temperatures in the higher elevations, pursuing feed that is refreshed by fall and winter rains as they move toward the valley floor. They reach the valley floor near the end of the year and graze the lowlands until the rotation begins again.



Tejon Ranch manages ranching activities by ensuring that its lease holders are following the terms of their leases, including that lessees are responsible for knowing the techniques and tools of proper grazing and implementing industry accepted Best Management Practices (“BMPs”). In addition to these leases, Tejon Ranch also performs other livestock management activities directly, such as conducting temporary sheep grazing for additional hazard clearing and to maintain the Cross and Crescent cattle brand, which is considered the oldest livestock brand in the country still in use.



Grazed grasses, which represent most of the vegetation at Tejon Ranch, are not conducive of extreme wildfire compared to unmanaged grasses. Grazing on Tejon Ranch is not mitigation; it has been a consistent practice on our lands for nearly one hundred-sixty years and dictates the current condition of the landscape. As good stewards of the land and to minimize fire danger for our communities, Tejon Ranch intends to do so in perpetuity.

The positive impact of fuel management from grazing reduces fire hazard is irrefutably proven out by the documented fire history of the Ranch going back many decades as described in the attached Wildfire Hazard Technical Analysis reports. Therefore, the grazed grassland conditions of Tejon Ranch should be incorporated into CAL FIRE's Fire Hazard Severity Zone model to provide a more accurate representation of wildfire hazard at Tejon Ranch.

Other Critical Factors to Consider when Classifying Hazard across Tejon Ranch

As described within the introduction narrative, there are several compelling factors that would beneficially impact Fire Hazard Severity Zone classifications at Tejon Ranch. Again, the Ranch is not wildland. Beyond the history and significant grazing regime employed for nearly two centuries, there are numerous commercial enterprises on the Ranch that are constantly managed by multitudes of people including:

- Hunting operations across the property;
- Ranch operations, including continuous maintenance of 640 miles of fencing;
- Farming operations, including almost 6,000 acres of developed agricultural land in the San Joaquin Valley and in the Antelope Valley at Centennial;
- Extensive California Department of Water Resources infrastructure, including the Edmonston Pumping Plant and supporting infrastructure and the State Water Project's California Aqueduct (30 miles through the Ranch), the Tehachapi Afterbay and Quail Lake which are all on or immediately adjacent to Tejon Ranch;
- Major energy infrastructure, including Calpine's 750MW Pastoria Energy Facility and major transmission facilities operated by PG&E, SoCal Gas, and SCE that traverse Tejon Ranch and are constantly monitored and upgraded. This infrastructure includes:
 - Transmission and Power Cables totaling 187 miles
 - Natural Gas Pipelines totaling 92 miles
 - Petroleum Pipelines totaling 47 miles
 - Water Distribution Mains totaling 22 miles
 - Calpine has recently obtained permits for a 650-acre utility scale solar field to include battery storage located adjacent to the Pastoria Energy Facility
- Telecommunications infrastructure, including multiple carriers with cellular facilities and fiber optic easements traversing Tejon Ranch either adjacent to or through each of our future developments;
 - Fiber Optic lines totaling 100 miles
- Major Mining operations, including National Cement in the Antelope Valley overlooking Centennial and totaling 2,440± acres of lands held under the lease, in addition to Granite Construction and Griffith Construction in the San Joaquin Valley totaling 280± acres and 250± acres, respectively;
- Commercial Real Estate operations, including those at Tejon Ranch Commerce Center and Grapevine Center; and

- Miles of improved and unimproved roads for access as well as miles of fire breaks that are continually maintained year-round by Tejon Ranch employees as well as Kern County fire crews. These roads include:
 - 1,720 miles of paved and dirt roadways on Tejon Ranch
 - 220 miles of NAP and CA Aqueduct roadways
 - 15 miles of I-5
 - 7 miles of Hwy 58
 - 7 miles of Hwy 223

Future Master Planned Development

Master planned communities are ignition resistant communities and perform well during wildfire emergencies. When large, continuous areas are further converted to managed landscapes with ignition resistant structures, the ability for wildfire to spread into and through the area is significantly diminished. Modern Chapter 7A-built ignition resistant large-scale master planned communities such as those to be developed at Tejon Ranch, are not vulnerable to wildfire because built-in features set wildfire away from the community and provide airborne ember protection for all community structures.

We recognize that future development is not being considered as part of the 2022 hazard mapping adoption process. However, the comprehensive fire protection measures planned for future Tejon Ranch Company developments coupled with a long history of proactive land and fuels management has been recognized in a letter of support Brian Marshall, former Chief of the Kern County Fire Department and current Fire and Rescue Chief of the California Office of Emergency Services (*see letter from former Kern County Fire Chief Brian Marshall to Los Angeles County*).

At the time of its entitlement in 2018 and in response to a question about his comfort in approving Centennial, then Los Angeles County Fire Chief Daryl Osby publicly testified that Los Angeles County Fire Department reviewed and “signed off” on the fire related approval of the project and its fuel modifications.

“And also, for this particular situation, for the project, we’ll have, around the perimeter, proper fuel modification to reduce the impact of potential fire. And the difference between this new type of development, as opposed to existing developments, is that, when we do fuel modification projects as it relates to the exterior, then also the individual homes, it will be the current code. And so, most of the – well, all of the vegetation will be non-flammable.”¹⁶

Also, Chief Osby was “extremely confident and comfortable” about the fire safety of residential development at Tejon Ranch.

“I’m extremely -- as the fire chief, I am confident and comfortable. We’re planning this community from the inception, and, it was mentioned by a previous speaker, as relates to these types of communities, the retired fire marshal from Santa Barbara

¹⁶ Transcript from Los Angeles County Board of Supervisors meeting, December 11, 2018, pages 133-134.

County that the Los Angeles County and the Los Angeles County Fire Department is really the gold standard as it relates to these types of communities.”¹⁷

Tejon Ranch’s approved entitlements with detailed land plans, including extensive Fire Protection Plans have been approved by expert local fire agencies and should not be modified through application of new fire hazard modeling. Each master planned community at Tejon Ranch has Fire Protection Plans that were reviewed by Kern County and Los Angeles County, both of whom are CAL FIRE Contract Counties.

Examples of Errors in Modeling Inputs Specific to Tejon Ranch

Vegetation

Tejon Ranch has identified examples where data used by CAL FIRE is more than 20 years old and does not reflect current on the ground conditions, which accumulate and generate flaws in the model being relied upon as opposed to actual on the ground conditions. For example, CAL FIRE’s Initial Statement of Reasons (ISOR) disclosed¹⁸ that the model input data for the FHSZ map used a CAL FIRE Fire and Resource Assessment Program (FRAP) “FRAP 2015” source originating from the California Department of Fish and Wildlife’s BIOS dataset. Tejon Ranch has reviewed the vegetation layers in the BIOS dataset and identified several problems.

Ember production and movement

The production of embers and movement of firebrands is exacerbated during extreme wildfire behavior. The majority of the Tejon Ranch, particularly the Grapevine and Centennial Project sites, does not include features likely to result in extreme wildfires. As described further in the attached technical reports (*see Dudek Wildfire Hazard Technical Analyses*), ember production and firebrand spotting distance are greatly reduced in grazed grasses compared to unmanaged open space conditions. Ember production and movement can be greatly misrepresented when using incorrect model inputs for grassland fuels. Portions of Tejon Ranch contain oak woodland, but the trees are dispersed, and the canopy is not as dense.

Adjacent wildlands pose minimal risk of embers falling into the non-wildlands of Tejon Ranch due to the type of fuels and distance offsite that embers would need to travel. (*see Dudek Wildfire Hazard Technical Analyses*)

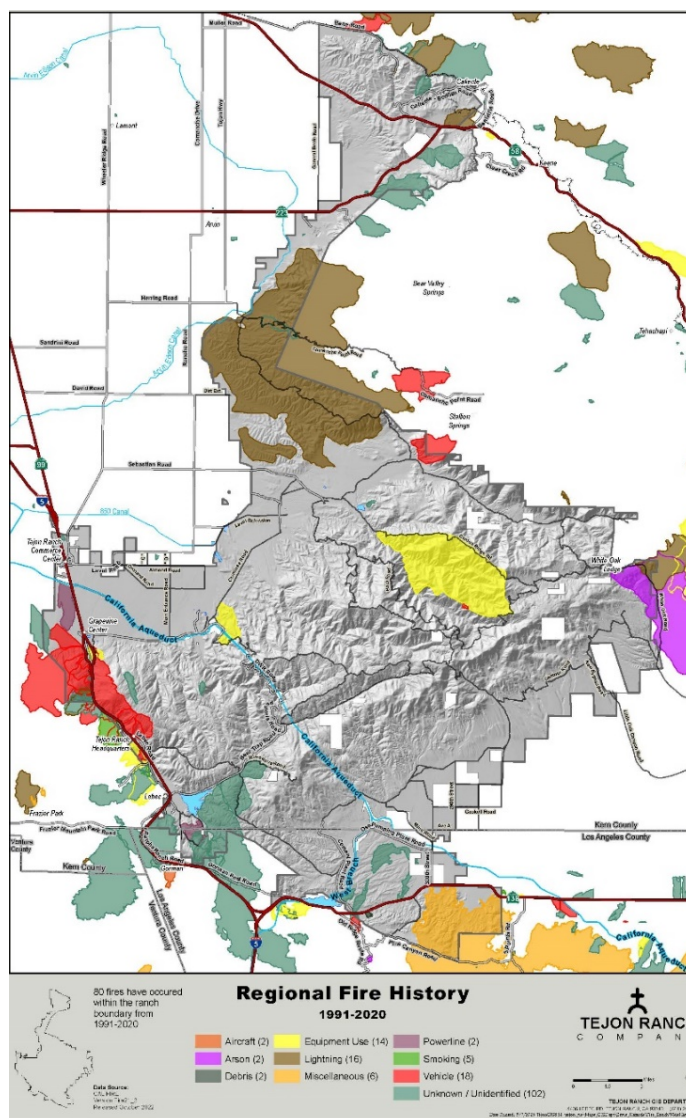
¹⁷ Transcript from Los Angeles County Board of Supervisors meeting, December 11, 2018, pages 136-137.

¹⁸ CAL FIRE [Initial Statement of Reasons \(ISOR\)](#).

Fire History and Burn Probability

Fire history and burn probability are a large influencer of projected wildfire hazard, with areas experiencing high burn probabilities corresponding to a higher wildfire hazard. CAL FIRE's model appears to assign the same burn probability to all pixels within a given vegetation strata and does not consider previous local fire occurrences.

Historically, Tejon Ranch has experienced fewer historic fires compared to the surrounding region with similar vegetation types. This low to non-existent fire activity is evidence that **historic cattle grazing has significantly modified vegetation and fuel loads** resulting in more manageable fire behavior. Fuel modification is further supported by early wildfire detection, and rapid response from nearby fire stations. Further, Tejon Ranch is populated with hundreds of miles of maintained roads, both paved and unpaved, which provide access and serve as fire breaks. (*see Ranch Roadways map*) The Ranch maintains many additional miles of firebreaks as well. In addition, thousands of eyes are watching Tejon Ranch lands daily as part of regular business activity. (*see Dudek Wildfire Hazard Technical Analyses*)



From the modeled period 1991-2020, there have been a limited number of low-intensity fire activity experienced, typically along the I-5 corridor. The Fire Hazard Severity Model misrepresents the actual burn probability for Tejon Ranch based on actual experience. (*see Region Fire History map*).

Specific Concerns regarding the 2022 Fire Hazard Severity Zone Mapping Process and Outcome Deficiencies

Respectfully, we have identified deficiencies in both process and modeling outcome that need remedy before adoption of any final FHSZ maps for the SRA.

Inadequate Public Engagement Process: The public engagement process following release of the updated FHSZ maps was inadequate in length of time and scope of response. We are grateful that CAL FIRE also recognized this fact, which has resulted in the 60-day extension to allow the full

breadth of public input. CAL FIRE's last map was released in 2007. After 15 years and a lengthy period of internally developing a new model to update the FHSZ mapping that culminated in significant changes, the public deserves the opportunity to fully understand the significant changed outcomes that are being proposed.

Inadequate Transparency for the Methods Used to Determine Fire Hazard: Tejon Ranch believes in the value of science and data. However, we have strong concerns regarding the methodology employed by CAL FIRE to model the updated FHSZ maps. While some of the input sources are described, the new model and all its inputs have not yet been made available to the public. Dudek, Tejon Ranch's fire safety consultant, has relied on publicly available data for burn probability and other modelling but is unable to determine the specific reasons behind why the updated FHSZs appear to be so varied and different from site-specific modeling in some areas. We ask that CAL FIRE provide an explanatory summary of the variances between the 2007 and 2022 models, release the underlying modeling methodology in detail, data sets and information on how the data is utilized for the model, driving assumptions, inputs, and algorithm information.

Lack of Clarity on Hazard vs Risk: The maps and associated information released by CAL FIRE do not provide clarity or differentiate between the definition of "hazard" versus "risk" and the confusion these terms leave with the public, insurers, and courts.

To remedy this confusion and conflation, CAL FIRE should clearly voice and state in written form that the hazard maps do not indicate that development cannot occur, but only that they must build structures to a higher standard, much like seismic maps drive higher earthquake resistant construction. There should be no suggestion or opportunity for interpretation of these hazard maps by those opposing development or insurance providers that it is unsafe to build in all areas mapped as high or very high fire hazard severity zones. Site specific analysis and protection measures consistent with and exceeding the requirements where needed, mitigate the risk associated with the hazard. To remedy this problem, explanatory language should be included that reflects the following:

The 2022 Fire Hazard Severity Zone (FHSZ) maps are developed using a model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior and are designed to evaluate "hazard," not "risk". The mapping and analysis conducted are not consistently accurate or parcel-specific, do not constitute the best available science, and therefore are inappropriate are not a regulatory or land use plan or policy for use in any context, including but not limited to the California Environmental Quality Act (CEQA), relating to the implementation, modification, or approval of the General Plan, Area and Community Plans, Specific Plans, Sensitive Ecological Areas, or any development or infrastructure project. The FHSZ maps do not impose or result in any additional requirements, or changes to approved, land use (including but not limited to housing, jobs, and infrastructure) plans, entitlements and permits.

Misclassification of the Wildfire Hazard: Given the historic and ongoing land management and fuel reduction practices on Tejon Ranch, including livestock grazing and various forms of commercial activity, fuel loads are not consistent with extreme wildfire behavior in their historic and present condition and there is no indication whatsoever that this condition will change in the

future, certainly not in the next 50 years. Actively grazed landscapes, including those of portions of the Ranch within the Antelope Valley of Los Angeles County, assure sustainability and limit the severity of wildfire because grassland fuel loads are reduced. The sustainable grazing operation employed at Tejon Ranch effectively reduces the grass fuels on an ongoing basis, which reduces the potential for fire ignitions and rapid fire spread. We believe that the grazed and managed vegetation conditions were not considered and the model for grass fuels is misrepresentative of present and historical conditions was used, resulting in higher severity modelled fire behavior. (*see Dudek Wildfire Hazard Technical Analyses*)

Additionally, the burn probability at the Centennial project site within Los Angeles County is likely to be significantly lower compared to other areas within the same vegetation strata due to historical fire data, managed fuel conditions, barriers preventing wildfire spread, and the site's definition as a working ranch surrounded by other non-wildland uses including large-scale mining, recreation, agriculture, utilities, and water resource infrastructure. CAL FIRE's burn probability assessment of Tejon Ranch is not likely to have accounted for these crucial factors resulting in an overestimation of burn probability and corresponding wildfire hazard.

Lack of Streamlined Process to Reduce Hazard Rating

Tejon Ranch appreciates commitments expressed by current leadership to more frequently update hazard mapping. However, based on the 15-year window of time needed to present current maps, CAL FIRE should remain open to providing a pathway for hazard rating updates to occur *at any time* when conditions are materially changed. CAL FIRE has expressed a desire to conduct a more regular cycle to update future hazard maps, but that remains aspirational at this time. A formal process for providing site specific data, acceptance by the local fire agency, and map changes to occur within a reasonable time frame will greatly enhance the viability of hazard severity zone maps, which includes their accuracy and usefulness.

Conclusion

We ask that CAL FIRE and the Office of State Fire Marshal consider the project level Wildfire Hazard Technical Analyses for each of our residential master planned communities, which are attached as exhibits and made a part of this comprehensive comment letter. CAL FIRE should revise the Fire Hazard Severity Zone classifications overlaying Tejon Ranch to correctly reflect actual site conditions and incorporate the technical analyses as "best available science" on Tejon Ranch lands. Additionally, CAL FIRE should provide an explanatory description of the variances between the 2007 and 2022 models, release all underlying modeling methodology, data sets, driving assumptions, inputs, and algorithms for the public's understanding of such a dramatic change in the hazard mapping that presents extreme consequences for many Californians.

Californians are experiencing a real crisis in both housing availability and the cost of living. The Newsom Administration has worked to address the need to build 2.5 million new homes by seeking enforcement of state law requiring city and county jurisdictions to adequately plan for residential construction. However, the draft FHSZ maps for the SRA will jeopardize the delivery of significant numbers of market rate and affordable housing stock across the state.

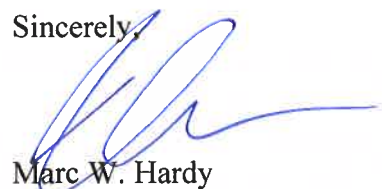
Tejon Ranch has spent nearly 200 years successfully managing 270,000 acres and has committed more than two decades and invested hundreds of millions of dollars analyzing and planning for its

current and future growth. We join CAL FIRE in supporting science driven decision making; it is what we have undertaken in planning our own projects. The facts, data, and supplemental material provided to CAL FIRE in the form of this public comment and the accompanying third-party wildfire hazard technical analyses better inform the SRA hazard mapping process than the high-level science and modeling approach used to create these draft maps. We ask that CAL FIRE rely upon the best available science that Tejon Ranch possesses and correct the mapping deficiencies over Tejon Ranch lands that have been identified.

We thank you for being receptive to our concerns and addressing the items identified within this comment letter and the attached technical reports. We are available to work with the Office of State Fire Marshal as additional changes are made. Please contact Todd Ferrara, Vice President of Government Relations at 916-767-3618 with any questions or requests for additional information.

Thank you for your consideration of these important items.

Sincerely,



Marc W. Hardy
Senior Vice President and General Counsel

Exhibits

- Dudek Wildfire Hazard Technical Analysis Report for Grapevine (Kern County SRA)
- Dudek Wildfire Hazard Technical Analysis Report for Mountain Village (Kern County SRA)
- Dudek Wildfire Hazard Technical Analysis Report for Centennial (Los Angeles County SRA)
- December 2018 letter from former Kern County Fire Chief Brian Marshall to Los Angeles County
- February 2023 correspondence from Kern County Fire Chief Andrew Kennison to Tejon Ranch Company
- 2008 Historic Ranchwide Agreement map
- Tejon Ranch Roadways map
- Tejon Ranch Mineral/Ranch Leaseholds & Major Leaseholds map
- 2023 Tejon Ranch Commerce Center Site Plan map
- Tejon Ranch Livestock Operations map
- Regional Fire History (1991-2020) map
- *Cattle grazing reduces fuel and leads to more manageable fire behavior*, University of California Agriculture and Natural Resources, California Agriculture April-September 2022 / Volume 76 Number 2-3

Brian S. Marshall
Fire Chief & Director of Emergency Services

Fire Department Headquarters
 5642 Victor Street • Bakersfield, CA 93308 • www.kerncountyfire.org
 Telephone 661-391-7000 • FAX 661-399-2915 • TTY Relay 800-735-2929



December 10, 2018

Los Angeles County Board of Supervisors
 Kenneth Hahn Hall of Administration
 500 West Temple St. Ste 383
 Los Angeles, CA 90012
 (213) 974-1411

Dear Los Angeles County Board of Supervisors,

The Kern County Fire Department has been tasked by the Kern County Board of Supervisors to review and approve of fire-safety measures undertaken by Tejon Ranch Company (Tejon Ranch) in the entitlement and development of their three master planned communities currently approved in Kern County. Tejon Ranch has a long history of pro-active management practices, including fuel modification (grazing), for fire prevention and has always strongly partnered with County, State and Federal agencies in fire prevention and firefighting efforts.

With full Environmental Impact Reports and extensive public input, Kern County has approved and is implementing, the Tejon Industrial Complex and Commerce Center (20 million square feet of industrial/commercial) with over 2,300 current jobs with new businesses under construction, the Tejon Mountain Village Specific Plan, (2009) with 3,450 mountain homes and 21,000 acres of open space beyond the Ranch Wide Agreement, which sets aside 240,000 acres of open space for permanent preservation. The Grapevine Specific and Community Plan (2016) with 12,000 homes of all types with 5.1 million square feet of commercial-industrial development under judicial review incorporated extensive fire prevention methods and no legal challenge was brought against the Fire and public protection component of the plan. The remaining developments to be considered are the Centennial Specific Plan in Los Angeles County that is before your Board and a remaining 7,600 acre project adjacent to the Grapevine plan in Kern County.

Tejon has worked closely with our Department to develop comprehensive Fire Prevention Plans for their developments that include measures to ensure the safety and protection of future residents, visitors, and their property. The plans employ fire spread modeling, fuel modification, fire protection related infrastructure (water supply, hydrants, primary and secondary ingress/egress roads, fully staffed and fully equipped on-site fire stations for firefighting and emergency response) and structural fire protection concepts (such as building standards incorporating the latest in ignition resistance standards and interior sprinklers, where appropriate) for each development. Further measures include under-grounding utility lines to reduce the chance of ignition, excellent street networks to allow fire fighters quick and easy access and an emergency evacuation plan that must be updated for each new phase of development.

Proudly Serving the Cities of Arvin, Bakersfield, Delano, Maricopa, McFarland, Ridgecrest, Shafter, Taft, Tehachapi, Wasco, and all Unincorporated Areas of Kern County

**December 2018 letter from former Kern County Fire Chief Brian Marshall
 to Los Angeles County, page 1 of 2.**

Additionally, our Department has communicated with the Los Angeles County Fire Department in order to have a coordinated response to communities within the proposed Tejon Ranch developments. Both Fire Departments respond jointly to fire and other emergencies in the Grapevine area. This close cooperation provides maximum fire and emergency services within a short time-frame which often is the difference in reducing the loss from hostile fires.

Tejon Ranch, in their extensive planning efforts, have been on the cutting edge of fire prevention planning for master planned communities in California and have long exhibited a commitment to fire prevention and support of firefighting efforts on behalf of the entire region.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. S. Marshall", is written over a horizontal line.

BRIAN S. MARSHALL
Fire Chief and Director of Emergency Services

PAGE 2 of 2

**December 2018 letter from former Kern County Fire Chief Brian Marshall
to Los Angeles County, page 2 of 2.**

From: Andrew Kennison <akennison@kerncountyfire.org>
Sent: Wednesday, February 1, 2023 4:47 PM
To: Hugh McMahon <hmcMahon@tejonranch.com>
Cc: Todd Ferrara <tferrara@tejonranch.com>
Subject: Re: Tejon Fire Hazard Severity Zone Technical Analyses

Good afternoon,

I have reviewed the information you have sent and agree that although the modeling developed by the office of the state fire marshal does not include considerations for fuel modification work, the length of time and annual consistency of the grazing done could be considered. The use of cattle for grazing on ranch property since the 1800's could be considered when evaluating the fuel type and loading on the property. Indeed some areas throughout the drought have had much of the burnable grass removed. So much so that I have fought fires on ranch property that have all but gone out when impacting areas that were grazed off.

In conclusion I agree that consideration for the ranches grazing efforts could be considered the natural setting of the landscape since that is how the land has existed since the 1800's and is going to be managed into the foreseeable future. Hopefully your comments will be well received and considered moving forward. If there is anything I can do to help please let me know.

Andrew Kennison

Kern County Fire Department
 Division 4, Air & Wildland
akennison@kerncountyfire.org
 (661) 330-0194

From: Hugh McMahon
Sent: Friday, January 20, 2023 1:25 PM
To: 'akennison@kerncountyfire.org' <akennison@kerncountyfire.org>
Cc: Todd Ferrara <tferrara@tejonranch.com>
Subject: Tejon Fire Hazard Severity Zone Technical Analyses

Chief Kennison:

It was great to meet you yesterday at the public hearing for CalFire's Fire Hazard Severity Zone maps. I know that you are really busy and I greatly appreciate your willingness to review our technical analyses of fire hazard for Mountain Village and Grapevine. The reports are based upon the EIR fire analysis and Fire Prevention Plans (FPP) that were reviewed and cleared by KCFD during the County EIR approval process for both our Mountain Village and Grapevine projects. We have updated the reports with intent to provide project-level analysis as to fire hazard and the FPP is included as an attachment for each. Project. I have also included for your information a letter from former KCFD Chief Brian Marshall that characterized our FPP efforts.

**February 2023 Correspondence from Kern County Fire Chief Andrew Kennison
 to Tejon Ranch Company, page 1 of 2.**

Below are Box links to reports and cover memos for each of the projects.

1. Mountain Village <https://tejonranch.box.com/s/3lm421wgirayi58iby2kkdmemjnzp7mp>
2. Grapevine <https://tejonranch.box.com/s/7ksml3sylvct3zqsi3ayvdkb1leswl38t>
3. Chief Marshall Letter <https://tejonranch.box.com/s/zef5x71orz0iepw7qtywz0w4t25h3yab>

I am hoping that you can let us know if our analyses are on the right track based on the historical knowledge and expertise of KCFD in fighting fires on Tejon. Please reach out to me directly with any questions and I will get them answered for you asap.

Thank you Sir.

