

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



February 15, 2023

Michael R. Hastings, Chair
Regional Planning Commission
320 West Temple Street, 13th Floor
Los Angeles, CA 90012

**RE: Item 6, March 1, 2023, Draft Community Wildfire Protection Ordinance
– *Support***

Dear Chair Hastings and Members of the Commission:

Endangered Habitats League (EHL) *supports* the proposed revisions to the Ordinance. For your reference, EHL is a Southern California conservation group dedicated to ecosystem protection, sustainable land use, and collaborative conflict resolution. Wildfire is an enormous threat that requires disciplined and science-based action.

The basis for EHL's support is the broader context of the Safety and Land Use Elements. These elements wisely, and in response to the challenge of climate change, limit density increases and subdivisions in inherently dangerous fire zones and prevent further expansion of the wildland-urban interface. However, in locations where such development will continue, such as within existing communities, it is important to impose safeguards via ordinance to maximize safety in the event of fire.

Title 21 adds standards for roadway emergency access and egress. More detailed evacuation studies would occur during CEQA review. Title 22 adds various site plan and design requirements, such as setbacks and clustering. The new sections are well conceived.

In conclusion, EHL supports the Draft Community Wildfire Protection Ordinance as part of a comprehensive approach to fire safety that complements the Safety and Land Use Elements.

Thank you for considering our views.

Yours truly,

A handwritten signature in blue ink, which appears to read 'Dan Silver', is positioned above the printed name and title.

Dan Silver
Executive Director

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



March 3, 2023

Department of Regional Planning
ATTN: Cameron Robertson
320 West Temple Street, 13th Floor
Los Angeles, CA 90012

RE: Draft Community Wildfire Protection Ordinance – *Additional comments*

Dear Mr. Robertson:

Endangered Habitats League appreciates the opportunity to supplement our letter of February 15, 2023. Please note that as a signatory to the landmark “Tejon Ranch Conservation and Land Use Agreement,” Endangered Habitat League does not oppose Tejon Ranch’s Centennial Community project in Los Angeles County. Additionally, in light of the previous site-specific review under CEQA, EHL is not advocating that the Community Wildfire Protection Ordinance requires any changes to the Centennial project as currently approved by relevant agencies.

Yours truly,

A handwritten signature in blue ink, which appears to read 'Dan Silver', is positioned above the printed name and title.

Dan Silver
Executive Director

From: [Acton Town Council](#)
To: [Cameron Robertson](#); [Thuy Hua](#); [Acton Town Council](#)
Subject: Fwd: Letter from the Acton Town Council addressing concerns regarding the availability of background information on the proposed FHSZ Map
Date: Thursday, January 26, 2023 12:09:11 PM
Attachments: [Letter to CALFIRE Jan 24 2023 - signed.pdf](#)

CAUTION: External Email. Proceed Responsibly.

Dear Mr. Robertson;

The Acton Town Council respectfully requests that you include the following email and attached letter addressing CAL FIRE's "Fire Hazard Severity Zone" ("FHSZ") Map with the record that is being compiled for the Community Wildfire Protection Ordinance. The letter was sent to State Fire Marshal Berlant yesterday and discloses substantial deficiencies that we have found in the portions of the FHSZ Map pertaining to Acton; it also expresses our concerns regarding a lack of granularity in the modeling inputs and insufficiencies in the technical data that were used to derive the FHSZ Map. The technical information that we have gathered and upon which our concerns are based is cited in the attached; it demonstrates that the FHSZ classification which CAL FIRE has assigned to the Community of Acton is neither warranted nor technically supportable.

The Acton Town Council requests that you include the attached letter in the record of the Community Wildfire Protection Ordinance project because the FHSZ Map provides the basis for many of the new and revised code provisions incorporated into the Draft Community Wildfire Protection Ordinance; if the FHSZ Map is technically deficient (as the Acton Town Council contends), then (by extension), the Community Wildfire Protection Ordinance will be similarly deficient. It is important to the Community of Acton that the Department of Regional Planning is aware of FHSZ Map deficiencies and thereby tempers its reliance on the FHSZ Map when making development decisions in our community.

The Acton Town Council would be happy to address any questions or concerns you may have regarding the attached; please feel free to contact us at atc@actontowncouncil.org.

Sincerely;
 Jacqueline Ayer
 Correspondence Secretary

----- Forwarded message -----

From: **Acton Town Council** <atc@actontowncouncil.org>
Date: Wed, Jan 25, 2023 at 10:02 AM
Subject: Letter from the Acton Town Council addressing concerns regarding the availability of background information on the proposed FHSZ Map
To: <Daniel.Berlant@fire.ca.gov>, <FHSZinformation@fire.ca.gov>
Cc: <Senator.Wilk@senate.ca.gov>, <assemblymember.lackey@assembly.ca.gov>, Barger, Kathryn <kathryn@bos.lacounty.gov>, Saraiya, Anish <ASaraiya@bos.lacounty.gov>, Termeer, Donna <DTermeer@bos.lacounty.gov>, Bostwick, Chuck <CBostwick@bos.lacounty.gov>, English, Stephanie <SEnglish@bos.lacounty.gov>, Amy Bodek <ABodek@planning.lacounty.gov>, Acton Town Council <atc@actontowncouncil.org>

Dear Fire Marshal Berlant;

