



South Tahoe Association of REALTORS®
2307 James Avenue
South Lake Tahoe, CA 96150
Office: (530) 541-7007
Email: staor@staor.org

DATE: December 11, 2023

TO: El Dorado County Board of Supervisors

RE: Proposed Revisions to El Dorado County's Vegetation Management Plan for Defensible Space Requirements

We are writing to submit public comment about the proposed changes to the Vegetation Management Plan for Defensible Space Requirements in El Dorado County, specifically pertaining to the new point-of-sale requirements for real estate transactions.

Let us begin by expressing our appreciation for fire agency representatives who made presentations to our membership twice at member stakeholder forums, listened to our concerns and made an effort to address them.

We'd like to restate that we, as an organization, affirm the importance of Defensible Space inspections and Defensible Space work, as well as communicating with clients – especially buyers relocating here – the dangers of wildfire and the importance of doing all we can to prevent it in our community.

It is our understanding from fire officials that the County has been conducting Defensible Space inspections neighborhood-by-neighborhood, and we believe that is the most effective way to approach Defensible Space compliance - on a regional basis, rather than parcel by parcel via point-of sale. Point-of-sale requirements are ineffective on a regional basis as they only require a small number of parcels to complete work or retrofits. Wildfire danger is already upon us, and we must act quickly to do whatever we can as a community to prevent it and mitigate risk.

Our concerns relate specifically to the proposal to make inspections required when a property is being sold and a buyer enters into contract to purchase it. Inspections during winter months with snow covering the ground, shrubs, small trees and other potential fire fuels will not be as accurate as inspections conducted when snow has melted. Most work would not be able to be done during those winter months, and it's highly likely that re-inspection would be necessary resulting in additional requirements and work to be done by the property owner. We've been advised by fire officials that they "will work with" property owners if extensions are requested due to weather conditions and/or if contractors are unavailable or slow to complete mitigation work – however, this is not indicated in the revised ordinance, and puts property owners at risk of fines or discipline due to non-compliance. There are no guarantees that the word-of-mouth assurances we received will continue when there are changes in staffing.

A requirement that Defensible Space inspections and mitigation work be completed within ninety (90) days of close of escrow as proposed would cause complications, especially during those winter months. When a buyer is considering purchasing a home, they want to know what ALL of their expenses will be up front. This includes their mortgage and interest payment, as well as homeowner's insurance, property taxes they will have to pay, and they research past utility usage and rates. If a property doesn't have a Best Management Practices (BMP) certificate on file, for example, that becomes a point of negotiation between the buyer and seller. We expect that the same will be true for Defensible Space work – it's likely a buyer would want to obtain bids from contractors that could do the work and then negotiate with the seller to cover some or all of the cost.

In general, point-of-sale requirements make a real estate transaction and escrow more complicated, can cause delays or for a transaction to be halted altogether, can create liability for the seller, especially in the winter months when snow is covering the property, and makes Realtors become involved in an area that's outside of their expertise. Point-of-sale mandates are also not as effective as regional enforcement for all parcels neighborhood by neighborhood, as not all properties turn over every year – just a small fraction of the total number of units. **In fact, between 2/24/2023 and 5/23/2023, only 28 single family residences sold in the unincorporated area of El Dorado County in the Tahoe Basin, according to the South Tahoe Association of REALTORS® Multiple Listing Service (STAR MLS).** That means that a minority of property owners are completing a requirement as opposed to an entire community, which is much more effective for things like BMPs or Defensible Space. In fact, the TRPA has been working towards area-wide BMPs for watershed areas, and TRPA staff have indicated that they believe this is much more effective. If one parcel has Defensible Space work done but the parcel next door does not, how protected is the parcel that has Defensible Space?

We request consideration of the following, instead of requiring inspections at point-of-sale and mitigation and compliance within 90 days of a home purchase:

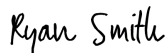
- We recommend that Defensible Space inspections be completed by the City and/or County for ALL properties, either immediately or by a date certain, rather than just the few properties that will sell this spring, summer and fall.
- We recommend that inspections coincide with the allowed building timeframe (May 1-October 15), only to be performed during this period, and for language reflecting this to be incorporated in the Vegetation Management Plan/Hazardous Vegetation Plan. This way, when there are some potential issues and recommended remediation, work can be done, and inspectors could come back out to verify completion of work without a time lag. If inspections are performed during winter months and remediation work is recommended, most work would not be able to be completed until spring. It's also likely inspectors will see other items that must be addressed once all snow melts. New property owners will be frustrated if they are faced with a change in what is required of them, and a need to once again obtain bids, with potentially higher costs that they were unable to negotiate with the home seller during the purchase process. They may be unable to afford additional work after investing everything into a home purchase, and they may be physically unable to do the work themselves.