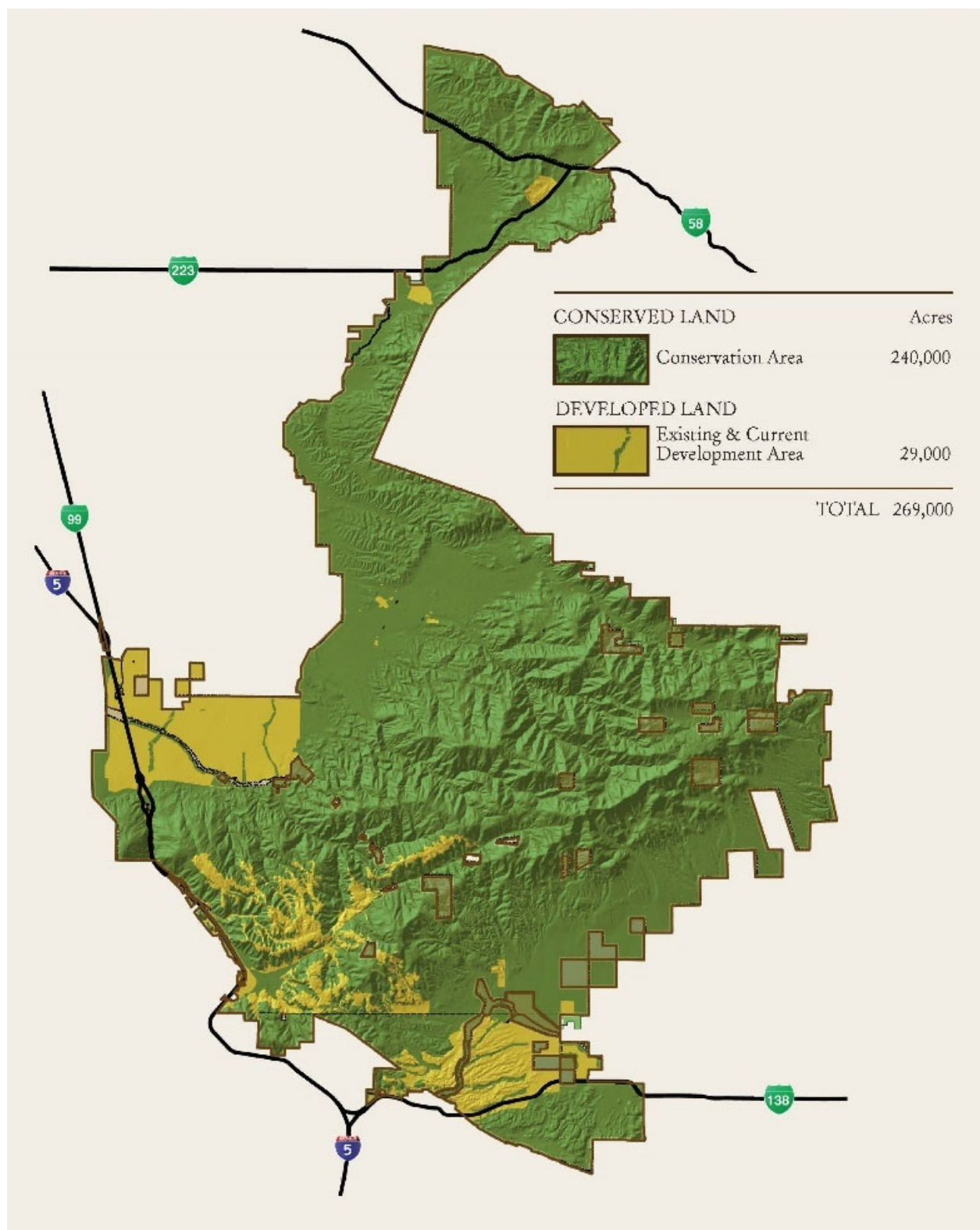
Hugh F. McMahon, IV
Executive Vice President, Real Estate



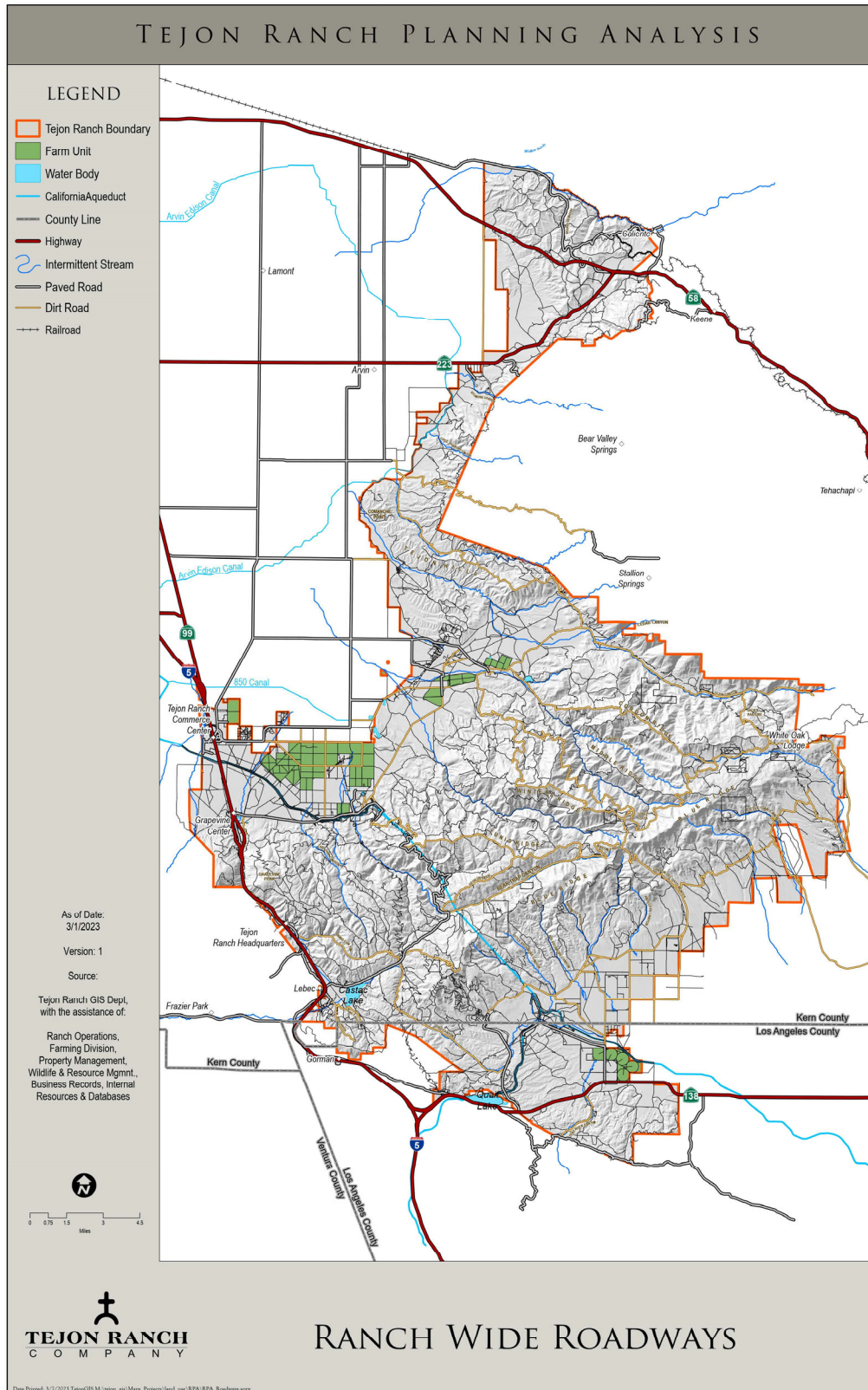
P.O. Box 1000 | 4436 Lebec Road
Tejon Ranch, CA 93243
(661) 663-4229 Direct
www.TejonRanch.com
www.TejonMountainVillage.com
www.GrapevineatTejonRanch.com



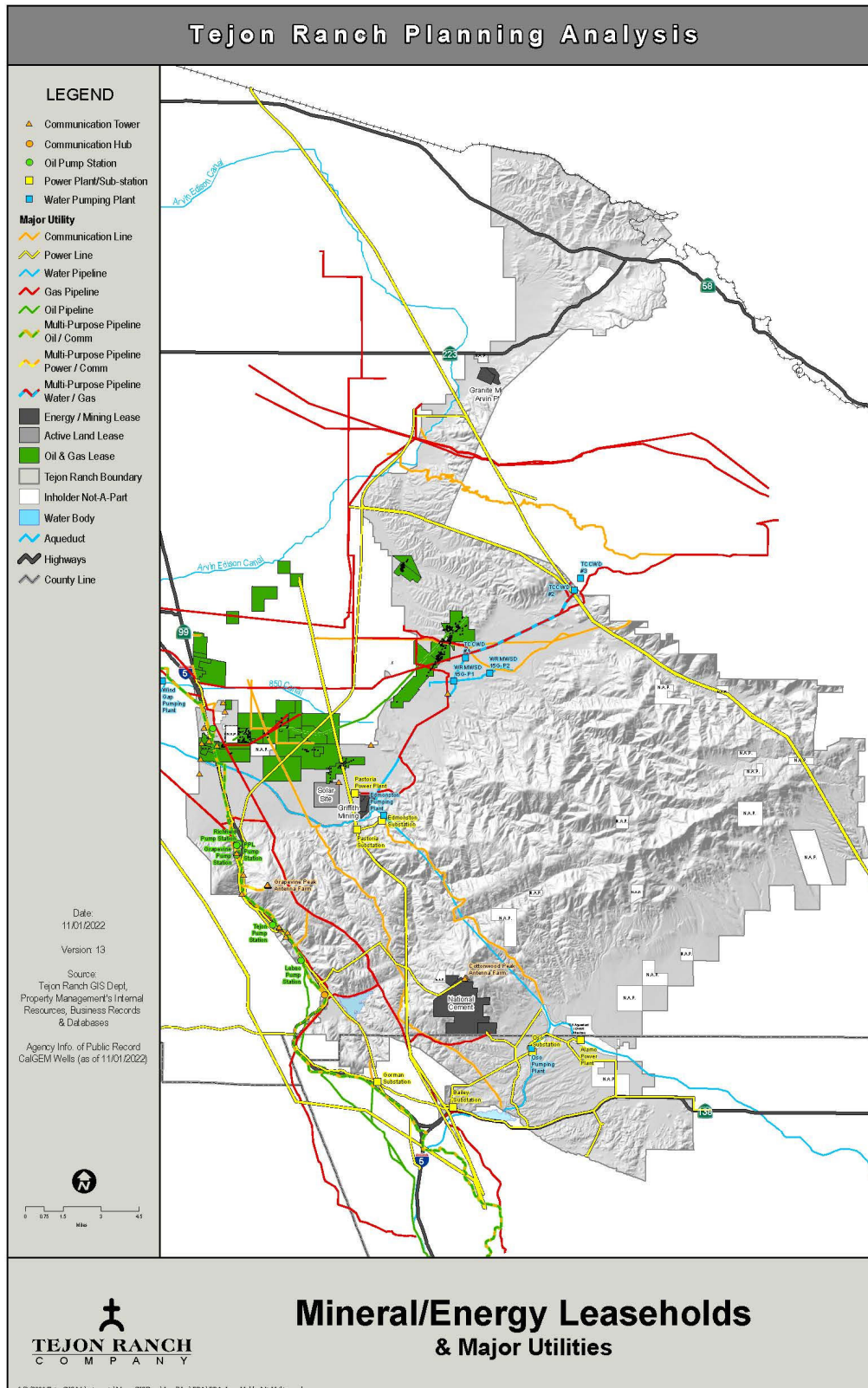
**February 2023 Correspondence from Kern County Fire Chief Andrew Kennison
to Tejon Ranch Company, page 2 of 2.**



2008 Historic Ranchwide Agreement Map

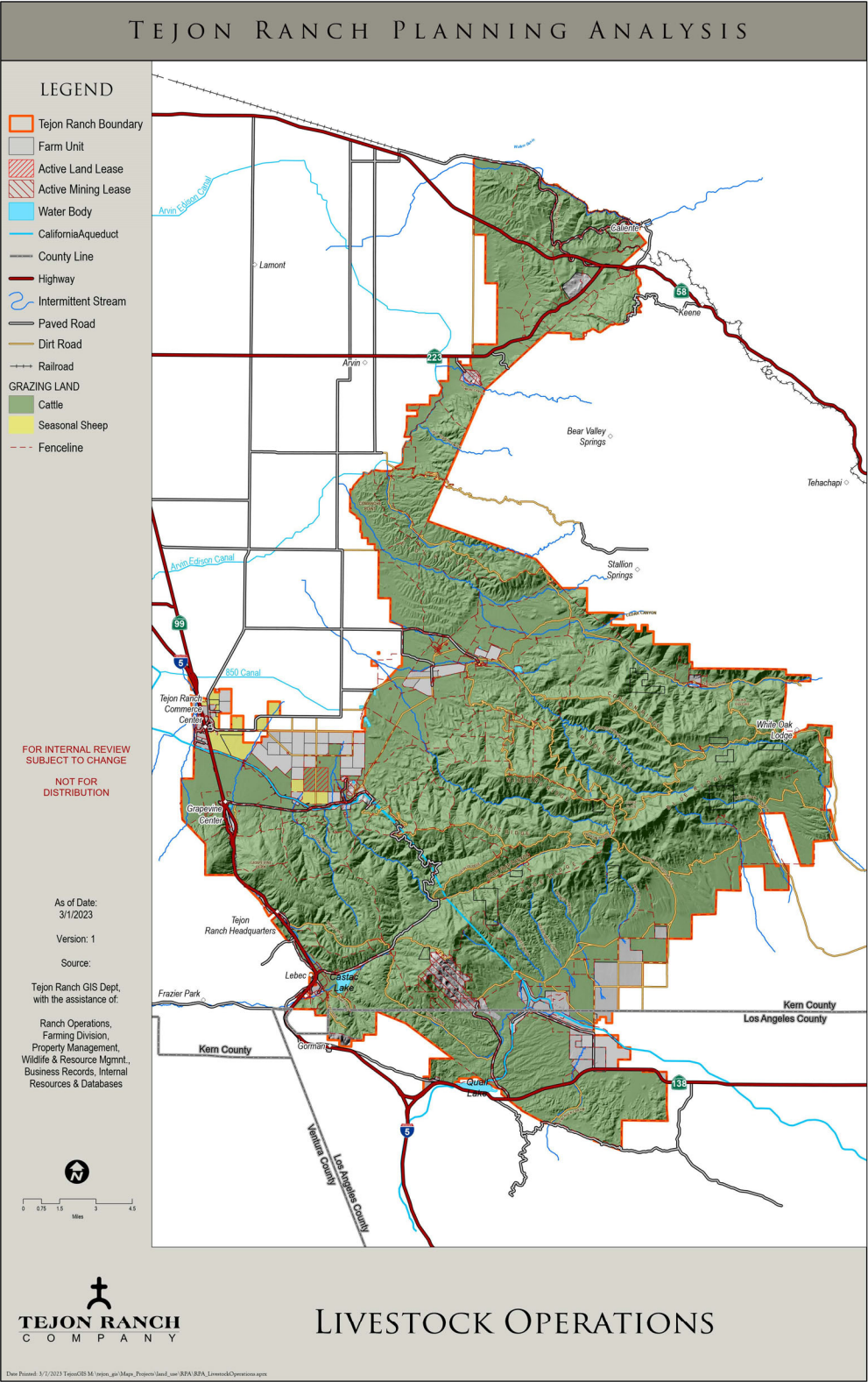


Ranch Wide Roadways Map

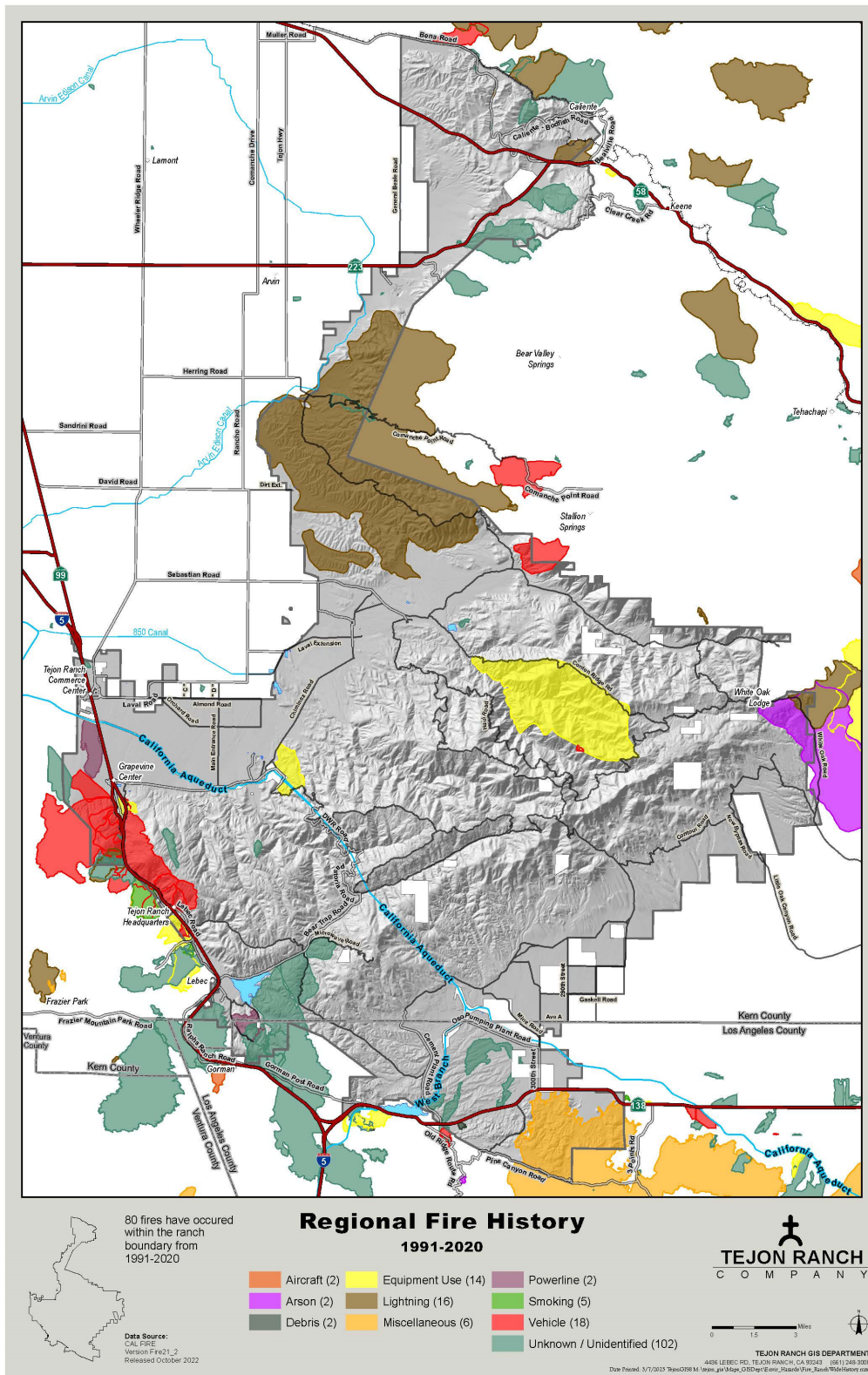


Mineral/Energy Leaseholds & Major Utilities Map





Livestock Map



1991-2020 Regional Fire History Map

RESEARCH ARTICLE

Cattle grazing reduces fuel and leads to more manageable fire behavior

Grazing cattle can help reduce fuel loads on rangelands and mitigate the ever-growing risk of catastrophic wildfires.

by Felix Ratdiff, Devii Rao, Sheila Barry, Shane Dewees, Luke Macaulay, Royce Larsen, Matthew Shapero, Rowan Peterson, Max Moritz and Larry Forero

Online: <https://doi.org/10.3733/ca.2022a0011>

Abstract

Cattle play an important role in wildfire management by grazing fuel on California rangelands. The benefits of cattle grazing have not been thoroughly explored, though. Using statewide cattle inventory, brand inspection and land use data, we have estimated that cattle removed 11.6 billion pounds (5.3 billion kilograms [kg]) of non-woody plant material from California's rangelands in 2017. Regionally, these reductions varied between 174 and 1,020 pounds per grazed acre (195 to 1,143 kg per hectare). Fire behavior is characterized in this paper by flame length. Fire behavior models suggest that these regional fuel reductions lower flame lengths, and lead to more manageable wildfires. In addition, fire-based models show that cattle grazing reduces fuel loads enough to lessen fire hazards in many grazed areas. Moving forward, there may be significant opportunities to expand strategic grazing on rangelands to add extra layers of protection against wildfires.

Recent wildfire seasons in California have been some of the worst on record. This “new reality” highlights the importance of understanding how land management practices such as cattle grazing affect wildfire behavior. Fire behavior is characterized in this paper by flame length. While climate change can lead to more severe fire behavior for California wildfires, our findings suggest that land managers can help balance out these dangers in grasslands by using livestock grazing to reduce fuel loads. CAL FIRE's California Vegetation Treatment Program (CalVTP) utilizes prescribed herbivory, which is the targeted grazing of cattle, sheep and goats to reduce wildland plant populations. While not included in CalVTP, conventional grazing also plays an important role in fuel load reductions.

Livestock grazing is a prevalent land use on California's rangelands and is considered a cost-effective method of reducing fuel loads (Taylor 2006). As such, fuel reduction through livestock grazing is a

These stocker cattle graze seasonally, during spring, reducing fine fuels across a large landscape. Photo: Devii Rao.



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University of California Agriculture and Natural Resources, California Agriculture
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common management goal in regional, state, county and agency management plans (EBMUD 2000; EBRPD 2013; George and McDougald 2010; Rancho Mission Viejo 2006; Santa Clara County Parks 2018). However, management plans generally do not list target fuel conditions to achieve through livestock grazing.

Since livestock grazing is already in widespread use for wildfire fuel management in California, it is important to understand in greater detail to what extent livestock reduce fuel loads across the state, including how this varies spatially. More research on grazing for fuel reduction has been done on sheep and goats than on cattle (Nader et al. 2007). Especially in California, much of this research has focused on forests and shrublands rather than grasslands, and on woody rather than herbaceous fuels (Green and Newell 1982; Minnich 1982; Narvaez 2007; Tsouvaras et al. 1989). While cattle graze all rangeland types in California, they primarily graze grasslands, preferring herbaceous forage like grasses and flowering plants (Launchbaugh et al. 2006; Van Soest 1994). When these fuels dry out, they are known as “fine fuel” — fuels with a high surface-area-to-volume ratio that can be quickly combusted in wildfires (USFS 2022). Because they are by far the most widespread and abundant domestic grazers in the state (Saitone 2018), understanding the effects of cattle grazing on rangeland fuel loads is particularly important.

Beef cattle account for the vast majority of rangeland cattle. However, the number of beef cows in California today is only about 57% of their peak numbers in the 1980s (Saitone 2018). This reduction is mirrored by declines in authorized grazing on public lands in the state over that time period (Oles et al. 2017; Saitone 2018). The number of grazed rangeland acres has been in decline as well, both on private (Cameron et al. 2014) and public lands (Forero 2002; Oles et al. 2017). This reduction influences rangeland fuel levels, as less fine fuel is removed through grazing.

Cattle grazing can reduce rangeland fuels in several ways. The most frequently studied and perhaps most important way is by removing fine fuels. This can affect fire behavior by reducing rates of spread, flame lengths and fire intensities. Despite widespread interest in this topic, there is only one published study of the impact of cattle grazing on fine fuels and fire behavior in California (Stechman 1983). This study looked at fire behavior in an annual grassland grazed by cattle; however, the level of residual dry matter (RDM) was much higher than is typical for grazed annual grassland in California. RDM is the amount of herbaceous plant matter from the previous season immediately prior to the first fall rains (Bartolome et al. 2006). Other studies from western U.S. rangelands in sagebrush steppe, mesquite savanna and cheatgrass-dominated grasslands have shown that cattle grazing can reduce fine fuel loads and, in turn, slow fire spread and flame length (Bruegger et al. 2016; Davies et al. 2010; Davies et al. 2015; Diamond 2009; Schmeltzer et al. 2014). Several of these studies rely on fire behavior models to



Comparison of ungrazed grassland (inside enclosure) versus grazed grassland (outside enclosure). Photo: Royce Larsen.

analyze the effects of fine fuel reduction on fire behavior (Bruegger et al. 2016; Diamond 2009).

Cattle grazing can also reduce rangeland fuels by causing long-term changes in species composition and vegetation structure. Perhaps the most important example of this in California is that cattle grazing can prevent or slow the encroachment of shrubs and trees into grassland. Much of coastal California has shown a trend of shrub encroachment on grassland (particularly by coyote brush, *Baccharis pilularis*) in the absence of grazing and fire disturbances (Ford and Hayes 2007). For instance, in the San Francisco Bay Area, limited grazing in the mid- to late 20th century has been linked to widespread shrub encroachment and loss of grassland (Keeley 2005; McBride and Heady 1968; Russell and McBride 2003). Coyote brush encroachment is also occurring on the southern California coast (Brennan et al. 2018). Shrub encroachment, even if by native species, presents a challenge for fire management because dense stands of shrubs increase fire hazard and fire intensity (Ford and Hayes 2007; Parker et al. 2016). Grazing is a key management technique to minimize these more severe wildfires in areas where retention of grasslands is an important goal.

The amount of herbaceous fuel on the ground during fire season in grazed California rangelands is largely a function of herbaceous growth in any given year, the number of livestock grazing per acre (grazing pressure), and vegetation biomass loss due to weathering (Frost et al. 2008; Larsen et al. 2021). Forage production is notoriously variable and unpredictable in California, both between years and across the landscape at a fine scale (Becchetti et al. 2016; Devine et al. 2019). The number of livestock grazing in the state is relatively stable by comparison.

The goals of this study are to inform planning, policy, and risk assessment at the state and regional scales

and to clarify the benefit of strategic grazing to mitigate wildfire risk. To accomplish this, we describe the degree to which cattle remove fine fuels from rangelands in different areas of the state and use models to try to understand how this fine fuel removal affects fire behavior. We aim to help answer the following questions:

1. How much herbaceous fuel is removed by cattle from grazed rangelands in California, and how does this amount vary by region in the state?
2. What can fire behavior models tell us about how effective current levels of cattle grazing are at altering wildfire behavior?
3. How do spatial patterns of grazing and fuel reduction within regions inform our understanding of the impact of cattle grazing on fire behavior?

To answer the study questions, we first estimated rangeland fine fuel reduction by cattle in California. Next, we characterized year-to-year and spatial variability associated with fuel reduction. Finally, we applied fire models to predict how estimated regional fuel reduction would affect grassland fire behavior.

Calculating fuel reductions

We assumed that fine fuel reduction by cattle equals the amount of rangeland forage consumed by cattle in California. This is a conservative estimate of the total fuel reduction since it does not explicitly consider fine fuels removed through trampling (Nader et al. 2007), but see AUM in supplemental table 2 in the online

supplemental appendix. Consumed rangeland forage is a function of the number of cattle grazing on rangelands (head), the class of cattle, and the time spent grazing on the rangeland (in months; equation 1). We used five datasets to determine the values in equation 1, including the 2017 USDA Agricultural Census, California Brand Inspection Data, County Crop Reports, GAP LANDFIRE vegetation classification and MODIS imagery (supplemental table 1). We also consulted with livestock and range advisors from the University of California Cooperative Extension (UCCE) to estimate irrigated pasture use and further refine the data (See “Animal Unit Months and Forage Removal” in the online supplemental appendix).

The census data provides an inventory of beef cows and “other cattle” in each county. “Other cattle” are all non-cow classes (including both beef and dairy cattle). We used the brand inspection data to estimate the proportion of “other cattle” that were beef cattle, and to estimate the proportion of these that belong to each non-cow class (supplemental tables 1 and 2).

In order to account for inter-county movement of cattle, we created beef production regions in California (fig. 1). These regions were selected to account for the majority of inter-county movements of cattle, and for similarities in forage production and livestock production practices for counties without pronounced patterns of inter-county cattle movement.

Regional rangeland acres were calculated by: (1) summing harvested rangeland acreage statistics from the county crop reports to estimate “Grazed Rangeland” acres, and (2) summing the rangeland acreage types per region using the GAP/LANDFIRE National Terrestrial Ecosystems (GAP) (USGS 2016) classification to estimate “Total Rangeland” acres.