The Acton Town Council greatly appreciates the fact that the deadline for submitting

comments in the rulemaking action for the proposed Fire Hazard Severity Zone (FHSZ) Map has been extended and that a stand-alone document has been issued which lists the documents/information identified in the "Initial Statement of Reasons" (ISOR) and relied upon by CAL FIRE to develop the proposed FHSZ Map. However, we had previously reviewed the ISOR and the documents cited therein and we remain concerned that the documents identified in the ISOR either do not materially represent the modeling inputs that were actually used to derive the proposed FHSZ Map or they provide no material insight into the proposed FHSZ Map or they demonstrate that the Community of Acton does not warrant a "Very High Fire Hazard Severity Zone" ("VHFHSZ") designation; we are also concerned that the foundational information upon which the proposed FHSZ Map was developed is still out of the public's reach. Before we became aware of CAL FIRE's announcement regarding the extended comment deadline and the ISOR document summary, we approved the attached letter enumerating our concerns with the ISOR documentation; we respectfully ask that the information requested in the attached letter be provided as soon as conveniently possible.

Thank you again for extending the deadline and clarifying the documents identified in the ISOR; it is appreciated.

If you would like to discuss with us the concerns expressed in the attached letter, please contact us at atc@actontowncouncil.org.

Sincerely;

Jacqueline Ayer

Correspondence Secretary

The reach concluded, and that was issued prepared the attached letter yesterday morning which outlines our concerns



Acton Town Council <atc@actontowncouncil.org>

Information request pertaining to the proposed 2022 FHSZ Map

1 message

Acton Town Council <atc@actontowncouncil.org>

Thu, Jan 12, 2023 at 12:14 PM

To: FHSZinformation@fire.ca.gov, Acton Town Council <atc@actontowncouncil.org>

To the CAL FIRE Team;

It is the Acton Town Council's intent to submit detailed comments regarding the efficacy, accuracy, and appropriateness of the draft FHSZ map prepared for the agricultural community of Acton in Los Angeles County, but the CAL FIRE website does not appear to provide the information that we require to prepare comprehensive comments and thereby meaningfully participate in the public comment process. Accordingly, the Acton Town Council respectfully requests that the following information be provided which pertains to the Community of Acton and the wildlands that surround it:

- Fire History Maps for all areas of Acton and surrounds from 1991-2020
- Modeled Flame Length output maps for all areas of Acton and surrounds
- Maps depicting vegetation characteristics for all areas of Acton and surrounds
- Maps depicting climate characteristics for all areas of Acton and surrounds
- Wildland/Non-Wildland maps for all areas of Acton and surrounds
- Fire Brand Production maps for all areas of Acton and surrounds
- Fire Brand Load maps for all areas of Acton and surrounds
- Broad Load Classification map for all areas of Acton and surrounds
- Non-Wildland Vegetation map for all areas of Acton and surrounds
- Slope Map for all areas of Acton and surrounds
- Non-Wildland Cost Surface map for all areas of Acton and surrounds
- All Modeled Buffer Output maps for all areas of Acton and surrounds
- Initial Zone Classification map for all areas of Acton and surrounds
- All additional maps and model output maps relied upon to establish FHSZs in the Community of Acton.
- The guidelines document that was used to develop the Final Proposed FHSZ map.

To facilitate the processing of this request, I have attached a map showing the precise location of Acton's boundaries in the high desert area of Los Angeles County.

If you have any questions, please do not hesitate to contact me at (949) 278-8460.

Sincerely;
Jacqueline Ayer
Correspondence Secretary

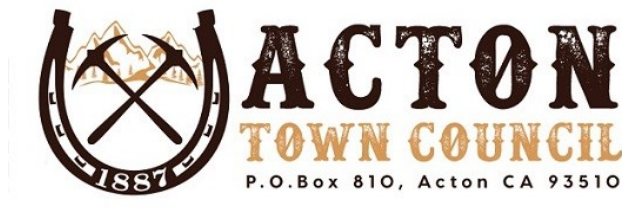


Acton CSD Boundary Map.pdf

356K

ATTACHMENT 1

Email Communication from the Acton Town Council Seeking Technical Information Pertaining to the Proposed FHSZ Map.



January 24, 2023

The Honorable Daniel Berlant
 Fire Marshal for the State of California
 715 P Street
 Sacramento, CA 94244-2460
 Electronic Transmission of nine (9) pages to:
Daniel.Berlant@fire.ca.gov
FHSZinformation@fire.ca.gov

Subject: Acton Town Council Concerns Regarding CALFIRE's Rulemaking Process
 Relating to the Classification of Lands in State Responsibility Areas into Fire
 Hazard Severity Zones (FHSZs).

Reference: Notice of Proposed Rulemaking Action issued in December, 2022 by the State
 Fire Marshal.
 Initial Statement of Reasons (ISOR) issued in December, 2022 by the State
 Fire Marshal.

Dear Fire Marshal Berlant;

The Acton Town Council is concerned that the proposed "Fire Hazard Severity Zone" Map ("FHSZ Map") that CAL FIRE has prepared as part of the referenced rulemaking effort does not properly reflect the actual fire hazard circumstances that are posed by the topography, vegetation cover, and fire weather conditions in the Community of Acton; accordingly, the Acton Town Council has diligently endeavored to investigate the data sources and mapping parameters that were used by CAL FIRE to develop the proposed FHSZ map for the community of Acton. Though we have expended considerable time and effort in this endeavor, we have not been able to secure any substantive technical information or mapping layers or any other fundamental data that were relied upon by CAL FIRE to develop the FHSZs proposed for the Community of Acton. CAL FIRE has not posted **any** documents or technical information on their website; instead, CAL FIRE presents the proposed map in its entirety as a "fait accompli" without reference or backup. As the Acton Town Council pointed out at the hearing convened on January 14, 2023 in Los Angeles County, the lack of substantiating data for the proposed FHSZ Map and the manner in which technical information pertaining to the proposed FHSZ Map has been withheld is now preventing our community and other stakeholders from meaningfully participating in the public review process; it is also contrary to CAL FIRE's obligation under the California Government Code to ensure transparency in the rulemaking process. In an effort to obtain details regarding relevant technical information pertaining to the proposed FHSZ map, the Acton Town Council sent an information request to CAL FIRE on January 12 [see Attachment 1]; to date, this request has not been acted upon and no reply has been received.