Thank you for the opportunity to express our concerns and to submit feedback and recommendations. We hope to be a good partner in helping local fire agencies educate homeowners and communicate wildfire dangers and risks as well as preventive measures and Defensible Space to protect life and property.

We remain open to further discussions and meetings if you feel that would be beneficial. We may be reached at the association office by phone at 530.541.7007 or by email at STAOR@STAOR.org.

Respectfully,

Ryan Smith
2023 President

DocuSigned by:

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12/11/2023

Dylan Hastings
2023 President-Elect

DocuSigned by:

F2EB3F3BDF87498...

Sharon Kerrigan, RCE, ePro
Executive Vice President

DocuSigned by:

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12/11/2023

12/11/2023

Re: Ordinance 5186 Comment. AGENDA ITEM 23-1644

Tracy McGuinness <mike_and_tracy@sbcglobal.net>

Sat 12/9/2023 12:31 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

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> As a resident of Pilot Hill in El Dorado County, I am opposed to Ordinance 5186. It appears to be invasive to my privacy, places undue financial hardship on homeowners and will negatively affect future home sales. Please vote NO on this ordinance. Please develop a plan that works with your community and does not punish us or invade our privacy. Thank you for your consideration. Sincerely, Tracy McGuinness.

> Sent from my iPad

County Proposed Ordinance-Vegetation Management

Vivianna Rootness <rootnessvi@gmail.com>

Sat 12/9/2023 1:16 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

December 9, 2023

To: Board of Supervisors

County of El Dorado

Re: Ordinance 5186 to amend Chapter 8.09 of the El Dorado County Code of Ordinances entitled Hazardous Vegetation and Defensible Space

I am writing to express my concerns regarding Agenda Item No. 23-1644 to be discussed at the Board of

Supervisors' meeting on December 12, 2023. I only found out about this ordinance and am shocked at the invasiveness and autocratic nature of the ordinance, including placing undue financial burdens on homeowners. I have been a resident of El Dorado County for over 35 years, and although I understand the need for policies for wildfire safety, this ordinance does not assist homeowners, but burdens homeowners with additional financial hardships on top of the outrageous homeowners insurance costs,

causing distress to homeowners. So many property owners are currently facing tough decisions about home ownership in this County being unable to meet the costs of insurance, being pushed out of their homes by such costs - and now the County wants to add additional financial hardships without any assistance of funds to help mitigate what is already being required by State or insurance companies. Not only does the ordinance place financial burdens on the homeowners for requirements on their structures and property, but also along private roads to the properties that homeowners are struggling financially to upkeep - many roads are not county-maintained.

As I read the ordinance, it appears to be very invasive to privacy - allowing "enforcement officers" to enter private property without permission is "autocratic" actions by the County. The ordinance would definitely contribute to and negatively impact County residents being able to sell their home, and may be

forced to do so because of already experiencing an insurance financial burden.

The proposal leads to an abuse of power by the County on its residents. Rather than trying to assist homeowners and communities with meeting strict requirements being placed on them through insurance

companies or seeking to provide available mitigating funds for already financially burdensome requirements (i.e., closing in eaves, etc.), now the County wants to add requirements that places more financial burdens.

We currently are very involved with our local fire safe council, and have good defensible space, which requires work every year. Is the Board of Supervisors considering residents who do not have the financial

means to just live daily, for retirement residents, for those unable to physically do what may be required

to keep up their defensible space, but trying the best they can? No, I do not think the County is considering this at all - they want power over the people and take away property rights.

If you want to protect the community of El Dorado County, find out ways to help people with their homeowner insurance costs and provide financial assistance in maintaining defensible space yearly - not

with invasive privacy actions, fines, and undue hardships.

PLEASE VOTE NO on this ordinance.