We used the following equation to calculate the total pounds of forage removed on rangelands in each region by cattle (variables are described in supplemental table 2):

$$\text{forage consumed} = \sum_{\text{region } k} (\sum_{\text{county } j} (\sum_{\text{cattle class } i} (\text{head}_{ijk} \times \text{months}_{ijk} \times \text{AUE}_i - \text{IP.adjust}_{ijk}) \times 1,000 \text{ pounds/AUM}))$$

To estimate forage removed per rangeland acre, we divided the estimated forage consumed by rangeland acreage in each region. To account for differences in approaches to estimating rangeland acreage, we calculated this using two datasets: county crop reports and the GAP classification.

Forage production and RDM

RDM is the unused forage at the end of the grazing season (fall) (Bartolome et al. 2006), measured in pounds per acre or kilograms per hectare. The total amount of forage produced per acre on rangelands is generally measured in late spring at peak standing crop. It is an approximate measure of the amount of fine fuel produced per acre annually (excluding



FIG. 1. Beef cattle grazing regions of California.

non-forage species), which is an important determinant of fuel load. RDM is not a perfect measure of fuel load because it excludes non-forage species and is only measured at the end of the fire season. Nevertheless, it gives an approximate value for residual fuel load. When compared to production measurements, RDM can be used to determine fine fuel removal rates by livestock in grazed rangelands.

We evaluated production data from 52 sites in the Central Coast, North Coast and Sacramento-Sierra-Cascade regions that was collected between 2000 and 2019, and RDM data from 105 sites collected between 1987 and 2019. We summarized these data to characterize variability in production between regions and at sub-regional scales, and to qualitatively assess heterogeneity of RDM and fuel reduction rates on grazed rangelands (supplemental table 4). We then compared these reduction rates to regional fuel reduction rates from the census-based fuel reduction estimates.

Modeling fire behavior

Custom fuel models were built using the BehavePlus 6 fire behavior model application to determine how variation in grassland fine fuel loads could affect flame length. Initial parameters were based on the low fuel load, dry-grass model GR2 (Scott and Burgan 2005), and the two grass models from the “original 13 fuel models” as described by Anderson (1982). However, several variables were altered to represent a range of fuel loads in different topographic positions and weather conditions (supplemental table 6). The pattern and scale of results from using the three different fuel models as the base for custom fuel models were similar (supplemental figs. 1–4). Therefore, our discussion is limited to the results of using the GR2 fuel model.

A summer model was built to represent fuel conditions after annual grasses had senesced and dried, and when fire conditions should be most extreme in a given year. For the summer models, we evaluated flame lengths when wind speeds were between 0 and 40 miles per hour (0–64.4 kilometers [km] per hour), and when fuel loads were between 100 and 2,000 pounds per acre (112–2,242 kilograms [kg] per hectare [ha]). Additionally, three separate dead fuel moisture scenarios (high at 13%, moderate at 6% and low at 2%) and two separate slope scenarios (high at 100% and low at 0%) were run. The high dead fuel moisture scenario was set to 13%, since our moisture of extinction (fuel moisture at which fuels are no longer ignitable) was set at 15% and is within the range of values that can be expected in California grasslands (Livingston and Varner 2016). While there is a dearth of literature on dead fuel moistures in California grasslands, the moderate dead fuel moisture scenario was set to 6%, because that was the lowest value measured by Livingston and Varner (2016) in late September. We set this as our moderate value, instead of our low value, because their measurements took place in Northern California, where we

might expect higher dead fuel moistures due to a more mesic (moist) climate. Lastly, the low dead fuel moisture value was selected to represent very extreme fire conditions. The higher slope value of 100% slope was selected to represent a high slope scenario, but one that was still reasonable for firefighters to access.

A spring model that included more live fuel and a higher fuel moisture content was also evaluated (supplemental figs. 1 and 2). While the GR2 model is dynamic and automatically reapportions some of the live herbaceous fuel to a one-hour fuel load, we turned off the dynamic feature of our fuel models because we were manually setting the ratio of live to dead fuel as part of the spring and summer scenarios.

BehavePlus 6 defaults to setting a maximum effective windspeed, but studies have shown that this can underestimate flame lengths and rates of spread (Andrews et al. 2013). Therefore, we turned off this feature and did not impose a maximum effective windspeed in our model calculations. Additionally, BehavePlus 6 has the option for the windspeed to be calculated at the midflame height, 20 feet above the vegetation, or 10 meters above the vegetation. We set the input for wind speeds to be at midflame height. This is the average windspeed from the top of the fuel bed to the height of the flame in relation to the fuel.

Regional variations

Approximately 1.8 million beef cattle grazed rangelands in California in 2017. Although there was a slight dip in the number of beef cows in the state during the 2012–2015 drought, their number had rebounded to the decadal average by 2017 (CDFA 2010–2018), indicating that 2017 Census numbers are representative of the pre-drought cattle numbers.

Beef cows were by far the most abundant beef cattle class, with 677,000 on range in the state in 2017. This was followed by steers, heifers, “mixed” (an amalgamation of different classes that couldn’t be separated using the brand inspection data), and bulls.

The number of months cattle spent on rangeland varied by county and by cattle class. Cows were estimated to spend an average of 10.7 months on rangeland (this accounts for cows that were removed from rangeland due to replacement). Steers and heifers were estimated to be on range an average of 7.6 and 7.7 months, respectively, and bulls and “mixed” cattle averaged 6.6 months on range. Time spent on range by each class of cattle varied substantially between counties and regions.

The cumulative fine fuel removal by these cattle varied by region from 85.0 million pounds (34.6 million kg) in the South Coast region to 5,444 million pounds (2,469 million kg) in the San Joaquin-Sierra region (fig. 2). In regions with higher levels of irrigated pasture use (San Joaquin-Sierra and Sacramento-Sierra-Cascade), estimates of fuel removal may be somewhat higher than actual removal rates if irrigated pasture use was higher

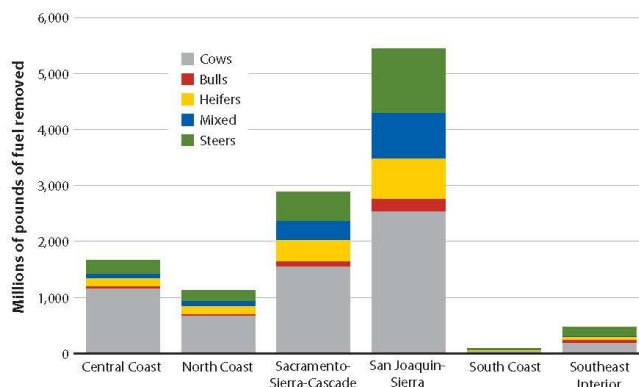


FIG. 2. Millions of pounds of fuel removed by cattle in each region.

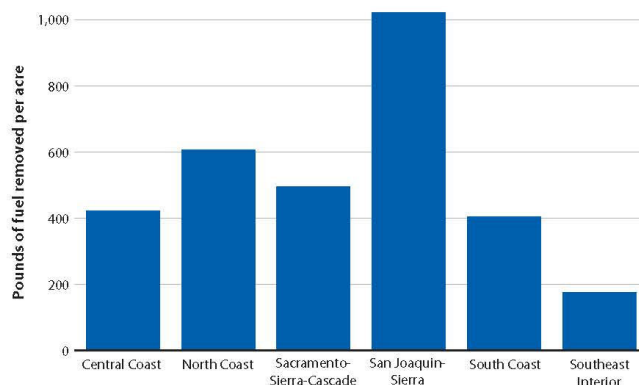


FIG. 3. Pounds per acre of fuel reduction on grazed rangelands in California regions.

in 2017 than the regional estimates used in our analysis. Across the state, the total fuel reduction by cattle in 2017 was 11.6 billion pounds (5.3 billion kg). Overall, this is probably a conservative estimate of fuels reduced on rangelands since it does not take into consideration fine fuels trampled by cattle and incorporated into mineral soil.

There were 19.4 million acres (7.9 million ha) of rangeland grazed by livestock in California according to county crop reports and county Agricultural Commissioners' offices. This is close to the 17 million acres (6.9 million ha) of private grazed rangeland previously reported in the state (CAL FIRE 2017), which is not surprising since many county crop reports do not include federal grazing allotments in their rangeland acreage estimates. On the other hand, our estimate of the total rangeland acreage based on the California GAP was 59.4 million acres (24 million ha). This estimate includes all public and privately owned rangeland, whether or not it is grazed.

The average amount of fuel removed across grazed rangelands in the state was 596 pounds per acre (668 kg/ha). This number varied from 174 pounds per acre (195 kg/ha) in the Southeast Interior region to 1,020 pounds per acre (1,143 kg/ha) in the San Joaquin-Sierra Region (table 1; fig. 3).

When calculated across all rangeland acres identified in the GAP analysis (not just grazed acres), average fuel reduction was only 195 pounds per acre (219 kg/ha). This lower number is largely due to the fact that there is rangeland that is not grazed in every region. The per-acre fuel reduction using the GAP acreage has similar regional trends to fuel reduction based on acreage from the county crop reports (table 1; fig. 4).

The regional values of grazing intensity are far below the amount of forage produced by region in most years. Valley grasslands in the interior of the state generally produce 2,000 pounds of forage per acre (2,242 kg/ha) or more in an average forage year (Bartolome 1987; Becchetti et al. 2016). Central and northern coast

TABLE 1. Acreage and average fuel reduction rates on grazed and total rangelands by region

Region	Grazed rangeland acreage (from crop reports)	All rangeland acreage (from GAP)	Fuels removed – grazed rangelands (pounds/acre)	Fuels removed – all rangelands (pounds/acre)
Central Coast	3,983,153 (1,611,925 ha)	7,242,014 (2,930,739 ha)	419 (470 kg/ha)	230 (258 kg/ha)
North Coast	1,857,912 (751,870 ha)	2,504,836 (1,013,671 ha)	419 (470 kg/ha)	450 (504 kg/ha)
Sacramento-Sierra-Cascade	5,827,095 (2,358,142 ha)	11,703,394 (4,736,196 ha)	495 (555 kg/ha)	246 (276 kg/ha)
San Joaquin-Sierra	5,336,824 (2,159,736 ha)	9,265,683 (3,749,689 ha)	1,020 (1143 kg/ha)	588 (659 kg/ha)
South Coast	211,560 (85,615 ha)	3,659,608 (1,480,991 ha)	401 (449 kg/ha)	23 (26 kg/ha)
Southeast Interior	2,232,720 (903,550 ha)	25,031,549 (10,129,908 ha)	174 (195 kg/ha)	16 (18 kg/ha)
Total	19,449,264 (7,870,838 ha)	59,407,085 (24,041,194 ha)	596 (average) (668 kg/ha)	195 (average) (219 kg/ha)

range grassland sites produce more than 3,000 pounds of forage per acre (3,363 kg/ha) (Becchetti et al. 2016; Larsen et al. 2020). Coastal prairie sites can be highly productive, producing more than 4,500 pounds per acre (5,044 kg/ha) on average in the Central Coast (Larsen et al. 2020). In the highest production years, forage production can be double the average in any given region, and in the lowest production years it can be less than 25% of average production (Larsen et al. 2020). The relatively low grazing intensity reflects the generally conservative stocking strategies used by many ranchers across the state to hedge against the unpredictable and highly variable annual forage production (Macon et al. 2016).

It's important to keep in mind that grazed acres and forage removal rates in this paper are not "hard numbers," but rather are estimates to inform large-scale patterns of fuel removal by cattle. These estimates are based on the best available data, but these data do not describe the intricate (and dynamic) details of cattle grazing across the state. These numbers should be interpreted in the context of understanding regional fuel reduction, not as predictive of grazing practices at sub-regional scales. There is a need for more consistent and accurate reporting of cattle numbers and grazed acres across the state.

Based on several datasets, forage production and RDM were highly variable within and between regions of the state. Average RDM in each region was significantly less than production, but the amount of fuel reduced was highly variable (table 2).

Collectively, these data show that reductions of fuels measured on ranches can differ significantly from region-wide averages seen in the Census analysis. The Census gives an indication of the county in which grazing occurs, but it does not tell us where those animals graze within the county. The RDM data

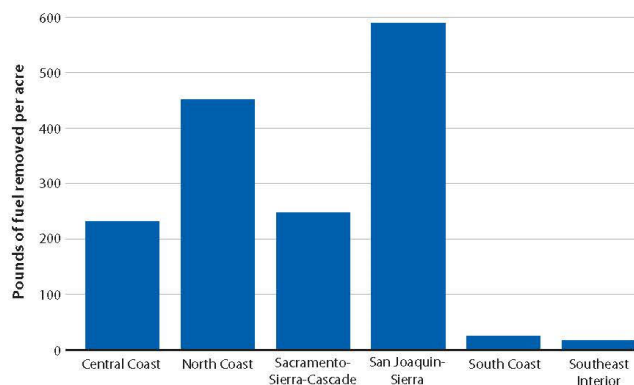


FIG. 4. Pounds per acre of fuel reduction on all rangelands in California regions.

also show that spatial differences in forage production and grazing practices can lead to differences in the amount of fine fuels and the level of fuel reduction by cattle. This is consistent with other research showing that annual forage production is highly variable across the state, varying at small and large scales in relation to soil characteristics, microclimate, position on the landscape, and tree canopy cover (Becchetti et al. 2016; Devine et al. 2019; Frost et al. 1991).

Lower flame lengths

Keeping flame lengths below eight feet (2.4 meters [m]) is seen as a critical threshold that allows fire fighters to use direct measures (such as heavy equipment) on the ground to fight fires. Below four feet (1.2 m), fires can be fought using hand tools (Andrews and Rothermel 1982). However, these thresholds are somewhat fuzzy and dependent on other aspects of the fire, i.e.,

TABLE 2. Forage production and residual dry matter (RDM) from coastal prairie, coast range grassland, and valley grassland sites in Central and Northern California

Region	Data source	Average production (pounds/acre)	Production minus summer decomposition (75% of total)*	Average RDM (pounds/acre)	Average fuel reduction (pounds/acre)
Central Coast (Coastal)	Larsen et al. 2020	4,978 (5,580 kg/ha)	3,734 (4,185 kg/ha)	1,815 (2,034 kg/ha)	1,919 (2,151 kg/ha)
Northern California (Coastal)	Bartolome et al. 2015 and Point Reyes unpublished data 2020	7,053† (7,905 kg/ha)	5,290 (5,929 kg/ha)	2,147 (2,406 kg/ha)	3,143 (3,523 kg/ha)
Central Coast (Coast Range)	Larsen et al. 2020	3,371 (3,778 kg/ha)	2,528 (2,834 kg/ha)	2,055 (2,303 kg/ha)	473 (530 kg/ha)
Central Coast (Coast Range)	NRCS unpublished data 2010	3,055 (3,424 kg/ha)	2,138 (2,396 kg/ha)	1,775 (1,990 kg/ha)	363 (407 kg/ha)
Central Coast (Interior)	Larsen et al. 2020	1,961 (2,198 kg/ha)	1,471 (1,649 kg/ha)	1,053 (1,180 kg/ha)	418 (469 kg/ha)
Sacramento-Sierra-Cascade (Interior)	UC ANR unpublished data	3,096 (3,470 kg/ha)	2,322 (2,603 kg/ha)	800‡ (897 kg/ha)	1,522 (1,706 kg/ha)

* Based on Frost et al. 2005.

† Production values from only two years of data.

‡ RDM values estimated not measured.

spread and fire intensity (Andrews et al. 2011). Based on our fire behavior models, on flat ground in dry summer conditions (when dead fuel moisture is 6%), fine fuel loads below 1,225 pounds per acre (1,373 kg/ha; fig. 5) are predicted to keep flame lengths below eight feet at wind speeds up to 15 miles per hour (24 km per hour). At higher dead fuel moisture levels and lower wind speeds, flame lengths may be kept below eight feet at higher fuel loads. However, in extreme fire weather with very low dead fuel moisture (2%) and wind speeds up to 40 miles per hour (64.4 km per hour), fine fuel loads may need to be reduced below 214 pounds per acre (240 kg/ha) (fig. 5) to keep flame lengths under eight feet. In high slope areas during dry conditions (6% dead fuel moisture) with windspeeds of 15 miles per hour, fine fuel loads would need to be kept below 1,000 pounds per acre (1,121 kg/ha) to keep flame lengths below eight feet. In very dry conditions (2% dead fuel moisture), at wind speeds of 40 miles per hour, fuel loads would need to be reduced below 205 pounds per acre (230 kg/ha) to keep flame lengths below eight feet. While these models are useful for interpreting potential impacts of estimated fuel reduction levels, the results still need to be experimentally validated in California before they are used for policy and planning purposes. Also, these models do not evaluate ignition potential, level of shrub encroachment, and areas with elevated ignition risk, which may have different fuel load thresholds. There is always a level of uncertainty associated with fire behavior modeling.

Depending on the aptness of the fuel models, Behave-Plus 6 results can be off by a factor of two or more (Sparks et al. 2007).

Understanding the effect of cattle grazing on fire behavior is complicated by the pronounced spatial and temporal variability in forage production, fuel reduction, shrub encroachment and RDM at scales smaller than the region or county. In their measurements at 43 different ranches spanning a rainfall gradient in Central California, Larsen et al. (2020) found RDM values ranging from 75 to 6,258 pounds per acre (84 to 7,014 kg/ha) from 2000 to 2019. Forty percent of grazing fields had RDM values at or below 1,225 pounds per acre (1,373 kg/ha), while only 4% were below 214 pounds per acre (240 kg/ha). This shows that many areas of these grazed rangelands had good fuel conditions for non-extreme fire weather, but few locations had fuel levels low enough to keep flame lengths below eight feet in extreme fire weather. No grazing fields had RDM below these thresholds consistently across all monitoring years.

Strategic grazing

The inherent heterogeneity of grazing intensity and fuel reduction may in fact be its greatest asset in reducing wildfire hazard and risk. Selective grazing by livestock can create patchiness of fuels, reducing continuity of fuels and reducing rate of fire spread and total burned area (Bunting et al. 1987; Kerby et al. 2007;

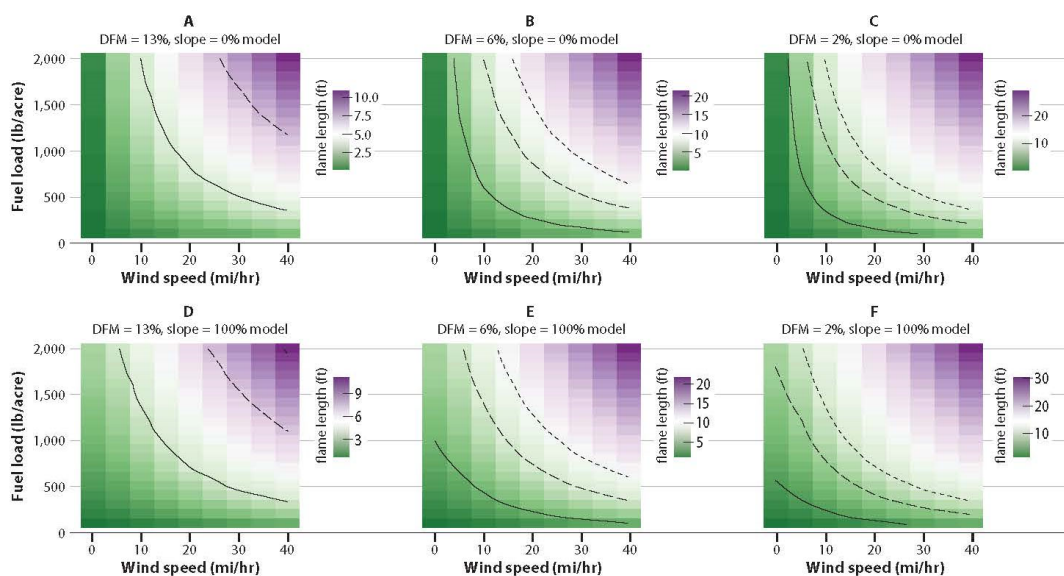


FIG. 5. Results from fire behavior modeling under summer conditions. Conditions were run under three dead fuel moisture scenarios of 13% (A, D), 6% (B, E) and 2% (C, F), and two slope scenarios of 0% (A, B and C) and 100% (D, E and F). Contour lines show when threshold flame lengths of 4 feet (solid line), 8 feet (long-dashed line) and 11 feet (short-dashed line) are surpassed.



Launchbaugh 2016; Taylor 2006). At the ranch scale, RDM data from the Central Coast shows that, even in a region with relatively low grazing intensity, fuel reduction of several thousand pounds per acre can be achieved in select locations (Larsen et al. 2020).

Given that grazing intensity on California rangelands is generally conservative relative to the amount of forage produced in most years (as evidenced by the generally low fuel reduction for most regions in the Census analysis), strategic implementation of grazing should be employed to maximize the benefit of livestock grazing for fuels reduction. A strategic grazing program would target grazing on certain areas of the landscape. It should consider maintaining fuel breaks, controlling shrub encroachment, employing grazing near the wildland-urban interface, proximity to urban centers, annual weather patterns (i.e., grazing in advance of Santa Ana or Diablo winds), potential sources of ignition, and the realities of grazing operations (including animal distribution, nutrition, site accessibility, and the need to bank forage for the fall). To be successful, grazing strategies must be logistically feasible and financially sustainable for the grazing operator.

A strategic approach to fuels reduction is especially important given that California rangelands are managed for multiple resource objectives. Reducing fuels on all grazed rangelands to 1,225 pounds per acre (1,373 kg/ha) or less will not be compatible with some of these objectives in some areas. RDM recommendations are based on the type of grassland (dry annual grassland, annual grasslands/hardwood rangeland, or coastal prairie), terrain slope, and percent cover of woody vegetation (Bartolome et al. 2006). RDM standards vary from 300 pounds per acre (336 kg/ha) on some dry, flat inland sites to 2,100 pounds per acre (2,354 kg/ha) on steep, coastal prairie sites (Bartolome et al. 2006). Maintaining adequate RDM is expected to minimize soil erosion, improve forage production, and influence plant species composition at some sites — but many areas have RDM standards above the preliminary fuel load thresholds reported here. In particular, steeper areas have higher minimum RDM recommendations — but these areas would need even lower fuel loads to

keep flame lengths below eight feet. Testing these fuel load thresholds on the ground and having discussions between fire modelers and rangeland specialists will be critical to making appropriate recommendations about grazing levels to achieve both fire safety and natural resource objectives. Furthermore, RDM is measured immediately prior to the first germinating rains (September or October) and fuel reductions will need to be achieved earlier in the year if they are meant to apply to the bulk of the fire season. Fuel reduction also must ensure that adequate forage is left to support continued livestock grazing during the fall and winter months.

There are several potential synergies between reducing residual biomass for fire safety and conservation objectives. Excessive residual biomass and height have been found to negatively affect many sensitive or threatened wildlife species (Ford et al. 2013; Gennet et al. 2017; Germano et al. 2011; Riensche 2008), cause problems for weed management (Becchetti et al. 2016), and negatively affect some native plant species (Bartolome et al. 2014; Beck et al. 2015). Where possible, maximum biomass standards for fuel reduction should be strategically implemented to simultaneously promote these and other conservation goals.

Cattle grazing is not the only management tool that can be used to reduce residual biomass. Unlike wildfires, prescribed fires are well planned, and are implemented to achieve one or more specific objectives. Prescribed fires burn thatch, increasing seed access to the soil surface, and creating more suitable light conditions and ground temperatures for grassland forbs (Sugihara et al. 2006). This allows higher levels of seed production and flowering in forbs after late spring fires. Prescribed fire can be used alone, or in conjunction with grazing, to improve habitat for some native plants and sensitive or threatened wildlife species. In the early 1950s, ranchers were permitted to burn a substantial amount of land in California, up to more than 200,000 acres in one year (Biswell 1999). Since that time, prescribed burn acreage has been in steep decline. However, due to recent catastrophic wildfires, there is renewed interest in prescribed burning. Though grazing is substantially more widespread than prescribed burning today, thanks to new

This cow-calf operation on the Central Coast has cattle grazing on the ranch year-round, helping to reduce the potential for catastrophic wildfire. Photo: Devii Rao.

legislation (SB 901 and SB 1260) and development of prescribed burn associations across the state, prescribed burning is becoming a viable option again.

Grazing can reduce fuel

Cattle grazing plays an important role in reducing fuels on California rangelands. Without grazing, we would have hundreds or possibly thousands of additional pounds per acre of fuel on rangelands, potentially leading to larger and more devastating fires. Cattle grazing, of course, can't eliminate wildfires completely. But it can make a big impact. Cattle don't consume forage uniformly on rangelands. Instead, they eat in more of a patchwork pattern. Thus, while cattle grazing does not reduce fuels enough to avoid hazardous 4- or 8-foot wildfire flame lengths on all grazed rangelands, many areas will be grazed sufficiently to significantly alter fire behavior (especially in non-extreme fire weather).

To effectively reduce wildfire hazards, rangeland managers and planners must strategically coordinate fuel management practices, such as cattle grazing along with other natural resource objectives and management practices, including prescribed fire. This will require the development of maximum residual biomass standards that can be used to assess fuel loads at critical times and locations during the fire season. To help develop these standards, we need to experimentally validate fire behavioral models in herbaceous rangelands in California.

Widespread wildfires are predicted to increase over time in California due to ongoing climate change. This new reality requires that we take advantage of all the tools available to protect public safety while also meeting broader rangeland management objectives. All of this is occurring against the backdrop of the decline of the number of beef cows grazing in California,

including on public lands, over the past several decades (Oles et al. 2017; Saitone 2018). It is not feasible to graze all rangelands to ideal fuel levels, nor is it compatible with management goals across the state. However, there are opportunities to improve fire safety in California by grazing rangelands that are not currently being grazed — or even by increasing grazing intensity on some very lightly grazed areas. Strategic implementation of cattle grazing, including potentially fee-for-service agreements on key private and public lands, can meet multiple natural resource objectives while also lowering fire hazards by reducing fine fuels, reducing fuel continuity and slowing or even stopping shrub encroachment onto grasslands. [CA](#)

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Exhibit 1 - Fire Protection Plan

Fire Protection Plan for Centennial Specific Plan

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1. INTRODUCTION

This Fire Protection Plan (FPP) has been prepared by Dudek and is specifically applicable to the Centennial Specific Plan community (Project) in Los Angeles County (County). This FPP is intended to guide the design, construction, and maintenance of Project improvements in compliance with the Centennial Specific Plan (Specific Plan), applicable fire codes, and the various fire safety mitigation measures described in the Mitigation Monitoring and Reporting Program (MMRP) approved for the Project by the County (collectively, the Fire Safety Requirements, all of which are described in detail on the attached Exhibit A). This FPP address fuel modification, fire protection related infrastructure (water supply, hydrants, primary and second ingress/egress roads, and emergency response) and structural fire protection concepts for the Project. This FPP also addresses how the Project's Fire Safety Requirements will be monitored and enforced over time, as well as the how the Project's master developer will ensure that Project residents are fully educated about their obligations to maintain a fire-safe home. The goal of this FPP is to provide standards to facilitate development of the Project as a "fire hardened" community that will protect Project residents and visitors, as well as the environment, by minimizing and mitigating fire threats on the Project site and reducing Project demands on local fire protection services.