The Acton Town Council has exhausted every option for securing the technical information required to assess the efficacy of the portion of the proposed FHSZ Map that pertains to the Community of Acton. We have evaluated the “Initial Statement of Reasons” (“ISOR”) issued by CAL FIRE in December and carefully reviewed all the documents and citations that were identified in the “Documents Relied Upon” section of the ISOR. Unfortunately, and as indicated in the analysis presented in Attachment 2, the documents/citations identified in the ISOR either do not materially represent the modeling inputs that were actually used to derive the proposed FHSZ Map or they have no material bearing on the proposed FHSZ Map or they demonstrate that the Community of Acton does not warrant a “Very High Fire Hazard Severity Zone” (“VHFHSZ”) designation. The Acton Town Council is also substantially concerned that the ISOR does not provide *any* of the documents and information which CAL FIRE has explicitly identified as being the basis for the proposed FHSZ Map. Specifically, in a video that was released to the public¹, CALFIRE states that the proposed FHSZ map was derived from the following information:

- Maps of lands classified as either “Wildland” or “Non-Wildland”
- Information pertaining to the three broad vegetation classifications that were used as model inputs and the maps of these broad vegetation classifications
- Information pertaining to the two (or perhaps three) broad slope classifications (<20%, >20%) that were used as model inputs and the maps of these broad slope classifications.
- Maps of “aggregated” slope and vegetation input parameters.
- Fire History Maps from 1991-2020
- Cost Surface maps
- Flame Length maps
- Fire Brand Production and Fire Brand Load maps
- Information pertaining to the fire brand load classifications.

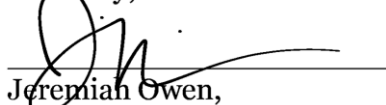
Despite the fact that all of these documents were relied upon to develop the proposed FHSZ map, they were not identified in the ISOR or made publicly available. The Acton Town Council is thus concerned that the referenced Rulemaking Action violates Section 11346.2(b)(3) of the Government Code which requires CAL FIRE to identify all the technical documents which were relied upon to develop the proposed FHSZ Map. By extension, it appears that CAL FIRE has not complied with the twofold statutory purpose of Title 2, Division 3, Part 1, Chapter 3.5, Article 5 of the California Code, which is to deliver transparency in agency rulemaking and ensure that public participation is robust and meaningful. Because critical documents and information that were relied upon to develop the proposed FHSZ Map have not been publicly released, the Acton Town Council is being prevented from properly evaluating the efficacy and appropriateness of the FHSZ designation applied to Acton. Moreover, from the information that the Acton Town Council has assembled independently, we have determined that the proposed FHSZ Map **does not** represent extant fire hazards in Acton because it does not properly reflect the vegetation profile, slope profile, flame length potential, fire history (1991-2020), or fire brand production levels and loads within the Community of Acton. The only conclusion that we can draw is that the VHFHSZ designation applied to the Community of Acton is arbitrary and capricious because it substantially lacks technical basis.

¹ See video titled “Fire Hazard Severity Zones Maps: Science and Methods” available at <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/>.

Finally, the Acton Town Council challenges CAL FIRE's conclusion that the proposed rulemaking and the draft FHSZ will "not have a significant adverse economic impact on business or incur a cost beyond what a reasonable person could expect" and "change in the classifications does not create or incur a direct cost to businesses beyond what a reasonable person could expect"². These statements are incorrect. FHSZ classifications will have a significant adverse economic impact on both large and small businesses in California because local agencies are now relying entirely on the FHSZ Map to restrict and even prohibit land development. This is not conjecture, it is fact. For instance, the County of Los Angeles is using CAL FIRE's FHSZ Map to prohibit new subdivisions and deny building permits in the Community of Acton and elsewhere³. Moreover, Senate Bill 1241 explicitly directs local agencies to utilize CAL FIRE's FHSZ Map in determining whether to approve development projects. There is no doubt that CAL FIRE's FHSZ Map holds significant economic consequences for developers and property owners in the County of Los Angeles; therefore, it is crucial that the FHSZ designations applied to Acton and other communities are materially accurate and technically defensible. The Acton Town Council is not confident that the proposed FHSZ Map pertaining to the Community of Acton is either materially accurate or technically defensible; we are furthermore concerned that these inaccuracies will impose unnecessary and significant financial burdens on businesses and property owners in the community.

The Acton Town Council would appreciate the opportunity to discuss the concerns set forth above with CALFIRE; if you are interested, please contact us at atc@actontowncouncil.org.

Sincerely;



Jeremiah Owen,
President of the Acton Town Council

Cc: The Honorable Scott Wilk, 21st Senate District [Senator.Wilk@senate.ca.gov]
 The Honorable Tom Lackey, 34th Assembly District [assemblymember.lackey@assembly.ca.gov]
 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]
 Stephanie English, 5th District Field Deputy [SEnglish@bos.lacounty.gov]
 Amy Bodek, Director of Regional Planning [ABodek@planning.lacounty.gov]

² ISOR at 7-8.