Sincerely,

Jim and Vivian Rootness

**EDCAR Additional Comments and Response to ACAO, dated 12/11/2023, File# 23-1644,
BOS Agenda 12/12/2023**

Kimberly Beal <kimberlyabeal@gmail.com>

Mon 12/11/2023 3:59 PM

To: Wendy Thomas <Wendy.Thomas@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District II <bostwo@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>; Sue Hennike <sue.hennike@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>

 1 attachments (166 KB)

Hazardous Vegetation Ordinance - EDCAR Letter - 12_11_23_Response.docx;

To the Members of the Board of Supervisors, Sue Hennike ACAO, and Kim Dawson COB,

Please find attached a second letter from the El Dorado County Association of Realtors (EDCAR) addressing the proposed Hazardous Vegetation and Defensible Space Ordinance. This letter is a response to Sue Hennike's - EDC's response to EDCARs first letter, and provides additional information.

We thank you for your consideration,

Kimberly Beal
EDCAR Government Affairs Director
530-558-5504

December 11, 2023

TO: Members of the Board of Supervisors, Sue Hennike - Assistant CAO & Clerk of the Board

RE: Hazardous Vegetation and Defensible Space Ordinance

Please find EDCARs Response to the Assistant CAO Response listed below. You will find the county response to our original letter in blue, and EDCARs additional responses in purple below.

The El Dorado County Association of Realtors (EDCAR) greatly appreciates that your team has allowed our leadership to provide our professional insight on the proposed changes to the Hazardous Waste and Defensible Space Ordinance. We believe that the proposed changes may have unintended impacts on homeowners in El Dorado County, and we hope you take the following into consideration.

Thank you for taking the time and energy to hear our members concerns, please consider the following:

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- 1. Section 8.09.020 – Findings – Item C Reads:** *“All parcels in the County have been identified and designated as being within either a State Responsibility Area (SRA) or Local Responsibility Area (LRA) Moderate, High or Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE) in accordance with the most current edition of the Fire and Resource Assessment Program (FRAP) Map. The County is located in a mountainous and/or hilly region of Northern California. The County has a diverse and complex landscape which includes mountains, forests, chapparal or grass covered wildlands which have the potential to fuel a catastrophic fire event;”*

EDCAR Feedback:

- When did Cal Fire designate all parcels in the County as being within either a State Responsibility Area (SRA) or Local Responsibility Area (LRA) Moderate, High or Very High Fire Hazard Severity Zone in accordance with the most current edition of the Fire Resource Assessment Program (FRAP) Map? When will the Map be available to the public?

EDC Response:

SRA Designation: The Board of Forestry and Fire Protection (CAL FIRE) is responsible for determining the SRA (PRC 4125) Statute has been in place since 1965 and amended July 1, 1998. SRA is remapped every 5 years to reflect any potential changes in SRA lands and was last updated July 8, 2020. Fire Hazard Severity Zones (FHSZ): Classification of lands within SRA into FHSZ has been required since 1985 and amended 2021 (PRC 4201-4204). The maps were last updated 2007. The most current map is available to public now. Revised maps are currently in regulatory review. Adoption of the new maps is expected in January 2024. The maps expected to adopted can be found on the website for the Office of the State Fire Marshal, at osfm.fire.ca.gov.

- The State requires that a Natural Hazard Disclosure Statement be prepared and given to all Buyers of Real Property. One of the six potential Hazardous areas to be disclosed is when the property is located in a Very High Fire Hazard Severity Zone. With the adoption of this local Ordinance will Sellers be required to disclose whether a property is in a Moderate or High Fire Hazard Severity Zone?

EDC Response:

Sellers are already required to disclose this, per PRC 4136 and CIV 1102.3.

EDCAR Response to EDC Reponse:

The Natural Hazard Disclosure Statement (NHD) required by law (many property owners hire an outside agency to prepare) identifies if the property is in a Very High fire Severity zone, and not in a High Fire Severity zone. Until another map is made available to the public that identifies the high fire severity zone, property owners will not know that they need to comply with this ordinance.