2. OVERVIEW OF THE PROJECT'S FIRE PROTECTION FRAMEWORK

As explained in the Centennial Project Final Environmental Impact Report, State Clearinghouse No. 2004031072 (EIR), the Project would introduce urban development in an undeveloped area subject to wildfire hazards.¹ Fire protection for new developments that, like the Project, are located in a Wildland Urban Interface (WUI) area must utilize a "systems approach" consisting of the components of fuel modification and maintenance, ignition-resistant structures that accounts for expected (potential) exposures (e.g., embers only, radiant heat from adjacent structures or vegetation), water supply, fire protection systems, access (ingress/egress) and emergency response. To that end, this Project will include:

- Substantial on-site firefighting capability (three new fire stations, upgrades to existing fire station), thus ensuring fast response to fire and medical emergencies;
- Customized and peer-reviewed fuel modification zones providing defensible space based on fire behavior modeling results and experienced fire protection planning professionals;
- Ignition-resistant construction meeting Chapter 7A of the California Building Code (CBC), the Title 26 the County of Los Angeles Building Code (LABC), and the Los Angeles County Fire Department (LACoFD) requirements and providing temporary on-site relocation capability for some structures;

¹ Please refer to EIR Chapter 3, *Environmental Setting*, for a detail description of the Project site and its surroundings, and to EIR Chapter 4, *Project Description*, for a detailed description of the Project and its proposed improvements.

- Fire protection systems, including internal fire sprinkler systems, in all structures per applicable code requirements;
- Dedicated fire apparatus and emergency vehicle access via code compliant roads;
- Water capacity, delivery and availability meeting local code requirements;
- Ongoing, funded maintenance, inspections, and enforcement of fuel modification zones and other fire protection features.
- Ongoing resident fire safety education.

The following sections address implementation of the Project's Fire Safety Requirements.

3. IMPLEMENTATION OF THE PROJECT'S FIRE PROTECTION FRAMEWORK

Future development of the Project in accordance with the Specific Plan will require various subsequent discretionary and ministerial approvals from the County, including but not limited to, tentative subdivision maps, final subdivision maps, site plans, conditional use permits, grading permits, and building permits. Initial implementation of the Project's fire protection measures will occur at various stages of the subsequent approval process, as discussed in the Specific Plan, the EIR, and the MMRP. This section describes how each of the Project's fire safety measures will be implemented at various stages of the development process, and describes how the Fire Safety Requirements will be satisfied during Project operation.

a. Fire Safety Requirements Implemented at the Tentative Map Stage of Development.

Pursuant to the Specific Plan and MMRP, the following Fire Safety Requirements will be implemented concurrent with the County's review and approval of any Project tentative subdivision map:

i. Emergency Response Plan

The MMRP requires the Project to prepare an Emergency Response Plan (ERP), which shall be updated as needed for each Tentative Map, and shall be submitted to the County (California Department of Forestry and Fire; and County Fire Department and/or County Sheriff's Department) for review and approval. The ERP will utilize existing information from Los Angeles County Office of Emergency Management, coordinate with County emergency planners, and provide site specific procedures for various emergency situations including wildfire. As required by the DA, the Property Owners shall require future residential and commercial property owners associations to develop and implement an emergency preparation and response plan, including shelter-in-place and evacuation plans as well as first aid and emergency electric power supplies.

With regard to wildfire emergencies, the following components shall be incorporated into the ERP:

- Building and Facility Protection (as defined in this FPP)
- Grounds Protection (fuel modification zone adjacent to common areas and some residential lots purpose)
- Fire Prevention during High Fire Danger and Extreme High Fire Danger periods
- Emergency Supplies
- Telephones/Communications
- FireSafe Council and NFPA Firewise Community Information
- Incident Command List
- Emergency Response Notebook
- Annual Review and Update
- Emergency Notification Procedures
- Advisement of Potential Fire Danger
- Emergency Relocation/Evacuation Plan
- Animal Relocation/Evacuation Plan.

The ERP will provide detailed response procedures for varying types of emergencies, including wildfire emergencies.

Possible wildfire response procedures included in the ERP would vary depending on the type of wildfire threat. Slow moving, distant wildfires that have the *potential* to threaten the Project would require one response whereas a fast moving, wind driven fire nearby or within the Project site would trigger a very different response. Accordingly, the ERP will include response for various types of wildfire emergencies. The following summaries provide potential responses to be considered for various wildfire emergency response scenarios.

Wildfire Emergency Response Scenario

- Fire authority notification of wildfire in jurisdiction, determination of activation of reverse 9-1-1 or mass notification system (if available or provided by Project).
- Reverse 9-1-1 activated – all telephone numbers within district notified via a computer of the fire situation (capable of 264 calls per minute or 15,000 calls within an hour, or more, dependent on system).
- In the absence of Reverse 9-1-1 (for example, should communications be interrupted), fire department sirens and law enforcement intercoms will be used to

inform residents of emergencies. The fire department sirens and police intercoms will be audible by affected parts of the Centennial Specific Plan Project area. The fire department sirens and police intercoms will also be used to supplement the Reverse 911 system.

- On-site LACoFD personnel and law enforcement personnel begin emergency response procedures.
- Centennial employers and residents receive reverse notification call or hear warning sirens and prepare for potential evacuation or on-site relocation.
- If relocation required/recommended, internal relocation plan initiated and residents relocated to designated on-site or off-site areas. LACoFD would direct residents, staff and visitors as well as coordinate with the California Highway Patrol for on-site traffic management.

On-Site Relocation/Off-Site Evacuation Response Scenarios

On-site relocation of Project residents, employees and visitors would typically occur during large, distant wildfire events that, due to weather patterns and difficulty in gaining control, have the potential to threaten parts of the Centennial community but likely do not threaten the entire community. Off-site evacuation would typically occur during large wildfire events that may be closer to the Project and threaten the entire community due to weather patterns and fire containment levels. The required ERP shall plan for both on-site relocation and off-site evacuation scenarios.

If on-site relocation or off-site evacuation of Project residents, visitors and employees of businesses is required in response to a fire threat, the following procedures would be followed and included in the ERP (NOTE: Relocation/evacuation of the Project residents, visitors, and employees, at maximum usage, may require several hours).

- If adequate time is not available for community relocation, partial community relocation may occur. Fire and law enforcement personnel will monitor the situation and relocations will cease when it is determined that it would potentially expose persons to unsafe roadway conditions.
- It is expected that law enforcement will manage the relocation/evacuation of residents. Road closures and traffic control will be among the tasks performed by law enforcement. In addition, each resident will be provided a road circulation map along with at least two designated evacuation routes.
- Law enforcement and LACoFD would evaluate the wildfire event and determine whether and at which point partial on-site relocation would occur, or whether the emergency requires community-wide off-site evacuation. Allowance for adequate relocation/evacuation time will be a key factor in determining the relocation timeframe so that the roads do not become congested. Firefighter access will be a key

priority and the array of improved roads will provide suitable access throughout the site in the event of a wildfire.

- Relocation/evacuation would occur in scenarios that include ample time to relocate the potentially affected number of people from higher exposure areas to designated safer sites. Wolshon and Marchive (2007) simulated traffic flow conditions in a computer derived WUI under a range of evacuation notice lead times and housing densities. To safely evacuate more people, they recommended that emergency managers (1) provide more lead time to evacuees and (2) control traffic levels during evacuations so that fewer vehicles are trying to exit at the same time.
- The Project and its structures will be designed and constructed to withstand the type of wildfires anticipated from the surrounding fire environment. Nevertheless, early notification of the Project's fire personnel and subsequently of Project residents, visitors and employees is critical to the timely and safe relocation/evacuation to the designated relocation/evacuation areas.
- Whether to implement on-site relocation scenario would depend on the wildfire location, movement and weather and how it may affect traffic on local roads. There may also be circumstances that require partial on-site relocation of the Project's higher exposed periphery areas. In these cases, potentially affected residents would be instructed to relocate to on-site areas, such as schools or commercial areas, where they will be temporarily accommodated until the wildfire threat has passed.
- On an annual basis, it is recommended that the Project conduct a fire relocation/evacuation fire drill to train staff, and fire personnel, with the results distributed to residents through various media and summarizing what to do during a wildfire. This drill will be supervised by the LACoFD with the authority to revise the procedure as necessary to provide the most efficient and safest relocation process. Residents will not be required to relocate or evacuate during the drills, but the process and procedures will be enforced through pre-drill public relations and post-drill information dissemination.
- Homeowners will receive ongoing outreach from the HOA along with coordination with LACoFD for important fire safety awareness from the Firewise Committee/Board.
- If on-site relocation or off-site evacuation is required, residents will be notified and directed as to their movement to designated areas or notified that they should remain in their homes according to procedures with LACoFD direction and oversight.

The ERP will provide that the Project will implement the "Ready, Set, Go!" program during the relocation/evacuation scenario. The focus of the "Ready, Set, Go!" program is on public awareness and preparedness, especially for those living in the wildland-urban interface (WUI) areas. The program is designed to incorporate the local fire protection agency as part of the training and education process in order to ensure that evacuation preparedness

information is disseminated to those subject to the potential impact from a wildfire. There are three components to the program:

- “READY” – Preparing for the Fire Threat: Take personal responsibility and prepare long before the threat of a wildfire so you and your home are ready when a wildfire occurs. Create defensible space by planting and maintaining ignition-resistant vegetation near your home. Use only fire-resistant landscaping and maintain the ignition resistance of your home. Assemble emergency supplies and belongings in a safe spot. Confirm you are registered for Reverse 911(if available), Alert LA County, and community alert system. Make sure all residents residing within the home understand the plan, procedures, and escape routes.
- “SET” – Situational Awareness When a Fire Starts: If a wildfire occurs and there is potential for it to threaten the Centennial community, pack your vehicle with your emergency items. Stay aware of the latest news from local media and your local fire department for updated information on the fire. If you are uncomfortable, leave the area.
- “GO!” – Leave Early! Following your Action Plan provides you with knowledge of the situation and how you will approach evacuation. Leaving early, well before a wildfire is threatening your community, provides you with the least delay and results in a situation where, if a majority of neighbors also leave early, firefighters are now able to better maneuver, protect and defend structures, evacuate other residents who couldn’t leave early, and focus on citizen safety.

“READY SET GO!” is predicated on the fact that being unprepared and attempting to flee an impending fire late (such as when the fire is physically close to your community) is dangerous and exacerbates an already confusing situation.

Shelter-in-Place Scenario

Sheltering-in-place is the practice of going or remaining indoors during or following an emergency event. This procedure is recommended if there is little time for the public to react to an incident and it is safer for the public to stay indoors for a short time rather than travel outdoors. Sheltering-in-place also has many advantages because it can be implemented immediately, allowing people to remain in their familiar surroundings, and providing individuals with everyday necessities such as telephone, radio, television, food, and clothing. However, the amount of time people can stay sheltered-in-place is dependent upon availability of food, water, medical care, utilities, and access to accurate and reliable information.

Sheltering-in-place is the preferred method of protection for people that are not directly impacted or in the direct path of a hazard. This will reduce congestion and transportation demand on the major transportation routes for those that have been directed to evacuate by police or fire personnel. All structures in Centennial community would conform to the ignition-resistant building codes codified in Chapter 7A of the California Building Code, therefore, structures would be ignition-resistant, defensible and designed to require minimal

firefighting resources for protection, which enables this contingency option when it is considered safer than evacuation.

As of this document's preparation, no community in California has been directed to shelter-in-place during a wildland fire. Even the communities in Rancho Santa Fe, California, which are designed and touted as shelter-in-place communities, were evacuated during the 2007 Witch Creek Fire. This is not to say that people have not successfully sheltered-in-place during wildfire, where there are numerous examples of people sheltering in their homes, in hardened structures, in community buildings, in swimming pools, and in cleared or ignition-resistant landscape open air areas. The preference will always be early evacuation following the "Ready, Set, Go!" model, but there exists the potential for unforeseen civilian evacuation issues, and having a contingency plan will provide direction in these situations that may result in saved lives.

Potential problems during wildfire evacuation from the Project site include:

- Inadequate time to safely evacuate
- Fire evacuations during rush hour traffic or when large events are occurring
- Blocked traffic due to accidents or fallen tree(s) or power pole(s)
- The need to move individuals who are unable to evacuate

It is recommended that local law enforcement and fire agencies conduct concerted pre-planning efforts focusing on evacuation contingency planning for civilian populations when it is considered safer to temporarily seek a safer refuge than evacuation.

This FPP does not provide guarantee that all Project residents, employees and visitors will be safe at all times because of the advanced fire protection features it requires. There are many variables that may influence overall safety. This FPP provides requirements and recommendations for implementation of the latest fire protection features that have proven to result in reduced wildfire related risk and hazard.

ii. Implementation Plan

Per the MMRP Mitigation Measure MM 7-21, vegetation management for fire abatement purposes is not permitted in the portion of Significant Ecological Area (SEA) 17 or mitigation preserve areas within or bordering the Project site and, therefore, brush clearance zones shall be contained within the current Project impact boundary and no overlap with the adjacent SEA 17 and/or mitigation preserve areas shall occur. The MMRP further requires that an Implementation Plan, including fire risk abatement measures (including but not limited to vegetation management) required to comply with State and County fire prevention and response legal requirements shall be submitted as part of any application for a tentative subdivision map for those portions of the Project site that border an SEA or mitigation preserve area. The Implementation Plan must include: (a) a summary of applicable State and County fire risk abatement requirements; (b) a prohibition on the use of vegetation clearance within SEA 17 or mitigation preserve areas. The Implementation Plan shall be submitted to

the County for approval with the first tentative map, and shall be updated to include new or modified State or County fire risk abatement requirements as part of each subsequent tentative tract map submittal.

iii. Landscape Plan

As required by the MMRP, the Project Applicant/Developer shall develop a Landscaping Plan for review and approval by the County Biologist for each tentative map application submittal. The Landscaping Plan must be prepared by a qualified biologist and include a plant palette composed of fire-resistant, non-invasive species that are adopted to the conditions found on the Project site and do not require high irrigation rates. The MMRP further requires that the Landscaping Plan shall also include a list of invasive plant species prohibited from being planted or sold on the Project site and encourage planting of local natives typical of native vegetation within ten miles of the Project site. The Specific Plan's Green Development Program and Hillside Design Guidelines further require the Project to implement fire-safe landscaping techniques consistent with the Specific Plan's plant palette to reduce fire risks to biological resources and human safety in the fuel modification zones, and landscaping in a manner that, among other things, increases fire protection, respectively. Additionally, the Project's Specific Plan requires landscaping in the plan's Open Space Zone to be dominated by native and/or drought tolerant trees, shrubs and ground cover, taking into consideration fuel modification requirements, such as using plants that are fire resistant and avoid plants with characteristics that make them more readily combustible such as plants with oils, wax or resin content, plants that accumulate dead material or shed bark, and/or plants that grow rapidly. Plants selected will be consistent with LACoFD Planting Guideline regarding prohibited species and appropriate plant spacing with respect to zone location. Finally, the MMRP requires that the map applicant ensure that the approved Landscape Plan be provided to Project builders and all future Project occupants.

iv. Construction Traffic Control Plan

As required by the MMRP, the applicant must include in its application for any tentative map involving construction within the State Route 139 right-of-way a Traffic Control Plan prepared in accordance with the California Manual on Uniform Traffic Control Devices and approved by the California Department of Transportation (Caltrans). The MMRP further requires that all construction activities in the public right-of-way comply with the Traffic Control Plan to the satisfaction of Caltrans. The Traffic Control Plan shall ensure code-compliance access for fire apparatus and first responder vehicles.

v. Fire Access Infrastructure Conditions

Per the Subdivision Ordinance, each tentative map application and approved tentative map must demonstrate that that Project internal circulation system, site access, road dimensions, road connectivity, and other standards related to fire apparatus access are consistent with all applicable County's roadway and fire code standards. Thus, each approved Project tentative map shall require as a condition of final map approval that:

- all interior Project roads comply with all fire apparatus access road standards;

- all interior fire access roadways where a fire hydrant is located will be constructed to a minimum unobstructed road width of 26 feet, exclusive of shoulders and shall be improved with aggregate cement or asphalt paving materials;
- all fire access roadways that are designed to allow parking provide a minimum clear width of not less than 34 feet for parking on one side and a clear width of not less than 42 feet for parking on both sides;
- that the interior residential access roads are be designed to accommodate a minimum of a 75,000-pound (lb.) fire apparatus load;
- that any dead-end streets serving new residential structures that are longer than 150 feet have approved provisions for fire apparatus turnaround;
- that all private and public streets for each Project phase meet all applicable requirements of Title 32 of the Los Angeles County Code, as amended, and adopting by reference the 2019 edition of the California Fire Code (CFC), or current edition at time of Project approval (Fire Code);
- that all fire apparatus roads have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with CFC Section 503.6, and an unobstructed vertical clearance clear to the sky to allow aerial ladder truck operation (provided that a minimum vertical clearance of 13 feet 6 inches may be allowed for protected tree species adjacent to access roads);
- that all roads with a median or center divider will have a minimum 20 feet unobstructed width on both sides of the center median or divider;
- that all roadways and/or driveways will provide fire department access to within 150 feet of all portions of the exterior walls of the first floor of each structure.
- that access roads will be completed and paved prior to issuance of building permits and prior to the occurrence of combustible construction.
- that the applicant will provide information illustrating the new roads, in a format acceptable to the LACoFD for use in updating LACoFD fire response maps; and
- that the curb-to-curb width of each private driveway and fire lane will be approved by the Los Angeles County Fire Department and Department of Public Works.

vi. Underground Utilities

As required by the County's subdivision ordinance, all tentative map applications must depict the location of proposed utility easements. As required by applicable standards, all of the Project's horizontal utilities, including but not limited electric transmission lines, will be installed underground to significantly reduce the potential for equipment-related fire starts.

vii. Identify Fire Station Locations

As required by the MMRP and DA, the Project shall provide at least three and up to four fully equipped fire stations on site. Per the DA, Fire Station # 1 must be a station of 10,000 square feet, Fire Station # 2 must be a station of 13,000 square feet, and Fire Station #3 must be a station of 10,000 square feet. Per the DA, two fire station sites shall have a building pad consisting of a net buildable area of 1.25 acres, and one shall have a net buildable area of 4 acres. All on-site fire stations must be fully equipped in accordance with applicable LACoFD standards. The general locations of the three required fire stations will be situated as identified on EIR Exhibit 4-1, but LACoFD shall have final approval over all fire station site locations. Per the DA, the final location of Fire Station #1 will be determined when a tentative map is approved for the Project's 1,000th residential unit, and the final locations of Fire Stations #2 and #3 will be determined at the time of any tentative map is approved for a Project residential unit that is located outside of a fire station's five-minute response time radius. Per the DA and MMRP, it remains to be determined whether the Project will be required to construct a fourth fire station, but such determination shall be made by LACoFD and shall be based on need established pursuant to MMRP Mitigation Measure MM 16-1. Finally, until such time as the Developer has conveyed to LACoFD and approved, operational and equipped fire station on the Project site, the applicant shall pay developer fees in accordance with the LACoFD Developer Fee Program, as provided in MMRP Mitigation Measure 16-2. Existing LACoFD Fire Station #77 shall serve the Project site until such time as Fire Station #1 is operational.

b. Fire Safety Requirements Implemented at the Final Map Stage of Development.

Pursuant to the Specific Plan and MMRP, the following Fire Safety Requirements will be implemented concurrent with the County's review and approval of any Project final subdivision map:

i. Fuel Modification Plan

Per the MMRP, the Project must prepare a Fuel Management Plan (FMP) demonstrating compliance with the Fire Code, which must be peer-reviewed by the California Department of Forestry and Fire Protection (CAL FIRE) and approved by LACoFD prior to recordation of the Project's first final subdivision map. An important component of a fire protection system for the Project is the provision for fire resistant landscapes and modified vegetation buffers. The FMP will establish Fuel Management Zones (FMZs) designed to provide vegetation buffers that gradually reduce fire intensity and flame lengths from fire advancing off-site or on-site by strategically placing thinning zones, restricted vegetation zones, and irrigated zones adjacent to each other on the perimeter of the WUI exposed structures. FMZs were originally developed by CAL FIRE to protect natural resources from urban area fires and over the years, have become essential to setting urban areas back from wildland areas with a dual role of protection structures and people while buffering natural areas from urban ignitions, reducing potential for urban fires to spread into wildland areas.

The Project will be exposed to naturally-vegetated open space to the north, south and west of the Project site, as well as agricultural lands to the east. For the Centennial Specific Plan

Project site, the FMZ widths between the naturally vegetated open space areas and all combustible structures are proposed to be 100, 150, or 200 feet. The FMZs will be constructed from structures outwards towards undeveloped areas. A 20-foot wide roadside FMZ along each side of the roads adjacent to the open space shall be required as well.

Although FMZs are very important for setting back structures from adjacent unmaintained fuels, the greatest concern is from firebrands or embers as a principal ignition factor. To that end, the Project site, based on its location and ember potential, is required to include the latest ignition and ember resistant construction materials and methods for roof assemblies, walls, vents, windows, and appendages, as mandated by the LACoFD and the County's Fire and Building Codes.

Per applicable County fuel modification requirements, each fuel modification areas will incorporate three zones, these are 1) a setback zone, 2) an irrigated zone, and 3) a thinning zone. The widths of the zones will vary, depending on the anticipated fire behavior. The widths will either total 100, 150, or 200 feet. Landscaping on private lots directly adjacent the WUI will include standard County fuel modification requirements. Flammable plant species will be restricted, spacing standards implemented, and basic low fuel requirements will be applicable per :LACoFD plant selection guidelines. The following descriptions provide details for the different fuel modification zones on site:

Zone A (Setback Zone)

- Irrigation by automatic or manual systems shall be provided to landscaping to maintain healthy vegetation with high live fuel moisture and greater fir resistance.
- Landscaping and vegetation in this zone shall consist primarily of green lawns, ground covers and adequately spaced shrubs and trees. The overall characteristics of the landscape shall provide adequate defensible space in a fire environment.
- Plants in Zone A shall be inherently highly fire resistant and spaced appropriately. Species selection should be made referencing Appendix E Fuel Modification Plant Reference. Other species may be utilized subject to approval by the Homeowners' Association (HOA).
- Except dwarf varieties or mature trees small in stature, trees are generally not recommended within Zone A, but are not prohibited.
- Vines and climbing plants shall not be allowed on any combustible structure.
- Target tree species (including but not limited to Eucalyptus, Pine, Juniper, Cypress, Cedar, Canary Island Date Palm, Mexican Fan Palm and Bougainvillea) shall not be allowed within 10 feet of combustible structure, defined as any accessory structure not required to be built to Chapter 7A building code standards (ex. Structures under 120 square feet).

- Within Zone A will be the Home Ignition Zone from 0 to 5 feet of the exterior wall surface of the building extending five feet on a horizontal plane.
 - This zone shall be continuous hardscape or limited to fire-resistive plantings acceptable to LACoFD.
 - Vegetation in this zone shall not exceed 6 to 18 inches in height and irrigation is required,
 - This zone shall be free of all combustible materials and the use of mulch is prohibited.

Zone B (Irrigated Zone)

- Irrigation by automatic or manual systems shall be provided to landscaping to maintain healthy vegetation with high live fuel moisture and greater fire resistance.
- Landscaping and vegetation in this zone shall consist primarily of green lawns, ground covers, and/or adequately spaced shrubs and trees. The overall characteristics of the landscape shall provide adequate defensible space in a fire environment.
- Plants in Zone B shall be fire resistant and spaced appropriately. Species selection should be made referencing Centennial Specific Plan, Table 3-7, "Plant List," in Section 3.3, "Landscape Plan." Other species may be utilized subject to approval by the HOA.

Zone C (Native brush thinning zone)

- Irrigation systems are not required for this zone.
- Landscaping and vegetation in this zone may consist of modified existing native plants, adequately spaced ornamental shrubs and trees, or both. There may also be replacement landscape planting with ornamental or less flammable native species to meet minimum slope coverage requirements of County Public Works or Parks and Recreation Landscape or Hillside ordinances. In all cases the overall characteristics of the landscape shall provide adequate defensible space in a fire environment.
- Existing native vegetation shall be controlled by thinning and removal of species constituting a high fire risk; including but not limited to laurel sumac, chamise, ceanothus, sage, sage brush, buckwheat, and California juniper. Please reference the County Fuel Modification Plant Reference.
- Fuel loads shall be reduced by pruning up the lower one-third of remaining trees or shrubs and removing dead wood. Native plants may be thinned by reduced amounts as the distance from development increases.
- Plants in Zone C shall be spaced appropriately. Species selection should be made referencing the County Fuel Modification Plant Reference.

- General spacing for existing native shrubs is 15 feet between canopies. General spacing for existing native trees is 20 feet between canopies.

The distance requirements for each zone are described below:

- 200-foot Setback
 - Zone A extends 20 feet from the edge of any combustible structure, accessory structure, appendage or projection.
 - Zone B extends from the outermost edge of Zone A to 100 feet from structure (or 80 feet from the outermost edge of Zone A).
 - Zone C extends from the outermost edge to Zone B to 200 feet from structure (or 100 feet from the outermost edge of Zone B).
- 150-foot Setback
 - Zone A extends 20 feet from the edge of any combustible structure, accessory structure appendage, or projection.
 - Zone B extends from the outermost edge of Zone A to 50 feet from the structure (or 30 feet from the outermost edge of Zone A).
 - Zone C extends from the outermost edge of Zone B to 150 feet from the structure (or 100 feet from the outermost edge of Zone B).
- 100-foot Setback
 - Zone A extends 20 feet from the edge of any combustible structure, accessory structure, appendage, or projection.
 - Zone B extends from the outermost edge of Zone A to 50 feet from the structure (or 30 feet from the outermost edge of Zone A).
 - Zone C extends from the outermost edge of Zone B to 100 feet from the structure (or 50 feet from the outermost edge of Zone B).

Vegetation Management is recommended within parks and open space areas in compliance with the guidelines in this FPP.

- Undesirable/target flammable vegetation must be removed per LACoFD plant selection guide, Title 32 Section 304.1.2 and Section 325.2.1., or as determined by LACoFD.
- Grasses must be maintained/mowed to 4 inches.

- Types and spacing of trees, plants and shrubs, must comply with the criteria in this plan.
- Areas shall be maintained free of down and dead vegetation.
- Flammable vegetation and flammable trees shall be removed and shall be prohibited.
- Trees shall be properly limbed and spaced and shall not be of a prohibited type (identified in this plan).
- No species from the County Prohibited Plant List.