³ Acton is an unincorporated Community in Los Angeles County and development decisions in Acton are subject to the County's adopted General Plan. The County recently updated the Safety Element of the General Plan and included a new policy that prohibits subdivisions in VHFHSZs under broad circumstances [Policy S.4.1]. The County is also processing amendments to the subdivision and zoning codes that add restrictions on developments in VHFHSZs; these code revisions will be based in part on a Report titled "Final Recommendations to Reduce Wildfire Risk to Existing and Future Development" [<https://planning.lacounty.gov/site/climate/cwp/>] which (among other things) recommends prohibiting home construction projects and subdivisions in VHFHSZs [<https://cpaw.headwaterseconomics.org/wp-content/uploads/2021/02/FINAL-CPAW-Recommendations-LA-County-2020.pdf> at 2, 19].

ATTACHMENT 2

The Acton Town Council's Analysis of Documents and Reference Citations Provided in the
"Initial Statement of Reasons" Issued for the Proposed FHSZ Rulemaking on December, 2022.

Page 5 of the “Initial Statement of Reasons” (“ISOR”) that CAL FIRE issued for the Fire Hazard Severity Zone Rulemaking process provides ten (10) reference documents/citations as being the foundation for the proposed FHSZ Map. The Acton Town Council analyzed these documents/citations and found that they either do not materially represent the modeling inputs that were actually used to derive the proposed FHSZ Map or they have no material bearing on the proposed FHSZ Map or they demonstrate that the Community of Acton does not warrant a “Very High Fire Hazard Severity Zone” (“VHFHSZ”) designation. The Acton Town Council’s analysis of each document/citation that is identified in the ISOR is summarized below.

Reference 1: “Vegetation. CAL FIRE FRAP. 2015. <https://map.dfg.ca.gov/metadata/ds1327.html> This citation connects to a “Department of Fish and Game” website which, upon further exploration, provides a link that enables public access to a mapping platform maintained by the California Department of Fish and Wildlife which provides granular details regarding vegetation characteristics across the state of California based on 13 different vegetation categories [<https://apps.wildlife.ca.gov/bios/?al=ds1327>]. However, the proposed FHSZ Map was developed assuming only 3 vegetation categories, not 13 (See video titled “Fire Hazard Severity Zones Maps: Science and Methods” at timestamp 4:41 [<https://youtu.be/oXwnUCFVGxI>]). Accordingly, the vegetation information documentation provided by this reference does not reflect the actual vegetation inputs that were used to derive the proposed FHSZ map and it provides no material insight into how or why CAL FIRE has designated Acton as a VHFHSZ. Moreover, and as discussed in more detail below, the vegetation data that are presented by this cited reference demonstrate that the Community of Acton does not appear to warrant a VHFHSZ designation.

Reference 2: Fire history (firep20_1). CAL FIRE FRAP. 2020. <https://frap.fire.ca.gov/frap-projects/fire-perimeters/>. This citation links to a description of the Fire and Resource Assessment Program (FRAP) in which fire perimeter GIS data is compiled for public and private lands throughout California. It provides neither a document nor a fire history map. Moreover, the Acton Town Council did compile a fire history map for the Community of Acton using a web platform maintained by the State of California [<https://gis.data.ca.gov/datasets/CALFIRE-Forestry::california-fire-perimeters-all-1/explore>] which shows that Acton had no substantive fire history between 1991 and 2020; this is corroborated by the published FRAP Map which shows that Acton has no material fire history since 1950 [<https://frap.fire.ca.gov/mapping/pdf-maps/>]. These facts demonstrate that burn probability in Acton is low; they also contradict CAL FIRE’s conclusion that Acton warrants a VHFHSZ designation.

Reference 3: Climate data. Desert Research Institute, California and Nevada Smoke and Air Committee. 2018. <https://cansac.dri.edu/cofframe.php?page=reanalysis.php>. This citation links to a description of an ongoing project that is being conducted by the “California and Nevada Smoke and Air Committee” to create an hourly 2-km spatial gridded climatology for California-Nevada for the 41-year period 1980-2021. It provides no information regarding the climate information that was used to develop the proposed FHSZ Map (which, ostensibly, is the “worst 5% of fire weather observation that occurred on days when the weather is dry enough to carry fire” according to the video titled “Fire Hazard Severity Zones Maps: Science and Methods” [timestamp 3:09]). Moreover, the Acton Town Council has compiled substantial data demonstrating that the worst fire weather conditions in Acton are during “Red Flag” or “Santa Ana Wind” conditions when hot dry winds blow out of the high desert from the north east. Because Acton is a high desert community that is bounded on the north east by the high desert urban City of Palmdale, there are no sources of embers (aka “fire brands”) that are located on our northeast border to create wildfire conditions in the Community of Acton. This coupled with Acton’s desert vegetation characteristics (discussed below), is probably why Acton has not suffered any wildfires since at least 1950 (as discussed above). These facts contradict CAL FIRE’s conclusion that Acton warrants a VHFHSZ designation.

Reference 4: Climatic regions. CAL FIRE FRAP. 2017. [In] California's Forests and Rangelands 2017 Assessment. <https://frap.fire.ca.gov/media/4babn5pw/assessment2017.pdf>. This citation merely points to a publication that addresses forest and rangeland management and provides no material insight into how or why CAL FIRE has designated Acton as a VHFHSZ.