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- 2. Section 8.09.070 – Duty to Remove and Abate Hazardous Vegetation and Combustible Material – Item C Reads:** *“Prior to the close of any Real Estate Transaction subject to Civil Code section 1102.19 within the County, the seller of any real property shall obtain a defensible space inspection report from an Investigating Official that the property is in compliance with this Chapter and provide that report to the buyer at or before the close of escrow. If the property inspected is found not in compliance with this Chapter the Responsible Person(s) will need to perform the necessary wildfire protection measures as specified within the inspection report and have the property inspected again prior to escrow or the buyer shall agree to achieve compliance within 90 days as specified in this Chapter. If an Investigating Official is unable to provide a defensible space inspection report at the time of escrow, the buyer shall request a report from an Investigating Official stating the property is in compliance with this Chapter within 90 days after the close of escrow, unless otherwise approved by the Enforcement Official. Nothing in this subsection, including the existence of an agreement between a buyer and a seller, shall limit the ability of the Enforcement Official*

to enforce the provisions of this Chapter.”

EDCAR Feedback:

- In general, the Realtor® Associations are opposed to Point of Sale regulations. It is important to state that REALTORS are in support of the policy in home hardening and defensible space for homeowners. The association has no objections to the physical requirements of the inspection, but rather has serious concerns over the mandate that this policy is be carried out primarily through sales of homes.

The purchase of a home is often one of the most significant financial and complex transactions that a person makes in their lifetime. Combined with today's limited inventory, high prices and mortgage rates, the dream of buying a home can be complicated with a variety of contingencies that have limited homeownership opportunities to fewer households. Although the purpose of this inspection is good policy and justifiable in today's extreme fire prone environment, it doesn't make sense to solely enforce these inspection requirements on those few households that are trying to sell or buy a home.

By only requiring an inspection of homes that recently sold, it will take El Dorado County decades to have achieved any significant compliance in obtaining the inspections. According to our research, by the year 2050 there would be just under two-thirds compliance within the total number homes in the County. With the risk of fires being so severe, it is impractical to enact such an important policy that only is triggered at the infrequent times of when a home is sold or transferred. Public safety measures, such as this proposed ordinance, should not be imposed on a small class of people (homebuyers and sellers) when the benefits of enforcement serve the greater good of the entire community.

EDC Response:

The State of California has determined that disclosures shall occur in connection with real estate transactions. The Proposed Ordinance is consistent with state law. Real Estate transactions are not the only means of checking properties for compliance. CAL FIRE has had a statewide goal of inspecting 250,000 parcels annually since 2015 and performs two-to-three thousand inspections annually within the County. In addition, since the adoption of the ordinance in 2019, the County or its contractors have performed several hundred inspections annually in areas pre-identified for outreach and education and performs inspections on properties on which complaints are received. The County's Office of Wildfire Preparedness and Resilience (OWPR), working with the El Dorado County Fire Safe Council, has also trained over 70 defensible space assessors to work in their communities in a volunteer capacity to educate residents about how they can protect their properties and connect them with resources to help get the work done. Some local fire agencies, such as El Dorado County Fire and Lake Valley Fire Protection District also perform defensible space inspections within their districts. OWPR has set a goal of contacting each improved parcel, through inspection or assessment by all allied agencies and organizations, once every seven years. The passage of AB 38 by the legislature provides one additional opportunity to ensure homeowners are aware of their responsibilities.

- Does the requirement for inspections of “real property” include vacant parcels, commercial-industrial improved property, and manufactured homes in Mobile Home Parks?

EDC Response:

Pursuant to Civil Code section 1102, the requirement applies to "single family residential property." This is defined in Business and Professions Code section 10018.08 and includes "a mobile home or manufactured home when offered for sale or sold through a real estate broker pursuant to section 10136.1." Civil Code section 1102.2 provides several exemptions to the requirement, which the Realtors Association should review, one of which is "Sales or transfers of any portion of a property not constituting single-family residential property." In summary, mobile and manufactured homes are included but commercial-industrial improved property is not.

EDCAR Response to EDC Reponse:

Please clarify that “real property” for this requirement only pertains to the seller of any improved property having a single family residence, and perhaps an accessory dwelling unit, or junior accessory dwelling unit, and a manufactured home in a mobile home park.

- **Add language that the seller may provide the buyer a defensible space inspection report obtained within the six-month period preceding the date the seller enters into a transaction to sell real property, or after the seller enters into a transaction to sell real property and prior to close of escrow. (AB 38 provides language supporting this.)**

EDC Response:

We agree adding this language to the ordinance will be helpful.