Vacant Lots will not be required to implement Vegetation management strategies until construction begins. However, perimeter Vegetation Management Zones must be implemented prior to commencement of construction utilizing combustible materials. Moreover, prior to issuance of a permit for any construction, grading, digging, installation of fences, the outermost 30 feet of the lot is to be maintained as a Vegetation Management Zone. Existing flammable vegetation shall be reduced by 60% on vacant lots upon commencement of construction. Dead fuel, ladder fuel (fuel which can spread fire from ground to trees), and downed fuels shall be removed and trees/shrubs shall be properly limbed, pruned and spaced per this plan. The remainder of the Vegetation Management Zones required for the particular lot shall be installed and maintained prior to combustible materials being brought onto any lot under construction.

As required by the MMRP, the FMP shall ensure relocation of grading boundaries and fuel modification zones to completely avoid disturbance to the site(s) of eligible archaeological resources. If it is determined that the relocation of grading boundaries and fuel modification zones in accordance with this subsection is not feasible, then a qualified archaeologist shall be present in the vicinity of eligible archaeological resources sites during grading and fuel modification brush clearance. (NOTE: confidential archaeological mapping is on file at the Natural History Museum of Los Angeles County and the South Central Coastal Information Center [SCCIC] at California State University, Fullerton. Review of this material is restricted to qualified individuals and project proponents on a need to know basis.) Fencing shall be erected outside the eligible archaeological resources sites to visually depict the areas to be avoided during construction. All eligible archaeological resources sites avoided in accordance with this subsection (a) shall be subject to the preservation requirements of MMRP Mitigation Measure MM 6-4.

As further required by the MMRP, if it is determined that the relocation of grading boundaries and fuel modification zones is not feasible with respect to eligible archaeological resources sites CA-LAN-3201, CA-LAN-3240 and/or CA-LAN-3242, as identified in the EIR, then a qualified Archaeologist and a Native American monitor representing the Tejon Indian Tribe shall be present in the vicinity of any such eligible archaeological resources site during grading and fuel modification brush clearance to monitor all activities and ensure that archaeological resources are not impacted. (NOTE: confidential archaeological mapping is on file at the Natural History Museum of Los Angeles County and the SCCIC. Review of this material is restricted to qualified individuals and project proponents on a need to know

basis.) Temporary construction fencing shall be erected outside any such eligible archaeological resources site to visually depict the areas to be avoided during construction, in accordance with MMRP Mitigation Measure MM 6-2. Any temporary fencing materials (i.e., plastic web, chain link, etc.) placed during construction should not become permanent. Any permanent fencing erected in accordance with MMRP Mitigation Measure MM 6-4 to protect the sites should be visually pleasing and consistent with the overall aesthetic experience of the community of Centennial. All eligible archaeological resources sites avoided in accordance within this subsection (a) shall be subject to the preservation requirements of MMRP Mitigation Measure MM 6-4.

ii. Construct and Equip Fire Stations

As required by the MMRP, for each tentative subdivision map that includes a fire station site (as discussed in Section 3(a)(vii) of this FPP), the applicant must construct, equip, and convey title to such fire station prior to final subdivision map approval. Per the DA, each fire station must be equipped to be compatible with LACoFD's Development Impact Mitigation Agreement standards.

c. Fire Safety Requirements Implemented at the Building Permit or Site Plan Review Stage of Development.

Pursuant to the Specific Plan and MMRP, the following Fire Safety Requirements will be implemented concurrent with the County's review and approval of any Project building permit and, as applicable, site plan:

i. Confirmation of Code Compliance

At the building permit and site plan review stage of Project development, the County will confirm that all building plans comply with all applicable codes. The Project shall comply with applicable portions of the Fire Code. The Project will also comply with Chapter 7A of the 2019 California Building Code (CBC) with July 2021 Supplement; the 2019 California Residential Code (CRC), Section 237; and 2018 Edition of the International Fire Code as adopted by the County. Code compliance shall also be confirmed by County building inspectors prior to issuance of certificates of occupancy.

Chapter 7A of the CBC addresses reducing ember penetration into homes, a leading cause of structure loss from wildfires (California Building Standards Commission 2019). Thus, code compliance is an important component of the requirements of this FPP, given the Project's WUI location and VHFHSZ and HFHSZ designations. The Project would meet applicable code requirements for building in these higher fire hazard areas. These codes have been developed through decades of wildfire structure save and loss evaluations to determine the causes of building losses and saves during wildfires. The resulting fire codes now focus on mitigating former structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated in the CBC.

The following provides an overview of ignition resistant construction required under the Fire Code, the CBC, and the CRC:

- *Roofs and roof edges* (CBC 705A/CRC R337.5): Roof coverings shall be Class A fire rated as specified in Section 1505.2. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of minimum 72 pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D3909 installed over the combustible decking. Wood shingles and wood shakes are prohibited in any Fire Hazard Severity Zones regardless of classification (LABC Section 705A.2).
- *Exterior Walls/siding* (CBC 707A.3 /CRC R337.7.3): Noncombustible, listed ignition-resistant materials, heavy timber, 5/8" Type X gypsum sheathing behind exterior covering, exterior portion of 1-hr assembly or log wall construction is allowed. The Office of the State Fire Marshall website (<https://osfm.fire.ca.gov/>) lists many types of exterior wall coverings that are approved.
- *Eaves and porch ceilings* (CBC 707A.4, A.6 / CRC 337.7.4. R337.7.6): The exposed roof deck under unenclosed eaves and underside of porch ceilings shall be noncombustible, listed ignition resistant materials, or 5/8" Type X gypsum sheathing behind exterior covering. Solid wood rafter tails on the exposed underside of roof eaves having a minimum 2" nominal dimension may be unprotected.
- *Vents* (CBC 706A / CRC R337.6): Attic vents and underfloor vent openings must be Wildland Flame and Ember Resistant approved and listed by the State Fire Marshal or listed in ASTM E2886. Vents shall be baffled and may include a minimum of 1/16" and maximum 1/8" corrosion-resistant, noncombustible wire mesh or equivalent. Ventilation openings on the underside of eaves are not permitted, unless a State Fire Marshal (SFM) approved vent is installed, or the attic is fire sprinklered. Vents of 1/16" min. and 1/8" max corrosion-resistant and noncombustible wire mesh or equivalent that are greater than 12 feet from a walking surface or grade below are allowed.
- *Windows and exterior doors* (CBC 708A / CRC R337.8): Windows must be insulated glass with a minimum of 1 tempered pane or 20 min rated or glass block. Exterior doors must be noncombustible or ignition resistant material or 1 3/8" solid core, or have a 20 min fire-resistance rating.
- *Exterior decking and stairs* (CBC 709A / CRC R337.9): Walking surfaces of decks, porches, balconies and stairs within 10 feet of the building must be constructed of noncombustible, fire-retardant treated or heavy-timber construction. Alternate materials can be used if they are ignition-resistant and pass performance requirements specified by the State Fire Marshal.
- *Underfloor and appendages* (CBC 707A.8 / CRC R337.7.8): Exposed under-floor, underside of cantilevered and overhanging decks, balconies and similar appendages shall be non-combustible, ignition resistant, 5/8" Type X gypsum sheathing behind exterior covering, exterior portion of 1-hr assembly, meet performance criteria SFM Standard 12-7A-3 or be enclosed to grade.

ii. Ban on Wood Burning Fireplaces

As required by the MMRP, the Project's plans and specifications shall prohibit wood-burning fireplaces in single-family residences throughout the Project site. This requirement will be enforced at the time of building permit issuance and site plan review. Compliance with this Fire Safety Requirement shall also be confirmed by County building inspectors prior to issuance of certificates of occupancy for each single-family home.

iii. Fire-safe Sign Requirements

As required by the Specific Plan, no sign shall be installed, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. In addition, no sign of any kind shall be attached to a standpipe or fire escape, except those signs required by other applicable codes or ordinances. This requirement will be enforced at the time of building permit issuance and site plan review. Compliance with this Fire Safety Requirement shall also be confirmed by County building inspectors prior to issuance of certificates of occupancy for each single-family home. During project operation, this Fire Safety Requirement shall be enforced by the Master HOA.

d. Project Operations - Ongoing Enforcement of Fire Safety Requirements, Fire Safety Education, and FMZ Clearance Inspections.

Several entities will play important roles to ensure the ongoing implementation of the Fire Safety Requirements once the Project becomes operational. The LACoFD will have primary enforcement jurisdiction over the Project with respect to matters of Fire Code compliance, while the County's Department of Regional Planning is responsible for the overall enforcement of the Specific Plan. But the Project's master homeowner's association (Master HOA) and its Fire Protection Education Committee will have key roles in ensuring Project compliance with the Fire Safety Requirements, as will the Community Forester and qualified third-party compliance inspectors funded by the Master HOA. This section describes the various responsibilities of each of these parties with respect to the comprehensive implementation of the Fire Safety Requirements during the life of the Project.

i. Master HOA Formation and CC&R Recordation

Per the Specific Plan, a non-profit Master HOA shall be formed, and the Master HOA's declaration of conditions, covenants, and restrictions (CC&Rs) will be recorded after the recordation of the Project's first final subdivision map consisting of one or more residential lots and prior to the date of the first transfer of any residential lot to a person other than the subdivider. As additional final maps are approved and recorded, the Project area covered by those maps will be annexed by the Master HOA to ensure that control of development and implementation of the CC&Rs can be maintained. Per the Specific Plan and the MMRP, the applicant for a final map shall submit to the Department of Regional Planning the form of CC&Rs so that it may confirm that new homeowners will be informed about their responsibilities under the Fire Safety Requirements. Per Title 32 of the County Code, a copy of the recorded CC&Rs describing the fuel modification requirements must be provided to the LACoFD's Forestry Division.

To the extent permitted by the California Department of Real Estate, the CC&Rs for each final map shall include provisions obligating each homeowner to comply with all of the Fire Safety Requirements applicable to that homeowner's lot and residential unit, including but not limited to all Fire Safety Requirements that (i) mandate the use of fire-safe landscaping techniques, (ii) require the maintenance of fuel modification zones on their property, (iii) prohibit the use of wood fireplaces, (iv) prohibit the installation, relocation, or maintenance of any sign so as to prevent free ingress to or egress from any door, window, or fire scape; (v) mandate the use of code compliant spark arrestors in chimneys of any fireplace, barbeque, or any heating appliance in which solid or liquid fuel is used; (vi) mandate that only Class A fire rated roof coverings be used when maintaining or repairing roof coverings; (vii) mandate that exterior windows, window walls, glazed doors, and glazed openings in exterior doors only be repaired or replaced code compliant materials (e.g., multi-pane glazing units with a minimum of one tempered pane); and (viii) require that access be provided for biannual fuel modification zone inspections.

ii. Master HOA Enforcement of CC&Rs Through Monetary Penalties

To promote enforcement of the CC&Rs, the governing documents of the Master HOA shall vest the governing board of the Master HOA with authority to impose fines on any homeowner who violates any provision of the CC&R related to Fire Safety Requirements, and shall establish a schedule of reasonable monetary penalties to be assessed by the Master HOA against any homeowner that violates any provision of the CC&Rs related to Fire Safety Requirements. The required schedule of monetary penalties shall also be included as part of a general CC&R enforcement policy to be adopted and administered by the governing board of the Master HOA, which policy shall describe in detail the steps to be followed in enforcing the Master HOA governing documents and CC&Rs. As provided in California Civil Code Section 5855, no fine shall be assessed against a homeowner for violating a provision of the CC&Rs related to Fire Safety Requirements unless and until the Master HOA first conducts a hearing on the alleged violation. At least ten days advance notice must be provided to the relevant homeowner of the date and time of the hearing, the general nature of the allegation of rules violation against such homeowner, and informing such homeowner that they have the right to attend such hearing and to address the governing board.

iii. Master HOA Ongoing Maintenance

The governing documents of the Master HOA shall provide that the Master HOA is responsible for the long-term funding and ongoing maintenance of private roads and fire protection systems, including fire sprinklers and private fire hydrants. The Master HOA governing documents shall also provide that the Master HOA is responsible for the long-term funding and implementation of all fuel modification vegetation management in Project common areas, including but not limited to roadsides (including a minimum of 20 feet clearance on each side of roads within the Project development footprint adjacent to open space areas), open space and landscape areas, and fuel modification zones. In addition, the Master HOA shall establish a reverse 9-1-1 system capable of contacting every listed telephone number in the community by computer at a rate of at least 250 calls per minute.

iv. Fire Protection Education Committee

The governing documents of the Master HOA shall establish a Fire Protection Education Committee (FEPC). The purpose of the FEPC shall be to (i) promote education programs and tools that provide information to Project homeowners about the Project's overall Fire Safety Requirements and about each homeowner's individual obligations thereunder; (ii) promote education programs and tools that provide information about wildland fire ecology, management, protection, and prevention; and (iii) coordinate with the LACoFD and other stakeholders to identify opportunities for improvement in all areas of wildland fire communication, education, protection, and prevention.

The governing documents of the Master HOA shall require the FEPC to prepare and implement a community-wide fire education program based on the Firewise Communities structure and designed to establish the community as a Firewise USA site and to fully educate Project homeowners of their various responsibilities under the Fire Safety Requirements, including but not limited to maintaining fuel management zones areas on their respective properties. The Project master developer shall ensure that development and ongoing implementation of such fire education program is funded by assessment district or by permanent and irrevocable property owner fees.

The FEPC shall annually conduct on-site community fire safety education and training programs, which programs shall be undertaken in coordination with the LACoFD's Community Risk Reduction Unit to the extent feasible or other qualified subject-matter experts, and which shall include community education regarding implementation of the Project's required FMP and ERP, and shall ensure that copies of such plans are provided to all Project homebuyers at the initial point of sale.

The FEPC shall also post on the community intranet information regarding the importance of maintaining fuel management areas in accordance with the FMP, complying with the Project's fire-resistant landscape plan, implementing all applicable Fire Safety Requirements, and regularly reviewing and becoming familiar with the Project's ERP. Complete copies of the FMP and ERP shall also be made accessible for download from the community intranet. LACoFD shall review and approve all wildfire educational material/programs before printing and distribution by the FEPC. In addition, the FEPC shall ensure that annual reminder notices are provided to each homeowner reminding them to review the ERP and stay familiar with community evacuation protocols.

The FEPC shall also provide Project homebuyers, at the initial point of sale, educational materials about the health and safety benefits of emergency preparation and the need to maintain adequate emergency response supplies, such as a seven-day supply of potable water and food and solar-powered batteries for communication and refrigeration, to respond to earthquakes and other potential disasters, at the initial point of property sale, and annually thereafter in Property Owner Association Website Notices.

The FEPC shall coordinate with commercial vendors of emergency response supplies and solar batteries in order to secure discounts or other preferential terms to Project site occupants, and shall include a list of such vendors on the community intranet and in educational materials published by the FEPC.

v. Community Forester

In accordance with the Specific Plan, the Master HOA shall hire a Community Forester who is trained in urban forestry, arboriculture, horticulture, or landscape architecture to undertake tree management responsibilities. The Community Forester will also coordinate FMZs 3rd party inspections on the Project site. The Community Forester is required to develop a policy for managing public trees on the Project site and educating Project residents about the importance of trees in the community, and is responsible for implementing the Project's fire-resistant landscape plan. The Specific Plan further requires the Community Forester to develop programs that involve community organizations and residents in tree preservation, planting and tree care so as to ensure that community trees are, among other things, maintained in accordance with all Fire Code access requirements. Per the Specific Plan, the Community Forester must also prepare an annual tree management plan and implement programs to improve the community's tree canopy in a manner that complies with all Fire Code and LAFCD requirements. In addition, the Specific Plan requires the Community Forester to maintain the Project's fire-resistant plant palette and to consult with the County's staff biologist regarding proposed revisions to the community plant palette described in the Specific Plan. However, the LAFCD shall have final approval over the final plant palette for fuel modification zones and modifications thereto.

vi. Third-Party Compliance Inspectors

To confirm that the Project's fuel management zones and landscape areas are being maintained according to the Fire Safety Requirements and the LACoFD's fuel modification guidelines, the Master HOA shall obtain a fuel management zone inspection and report from a qualified LACoFD-approved third-party inspector in May/June of each year certifying that vegetation management activities throughout the Project site have been timely and properly performed. If the third-party inspector determines that a fuel management zone or landscape area is not compliant with all applicable fire-safety standards, the Master HOA shall have a specified period, not to exceed sixty days, to correct any noted issues so that a re-inspection can occur and certification can be achieved. Annual inspection fees may be subject to the current Fire Department Fee Schedule.

Exhibit A

Centennial Specific Plan Fire Safety Requirements:

1. Fuel Modification Plan (FMP)

- Required by Mitigation Measure MM 3-9, which provides:

The Project Applicant/Developer shall prepare a Fuel Modification Plan demonstrating compliance with the County Fire Code Title 32 and shall provide all new residents and business owners with recorded Covenants, Conditions, and Restrictions (CC&Rs) or disclosure statements that identify the responsibilities for maintaining the fuel modification zone(s) on their property, as defined in the approved Fuel Modification Plan. The CC&Rs or disclosure statements prepared by the Project Applicant/Developer shall be submitted to the County to confirm that new property owners will be informed of their responsibilities for maintaining the fuel modification zone(s) on their property.

- Review and approval:
 - Per MMRP, the FMP must be provided to the California Department of Forestry and Fire Protection for peer review and to the LACoFD for review and approval.
- Timing:
 - Per MMRP, the FMP must be approved prior to the recordation of final maps.
- Other Requirements:
 - The Specific Plan, pages 3-99 through 3-100, provides significant detail on the required content and implementation of the FMPs, all of which should be reflected in the Fire Protection Plan.
 - Per the MMRP, a copy of the relevant FMP must be provided to all new residents and businesses with CC&Rs or disclosure statements prior to the sale of any on-site properties.
 - See also Mitigation Measures MM 6-1, 6-3, MM 7-1, 7-16, and 7-21, which include additional requirements and restrictions regarding fuel modification in order to limit impacts to cultural and biological resources, all of which should be reflected in the Fire Protection Plan.

2. Vegetation Management Fire Abatement Implementation Plan

- Required by Mitigation Measure MM 7-21, which provides:

In order to ensure that no direct impacts to Significant Ecological Area (SEA) 17 occur,

brush clearance zones shall be contained within the current Project impact boundary and no overlap with the adjacent SEA 17 shall occur. Vegetation management for fire abatement purposes is not authorized in SEA areas. An Implementation Plan, including fire risk abatement measures (including but not limited to vegetation management) required to comply with State and County fire prevention and response legal requirements, shall be submitted as part of the tentative tract map for portions of the Project site that border an SEA or mitigation preserve area. The Plan shall include: (a) a summary of applicable State and County fire risk abatement requirements; (b) a prohibition on the use of vegetation clearance within SEA 17 or mitigation preserve areas. The Plan shall be submitted to the County for approval with the first tentative map, and shall be updated to include new or modified State or County fire risk abatement requirements as part of each subsequent tentative tract map submittal.

- Review and approval:
 - Per the MMRP, the Implementation Plan must be submitted to the California Department of Forestry and Fire Protection for peer review and to the County Department of Regional Planning for review and approval.
- Timing:
 - Per the MMRP, the Implementation Plan must be approved prior to approval of tentative maps for portions of the Project that border a SEA or mitigation preserve area.

3. Fire Stations

- Required by Mitigation Measure 16-1, which provides:

At buildout, the Los Angeles County Fire Department (LACoFD) fire stations shall be located such that response times to the Project site shall be 5 minutes or less for fire service responses and 8 minutes or less for the advanced life support (paramedic) unit responses within the Project site.

- Required by Mitigation Measure 16-3, which provides:

The Project Applicant/Developer shall provide land, convey title, and shall construct and equip, to the specifications and requirements of the LACoFD, for up to four new Fire Stations to the LACoFD. The approved final plans and specifications for the Project shall identify locations of the fire stations. The LACoFD shall have final approval over the fire station site locations. The timing for the construction of the on-site fire stations shall be established by the LACoFD dependent upon the phasing of development, with the first on-site fire station operational no later than the time the 1,000th dwelling unit is built on site.

- Review and approval:
 - Per MM 16-3, the LACoFD shall have final approval over the fire station site locations.
- Timing:
 - Per the MMRP, MM 16-1 must be satisfied prior to approval of tentative maps.
 - Per the MMRP, MM 16-3 must be satisfied prior to approval of plans and specifications for final maps.
 - Per the Development Agreement, all fire stations must be equipped to be compatible with the LACoFD's Development Impact Mitigation Agreement standards. See Dev. Agmt., Exhibit G, Section 3.2.
 - Per the Development Agreement, Fire Station # 1 must be a station of 10,000 square feet, Fire Station # 2 must be a station of 13,000 square feet, and Fire Station #3 must be a station of 10,000 square feet and equipped as provided in the Development Agreement, and it must be completed prior to the issuance of a certificate of occupancy. See Dev. Agmt., Exhibit G, Section 3.2.
 - Per the Development Agreement, and per MM 16-3, it remains to be determined whether the Project will be required to construct a fourth fire station, but such determination shall be based on need established pursuant to MM 16-1. See Dev. Agmt., Exhibit G, Section 3.2.
 - Per the Development Agreement, the general locations of the three required fire stations will be situated as identified on Exhibit 4-1 of the FEIR, subject to relocation based on mutual agreement of the Developer and the County. If it is determined that fourth station is required, it will be located based on mutual agreement of the Developer and County. Nevertheless, LACoFD will have final approval of any fire station location. See Dev. Agmt., Exhibit G, Section 3.1.
 - Per the Development Agreement, Fire Station #1 must be completed prior to the issuance of a certificate of occupancy for the Project's 1,000th residential unit, and Fire Stations #2 and #3 must be completed prior to the issuance of a certificate of occupancy for any residential unit located outside of a station's five-minute response time. See Dev. Agmt., Exhibit E-1.
 - Per the Development Agreement, existing Fire Station #77 will serve the first 1,000 Project dwelling units (before Fire Station #1 is operational).
 - Per the Specific Plan, at page 3-37, two fire station sites shall have a building pad consisting of a net buildable area of 1.25 acres. The third site shall have a net buildable area of 4 acres. All sites will be rectangular in shape, with utilities stubbed to the property.

- Other Requirements:
 - Per Mitigation Measure MM 16-2, the Developer must pay developer fees in accordance with the LACoFD Developer Fee Program until such time as the Developer has conveyed an approved, operational fire station to LACoFD, unless otherwise agreed to by the Developer and LACoFD in accordance with the LACoFD Developer Fee Program's land-in-lieu of fees provisions.

4. Emergency Response Plan

- Required by Mitigation Measure MM 3-7, which provides:

The Project Applicant/Developer shall prepare an Emergency Response Plan for the Project, which shall be updated as needed for each Tentative Map, and shall be submitted to the County (California Department of Forestry and Fire; and County Fire Department and/or County Sheriff's Department) for review and approval. The Project Applicant/Developer shall be responsible for distributing the current Emergency Response Plan to each purchaser or tenant of each property within Centennial, and shall distribute the Plan to all landowners through the Transportation Management Agency (TMA).

- Required by Development Agreement, Exhibit G, Section 12.3, which provides:

The Property Owners shall require future residential and commercial property owners associations to develop and implement an emergency preparation and response plan, including shelter-in-place and evacuation plans as well as first aid and emergency electric power supplies. The Property Owners shall provide educational information about the health and safety benefits of emergency preparation and response supplies such as a seven-day supply of potable water and food, and solar-powered batters for communication and refrigeration, to respond to earthquakes and other potential disasters, at the initial point of property sale, and annually thereafter in Property Owner Association Website Notices. The Property Owners and Property Owner Association Website Notices may also identify emergency response supply and battery vendors providing discounts or other preferential terms to Project site occupants.

- Review and approval:
 - Per the MMRP, the Emergency Response Plan must be submitted to the California Department of Forestry and Fire Prevention for peer review and to the LACoFD and/or Sheriff's Department for review and approval.
- Timing:
 - Per the MMRP, MM 3-7 must be satisfied prior to approval of tentative maps.

5. Landscape Plan

- Required by Mitigation Measure 7-13, which provides in relevant part:

The Project Applicant/Developer shall develop a Landscaping Plan for review and approval by the County Biologist. The Landscaping Plan shall be (1) prepared by a qualified biologist, (2) submitted to the County for approval with each tentative map, (3) provided to builders, (4) provided to future project occupants as described in the Specific Plan, and (5) include a plant palette composed of non-invasive species that are adapted to the conditions found on the Project site and do not require high irrigation rates. The Landscaping Plan shall also include a list of invasive plant species prohibited from being planted on the Project site. In addition, retail sales of these invasive plant species will be prohibited at any businesses (nurseries) located within the Project site. Landscape plans shall encourage planting of local natives typical of native vegetation within ten miles of the Project site.

- Review and approval:
 - Per the MMRP, the Landscape Plan must be reviewed and approved by the County Department of Regional Planning.
- Timing:
 - Per Mitigation Measure 7-13, a Landscape Plan must be submitted for approval with each tentative map application.
- Other requirements:
 - The Specific Plan, at page 2-78, provides that "a Community Forester (licensed arborist or licensed with the Department of Forestry and/or fire warden) shall oversee ... implementation of the long-term landscape plan within developed areas."
 - The Specific Plan, at page 3-42, explains that the Specific Plan plant pallet was prepared in accordance with the LACoFD's Fuel Modification Plan Guidelines, and, at page 3-99, requires the use of fire-retardant plants in fuel modification zones.
 - The Specific Plan, at page 3-29, requires landscaping in the plan's Open Space Zone to be dominated by native and/or drought tolerant trees, shrubs and ground cover, taking into consideration fuel modification requirements, such as using plants that are fire resistant.
 - The Centennial Green Development Program set forth in Specific Plan Appendix A-1 requires the project to implement fire-safe landscaping techniques to reduce fire risks to biological resources and human safety in the fuel modification zones.

- The Hillside Design Guidelines set forth in Specific Plan Appendix 1-B requires landscaping in a manner that, among other things, increases fire protection.

6. Ban on Wood-Burning Fireplaces

- Required by Mitigation Measure MM 11-3, which provides:

The Project's plans and specifications shall prohibit wood-burning fireplaces as required by SCAQMD Rule 445 in single-family residences throughout the entire Project site, including at residences that are 3,000 or more feet above mean sea level at which the SCAQMD prohibition would otherwise not apply. Natural gas fireplaces shall be limited to a total of 13,954. These requirements shall be posted on the community intranet and shall be clearly described and distributed to home buyers through their home purchase contracts and CC&Rs.

- Also required by the Specific Plan's General Development Standards. See Specific Plan page 2-78.
- Review and approval:
 - Per the MMRP, compliance with this requirement will be monitored by County Regional Planning and/or the Department of Public Building and Safety.
- Timing:
 - Compliance will be monitored at the building permit stage.