Reference 5: Urbanized Areas. US Census. 2010. <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html>. This citation links to a description of the criteria and classifications that were used by the U.S. Census Bureau in 2010 to categorize Urban and Rural areas across the nation. However, the proposed FHSZ map was not developed based on whether the Census Bureau classified an area as "rural" or "urban"; to the contrary, it was developed based on whether CAL FIRE classified an area as "wildland" or "non-wildland". Importantly, the "non-wildland" classification includes both urban and rural areas because it incorporates urban areas, agricultural lands, wetlands and barren lands [see the video titled "Fire Hazard Severity Zones Maps: Science and Methods", timestamp 1:07]. Because most agricultural areas of California are also designated as rural areas, both urban and rural areas are aggregated into the "non-wildland" classification. In other words, the Census Bureau's classifications of rural and urban areas were not a material basis for the proposed FHSZ Map; rather, CAL FIRE's own internal classifications of "wildland" areas (determined based on vegetation cover - See video titled "Fire Hazard Severity Zones Maps: Science and Methods" at timestamp 0:51) and "non-wildland" areas (which aggregates both urban and rural areas - timestamp 1:07) provided the material basis for the proposed FHSZ Map. Unfortunately, the ISOR does not cite any documentation pertaining to CAL FIRE's wildland and non-wildland classifications; instead, the ISOR points to Census Bureau classifications of rural and urban areas. The Census Bureau reference cited in the ISOR is inapposite and not pertinent.

Reference 6: Canopy Cover (source 1). Earth Define LLC. 2020. Tree Map. <https://www.earthdefine.com/treemap/>. This citation connects to a website that appears to sell data pertaining to tree cover maps through a subscription service. The Acton Town Council does not have a subscription to this service, and was therefore unable to obtain or inspect any of the information that CAL FIRE may have obtained from this website to develop the proposed FHSZ Map as it pertains to the Community of Acton. The public should not be required to purchase a subscription to inspect data that is utilized in a State Agency's rulemaking process. Notably, the Acton Town Council has conducted an evaluation of the vegetation cover in Acton using physical inspections and aerial imagery which is publicly available via the Los Angeles County GIS system; we have concluded that the vegetation cover in the desert community of Acton is generally thin and sparse. And, according to the CAL FIRE FRAP vegetation map, it predominantly consists of desert scrub and shrubs^a which have flame length rates ranging from very low to moderate^b. These independent facts assembled by the Acton Town Council appear to contradict CAL FIRE's conclusion that Acton warrants a VHFHSZ designation.

Reference 7: Canopy Cover (source 2). Salo Sciences. 2020. California Forest Observatory Canopy Cover. <https://saloi.ai/blog/2020/04/observatory-documents>. This citation connects to a commercial website which provides a link that enables public access to vegetation cover data [<https://forestobservatory.com/>]. According to the mapping platform, vegetation characteristics within the Community of Acton (such as canopy layer count, ladder fuel density, and surface fuel levels) range from very low to moderate. Therefore, the documents provided by this reference appear to contradict CAL FIRE's conclusion that Acton warrants a VHFHSZ designation.

^a <https://apps.wildlife.ca.gov/bios/?al=ds1327>

^b See flame length characteristics of GS1, GS2, SH1, and SH2 classifications reported by Scott and Burgan in "Standard Fire Behavior Fuel Models: A Comprehensive Set for Use with Rothermel's Surface Fire Spread Model". [https://www.fs.usda.gov/rm/pubs_series/rmrs/gtr/rmrs_gtr153.pdf].

Reference 8: State Responsibility Area. CAL FIRE. 2020. <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/>. This citation connects to a CAL FIRE website that identifies mapped “State Responsibility Areas”; it shows that Acton is located in a “State Responsibility Area”, but does not provide any material insight into how or why CAL FIRE has designated Acton as a VHFHSZ.

Reference 9: Slope. US Geologic Survey. 2019. 1 arc-second (30 m) DEM. <https://apps.nationalmap.gov/downloader/>. This citation connects to a website that is maintained by the U.S. Geological Survey and which provides a mapping utility showing detailed topographical contours in 40-foot (vertical) increments. However, the proposed FHSZ map was not developed based on granular and detailed 40-foot increment slope data; to the contrary, the Acton Town Council understands that it was developed based on two (or perhaps three) general slope categories (< 20% slope and >20% slope). These broadly vague slope categories were then aggregated with broadly vague vegetation categories to establish the proposed FHZS for a particular area (See video titled “Fire Hazard Severity Zones Maps: Science and Methods” at timestamp 1:59). Accordingly, the granular slope information presented by this reference cited in the ISOR does not reflect the actual model inputs upon which the proposed FHSZ map was developed and it does not provide any material insight into how or why CAL FIRE has designated Acton as a VHFHSZ.

Reference 10: Watershed boundaries. California Interagency Watershed Mapping Committee. 2018. Calwater 2.2.1. <https://gispublic.waterboards.ca.gov/portal/home/item.html?id=be2edf6d62f54e7a82594ad7f5464209>. This citation connects to a website that is maintained by the California Waterboards and which provides a mapping utility pertaining to boundaries of various “CalWater” jurisdictions and designations across the State of California. However, the proposed FHSZ Map was not derived based on boundaries established by the Waterboards (See video titled “Fire Hazard Severity Zones Maps: Science and Methods”); therefore, the information presented by this reference cited in the ISOR does not reflect the actual model inputs upon which the proposed FHSZ map was developed and it does not provide any material insight into how or why CAL FIRE has designated Acton as a VHFHSZ.