6. Miscellaneous Requirements

- Planned utility undergrounding and Project improvements to Highway 138 will help further reduce fire risk and provide better emergency egress, as discussed on Specific Plan page M-11.
- As discussed on Specific Plan page 3-9, classifications and street cross-sections were developed in partnership with the Department of Regional Planning, as well the County of LA's Public Works and Fire Departments: modifications to these cross-sections require approval from Public Works and LACoFD.
- As discussed on Specific Plan page 2-83, no sign shall be installed, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape, except those signs as required by other codes or ordinances.
- As discussed in footnote 21 of the Specific Plan's Appendix 2-C, the curb-to-curb width of each private driveway and fire lane will be approved by the Los Angeles County Fire Department and Department of Public Works

- The Project will be required to comply with all then-current fire code and building safety requirements, which should be detailed in the Fire Protection Plan.
- To ensure safe ingress and egress to, from and within the project site during construction, Mitigation Measure MM 3-8 provides as follows:

The Project Applicant/Developer shall prepare a Traffic Control Plan in accordance with the California Manual on Uniform Traffic Control Devices (MUTCD). The Traffic Control Plan shall be reviewed and approved by the California Department of Transportation (Caltrans), and all construction activities in the public right-of-way shall comply with the approved Traffic Control Plan to the satisfaction of Caltrans. Documentation of Caltrans approval shall be provided to the County for any Tentative Map involving construction within State Route 138 right-of-way.



Building Industry Association of Southern California, Inc.

2023 BIASC Governing Board

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Affiliate Representative

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The New Home Company

Vice President of Councils

Valerie Hardman
Outdoor Dimensions

June 13, 2023

Submitted via electronic mail: safety@planning.lacounty.gov

Los Angeles County Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, CA 90012

RE: Comments to Draft Community Wildfire Protection Ordinance – REVISED Regional Planning Commission, June 14, 2023 – Agenda Item 7

Dear Regional Planning Staff:

The Building Industry Association of Southern California, Inc., Los Angeles/Ventura Chapter (BIA-LAV) is a non-profit trade association of businesses and individuals in the vital homebuilding industry in the Counties of Los Angeles and Ventura focused on building housing for all. BIA-LAV submits these comments to the Draft Community Wildfire Protection Ordinance – REVISED (the "Wildfire Ordinance") attached as Exhibit A to the May 31, 2023, Regional Planning Staff Report to the Regional Planning Commission (the "Commission"). The Wildfire Ordinance seeks to amend Title 21 (the "Subdivision Code") and Title 22 (the "Zoning Code") as well as Hillside Design Guidelines. As we pointed out in our comment letter¹ to the prior draft of the proposed ordinance, BIA-LAV concerns itself with safety related to wildfires and works together with many stakeholders at all levels of government to promote and support legislation that carefully balances California's robust building regulations and strategies to provide wildfire protection for new communities.

Once again, BIA-LAV appreciates the County of Los Angeles' (the "County") efforts to promote safety for County residents. But once again, the County has not balanced the need for safety with the recognition of robust, effective, and stringent California building codes and the protection this framework provides for new communities. New communities can be safely designed and built with an effective combination of defensible space and fire-hardening building standards. A careful balance is needed now more than ever given the dire lack of housing construction in the unincorporated County.

¹ Our prior comment letter dated October 7, 2022, is incorporated herein by reference, and attached to this letter as Attachment 1.

As you know, the County's Regional Housing Needs Allocation ("RHNA") in the current Housing Element cycle (the 6th cycle RHNA, which addresses the need for new homes during the period from April 2021 – April 2029), allocated 90,052 new units to meet the unincorporated County's assessed housing needs for the eight-year period, or 11,257 units annually. The County is off to an abysmal start to the 6th cycle RHNA. As reported in the Department of Regional Planning's *General Plan and Housing Element Annual Progress Reports CY 2022*, **only 956 housing units were issued Certificates of Occupancy in all of 2022.**² This low number speaks for itself. And now, the County seeks to further restrict the ability to develop new housing with its Wildfire Ordinance in a manner that unnecessarily restricts the potential location and numbers of new housing units thereby creating unnecessary obstacles to housing production. And overly restrictive housing policy and regulations that further hamper housing production will drive up the cost of housing in the region.

Perhaps most alarming, the Wildfire Ordinance proposes to relinquish local control to the State of California (the "State") when it comes to a determination of the location and mitigation of hazards from brush and forest fires. The Wildfire Ordinance proposes to adopt wholesale CAL FIRE's fire hazard maps as land use planning tools when those maps are not created for nor intended as land use planning maps. CAL FIRE's fire hazard maps do not consider whether housing development within the map boundaries can be developed safely with fire hazard mitigation. Additionally, there is no mechanism to remove properties from the very high fire designations even if the mapping was based on erroneous or outdated information, such as when a housing project converts a high risk vegetation area to a low risk, graded, fire-protected area. Yet the County proposes to use these maps to create risk profiles and restrictions for new subdivisions within the fire hazard map boundaries thereby imposing mitigation before a project level assessment is undertaken to understand the actual risks so restrictions can be tailored as conditions and mitigations to address identified risks.

Furthermore, as of the writing of this letter, CAL FIRE's process to amend its fire hazard maps is still ongoing. Yet the County proposes to incorporate these yet unknown and unapproved maps into the Subdivision Ordinance and Zoning Code to restrict development within Very High Fire Hazard Severity Zones ("VHFHSZs")³ as established by CAL FIRE. This, after the Board of Supervisors (the "Board") has gone on record criticizing CAL FIRE's map amendment process as not being transparent and not being based on actual development conditions that exist on the ground, particularly areas that have already been developed and mitigated for fire hazards.⁴

² *General Plan and Housing Element Annual Progress Reports CY 2022*, LEAP Reporting Table and Summary Table spreadsheets.

³ The State Fire Marshal is required by Government Code Sec. 51178 to identify areas in the state as moderate, high, and very high fire hazard severity zones. The County is required by Government Code Sec. 51179 to "designate, by ordinance, moderate, high and very high fire severity zones in its jurisdiction" after receiving the State Fire Marshal's recommendations. However, State law does not dictate that its fire hazard maps be relied on for land use planning.

⁴ See, Board Motion adopted on January 24, 2023, and Letter to CAL FIRE from Board dated January 26, 2023, attached to this letter as Attachment 2 (Motion) and Attachment 3 (Letter).

As set forth below in this follow-up comment letter, BIA-LAV believes that the Board and the Commission should not have their hands tied by CAL FIRE when assessing subdivision applications and rendering their fact-based decisions. The County's Fire Marshal and other local County officials should continue to have the authority to make independent recommendations with respect to fire hazards and risk mitigation based on local conditions without being told what to do by Sacramento.

A readily available solution is available by utilizing *existing language* from the County Code that retains local discretion while protecting public health and safety. Specifically, in describing fire risk areas, the County Code currently refers to a "wildland area subject to hazard from brush or forest fire," while the proposed ordinance makes blanket references to CAL FIRE's mapped VHFHSZs. We request that the County replace all applicable references to the VHFHSZ with "a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden" or substantially similar language that preserves local authority.

Incorporation of CAL FIRE Maps into the Subdivision Code and Zoning Code Unduly Limits County Decision-Maker Discretion and Unnecessarily Accepts a Flawed State Process

The County Should Not Give Up Local Control to Rely on CAL FIRE Maps as Planning Tools.

There are myriad of reasons the County should not rely on the CAL FIRE maps as a planning tool to create risk profiles for new subdivisions and restrict development without having conducted a project level hazard and risk analysis. The County is poised to incorporate CAL FIRE fire hazard map amendments into the Subdivision Code and Zoning Code without even knowing what the final amended map boundaries will be. The entire CAL FIRE map amendment process has been heavily criticized by many public and private sector stakeholders as lacking transparency. The Board itself criticized the State's lack transparency noting that only one stakeholder meeting was held in the County and the comment period was too short.⁵

The draft maps have also been criticized for utilizing faulty and outdated information. Even the Board has recognized the CAL FIRE process deficiencies in a motion unanimously adopted on January 24, 2023 (the "Motion")⁶. In the Motion, the Board noted the State did not take land use approvals into account when preparing the fire maps. The Board also pointed out that development projects already undergo risk-based analysis and the County's scrutiny:

"to account for growing concerns with greenhouse gas emissions, energy consumption, fire hazards, and other potential impacts. The increased focus on fire prevention has resulted in increasingly stringent requirements both for the structures and the surrounding community. This has resulted in areas that were

⁵ Letter to CAL FIRE from Board of Supervisors dated January 26, 2023.

⁶ See, Attachment 2.

previously covered in foliage, that would be recognized by Cal Fire as a potential fuel source, being mitigated with appropriate fuel modification plans.”⁷

This statement by the Board underscores the point that CAL FIRE maps are not intended to serve as land use decision-making tools – particularly given that they do not even take existing development into account. Additionally, the Board points out above that it is *already* assessing wildfire risk and imposing stringent requirements to mitigate wildfire risk under its existing ordinances and policies. Because the County is already able to identify fire hazards and mitigate risk in subdivision decision-making under the current County regulatory structure, it is not necessary to incorporate flawed CAL FIRE maps created through an admittedly flawed process into the County Subdivision Code or Zoning Code.

Nor does the State’s map process have an ongoing mechanism to modify map boundaries. Once the boundaries of the CAL FIRE maps are established, there is no mechanism for a property owner to get out of the boundary even if the maps inaccurately depict the property or circumstances and facts on the ground change. These shortcomings place both the County and landowners at the mercy of the State’s CAL FIRE map process, which is infrequently readdressed and, as noted by many including the County, lacks local outreach and meaningful input.

In any event, the County already adequately incorporates wildfire analysis into subdivision decision-making without incorporation of CAL FIRE maps into its codes and can continue to do so. The CAL FIRE maps may serve a complimentary role for the County in identifying hazards but should not dictate risk and mitigation outcomes.

Existing Language in the Subdivision Ordinance Adequately Protects Against Wildfire Risk, Respects Local Control and Discretion, and Should be Maintained.

There is no need to let the State dictate to County decision-makers where hazards from wildfire should be mitigated. As noted above, the Board recognizes the shortcomings of the CAL FIRE maps, including that they do not reflect changed circumstances on the ground such as already approved projects and/or developed areas that have implemented wildfire mitigation. The County adequately addresses wildfire risk and mitigation in large part because the Subdivision Code already has language that addresses wildfire risk and provides decision-makers with the discretion to identify and mitigate potential effects from wildfire.

For example, the restricted residential access provisions in Section 21.24.02 already restrict dwelling unit count where a street system may “traverse a wildland area which is subject to hazard from brush or forest fire.”⁸ Throughout the Subdivision Code, the identical “subject to hazard from brush or forest fire” and similar language already take into account restrictions that may be imposed due to potential wildfire hazard. This existing language throughout the Subdivision Code, which recognizes wildfire hazards but

⁷ <http://file.lacounty.gov/SDSInter/bos/supdocs/177166.pdf>

⁸ See, County Code Sec. 21.24.020.A.1 and A.2.

provides local control to identify where such areas may exist and how risk may be mitigated, should be retained instead of utilizing inflexible and faulty CAL FIRE maps.

Accordingly, we request that the County replace all applicable references to the VHFHSZ with “a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden” or substantially similar language that preserves local authority.

Comments to Other Specific Proposed Title 21 Amendments

Restricted Residential Access

We previously pointed out that the proposed amendments to Section 21.24.020 – Restricted residential access, add severe restrictions on the number of residential lots that can be constructed on a single means of access. These restrictions are of concern to our members as they would operate to reduce the number of much needed single-family homes that can be constructed and take away discretion from the Commission and Board to exercise judgment with respect to the appropriate number of homes that can be accommodated based on site specific factors.

While staff suggests that the restrictions are needed because of the potential for construction of two Accessory Dwelling Units (“ADUs”) on each and every new lot, it seems highly unlikely that every lot in every new community will maximize the number of ADUs that can be constructed. This provision, like many others, uses the VHFHSZs as the boundaries within which all of these restrictions will apply, even though the County has no control over the creation of such boundaries and the CAL FIRE maps are not created for purposes of land use planning.

The Wildfire Ordinance revisions in the latest draft tighten what were already restrictive requirements by deleting Section 21.24.020.A.3 which authorized up to 300 units on a single means of access if the single access restriction “is subject to removal through future development.” The discretion to assess a project in relation to future development or other factors is important to informed decision-making. County decision-makers should not have the discretionary rug pulled out from under them.

Wildland Access

As we previously commented, the proposed amendments to Section 21.24.030 – Wildland access, removes decision-maker discretion by substituting the word “shall” in place of “may” when it comes to disapproval of subdivision design with certain types of streets and street systems located in a VHFHSZ. We pointed out the proposed amendments unduly restrict the ability to utilize street system design to cluster development away from wildland hazards.

The existing Subdivision Code language already provides for consultation with the forester and fire warden who can recommend disapproval of a subdivision if a street or street system “will traverse a wildland area which is subject to extreme hazard from brush or forest fires.”⁹ This existing code language allows the local fire experts to render

⁹ County Code Sec. 21.24.030.A.

an opinion based on local circumstances and conditions. The proposed replacement of the existing language in favor of a one-size-fits-all VHFHSZ based restriction robs local decision-makers of the ability to decide what is best for the County. If anything, the VHFHSZ maps can be used as a guide or supplement but should not be utilized for hard and fast restrictions without regard to either actual conditions on the ground or wildfire risk mitigation.

Additionally, a new provision was added to Section 21.24.030 in the current Wildfire Ordinance draft, which inexplicably would prohibit gated communities “unless recommended otherwise by the County Sheriff, or unless the advisory agency determines that the street may be gated and closed to public use for safety reasons.”¹⁰ It is unclear why the Sheriff is deemed the appropriate arbiter of gated communities. While Regional Planning staff has suggested persons fleeing a gated community during a fire could get locked behind entry gates, we are unaware of such a situation having occurred.

Instead, we understand entry gates have mechanisms that allow them to open manually if electricity is lost. This is similar to garage doors which can be opened manually if electricity is lost. No one is suggesting that garage doors should be prohibited in wildfire prone areas since they too are powered by electricity and may prevent a person fleeing a fire from being able to drive away from their house. It is also unclear what would constitute “safety reasons” that would be sufficient to justify a gated community. We believe there is no reasonable justification for the gate prohibition. A more reasonable approach if the County is truly worried about gates would simply be to require back-up opening mechanisms on entry gates.

Modification to Access and Frontage Requirements

The prior version of the Wildfire Ordinance’s amendments to Section 21.24.040 would have prohibited modifications to access and frontage requirements in a VHFHSZ, which takes away discretion from all County decision-makers. The revised Wildfire Ordinance Section 21.24.040.B removed that total prohibition in favor of only allowing the Board to modify access and frontage requirements. This modified code amendment still unnecessary takes away discretion from the Commission and adds more potential process and processing time for a subdivision.

The existing language of Section 21.24.040 already requires that “the public health, safety and general welfare will not be affected”¹¹ by any authorized modification. So, whether it is the Commission or the Board on appeal, the “public health, safety and general welfare” must be considered, and such a finding supported by substantial evidence for the modification to be approved. Consequently, wildfire hazards can be assessed and adequately mitigated under the already existing ordinance language.

Alternate Cross Sections.

The proposed Wildfire Ordinance would arbitrarily limit alternate road cross-sections. Subdivision Code Section 21.24.090 has graphics that depict road cross-sections and alternative road cross-sections. One need only compare the depicted graphics to see that the width of the roadway in the standard road cross-sections is the

¹⁰ Proposed Sec. 21.24.030.B.

¹¹ County Code Sec. 21,24.040.

same as in the alternate cross-sections.¹² For example, the diagrams for “Service Street Serving As A Collector Street For Multiple Residences” depicts a “Standard” curb to curb vehicle lane width of 40 feet and the “Alternate” cross-section also shows a curb-to-curb vehicle lane width of 40 feet. The only difference between the two is the location and width of sidewalks.¹³ Likewise the “Standard” and “Alternate” road cross-section diagrams for “Service Street Serving One Family and Two-Family Residences” both depict the same curb to curb vehicle lane width of 34 feet.¹⁴ There appears to be no discernable purpose for limiting alternate cross-sections in the name of wildfire protection. The proposed alternate cross-section limitations should be deleted.

Street Grades

The proposed amendment of Section 21.24.100 seeks to limit a subdivider’s ability to design highways or streets for short stretches with no greater than a six percent grade if they pass through a VHFHSZ. In such a case, an eight percent grade is proposed to be allowed if the advisory agency determines a lower grade is not possible. If the County desires to limit street grades in areas with wildfire risk, it can do so without the use of CAL FIRE maps. The County can, as it currently does elsewhere in the Subdivision Code, create design restrictions for projects subject to hazards from brush or forest fires. The Subdivision Committee and advisory agency review process, which includes County Fire, provides a mechanism to identify and mitigate such hazards in subdivision design.

Evacuation Analysis

Our prior comment letter requested clarity in the proposed amendment to Section 21.40.040 with respect to evacuation analysis. It is still unclear whether the “evacuation analysis” called for in proposed Section 21.40.040.A.29 is in addition to evacuation analysis prepared in connection with CEQA. It is also important to note that the roads built to serve new developments can help enhance the evacuation routes for nearby existing developments by providing new evacuation paths.

Modification or Waiver of Provisions

The revised Wildfire Ordinance removed the absolute prohibition of modification or waiver of Title 21 provisions in VHFHSZs from the prior draft. The proposed language now prohibits such waiver or modification “unless explicitly authorized by the Board of Supervisors.”¹⁵ While we appreciate that waiver or modification is still allowed under the revised language, it would unnecessarily add more process to an already lengthy subdivision approval process. Would other applications (oak tree permit, CUP, etc.) that accompany the subdivision also need to go up to the Board for final decision, even if not appealed from the Commission? This proposed process promises to create confusion and more avenues for project opponents to challenge projects.

The Commission, with consultation and recommendations from County Fire, the Subdivision Committee and Regional Planning staff, is well-equipped to make such waiver or modification decisions based on the individual facts and circumstances of a subdivision case. A Commission waiver decision, approval, or denial can already be appealed to the

¹² See, County Code Sec. 21.24.090, Diagrams for Section 21.24.090.

¹³ *Id.*, Diagram 4.

¹⁴ *Id.*, Diagram 5.

¹⁵ Proposed Sec. 21.52.010.E.3.

Board. There is no reason to add more steps to an already process laden subdivision application.

Conclusion

Thank you for the opportunity to provide additional comments to the Wildfire Ordinance. As the most populous county in the State, LA County remains ground zero of the housing crises. Housing is simply not being built in the quantities needed to even come close to meeting the expected need.

Accordingly, we respectfully ask that you consider the real potential impact on housing supply from these proposed ordinance amendments as you consider our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'S.O.' followed by a long horizontal stroke.

De'Andre Valencia, Senior VP
BIASC/ LA Ventura Chapter

ATTACHMENT 1



Building Industry Association of Southern California, Inc.

October 7, 2022

VIA EMAIL

Los Angeles County Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, CA 90012
safety@planning.lacounty.gov

RE: Comments to Proposed County Wildfire Protection Ordinance

Dear Regional Planning Staff:

The Building Industry Association of Southern California, Inc. (“BIASC”) is a non-profit trade association focused on building housing for all. We appreciate this opportunity to provide preliminary comments to the Draft Community Wildfire Protection Ordinance which consists of proposed amendments to Title 21 (Subdivisions) and Title 22 (Hillside Management Ordinance).¹

First and foremost, BIASC appreciates the County of Los Angeles’ (“County”) efforts to promote wildfire safety for its residents. Like the County, the BIASC concerns itself with safety related to wildfires. BIASC works together with the California Building Industry and other stakeholders at the State level to promote legislation that carefully balances California’s robust building standards, design, siting techniques, and other strategies to provide robust wildfire protection for new communities.

The County and the State have been facing a historic housing crisis, made worse by the crippling pandemic whose effects are still being felt. The lack of housing is a critical problem that threatens the economic, environmental, and social quality of life in California.² California housing has become the most expensive in the nation.³ The excessive cost of the State’s housing supply is partially caused by policies that increase the cost of land for housing and reduce the amount of land available for housing.⁴ When Californians have access to safe and affordable housing, they have more money for food and health care; they are less likely to become homeless and in need of government-subsidized services; their children do better in school, and businesses have an easier time recruiting and retaining employees.⁵

¹ The amendments also include proposed conforming amendments to the *Sensitive Hillside Design Measures Checklist*.

² See, Government Code Section 65589.5(a)(1)(A).

³ See, Government Code Section 65589.5(a)(1)(B).

⁴ *Ibid*.

⁵ See, Government Code Section 65589.5(a)(2)(H).

More homes that middle-class families can afford are urgently needed to address California's severe housing crisis. The development of carefully planned fire-safe and climate-resilient communities is an important strategy to meet our State's housing needs and climate goals. California has the most stringent building and fire codes in the nation. In the case of wildfires, the State Fire Marshal has significant data showing the effectiveness of the combination of defensible space with fire-hardening building standards, in significantly reducing property loss from wildfires.

The impact of reducing the availability of affordable new homes and rental housing compounds the growing inequality and limits advancement opportunities for many Californians. California already has the most restrictive and complex fire safety regulations in the U.S. and more laws are not needed to ensure public safety and the protection of property.

It is against this backdrop that we offer the following comments to the proposed wildfire-related revisions to Title 21 and Title 22. Given the short time frame for comments, we may provide additional comments at a later time.

The Draft Ordinances and Guidelines Should be Circulated for 60-Days

We note the draft ordinances and the guidance were just released for public review and comment in September with October 3, 2022, set as the deadline for public comment. These proposed ordinances and guideline changes will have far-reaching impacts on housing development in the County and as such, more time should be given for the public to provide comments. During a meeting with Planning staff on September 29, 2022, we asked staff for more time and indicated our comment letter would also request more time for the public. We believe the importance of these ordinance changes merits at least a 60-day public comment period and hereby request the initial comment period be extended to at least November 3, 2022.

General Comment

Whether a project increases the risk of wildfire and/or exposes project occupants to wildfire is a topic that discretionary subdivision applications must address.⁶ Slopes, prevailing winds, vegetation, existing road infrastructure, existing fire infrastructure, and other wildfire-related factors are assessed during CEQA review. Decision makers are informed by this wildfire analysis and can impose mitigation measures and conditions to address potentially significant wildfire impacts. Since 67% of the unincorporated County falls within either Very High or High Fire Hazard Severity Zones⁷ with varying terrain, vegetation, and infrastructure, decision-maker discretion is important to prevent undue restrictions on housing production with a "one-size-fits-all" approach.

Unfortunately, a number of the proposed ordinance amendments take away the decision-maker's ability to address unique aspects of subdivision cases and remove the ability to tailor mitigations and conditions that balance the need to protect would-be residents from wildfire but at the same time not unduly restrict the production of housing. The provisions that elicit this concern are pointed out below.

Comments to Proposed Title 21 Amendments

Restricted Residential Access

The proposed amendments to Section 21.24.020 – **Restricted residential access**, add severe restrictions on the number of residential lots that can be constructed on a single means of access. These restrictions are of concern to our members as they promise to reduce the number of much-needed single-family homes that can be constructed and take away discretion from the Regional Planning Commission and Board of Supervisors to

⁶ CEQA Guidelines, Appendix G, Section XX Wildfire.

⁷ *Final Recommendations to Reduce Wildfire Risk to Existing and Future Development: Los Angeles County, California*, Community Planning Assistance for Wildfire [December 2020], p. 7.

exercise judgment with respect to the appropriate number of homes that can be accommodated based on site-specific factors. The existing code language in Section 21.24.020.A that prefaces the access restrictions already provides that the street system “shall serve no more than” the number of units set forth in the restrictions that follow. This means that decision-makers can already decide to allow fewer than the allowed units taking into account site-specific wildfire related factors such as terrain, vegetation, subdivision design, street configuration, and existing road and fire infrastructure.

The loss of potential housing from these proposed changes and the potential impact on housing costs and availability should be quantified and considered so decision-makers can fully understand the consequences of the amendments. For example, the proposed limitation to “25 residential lots” on any street system that “is located in or passes through a VHFSZ” would potentially eliminate thousands of homes and affect 67% of the County.⁸

Wildland Access

The proposed amendments to Section 21.24.030 – **Wildland access**, also removes decision-maker discretion by substituting the word “shall” in place of “may” when it comes to the disapproval of subdivision design with certain types of streets and street systems located in VHFSZ. Again, BIASC understands the need to protect residents from wildfire risk. However, that risk can be evaluated by decision-makers based on specific design and other relevant factors in the record before them as well as the advice of fire professionals to determine whether a street or street system does or does not make sense in a particular case. The proposed amendments appear to unduly restrict the ability to utilize street system design to cluster development away from wildland hazards. There is no need to remove discretion. To do so will unduly inhibit housing production.

Modifications to Access, Frontage, and Alternate Cross Sections

The proposed amendment of Section 21.24.040 – **Modifications to access and frontage requirements**, adds a sentence at the end of the section that prohibits any modification to access or frontage requirements in a VHFSZ. Here again, a one-size-fits-all approach that removes decision-maker discretion is unwarranted and unduly restrictive. This amendment will inhibit creative and efficient subdivision design and result in the loss of natural areas that can be preserved with sensitive access and frontage modifications.

Likewise, the proposed amendment to Section 21.24.090 – **Right-of-way and roadway width requirements – cross-section diagrams**, prohibits an alternate cross-section from being located in or passing through a VHFSZ. This prohibition removes discretion from decision-makers in large swaths of the County and disregards the length of roadway that may be located in or passes through a VHFSZ. If 10 feet of roadway in a subdivision not otherwise in a VHFSZ happens to pass through a VHFSZ, does that mean the entire subdivision may not utilize alternative cross-sections? Like the proposed access and frontage modification restrictions, this amendment inhibits creative and efficient subdivision design. This is where discretion is important; again, one-size-fits-all is not the best policy approach.

Private Streets

The proposed amendments to Section 21.28.060 – **Private Streets**, appears to restrict the use of private streets in a VHFSZ. Whether public or private, the physical properties of the street (i.e. paving, width, slope) should be the factors that determine whether it is appropriate for a private street to be located in a VHFSZ.

⁸ The assumption that ADU’s can be built should not be as reason to limit single family lots with single means of access in a VHFSZ. ADU’s would be prohibited in a VHFSZ unless there are two means of vehicular access so they should not be taken into account.

Evacuation Analysis

A proposed amendment to Section 21.040.040 – **Contents – Information and documents required**, calls for an “evacuation analysis” that contains certain elements to be prepared for the Subdivision Committee and Regional Planning. The ordinance should be clear this document is not in addition to any analysis that may be required by State including CEQA. Already mandated evacuation analysis should not be duplicated.

Criteria for Minor land Division Rejection

A proposed amendment to Section 21.48.110 provides the advisory agency with the authority to reject a tentative minor land division map if it “would increase risks of injury or property on the subject property, or abutting properties, in a VHFSZ.” This language is unclear and appears overbroad. In theory, any structure may increase fire risk whether in a VHFSZ or not. It appears this language would provide unbridled discretion to reject any tentative minor land division map.