From: [Acton Town Council](#)
To: [DRP General Plan Safety Element](#); [Cameron Robertson](#); [Thuy Hua](#); [Jose Suarez](#); [Acton Town Council](#)
Subject: Re: Community Wildfire Protection Ordinance
Date: Monday, February 27, 2023 4:45:30 PM

CAUTION: External Email. Proceed Responsibly.

Dear Mr. Robertson;

Thank you for asking for a continuance on this project; we are struggling to address all the other ordinances and programs and projects that are coming at us and have not yet had a chance to write up comments.

It is difficult to perceive the full extent of impacts that the proposed ordinance will have on our community; it appears to require virtually all subdivisions to pave two access roads to county maintained highways; it also appears to require paving two access roads just to build a home in many areas of Acton. If true, then this ordinance will have a profoundly adverse impact on our community and our school district. It will also cause significant alterations to existing drainage patterns because the new roads will eliminate existing natural drainage swales and runoff pathways which will, in turn, cause flooding and erosion in the community. This is because all county road standards presume that flood control infrastructure exists to accept water flowing off the street and divert it into concrete flood channels. The problem is, there are no concrete flood channels here in Acton, so the water will just flow off the paved streets at new locations, create new drainage patterns, and invariably cause erosion and flooding in entirely new areas. This has already happened in Acton; the "Forecast" development installed roads to county standards that were connected to onsite detention and debris basins and the water released from these basins just flowed onto the dirt areas of the downhill properties and picked up speed as it flowed toward the Santa Clara River (located several miles away). There was so much clean water and it flowed so fast that it created a large canyon and washed out backyard areas between Desert Road and McEnnery Road. I have tried to express these concerns to you before, but nobody from the County has addressed them and nobody responds. I don't know if the lack of response is because people do not understand what I am saying or if it is because they disagree with what I am saying or if it is because they don't care; in any event, this issue has to be addressed before the ordinance can move forward. I strongly recommend that you and Mr. Suarez from Public Works come up for a visit; it is certain that, if we could just show you the area and explain to you the problems, you will understand and be able to articulate how these concerns will be addressed before the ordinance is approved. Additionally, please understand that I have some knowledge in these matters: I have a Master's Degree in Mechanical Engineering from UC Berkeley with a minor in fluid dynamics. Therefore, the concerns I have raised should carry at least a little weight.

Additionally, neither the CPAW report nor any of the documents that were relied upon to draft the ordinance provide any information demonstrating that our the "wildfire safety" of our community is substantially threatened by our unpaved roads; in fact, our local fire fighting apparati have no difficulty traveling over the dirt roads in Acton (which are largely comprised of decomposed granite) .So. before adopting an ordinance that is going to result in paved roads throughout our community (which, incidentally, is completely contrary to the rural protection provisions of the AV Area Plan), the County needs to conclusively demonstrate that providing paved access built to county standards is necessary.

Finally, to better understand the scope and extent of the ordinance and the amount of paved roads that it will require, the County should provide a map of all the parcels that will require two paved access roads before they can be developed with a home.

Thank you for your time and I hope you and Mr. Suarez accept the offer to visit our community;

I am copying him on this email so that he is aware of this communication.

Sincerely;
Jacqueline Ayer
Correspondence Secretary

On Thu, Feb 16, 2023 at 12:04 PM LA County Planning <safety@planning.lacounty.gov> wrote:

Community Wildfire Protection Ordinance

Public Hearing

A continuance will be requested by staff to be bring the Community Wildfire Protection Ordinance to the Regional Planning Commission for public hearing on Wednesday, June 14, 2023.

The Community Wildfire Protection Ordinance public hearing documents are available on the project website for review.

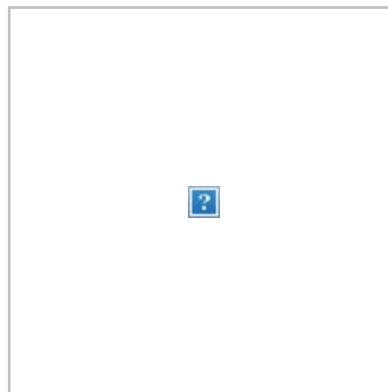
Public Hearing Documents

To submit comments or questions on the Draft Community Wildfire Protection Ordinance, please email us at:
safety@planning.lacounty.gov

Submit Comments or Feedback

Background

The CWP Ordinance, formerly known as the Reduce Damage From Wildfire Ordinance, amends the Los Angeles County Code Title 21 (Subdivisions Code) and Title 22 (Planning and Zoning Code) – Hillside Management Area Ordinance to address evacuation egress during wildfire events, to improve public safety, and to reduce risks to development located within a Very High Fire Hazard Severity Zone (VHFSHSZ) and Hillside Management Area.



Project Information

To find out more about the project, and to see if you live within a Very High Fire Hazard Severity Zone (VHFHSZ), please use the link below or visit our project website at: planning.lacounty.gov/site/climate/cwp

Follow us @LACDRP on social media!

Any questions about the project can be sent to:
safety@planning.lacounty.gov

Los Angeles County Department of Regional Planning | 320 W. Temple St., Los Angeles , CA 90012

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**Comments from Altadena Residents on
Community Wildfire Protection Ordinance (CWPO)
L.A. County Department of Regional Planning (DRP)**

Thank you for the opportunity to provide comments on the Second Draft CWPO released January 2023.