Modification or Waiver

A proposed amendment to Section 21.52.010 – **Modification or waiver of provisions authorized when** prohibits any modification or waiver of provisions in Title 21 that regulate development in a VHFSZ. This provision is extremely overbroad and takes away all discretion from decision-makers. We believe the language should be modified to maintain some measure of decision-maker discretion based on a reasonable standard.

Comments to Proposed Title 22 Amendments

Appendix I - Hillside Design Guidelines

Section VI.1.19 Fuel Ladders and Hazardous Terrain

This new section requires that development be located away from “fuel ladders and hazardous terrain”. There does not appear to be a definition of “fuel ladder” which creates ambiguity. Additionally, given the County’s mapping of geologic and fire hazards which covers well in excess of half the County, the use of the term “hazardous terrain” without further definition or qualification could mean that no development can occur anywhere that the County has mapped a hazard including the entirety of all mapped fire hazard areas. This section should be clarified.

Section VI.1.21 Defensible Space

This new section would require a 200-foot minimum setback from the parkland or open space for brush clearance. This 200-foot setback requirement for fuel modification as proposed may unduly limit housing production and place builders in LA County at a disadvantage vis a vis other parts of the State. State law requires 100 feet of defensible space. Here again, decision-maker discretion is important. Depending on the outcome of the CEQA wildfire review and other project-specific factors, more than 100 feet of brush clearance may be warranted. However, we believe individual projects would be best served by allowing decision-makers to focus on the merits of each case and a site-specific assessment of fire risk rather than a one-size-fits-all approach.

Section VI.3.1 Road Circulation

Proposed changes to this section would eliminate the ability to utilize a private street as a second means of access to a County highway. We are unsure why this new proposed restriction is proposed. Whether public or private, the physical properties of the access (i.e. paving, width, slope) are what should be the focus, not ownership. A private drive can provide the same physical access as a public street.

Conclusion

We thank you for the opportunity to provide these preliminary comments. As everyone knows, the County is in the midst of a housing supply crisis. California ranks top in the United States for both poverty and homelessness - largely attributable to our housing supply shortage and the consequent sky-high housing prices; and the County, the most populous county in the State, is ground zero of the housing crises.

Accordingly, we respectfully ask that you consider the real potential impact on housing supply from these proposed ordinance amendments as you consider our comments.



Bill McRenolds, President
BIASC/ LA Ventura Chapter



De'Andre Valencia, Senior VP
BIASC/ LA Ventura Chapter

ATTACHMENT 2

MOTION BY SUPERVISORS KATHRYN BARGER
LINDSEY P. HORVATH

JANUARY 24, 2023

**IMPROVING STAKEHOLDER ENGAGEMENT IN MAPPING FIRE HAZARD
SEVERITY ZONES IN STATE RESPONSIBILITY AREAS**

The State of California mandates that the California Department of Forestry and Fire Protection (Cal Fire) map the fire hazard zones within the State Responsibility Areas (SRA).

On December 14, 2022 the Office of the State Fire Marshal released an updated Fire Hazard Severity Zone Map to begin the regulatory requirements for adoption. The proposed map indexes and categorizes the rural and unincorporated areas of the State to model areas subject to a higher risk of experiencing a wildfire. However, the information released to the public, along with impacted jurisdictions and their local experts, such as the Los Angeles County Fire Department (Fire Department), did not include any of the underlying scientific data and projections utilized in the modeling.

In their announcement, Cal Fire indicated that public comment from communities and stakeholders on the proposed maps would be accepted from December 16, 2022 through February 3, 2023, a period of less than two months. The ability for jurisdictions and stakeholders to be prepared to provide meaningful comments in such a short window was complicated by the comment period coinciding with three federally recognized holidays-- Christmas, New Year's, and Martin Luther King Jr. Day. In addition, only one meeting was held in Los Angeles County during this short window to allow for in-person stakeholder engagement and public comment.

Given the last update to the Fire Hazard Severity Zone Map was in 2007, more than 15 years ago, adopting a process similar to the one used by Federal Emergency Management Agency (FEMA) in the flood mapping process would allow for more meaningful and informed input from stakeholders. The collaborative approach used by FEMA's Flood Zone Designation includes a more deliberate input process that includes a 90-day window for stakeholders to submit appeals to the map. Even after the maps have been adopted, they can be revised through the Letter of Map Change process, ensuring that there is more than one opportunity to address and help develop more accurate and refined maps that greatly impact public safety and property rights.

-MORE-

MOTION

SOLIS

MITCHELL

HORVATH

BARGER

HAHN

Page: 2

It does not appear that the State took land use approvals into account when developing the draft maps. As these developments have gone through the land entitlement process, they have been increasingly scrutinized by the County, in accordance with State and County Codes, to account for growing concerns with greenhouse gas emissions, energy consumption, fire hazards, and other potential impacts. The increased focus on fire prevention has resulted in increasingly stringent requirements both for the structures and the surrounding community. This has resulted in areas that were previously covered in foliage, that would be recognized by Cal Fire as a potential fuel source, being mitigated with appropriate fuel modification plans.

In order to ensure that the State and County are aligned, it is important for the State to reconcile its maps with the information that County agencies have at their disposal. Numerous County agencies and Departments can provide significant data on fully urbanized and developed areas that fall within the SRAs, along with information on land use approvals.

Additionally, though State officials claim these changes will not affect the price of home insurance for those residents near the reclassified area, the concern still remains. Numerous organizations and bodies have raised concern with the process, which will impact our communities for years to come. Thus, it is important that the State ensure that this process is inclusive and allows for proper input.

WE, THEREFORE, MOVE that the Board of Supervisors Direct the Chief Executive Office-Legislative Affairs and Intergovernmental Relations, in consultation with County Counsel, the Los Angeles County Fire Department, the Department of Regional Planning and other relevant County Departments to:

1. Send a five-signature letter to the State Fire Marshall requesting:
 - a. A 120-day extension from the current deadline of February 3, 2023 for the current public comment process for the Fire Hazard Severity Zone Maps in State Responsibility Areas;
 - b. The underlying data and resources used in the development of the Fire Hazard Severity Zone Maps be made public for review by stakeholders; and
2. Advocate for the State Legislature to amend existing code to require more frequent and periodic updates to the Fire Hazard Severity Zone Maps and require longer public comment windows.

KB:aso

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ATTACHMENT 3



CELIA ZAVALA
EXECUTIVE OFFICER

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 383
LOS ANGELES, CALIFORNIA 90012
(213) 974-1411 • FAX (213) 620-0636

MEMBERS OF THE BOARD

HILDA L. SOLIS

HOLLY J. MITCHELL

LINDSEY P. HORVATH

JANICE HAHN

KATHRYN BARGER

January 26, 2023

Chief Daniel Berlant
Acting State Fire Marshal
California Department of Forestry and Fire Protection (CAL FIRE)
715 P Street
Sacramento, CA 95814

Dear Acting State Fire Marshal Berlant:

We respectfully request a 60-day extension from the updated deadline of April 4, 2023, for the Office of the State Fire Marshal's public comment process for the Fire Hazard Severity Zone Maps in State Responsibility Areas (SRAs).

Our Board approved a [motion](#) on January 24, 2023, to urge your Office to extend the public comment period and to improve stakeholder engagement in mapping Fire Hazard Severity Zones in SRAs. As you know, the last update to the Fire Hazard Severity Zone Map was in 2007, more than 15 years ago. While an improvement on the initial two-month comment period, the extension through April 4th still does not allow for communities and stakeholders to provide meaningful comments and feedback on the update.

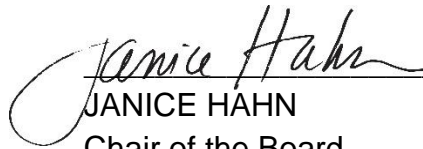
In addition, only one meeting by the State was held in Los Angeles County during this window of time to allow for in-person stakeholder engagement and public comment. We recommend the State adopt a more collaborative stakeholder process like the one used by the U.S. Federal Emergency Management Agency (FEMA) for flood zone mapping. FEMA's collaborative approach for Flood Zone Designations allows for a 90-day window for stakeholders to submit appeals to flood zone maps as well as proposed map revisions through the "Letter of Map Revision" process after the adoption of flood zone maps. This process ensures that there is more than one opportunity to address and help develop more accurate and refined maps that greatly impact public safety and property rights.

Finally, we have heard from constituents that this update will affect residents in the classified areas and the price of their home insurance policies. We appreciate your Office's extension of the public comment period for the updated Fire Hazard Severity Zone Maps in SRAs; however, we urge your Office to extend the public comment deadline an additional 60 days. It is critically important that the State facilitate a thoughtful process that provides opportunities to impacted residents, organizations, and stakeholders to share their input in a collaborative manner.


Acting State Fire Marshal Berlant
January 26, 2023
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Thank you for your leadership on this important issue and consideration of our request.

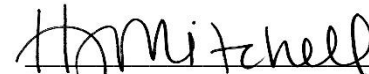
Sincerely,



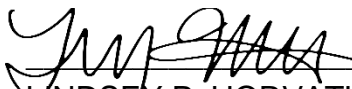
JANICE HAHN
Chair of the Board
Supervisor, Fourth District



HILDA L. SOLIS
Supervisor, First District



HOLLY J. MITCHELL
Supervisor, Second District



LINDSEY P. HORVATH
Supervisor, Third District



KATHRYN BARGER
Supervisor, Fifth District

June 13, 2023

Chair Hastings and Commissioners
LA County Regional Planning Commission
320 W. Temple St.
Los Angeles, Ca 90012

RE: Project No. PRJ2020-002395-(1-5) – Community Wildfire Protection Ordinance

Dear Chair and Commissioners,

On behalf of the Los Angeles County Business Federation (BizFed), a diverse grassroots alliance of more than 235 business organizations that represent 420,000 employers with over 5 million employees in LA County, we wish to express our below comments and concerns regarding the proposed countywide community wildfire ordinance.

We want to commend the County's efforts to promoting public health and safety from wildfires. The Wildfire Ordinance should balance housing, mitigation, and public safety collectively to ensure county residents have access to housing and are protected from wildfire risk.

In other arenas, BizFed has provided comments on recent wildfire-related legislation and rulemaking to ensure that any new requirements focus on effective and proven measures, without unnecessarily harming the economy or housing.

First, BizFed is concerned that the proposed ordinance is basing much of this information from outdated CalFire "hazard" maps that are yet to be approved and finalized. In January of this year, the Los Angeles County Board of Supervisors raised concerns that CalFire's maps do not account for land use approvals or County-approved wildfire mitigation efforts designed to reduce fire risks and protect residents.

Secondly, it is important to know that new housing development can effectively mitigate wildfire risks. This includes fire-hardening buildings, appropriate retrofitting, egress and ingress points, and other proven and established wildfire protection strategies. As such, any wildfire ordinance should recognize the benefits of locating new homes within new, master-planned communities that have been reviewed and approved by County Fire. These homes should not be saddled with the same restrictive requirements as other, less-protected

homes. These new communities act as the protection barrier to older, existing housing stock that does not have the fire hardening technology already built in.

Lastly, California is in the midst of a multi-decade housing crisis, the effects of which are being felt in Los Angeles County. For example, the County's current RHNA allocation requires 90,052 new housing units, yet the County recently reported that only 956 housing units were issued Certificates of Occupancy in all of 2022.

Regional Planning should take reasonable steps to avoid harming new development in a manner that will preclude the to the development of much needed housing, but instead work to mitigate risk to preserve public health and safety. We recommend the following:

1. Avoid Reliance on Faulty CAL FIRE Maps to Retain Local Discretion

- The County should avoid relying on CAL FIRE's faulty and outdated "hazard" maps as a shorthand for identifying fire prone areas. The Draft Ordinance broadly incorporates CAL FIRE's maps and gives up local control, unnecessarily harming new development.
- The LA County Board of Supervisors' motion in January 2023 raised concerns that CAL FIRE's maps do not account for land use approvals or County-approved wildfire mitigation designed to reduce fire risks and protect residents.
- There is no mechanism to "fix" the maps by removing a property even if the designation is erroneous or the property is later developed. This is important because CAL FIRE's latest draft maps were widely criticized for utilizing inaccurate data.
- The solution is straightforward: Replace any reference to the hazard maps with the existing Code language that relies on County Fire's expertise. The current code refers to fire prone areas instead of a blank cross-reference to the CAL FIRE maps.

2. Recognize the Benefits of New, Master-Planned Communities

- Recent evidence supports that new, master-planned communities with state-of-the-art fire-hardening measures and fuel setback zones are extremely resistant to wildfire damage. Examples from southern California, such as the recent Silverado fire in Orange County, demonstrate that new master-planned communities can withstand direct fires with little to no damage.
- Most of the wildfire risk to housing is to older homes or isolated homes that are not properly defended.

- As such, the Wildfire Ordinance should recognize the benefits of locating new homes within new, master-planned communities that have been reviewed by County Fire. These homes should not be saddled with the same restrictive requirements as other, less-protected homes.
- Eliminating master-planned communities which utilize the lasted technologies and building standards, have extensive review not only from the Department of Regional Planning but also the County Fire Department from the ordinance.

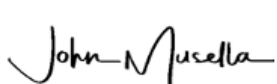
3. **Support Technical Comments Submitted by BIA-LAV**

- Replace all applicable references to the VHFHSZ with "a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden" or substantially similar language that preserves local authority.

We support the technical comments on specific provisions in the Draft Ordinance submitted by BIA-LAV. These comments identify refinements that would not impact public health and safety but would remove unnecessary restrictions on new housing and development.

Thank you for your consideration and attention to this letter. If you have any questions, please don't hesitate to contact our Senior Policy Manager Chris Wilson at (562) 201-6034.

Sincerely,



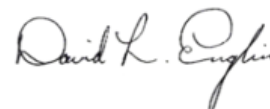
John Musella
BizFed Chair
Santa Clarita Valley Chamber



David Fleming
BizFed Founding Chair



Tracy Hernandez
BizFed Founding CEO



David Englin
BizFed President

BizFed Association Members

7-Eleven Franchise Owners Association of Southern California
 Action Apartment Association
 Alhambra Chamber of Commerce
 American Beverage Association
 Apartment Association of Greater Los Angeles
 Apartment Association, CA Southern Cities, Inc.
 Arcadia Association of Realtors
 AREAA North Los Angeles SFV SCV
 Armenian Trade and Labor Association
 Associated Builders & Contractors, Inc. Southern California Chapter
 Association of Club Executives
 Association of Independent Commercial Producers
 Azusa Chamber of Commerce
 Bell Gardens Chamber of Commerce
 Beverly Hills Bar Association
 Beverly Hills Chamber of Commerce
 Biocom California - Los Angeles
 BICEPP
 Black Business Association
 BNI4SUCCESS
 Bowling Centers of Southern California
 Boyle Heights Chamber of Commerce
 Building Industry Association - Baldyview
 Building Industry Association - LA/Ventura Counties
 Building Industry Association - Southern California
 Building Owners & Managers Association of Greater Los Angeles
 Burbank Association of REALTORS
 Burbank Chamber of Commerce
 Business and Industry Council for Emergency Planning and Preparedness
 Business Resource Group
 CA Natural Resources Producers Assoc
 CalAsian Chamber
 Calabasas Chamber of Commerce
 California Apartment Association- Los Angeles
 California Asphalt Pavement Association
 California Bankers Association
 California Business Properties Association
 California Business Roundtable
 California Cannabis Industry Association
 California Cleaners Association
 California Construction Industry and Materials Association
 California Contract Cities Association
 California Fashion Association
 California Gaming Association
 California Grocers Association
 California Hispanic Chamber
 California Hotel & Lodging Association
 California Independent Oil Marketers Association (CIOMA)
 California Independent Petroleum Association
 California Life Sciences Association
 California Manufacturers & Technology Association
 California Metals Coalition
 California Restaurant Association
 California Retailers Association
 California Small Business Alliance
 California Self Storage Association
 California Society of CPAs - Los Angeles Chapter
 California Trucking Association
 Carson Chamber of Commerce
 Carson Dominguez Employers Alliance
 Central City Association
 Century City Chamber of Commerce
 Chatsworth/Porter Ranch Chamber of Commerce
 Citrus Valley Association of Realtors
 Claremont Chamber of Commerce
 Coalition for Renewable Natural Gas
 Coalition for Small Rental Property Owners
 Commercial Industrial Council/Chamber of Commerce
 Construction Industry Air Quality Coalition
 Construction Industry Coalition on Water Quality
 Council on Trade and Investment for Filipino Americans
 Covina Chamber
 Crescenta Valley Chamber of Commerce
 Culver City Chamber of Commerce
 Downey Association of REALTORS
 Downey Chamber of Commerce
 Downtown Center Business Improvement District
 Downtown Long Beach Alliance
 El Monte/South El Monte Chamber
 El Segundo Chamber of Commerce
 Employers Group
 Encino Chamber of Commerce
 Energy Independence Now
 Engineering Contractor's Association
 EXP
 F.A.S.T.- Fixing Angelenos Stuck in Traffic
 Friends of Hollywood Central Park
 FuturePorts
 Gardena Valley Chamber
 Gateway to LA
 Glendale Association of Realtors
 Glendale Chamber
 Glendora Chamber
 Greater Antelope Valley AOR
 Greater Bakersfield Chamber of Commerce
 Greater Lakewood Chamber of Commerce
 Greater Leimert Park Village Crenshaw Corridor Business Improvement District
 Greater Los Angeles African American Chamber
 Greater Los Angeles Association of REALTORS
 Greater Los Angeles New Car Dealers Association
 Greater San Fernando Valley Regional Chamber
 Harbor Association of Industry and Commerce
 Harbor Trucking Association
 Historic Core BID of Downtown Los Angeles
 Hollywood Chamber
 Hong Kong Trade Development Council
 Hospital Association of Southern California
 Hotel Association of Los Angeles
 Huntington Park Area Chamber of Commerce
 ICBWA
 Independent Cities Association
 Industrial Environmental Association
 Industry Business Council
 Inland Empire Economic Partnership
 International Cannabis Business Women Association
 Irwindale Chamber of Commerce
 La Cañada Flintridge Chamber
 LA Fashion District BID
 LA South Chamber of Commerce
 Lancaster Chamber of Commerce
 Larchmont Boulevard Association
 Latin Business Association
 Latino Food Industry Association
 Latino Restaurant Association
 LAX Coastal Area Chamber
 League of California Cities
 Long Beach Area Chamber
 Long Beach Economic Partnership
 Los Angeles Area Chamber
 Los Angeles County Board of Real Estate
 Los Angeles County Waste Management Association
 Los Angeles Economic Development Corporation
 Los Angeles Gateway Chamber of Commerce
 Los Angeles Gay & Lesbian Chamber of Commerce
 Los Angeles Latino Chamber
 Los Angeles Parking Association
 MADIA Tech Launch
 Malibu Chamber of Commerce
 Marketplace Industry Association
 Motion Picture Association of America, Inc.
 MoveLA
 Multicultural Business Alliance
 NAIOP Southern California Chapter
 Nareit
 National Association of Tobacco Outlets
 National Association of Waterfront Employers
 National Association of Women Business Owners - CA
 National Association of Women Business Owners - LA
 National Federation of Independent Business
 National Hookah Community Association
 National Latina Business Women's Association
 Orange County Business Council
 Pacific Merchant Shipping Association
 Pacific Palisades Chamber
 Panorama City Chamber of Commerce
 Paramount Chamber of Commerce
 Pasadena Chamber
 Pasadena Foothills Association of Realtors
 PhRMA
 Planned Parenthood Affiliates of California
 Pomona Chamber
 Rancho Southeast Association of Realtors
 ReadyNation California
 Recording Industry Association of America
 Regional Black Chamber-San Fernando Valley
 Regional Hispanic Chamber of Commerce
 Regional San Gabriel Valley Chamber
 Rosemead Chamber
 San Dimas Chamber of Commerce
 San Gabriel Chamber of Commerce
 San Gabriel Valley Economic Partnership
 San Pedro Peninsula Chamber
 Santa Clarita Valley Chamber
 Santa Clarita Valley Economic Development Corp.
 Santa Monica Chamber of Commerce
 Sherman Oaks Chamber
 South Bay Association of Chambers
 South Bay Association of Realtors
 South Gate Chamber of Commerce
 Southern California Contractors Association
 Southern California Golf Association
 Southern California Grantmakers
 Southern California Leadership Council
 Southern California Minority Suppliers Development Council Inc.
 Southern California Water Coalition
 Southland Regional Association of Realtors
 Sunland/Tujunga Chamber
 Sunset Strip Business Improvement District
 The California Business & Industrial Alliance (CABIA)
 Torrance Area Chamber
 Tri-Counties Association of Realtors
 United Cannabis Business Association
 United Chambers - San Fernando Valley & Region
 United States-Mexico Chamber
 Unmanned Autonomous Vehicle Systems Association
 US Green Building Council
 US Resiliency Council
 Valley Economic Alliance, The
 Valley Industry & Commerce Association
 Vermont Slauson Economic Development Corporation
 Vernon Chamber
 Veterans in Business Network
 Vietnamese American Chamber
 Warner Center Association
 West Hollywood Chamber
 West Hollywood Design District
 West Los Angeles Chamber
 West San Gabriel Valley Association of Realtors
 West Valley/Warner Center Chamber
 Western Electrical Contractors Association
 Western Manufactured Housing Association
 Western States Petroleum Association
 Westside Council of Chambers
 Whittier Chamber of Commerce
 Wilmington Chamber
 World Affairs/Town Hall Los Angeles
 World Trade Center



June 11, 2023

The Regional Planning Commission
 Los Angeles County
 Department of Regional Planning
 320 W Temple St
 Los Angeles CA 90012
 Electronic transmission of six (6) pages to:
commission@planning.lacounty.gov

Subject: Acton Town Council Comments on the Proposed “Community Wildfire Protection” Ordinance.

Reference: PRJ2020-002395-(1-5)

Dear Chair Hastings, Vice Chair O’Connor, Commissioner Duarte-White, Commissioner Louie, and Commissioner Moon;

The Acton Town Council respectfully submits the following comments on the proposed “Community Wildfire Protection Ordinance” (“Ordinance”). As enumerated below, the Acton Town Council has numerous concerns with the and we ask that the Regional Planning Commission factor these comments into the decision that is made regarding the Ordinance.

Staff Have Continually Declined to Engage with the Community of Acton Regarding Substantial Concerns Posed By Ordinance Provisions That Require Abutting Roads to be Fully Improved to County Standards

For more than 6 months, the Acton Town Council has diligently tried to engage County staff regarding the substantial harms posed to our community by the Ordinance provision which requires all subdivisions in Very High Fire Hazard Severity Zones (“VHFHSZs”) to improve abutting roads to county standards. As we have explained time and again, and even demonstrated to County staff during a field tour on May 5, improving Acton’s existing roads to County standards as set forth in Section 21.24.400 of the Ordinance will substantially alter drainage patterns, cause significant erosion, interrupt natural stormwater infiltration processes, and cause existing residential developments to be “washed out”. Our concerns remain unaddressed; in fact, they have been completely ignored. Nonetheless, we will try one more time to explain how and why the proposed Ordinance poses substantial concerns in our community.

For 150 years, ancient drainage patterns and natural terrain have dictated the location and configuration of all development in Acton. Homes and agricultural uses in Acton are configured to avoid natural drainage areas and our roads accommodate these drainage patterns because they are pervious and do not alter the natural terrain; in fact, they undulate over the terrain and

thereby preserve natural contours and protect the native environment. Roads in Acton do not channelize or divert stormwater; rather, they preserve natural bioswales and “fit” in our community’s untouched landscapes. Because the roads in Acton are naturally surfaced with decomposed granite, they accommodate fire apparatus and do not hinder evacuation or wildfire fighting efforts; this fact has been affirmed time and again over the last 20 years in all our discussions with Fire Department staff. All of this is consistent with, and protected by, the County General Plan which adopts as a “**Guiding Principal**” that, in rural areas like Acton, *all land uses and developments must be “compatible with the natural environment and landscape”* (page 18). In contrast, roads that are improved to County standards are intrinsically incompatible with the natural environment and landscape because they obliterate natural contours, they channelize stormwater runoff and divert it to concrete culverts, and they eliminate natural bioswales and native infiltration areas.

County road standards were designed for urban areas and they “work” well in urban areas because urban areas are almost entirely impervious; so, all the stormwater flows that occur in urban areas are collected by the roads and diverted to concrete drainage facilities which are installed at specific intervals and utilize culverts to divert the flows to either the ocean or detention (dam) facilities or large “spreading grounds”. County road standards do not “work” in Acton because **Acton does not have** the concrete drainage facilities and the culverts and the dam facilities and the spreading grounds that are necessary to accommodate the channelized stormwater flows which are created by roads that are built to County standards. Therefore, roads that are built to County standards in Acton release stormwater in random places and create new drainage patterns which invariably cause erosion and flooding on downhill properties. This is not conjecture; it is fact. As we explained in our email sent on February 27, 2023, the “Forecast” development in Acton constructed roads to county standards and because the community lacks the culverts and drainage infrastructure needed to accept and divert all the stormwater that flows off the development, the flows are just dumped onto the dirt area below the development; this has caused extensive washout and erosion in the residential area downstream of the development.

County standards require that roads be level, that they be paved, and that they divert stormwater; therefore, roads built to County standards substantially alter natural contours, they reduce native infiltration, they eliminate historic drainage patterns, and they introduce new drainage patterns. Requiring roads in rural communities like Acton to be built to County Standards is utterly contrary to every single rural preservation provision set forth in the County General Plan and the Antelope Valley Area Plan. It is also contrary to the intent and purpose of the “Safe Clean Water” Program that was approved by voters in 2018 as “Measure W” because it increases impervious surface areas and impairs natural bioswales. It also controverts the premise established by the Sustainability Plan that natural areas are to be preserved and protected and that rural communities should not be burdened with exurban “sprawl” development. Importantly, *every single wildfire protection objective espoused by the General Plan Safety Element can be achieved **without** requiring roads to be developed to County standards*; this is because roads do not have to be paved or level in order to secure the access and egress opportunities that are called for in the Safety Element. The State Fire Marshal even recognizes this fact; that is why the new “State Fire Safe Regulations” which became effective on April 1, 2023 only require that roads support Fire Apparatus weighing 75,000 pounds and provide an aggregate base

These concerns have been raised to County staff by the Acton Town Council many times; we have expressed them in written communications and in person. We have even taken County staff to specific locations and showed them how harmful it will be to the Community of Acton if an ordinance is passed which requires our existing roads to be built to County standards; during the tour, we showed DRP staff how such standards will cause flooding and erosion on downstream properties; during the tour, a representative from Public Works explicitly affirmed that County road standards do in fact require roads to be level and paved and built with concrete culverts to divert stormwater. Apparently, our concerns have been deemed so inconsequential that they do not even merit a mention in the staff report, let alone a revision to the Ordinance. The Acton Town Council hereby informs the Regional Planning Commission that these concerns are not inconsequential; they are very serious and they merit substantial consideration. And, until that happens, the Acton Town Council stands vehemently opposed to the Ordinance.