The Town of Altadena is located in the unincorporated portion of Los Angeles County, where we take wildfire risks very seriously. Nearly 2100 residential parcels in Altadena are located in the State-designated Very High Risk Hazard Severity Zone (VHFHSZ). This area extends across the southern foothills of the San Gabriel Mountains, from Hahamongna Watershed Park in the west across to Pasadena's Kinneloa Mesa neighborhood in the east. As such, we support strengthening and tightening Titles 21 and 22 of the LA County Code to limit developments that would otherwise increase population density and traffic in the local VHFHSZ.

Of equal concern to us is the number of single-egress evacuation routes from VHFHSZ areas. These two-lane roads -- often narrow with many hills and curves -- already create an evacuation risk. Significant evacuation roads include (from west to east): Canyon Crest Road, Chaney Trail, Canon Boulevard, Alpine Villa Drive, Rubio Crest Drive, and Woodglen Lane. In the case of local fires or other natural disasters, residents along these roads -- and their 'tributaries' -- would be in danger.

Within the Altadena VHFHSZ, there already exist two Pasadena Unified School District properties (hosting three schools) that pre-date the 2007 VHFHSZ designation. Loma Alta Park is a County Parks and Recreation featuring a playground, pool, gymnasium (and also a cooling/evacuation center). The local VHFHSZ also contains three water reservoirs owned by local water companies, two summer camps, several businesses, the historic gravesite of abolitionist Owen Brown, and numerous hiking/cycling/equestrian trails.

It is one thing for the State to designate a VHFHSZ that covers existing residents and public facilities. In today's environment, it is another thing altogether to *intentionally* increase the density of people and intensity of activities in such zones.

We are alarmed at the prospect of Polytechnic School (Poly) in Pasadena creating a sports complex on the Chaney Trail site of Nuccio's Nursery. As you may know, Poly and the Nuccio's released a letter on October 11, 2022 stating that the 78-acre nursery would wind down operations in the next two to three years. This will close the history of a world-renowned family nursery after nearly nine decades as an Altadena institution.

While Poly has not yet submitted their plans to the County/DRP (although it is expected sometime in June 2023), the school hosted a neighborhood meeting at Nuccio's on January 29, 2023. At that meeting, Poly leadership described a vision of building a sports complex with a football/soccer/athletics stadium, a baseball stadium, tennis courts, underground parking

garage, and supplemental storage buildings. School leadership is intending to include high-illumination lighting and amplified sounds at these facilities. The school is also studying the possibility of locating a handful of academic buildings on the site to host student environmental studies.

The entire development site is within the VHFHSZ and borders the Angeles National Forest. Numerous wildfires have occurred recently in the surrounding areas, including the devastating 2009 Station fire. Seventy percent of the Nuccio's property falls within the Hillside Management Area (HMA, Title 22), and 80% falls within the Significant Ecological Area (SEA, Title 22.102), and Natural Open Space Provision (Title 22.102.100). The property transfer is currently in escrow through at least the end of 2023.

As part of the review/approval process, Poly will seek a Condition of Use Permit, since the Nuccio's property is zoned as Residential. The school will need to prepare a comprehensive Environmental Impact Report. It is our understanding that since this plan involves 1.44% of the Altadena land area and is located in a VHFHSZ, the Department of Regional Planning will seek input from the Altadena Town Council, the L.A. County Fire Department, and the U.S. Forest Service. Furthermore, the final decision will be made by the County Regional Planning Commission, under the direction of the Board of Supervisors.

If the proposed plans are approved by Los Angeles County, these developments will:

- Increase the density of people (by many hundreds) in a VHFHSZ.
- Increase wildfire risks in nearby neighborhoods where residents are accustomed to practicing a culture of wildfire safety.
- Increase traffic on two-lane access roads and evacuation routes, including Chaney Trail, Loma Alta Drive, and on north-south arterial routes from Pasadena to northern Altadena, including Fair Oaks Ave which has seen 24 car crashes in the last five years, including a pedestrian fatality in Fall 2022 (see TIMS data 2017-2022).
- Increase the risk of accidents involving vehicles and hikers/cyclists/equestrians on Chaney Trail and Loma Alta Drive.

Moreover, any Poly sports complex and/or satellite campus on Chaney Trail will:

- Impact wildlife and migration in the surrounding foothills and National Forest.
- Create noise and light pollution in the surrounding neighborhoods, foothills, and forest.

To put it quite simply: the proposed development by Poly scares residents of Altadena. We urge the County/DRP to be responsive to the Board of Supervisors' February 11, 2020, motion to "reduce damage to life and property from wildfires." That motion also included these key sentences:

"The Director of Regional Planning shall also consider an amendment that requires a mandatory denial recommendation of any project shown to compromise public safety. Finally, the Director shall consider an amendment that requires a denial recommendation of plan amendments that increase allowed density/intensity within FHSZs."

We urge DRP to retain the original (September 2022 draft) introductory paragraph of the Community Wildfire Protection Ordinance (CWPO), including this excerpt:

“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.”

The second CWPO draft (January 2023) states instead:

“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.”

It is our view that the former tightens restrictions against developments in Fire Zones and is more responsive to the Board of Supervisors motion. The latter seems to focus more on *post facto* protecting developments approved in dangerous Fire Zones.

We also propose the following edits to the January 2023 draft CWPO:

- Section 21.24.250: September 2022 Draft A.5 be re-inserted into the January 2023 Draft
“That each lot having a reduced area and being located in or abutting a VHFHSZ shall have adequate area to comply with Fire Department requirements.”
- Section 22.104.060: September 2022 Draft E.2 wording on evacuation be reinstated. January Draft section E.2 becomes E.3.
“Not impeding or otherwise causing a significant negative impact on evacuation routes in the event of a wildfire emergency;”
- Section 22, Appendix I, Section VI.3.1: Keep September 2022 Draft wording of “50 dwelling units.”

In addition, we suggest that County/DRP adopt new language in the CWPO governing proposed developments located on single-egress evacuation roads in VHFHSZ areas. These should be defined to those streets in residential zones that are the sole public-road egress routes during an emergency evacuation. This designation should apply to any ‘tributary’ streets that feed into the single-egress evacuation road and are themselves single-access roads. An example in northern Altadena is Chaney Trail, fed by Alzada Road/Jaxine Drive and by Leilani Way. Another example in northwestern Altadena is Canyon Crest Road, and its tributaries: Canyon Ridge Drive, Canyon Dell Drive, Aralia Road, Gravelia Street, Rising Hill Road, and El Prieto Road. For such evacuation routes, DRP should limit development in some manner defined by a very low multiplicative factor of the vehicles that are evacuating from affected residences in an emergency.

Catalyzed by the proposed Polytechnic School developments in a VHFHSZ on Chaney Trail, we further recommend that the CWPO be amended to include the following clauses in Title 22 (“Hillside Management Areas”) to discourage this – and any future – sports complexes and school facilities in or bordering on Fire Zones SEAs and HMAs.

- Schools should be prohibited from building in a VHFHSZ, except where existing schools need to upgrade their facilities and playgrounds in line with School District Facility Master Plans, County Building Codes, fire-hardening and mitigation, and other needed improvements to maintain a safe, healthy, environment for students and staff.
- Parking structures be limited in size and height, and underground parking should be prohibited.

Let us close by thanking County/DRP in reviewing and considering our proposed changes to the CWPO. We firmly believe that such changes are more aligned with the Board of Supervisors’ intent and will reduce risks to public safety in Fire Zones – now and in the future.

Sincerely,
Sarah Wolf & Dr Michael Bicay

With support from Altadena residents:

Kathy Burns, Glenrose Ave
 Don Eckvahl, Glenrose Ave
 Julie Ahlberg, Alzada Road
 Kenneth Andrews, Jaxine Drive
 Justin Bloch, Leilani Way
 Edward Brachfeld, Chaney Trail
 Mina Alexis Chassler, Bellaire Drive
 Robert Chave, Jaxine Drive
 Dominick Ciarimboli, Alzada Rd
 Linda Ciarimboli, Alzada Rd
 Cynthia Clarke, McNally Ave
 Donald Crockett, Chaney Trail
 Elizabeth Culpepper, Glenrose Ave
 Donald Cummings, Glenrose Ave
 Andrea Davis, Jaxine Drive
 Fernanda Nena Davis, Leilani Way
 Leslie Denk, Woodbury Rd
 Paul Dimotakis, Alzada Rd
 Susan Dimotakis, Alzada Rd
 Renee Fenty, West Poppyfields Dr
 Tiprin Follett, N Hill Ave
 Bridget Fonger, Glenrose Ave

Marsha Fowler, Grandeur Ave
Marliss Gordon, Alzada Rd
Daniel Kaufman, Woodbury Rd
Kelly Kimball, Jaxine Dr
Carol Lachata, Alzada Rd
Grace Lee, Leilani Way
Susan Lee, Glenrose Ave
Leslie Lowes, Chaney Trail
Marisol Martinez, Mariposa St
Susan Maunu, Alzada Rd
Paul McConnell, W Loma Alta
Suzanne Mitus-Urbe, Chaney Trail
Hien Nguyen, Jaxine Dr
Gino Nix, Leilani Way
Nami Olgin, Alzada Rd
Charlene Oscarson, Alzada Rd
John Oscarson, Alzada
Jessica Ourique, W Woodbury Rd
Baeri Penn, Leilani Way
Rhona Penn, Leilani Way
Lauren Randolph, Glenrose Ave
Linda Roberts, Glenrose Ave
Steve Salinda, Jaxine Dr
Warren Skidmore, N. Fair Oaks Ave
Aimee Smith, Jaxine Dr
Robert Staehle, Jaxine Dr
Rob Strauss, Chaney Trail
Adam Streets, Glenrose Ave
Kerry Tripp, McNally Ave
Kiva Tripp, McNally Ave
Sharon Tripp, McNally Ave
Kate Vincent, Chaney Trail
Adam Waring, Glenrose Ave
Alice Wessen, Alzada Rd
LaKeshia Wilcox, McNally Ave
Virginia Yount, Loma Alta Dr

From: [Ann Dorsey](#)
To: [DRP General Plan Safety Element](#)
Subject: Comment regarding the Draft Community Wildfire Protection Ordinance
Date: Saturday, February 4, 2023 12:55:35 PM

CAUTION: External Email. Proceed Responsibly.

To Whom It May Concern:

I urge you to enact an ordinance with strong protections for wildlife. Protecting wildlife is critical to our future and especially important in areas where developed land is adjacent to undeveloped land. It is imperative that the ordinance is used as an opportunity to promote biodiversity. The loss of top predators and other keystone species would destabilize the wildland communities and have serious cascading effects.

Thank you,

Ann Dorsey
Northridge, CA 91325