The Ordinance Improperly Conflates “Private Streets” With “Private and Future Streets”

The Ordinance makes substantial changes to County Code Section 21.28.060 and it redefines the term “Private and Future streets” to such an extent that it fundamentally alters the intent and purpose of almost every road in Acton; thus, it will adversely affect access and egress in the community. For context, it is noted that the County devised the term “Future Street” in 1945 to accommodate subdivisions for which road improvements were not deemed necessary but through which road access was necessary for adjoining properties¹. In other words, public access (i.e. access by adjoining property owners) *has always been the fundamental purpose of all “future streets” in unincorporated Los Angeles County*. Today, the County uses the term “Private and Future” streets instead of “Future Streets”, but the intent remains the same. This intent, as set forth in Code Sections 21.32.070 and 21.32.080, is that “Private and Future Streets” are, and have always been, intended for public use; what sets them apart from other public roads is the fact that they have not been “accepted” by the County. Stated more plainly, the “public use” purposes of “Private and Future Streets” exists and it has always existed regardless of the fact that such streets have not been accepted into the County road system. All but a few streets in Acton are “Private and Future Streets”; they are fully open to the public and they are in common use by the public. In contrast, “Private streets” are streets that are created expressly for non-public uses: they are not open to the public and they are not intended to be open to the public. *It is critical for access and egress purposes within the Community of Acton that the County Code recognize the substantial difference between “Private Streets” and “Private and Future Streets” and preserve the “Brightline” distinction between them.*

Unfortunately, the Ordinance completely obliterates the distinction between “Private Streets” and “Private and Future Streets”; worse yet, it redefines “Private and Future Street” to mean a “road which is intended to be kept physically closed to public travel”. The implication of this revision on access and egress in the Community of Acton is ***staggering*** because it establishes that almost every road in Acton which is now in common use by the public for access and egress is actually intended to be closed to public travel! If the County proceeds with the proposed changes, then it will incorrectly redefine “Private and Future Streets” to mean streets that are not intended to be open to, or used by, the public; this will cause an avalanche of “private road

¹ See Section 56 of Ordinance 4478 adopted by the Board of Supervisors February 26, 1945. A copy of this ordinance can be provided upon request.

closures” in our community which will substantially eliminate the extant and abundant public access and egress opportunities that our residents rely on for evacuation purposes and “everyday life”. The resulting impacts of the revisions that are proposed to Section 21.28.060 are simply mind boggling.

The Acton Town Council is staunchly opposed to the revisions to Section 21.28.060 that are proposed by the Ordinance because these revisions fundamentally alter the meaning of a critical subdivision term which lies at the foundation of virtually all development in Acton and because they redefine the underlying purpose of every street in Acton in a manner which substantially reduces access and egress opportunities throughout our community.

The Ordinance is Not Consistent with the General Plan

The Staff report claims the Ordinance is consistent with the General Plan, but it is not. For instance, the Ordinance allows the County to deny a proposed subdivision simply because it is located in a VHFHSZ; this is contrary to adopted Safety Element policies which only permit subdivisions to be denied in VHFHSZs if they are not “generally surrounded” by development and meet other criteria. Additionally, the requirement imposed by the Ordinance that all subdivisions in VHFHSZs provide access routes that are fully improved to county standards (i.e. are level, paved, and have concrete culverts to divert and dislocate stormwater runoff) is entirely inconsistent with the General Plan which only requires that access routes meet *minimum* State and local regulations for ingress and egress. As we have stated in meetings with staff and proven with information provided to staff, State standards do not require that roads be paved or level or have concrete culverts; in fact, §1273.02 of the “State Fire Safe Regulations” which became effective on April 1, 2023 only require that roads support Fire Apparatus weighing 75,000 pounds, and provide an aggregate base². We understood that LACoFD was preparing an interpretation memo to address these provisions and learned just over a week ago that DRP may alter road development requirements so that roads would not have to be paved³; because we believed that the road development requirements in the Ordinance may be revised, we delayed submitting our comments on the Ordinance until now, in the “eleventh hour”.

The Ordinance Imposes Unwarranted Restrictions on Developments.

Section 21.24.020 of the Code already precludes subdivisions which result in more than 75 dwelling units that have a single access route in VHFHSZs; the Ordinance expands this section to include 25 residential lots based on the (incorrect) premise that 25 residential lots having a single means of access in a VHFHSZ can be developed with 75 dwellings through the addition of “Accessory Dwelling Units” (“ADUs”) and “Junior Accessory Dwelling Units” (“JADUs”). However, this premise is false because the County Code expressly prohibits the development of ADUs and JADUs in VHFHSZ areas that have a single means of access [see Section 22.140.640 (C)(2)(a)]⁴. Therefore, the existing County Code already ensures that no subdivision will ever result in the development of more than 75 dwelling units that have a single access route in

² This was articulated in an email sent to Director Bodek on May 16, 2023 which included Fire Safe Regulations pertaining to access.

³ This was clarified in an email sent by Director Bodek to the Acton Town Council on May 30.

⁴ Recently, the County issued a policy which allows ADUs and JADUs without restriction based on an erroneous interpretation of adopted California Statutes. The Acton Town Council has identified the errors in the County’s interpretation and expects that the new ADU/JADU policy will soon be rescinded.

VHFHSZs. Accordingly, the proposed revision to Section 21.24.020 is unnecessary; more importantly, it imposes unwarranted restrictions on subdividers which unduly limit property development rights without justification. While the Ordinance clearly acknowledges that up to 75 dwellings is an acceptable level of residential development in a VHFHSZ with limited access, it deprives property owners of the right to pursue a 75 dwelling unit development and instead only allows for a 25 dwelling unit development. In other words, there will never be more than one dwelling unit constructed on any one residential lot in any VHFHSZ area that has limited access because the code expressly prohibits ADUs and JADUs in VHFHSZ areas with limited access; accordingly, there is no basis or justification for imposing further restrictions on Section 21.24.020. The Acton Town Council has previously pointed this out to DRP, but our concerns have been ignored. Because the revisions to Section 21.24.020 are unnecessary and lack basis, and because our concerns regarding these revisions have never been addressed, the Acton Town Council opposes the Ordinance.

The Ordinance Violates the Subdivision Map Act.

The Ordinance revises Code Section 21.44.320 to permit the County to peremptorily deny a proposed subdivision project simply because it is located in a VHFHSZ; however, this violates the Subdivision Map Act which expressly limits the County's discretion to deny a subdivision. Specifically, the Subdivision Map Act only allows the County to deny a subdivision if: 1) The subdivision map or the design or improvements of the proposed subdivision are inconsistent with adopted planning documents; 2) The site is not physically suitable for the proposed type or density of development; 3) The proposed subdivision or improvements are likely to cause substantial environmental damage or serious public health problems; or 4) The design of the subdivision or the type of improvements conflicts with public easements; because none of these factors pertain to locations within a VHFHSZ, the County is precluded from adopting the proposed revisions to Section 21.44.320.

Other Issues

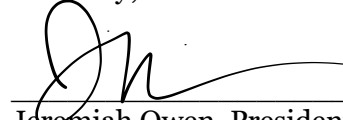
The Acton Town Council is troubled by other aspects of the draft Ordinance; however, we believe that, if we articulate these concerns here, then this letter will become so long that our most critical concerns will be diluted and thence further ignored. Our other concerns include, but are not limited to, the following:

- The Ordinance eliminates code provisions which require subdivision committee meetings to be open to the public and the County offers no justification or basis,
- The Ordinance makes subdivisions in Acton ineligible for parcel map waivers and the County offers no justification or basis;
- The County did not provide the requested map of parcels in Acton that will be subject to the road improvement requirements imposed by the Ordinance so that we could better comprehend the substantial impact that the Ordinance will have on our community;
- The Ordinance does not add any provisions to Title 22 that prohibit uses in fire hazard areas which pose a substantial deflagration risk;
- The possibility that County staff may have told FivePoint developers that the Newhall Ranch project is not subject to the Ordinance when in fact it must comply with all applicable provisions of Title 22 that are set forth in the Ordinance.

For all the reasons set forth above, the Acton Town Council urges the Commission to not approve the Ordinance and instead remand it back to staff to address the numerous and

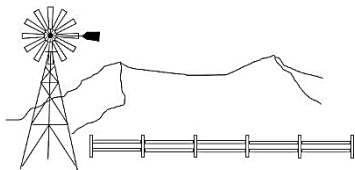
substantial “community critical” concerns enumerated herein. If you would like to discuss these matters or require clarification regarding any comments contained herein, please do not hesitate to contact the Acton Town Council at atc@actontowncouncil.org

Sincerely;

A handwritten signature in black ink, appearing to read 'Jeremiah', is written over a horizontal line.

Jeremiah Owen, President
The Acton Town Council

cc: The Honorable Kathryn Barger, 5th District Supervisor [Kathryn@bos.lacounty.gov].
Anish Saraiya, 5th District Planning and Public Works Deputy [ASaraiya@bos.lacounty.gov].
Donna Termeer, 5th District Field Deputy [DTermeer@bos.lacounty.gov].
Chuck Bostwick, 5th District Assistant Field Deputy [CBostwick@bos.lacounty.gov].
safety@planning.lacounty.gov



SAVE OUR RURAL TOWN

June 12, 2023

Cameron Robertson, Senior Planner
 Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, CA 90012
 Transmission of 8 Pages to:
safety@planning.lacounty.gov

Subject: Comments from Save Our Rural Town Regarding the Proposed
 “Community Wildfire Protection Ordinance”

Reference: PRJ2020-002395-(1-5).
 June 14, 2023 Regional Planning Commission Public Hearing

Dear Mr. Robertson;

Save Our Rural Town ("SORT") respectfully submits the following comments regarding the referenced “Community Wildfire Protection Ordinance” (“Ordinance”) project slated for consideration by the Regional Planning Commission on June 14, 2023. SORT is concerned by the CEQA determination that is proposed for the project and by the “Categorical Exemption” discussion that is included in the hearing package; we are also concerned that the certain provisions of the Ordinance are preempted by the California Subdivision Map Act. These concerns are set forth below.

THE ORDINANCE DOES NOT QUALIFY FOR A CATEGORICAL EXEMPTION FROM CEQA

The County has determined that the ordinance is categorically exempt from the California Environmental Quality Act and claims that both a “Class 7” exemption (as an action taken by a regulatory agency “to Protect Natural Resources”) and a “Class 8” Exemption (as an action taken by a regulatory agency “to Protect the Environment”) applies to the project. However, neither of these categorical exemptions apply. Specifically, Section 15300.2 of the CEQA Guidelines establishes exceptions to when categorical exemptions may be applied to an action and 15300.2(c) explicitly states that “A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances”; SORT asserts that there are unusual circumstances present which pose a reasonable possibility that the Ordinance will have a significant effect on the environment.

In *Berkeley Hillside Preservation v. City of Berkeley* (60 Cal.4th 1086), the California Supreme Court addressed the application of Section 15300.2(c) of the CEQA Guidelines, and established a “two prong test” which must be met to successfully challenge a claimed CEQA Categorical Exemption based on the Section 15300.2(c) exception. Specifically, the challenging party has the burden to 1) Produce evidence supporting an exception by showing that unusual circumstances exist; and 2) Demonstrate that unusual circumstances give rise to “a reasonable possibility that the activity will have a significant effect on the environment”. The Supreme Court also concluded that “evidence that the project will have a significant effect does tend to prove that some circumstance of the project is unusual” and that “a party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, by showing that the project has some feature that distinguishes it from others in the exempt class”. Based on the following information, this burden is met.

There Is Substantial Evidence Showing That Unusual Circumstances Exist Which Support an Exception Under Section 15300.2(c) and Render the Ordinance Ineligible for Class 7 Or Class 8 CEQA Exemptions.

A number of elements in the Ordinance pose unusual circumstances which warrant examination. For instance, Section 21.24.400 of the Ordinance requires all subdivisions in Very High Fire Hazard Severity Zones (“VHFHSZs”) to fully improve all adjacent roads to County standards (i.e., paved), including rural dirt roads that follow natural terrain patterns and preserve the natural environment. Since most VHFHSZs in Los Angeles County are in rural areas where dirt roads predominate, this provision of the Ordinance will result in a significant expansion of paved roads which will alter the terrain throughout many rural communities; this constitutes an intrinsically “unusual circumstance” which completely controverts the “environmental protection” and “Natural Resource Protection” purposes underlying the County’s claimed CEQA exemptions.

The existing dirt roads in rural areas of Los Angeles County roll and wind over the landscape; they accommodate natural drainage patterns and preserve ancient infiltration “bioswales”; in contrast, roads built to County Standards are paved, level, and incorporate concrete culvert facilities to divert stormwater into large concrete channels which carry the water to either the ocean or dam facilities or large infiltration basins/spreading grounds. Indeed, a primary intent of the County’s Road Standard is to alter and control drainage patterns and stormwater runoff. Accordingly, the expansion of “County Standard” roads into rural areas that will result from implementation of Section 21.24.400 of the Ordinance will substantially interrupt natural drainage courses and alter natural flow and infiltration patterns; this constitutes an intrinsically “unusual circumstance” which completely controverts the “environmental protection” and “Natural Resource Protection” purposes underlying the County’s claimed CEQA exemptions.

Finally, VHFHSZs comprise approximately one-quarter of the entire County of Los Angeles, and because Section 21.44.320(A) of the Ordinance establishes that the County can disapprove a proposed subdivision simply because it is located in a VHFHSZ, the ordinance poses the unusual circumstance of curtailing subdivision development in nearly one-quarter of the County. And, unlike the flood and geologic hazards addressed by Section 21.44.320 which are localized, limited in area, and can be easily sidestepped by designing the subdivision to avoid such areas and leave it as “open space”, VHFHSZ are not localized or limited in area; to the contrary, they cover more than 1,000 square miles so they cannot be avoided. What makes the circumstance of 21.44.320 (A) of the Ordinance particularly unusual is that it permits the denial of a subdivision simply because it is located in a VHFHSZ; this is:

- Inconsistent with the County General Plan which only precludes subdivisions in VHFHSZs when they are not “generally surrounded” by development¹;
- Inconsistent with adopted State Guidelines which recommends vegetation management and structure hardening for subdivisions in VHFHSZs and do not recommend denial of subdivisions in VHFHSZs²; and
- Inconsistent with the recommendations made by the County’s own fire experts pertaining to development in VHFHSZs³.

Taken together, these factors constitute substantial evidence showing that unusual circumstances exist which support an exception under CEQA Guidelines Section 15300.2(c). Accordingly, the first prong in the test established by the Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* is met.

The Unusual Circumstances That Support A CEQA Exception Under Section 15300.2(c) Give Rise to a Reasonable Possibility That the Ordinance Will Have a Significant Effect on The Environment

It is estimated that there are at least 1,000 miles of unimproved dirt roads in unincorporated rural areas within VHFHSZs; these roads will all be subject to Section 21.24.400 of the Ordinance and will be upgraded to County Standards whenever subdivisions are proposed. As indicated above, County Standards require roads to be paved and level; accordingly, the Ordinance will result in extensive grading and paving to bring rural dirt roads up to County Standards. These activities will in turn result in potentially significant air quality and noise, and cause significant greenhouse gas emissions.

¹ See Policy S4.1

² https://opr.ca.gov/docs/20220817-Fire_Hazard_Planning_TA.pdf

³ After Action Review of the Woolsey Fire Incident.
<https://file.lacounty.gov/SDSInter/bos/supdocs/144968.pdf>

Additionally, the road improvements triggered by the ordinance will include extensive culverts and stormwater diversion facilities; such infrastructure is imperative in urban areas (where natural drainage patterns have been obliterated) to divert the stormwater that flows off streets and carry it to vast concrete drainage channels. However, rural areas do not have (and are not supposed to have) the stormwater diversion facilities and concrete channels needed to accept water flowing from streets that are built to County standards⁴; so, when such streets are constructed in rural areas, they redirect runoff and create entirely new drainage patterns because they discharge large stormwater volumes into new areas where stormwater flows do not currently exist. This in turn causes extensive environmental impacts on downstream properties, including erosion and flooding.

Finally, Section 21.44.320 of the Ordinance permits the County to disapprove a subdivision simply because it is located in a VHFHSZ; this will preclude subdivisions in nearly one-quarter of the County. The County General Plan envisions and supports a low density subdivision pattern in rural areas; however, the Ordinance precludes rural subdivisions if they are located in VHFHSZs. Accordingly, the rural growth and development that is assumed to occur in the County General Plan will not occur; instead, it will be displaced and thereby cause growth and development in areas not anticipated by the County General Plan.

Taken together, these facts demonstrate that the unusual circumstance posed by Sections 21.24.320 and 21.24.400 of the Ordinance “project” which requires the development of extensive road and drainage infrastructure and precludes subdivisions in much of the County gives rise to a reasonable possibility that the Ordinance will have a significant effect on the environment due to the grading and concrete work it requires, coupled with the alterations to natural terrain, alterations to historic drainage patterns, erosion, flooding, and the displacement that it will create. Accordingly, the second prong in the test established by the Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* is met and the Ordinance “project” is not eligible for either a Class 7 or Class 8 Exemption.

The Substantial Evidence Which Shows the Ordinance Will Have a Significant Environmental Effect Proves That Circumstances of The Project Are Unusual

As indicated above, there is substantial evidence that the proposed Ordinance will result in numerous and significant environmental effects; this, in and of itself, proves that the

⁴ Rural communities in Los Angeles County have generally been developed based on existing terrain and natural drainage patterns; residents have constructed their homes and businesses outside of these natural drainage areas. However, when these natural drainage patterns are altered, downstream homes and businesses can become flooded.

circumstances of the Ordinance “project” are unusual. Accordingly, the CEQA exception established by Section 15300.2(c) of the CEQA Guidelines applies and, consistent with *Berkeley Hillside Preservation v. City of Berkeley*, the Ordinance “project” is not eligible for a Class 7 or Class 8 CEQA exemption.

The Ordinance has Features Which Distinguish it from Other Ordinances that Qualify for Categorical Exemptions Because They Protect the Environment and Protect Natural Resources.

Typically, ordinances that are adopted to protect natural resources and the environment seek to protect and preserve the existing natural environment and do not include provisions which compel the development of extensive infrastructure in natural areas; that is why they qualify for Class 7 and Class 8 Categorical Exemptions under CEQA. These are not the circumstances posed by the proposed Ordinance; to the contrary, the proposed Ordinance differs substantially from typical environmental protection ordinances because it causes displacement and compels developers to expand road and drainage infrastructure, replace rural dirt roads with streets that comply with County standards, alter natural topographies, and interrupt ancient drainage patterns. Consistent with *Berkeley Hillside Preservation v. City of Berkeley*, it is clear that the proposed Ordinance incorporates features that distinguish it from other ordinances which merit categorical exemptions because they actually protect natural resources and the environment. Therefore, the Ordinance does not warrant either a Class 7 or Class 8 Categorical exemption under CEQA.

THE ORDINANCE DOES NOT COMPLY WITH SUBDIVISION MAP ACT PROVISIONS

As discussed above, Section 21.24.400 of the Ordinance imposes a blanket mandate on all subdivisions located in VHFHSZs that they fully improve all abutting roads to County Standards regardless of any local conditions or extant circumstances. This is contrary to the requirements imposed by the California Subdivision Map Act which limits the County’s authority to adopt regulations pertaining to minor land division improvements to only “the dedication of rights-of-way, easements, and the construction of **reasonable** offsite and onsite improvements for the parcels being created” (Section 66411.1, emphasis added); the County is preempted from imposing conditions on minor land divisions that extend beyond what is specified in Section 66411.1. By restricting the County’s ability to require the construction of improvements for minor land divisions to only those that are *reasonable*, the SMA explicitly requires the County to apply “reason” to the improvement conditions that are imposed on each uniquely individual subdivision and then impose only those improvements that are *reasonable* for the parcels that the minor land division creates. The proposed Ordinance does not comply with the restriction imposed by Section 66411.1 because it blindly imposes a standard offsite improvement requirement on all minor land divisions in VHFHSZs without

reason and regardless of what is actually appropriate for the parcels being created. Furthermore, the dirt roads in Acton are predominantly composed of decomposed granite and easily accommodate emergency response vehicles, therefore it is intrinsically unreasonable to require that they be paved and it is substantially insupportable to conclude that roads in Acton pose a threat to public safety simply because they are not improved to County Standards. The road improvement requirements imposed by Section 21.24.400 of the Ordinance substantially overreach the authority granted to the County by the SMA because it imposes a standard road improvement requirement on all minor land divisions in a manner that is pre-empted by the SMA's statutory jurisdiction.

Section 21.44.320 of the Ordinance authorizes the County to disapprove a subdivision simply because it is located in a VHFHSZ. This contradicts the provisions of the Map Act which expressly enumerate the physical conditions and circumstances under which a local agency can deny a subdivision [Gov Code §66474]; the Map Act does not authorize local agencies to manufacture new or additional physical conditions and circumstances under which a subdivision can be denied. The Map Act establishes that the only physical conditions and circumstances under which a subdivision can be denied are when:

- The site is not physically suitable for the type of development;
- The site is not physically suitable for the proposed density of development;
- The design of the subdivision or improvements are likely to cause substantial environmental damage or substantially injure fish or wildlife or their habitat or cause serious public health problems; or
- The design of the subdivision or the type of improvements conflict with public easements.

None of these physical conditions/circumstances set forth in the Act which allow a local agency to deny a subdivision pertain to whether the subdivision is in a particular location; therefore, the Ordinance impermissibly expands the circumstances under which a subdivision can be denied under the Map Act. And, while the Map Act does include specific provisions pertaining to subdivisions located in very high fire hazard zones [Gov. Code 66474.02], none of these provisions allow a local jurisdiction to peremptorily deny a subdivision map simply because it is in a VHFHSZ. Thus, under the rule of Statutory Construction, the County cannot assume that the Legislature intended for subdivisions to be denied simply because they are in a VHFHSZ. Accordingly, the County will exceed its authority under, and controvert the legislative intent of, the Map Act if it proceeds with the proposed revisions to 21.44.320.

Finally, the Map Act vests the County with only limited powers regarding subdivision approvals and it restricts the subdivision matters that the County can impose on a subdivider in exchange for subdivision privileges [Associated Home Builders v City of

Walnut Creek (1971) 4 C3d 633]. Specifically, the Map Act expressly limits the County's decisional authority to the regulation and control of subdivision designs and improvements [Gov Code 66411]. Because the decisional authority vested in local agencies is tightly constrained by the Act, the Courts have long held that subdivision restrictions imposed by local agencies must involve "reasonable conditions" pertaining to design and improvements [*Ayres v. City Council of Los Angeles* (1949) 34 Cal. 2d 31]. The subdivision restriction imposed by Section 21.44.320 is entirely unrelated to matters of design and improvement; thus, they are specifically precluded by the Map Act. Furthermore, the record does not demonstrate that denying subdivisions simply because they are in VHFHSZs is either reasonable or necessary to reduce wildfire risks; to the contrary, wildfire and life safety experts advocate far different measures and reasonable conditions to reduce wildfire risks such as vegetation management and structure hardening (as discussed above). Because Section 21.44.320 of the ordinance intrinsically conflicts with the Map Act by addressing matters unrelated to subdivision design and improvement and because it manufactures new physical conditions/ circumstances under which a subdivision can be denied, the County is preempted from adopting it.

CONCERNS WITH THE "CATEGORICAL EXEMPTION" DISCUSSION

The Planning Commission Hearing Package offers a brief discussion of the Categorical Exemptions that are claimed for the Ordinance; some of the issues presented in this discussion are frankly troubling. For instance, the discussion asserts that the ordinance will "reduce the amount of development permitted in hazardous and inaccessible areas typically located in the wildland-urban interface (WUI)". This is a substantial understatement because the Ordinance actually reduces development in all VHFHSZs areas even if they are not hazardous and even if they are fully accessible. For example, the Ordinance allows the County to disapprove all subdivisions in Acton simply because Acton is in a VHFHSZ even though almost all of Acton is entirely accessible and most of it is decidedly "nonhazardous" according to CALFIRE wildfire perimeter maps⁵. The discussion also asserts that the Ordinance imposes "requirements for new development to provide adequate infrastructure for emergency response to protect natural resources from wildfire as well as public health and safety". As discussed above, Section 21.24.400 of the Ordinance imposes road development standards which do not protect natural resources; to the contrary, they will result in extensively adverse environmental impacts, including altering natural terrain and altering natural drainage patterns which will cause flooding and erosion. Worse yet, none of the road improvement requirements

⁵ Wildfire Permitter Maps prepared by CALFIRE show that nearly all of Acton has not experienced a wildfire in more than 70 years [<https://34c031f8-c9fd-4018-8c5a-4159cdf6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/what-we-do/fire-resource-assessment-program---frap/pdf-maps/california-wildfire-sra-1950-2021.pdf?rev=ee7b3141ea854580aac88d29c74ead86&hash=AB768949F0952ACD6202F3A3B53A26DC>]

imposed by 21.24.400 are demonstrably necessary; for example, dirt roads in the Community of Acton are predominantly comprised of decomposed granite and therefore meet the State “Fire Safe Regulations” which require access roads to be designed and maintained to support the imposed load of Fire Apparatus weighing at least 75,000 pounds, and provide an aggregate base”⁶. In other words, not only has the County failed to show that the road development requirements imposed by Section 21.24.400 of the Ordinance are necessary “to protect natural resources from wildfire as well as public health and safety”, SORT contends that they are completely unnecessary for such purposes. This, coupled with the fact that the road improvement requirements imposed by Section 21.24.400 will result in significant environmental impacts, renders the entire basis in favor of Section 21.24.400 moot; it also renders the CEQA discussion substantially erroneous.

Respectfully Submitted;

/S/ Jacqueline Ayer

Jacqueline Ayer

Director, Save Our Rural Town

⁶ <https://bof.fire.ca.gov/media/qron4kqy/oal-approval.pdf>

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June 11, 2023

Los Angeles County Department of Regional Planning
safety@planning.lacounty.gov

cc: Supervisor Kathryn Barger

Dear Los Angeles County Department of Regional Planning:

I am the owner of a 50+ acre site in the Angeles National Forest that lies within the area you have described as the "Wildfire Ordinance Zone." Within the last few days we learned that you are planning to revise Title 21 (Subdivision) and Title 22 (Planning and Zoning) of the Los Angeles County Code.

We are very upset that while this process has been going on for several years, **we have never been informed by the Los Angeles County Regional Planning Department of their work on the "Wildfire Protection Ordinance," or the impact it could have on our property.**

After learning about the document that is to be presented to the Planning Commission on June 14, 2023 and reading both it and correspondence to the Planning Department from interested parties, we are asking that the Planning Department postpone any decision for the June 14, 2023 date until all property owners in the "Wildfire Ordinance Zone" have been notified and given an adequate time to respond. We are doing so because: 1) we were never notified by the Planning Department of the drafting of the Ordinance; 2) we have not been given sufficient time to study the impact of the ordinance on our property; and 3) we know that other property owners in the "Wildfire Ordinance Zone" have also not been notified.

Thank you for your consideration,



Joseph F. DiMassa, Ph. D.
President, The Enoteca, LLC