- Instead of 90 days allow 180 days after the close of escrow for the buyer to achieve compliance with a report, whether the report is obtained during or after the close of escrow. Weather conditions alone may not provide the opportunity to obtain an inspection report during escrow or immediately after the close of escrow. And obtaining quotes from service providers and then scheduling the work may take longer than 90 days. **(AB 38 states the buyer shall obtain documentation of compliance within one year of the date of the close of escrow.)**

EDC Response:

It is important to remember that state law already requires all properties subject to PRC 4291 be in compliance at all times. Though Civil Code section 1102.19 allows up to one year for a buyer to provide documentation of that compliance where a local vegetation management ordinance doesn't exist, that does not exempt that owner from being in compliance with state or local defensible space

requirements presently and at all times. The Defensible Space working group recommends that the Board of Supervisors provide a 90-day grace period for a buyer to obtain documentation of compliance. This is a shorter grace period than offered by the State in the absence of the presence of a local ordinance; however, the Working Group determined that scheduling a reinspection with the new property owner should be a priority in order to provide the opportunity to educate the homeowner about their responsibilities and offer potential resources that might assist that homeowner in getting the work done. There is no intent to use this inspection to penalize a homeowner. The Board of Supervisors does have latitude to extend this period should it choose to do so.

EDCAR Response to EDC Reponse:

The Association would like to reiterate our request for 180 days after the close of escrow for the buyer to achieve compliance with a report. Weather conditions alone may not provide the opportunity to obtain an inspection report during escrow or immediately after the close of escrow. And obtaining quotes from service providers and then scheduling the work may take longer than 90 days.

- The California Association of Realtors Fire Hardening and Defensible Space Disclosure and Addendum (FHDS) allows a seller and buyer to determine which party shall obtain compliance.

EDC Response:

The County cannot comment on the California Association of Realtors form and whether it complies with the meaning and intent of Civil Code section 1102.19.

- Will all Investigating Officials be required to submit their Defensible Space Inspection Reports to the County or another agency? Will the public have access to property Inspection Reports?

EDC Response:

All Investigative Officials collect inspection data in the same software platform, to which the County has access. Inspection Reports are public records, subject to disclosure under the California Public Records Act. Information regarding a complainant, where the inspection was triggered by a complaint, is confidential and will not be disclosed.

- AB 38 Only requires a point of sale inspection of real property located in a High or Very High Hazard Severity Zone. Why is El Dorado County requesting inspections in some areas that are Moderate or No Fire Hazard Severity Zones when AB 38 does not require it?

EDC Response:

The ordinance mirrors the Civil Code in this regard. Section 8.09.070 C. begins, "Prior to the close of any Real Estate Transaction subject to Civil Code section 1102.19..." Real estate transaction inspections are only required in High or Very High Hazard Severity Zones.

- **Item D.4 Reads:** *“The Responsible Person(s) who perform Hazardous Vegetation management activities that remove or dispose of Vegetation is required to comply with all federal, state, or local environmental protection laws and obtain permits when necessary. Environmental protection laws include, but are not limited to, threatened and endangered species, water quality, air quality, and cultural/archeological resources.”*

EDCAR Feedback:

Should a Defensible Space Inspection Report require the removal of an Oak tree, will the property owner be required to obtain a permit to remove the tree?

EDC Response:

The Responsible Person is obligated to take action consistent with the findings in the Inspection Report to bring their property into compliance with state and local law. As with any other work on one's property, the Responsible Person must obtain the necessary clearances, permits, etc., to the extent applicable.

EDCAR Response to EDC Reponse:

When obtaining a permit to remove an oak tree required by an inspection report, please provide an exemption for mitigation measures; such as re-planting a tree or paying mitigation fees.

3. Section 8.09.110. – Enforcement Procedure – Reads: *“A request that such Hazardous Vegetation, and/or Combustible Materials be removed or Abated by the date specified in the notice, which shall be no less than 15 calendar days following the mailing or posting of the Notice;”*

- EDCAR Feedback:
Instead of 15 calendar days make it 60 calendar days following the mailing or posting of the Notice;

EDC Response

When a property is inspected, the Investigative Official has the discretion to extend the time for compliance depending upon the particular circumstances of that property. It is not until there is a determination that the Responsible Person(s) is(are) non-responsive or refuse to bring the property into compliance after multiple contacts. These contacts by the Investigative Official may be spread out over several months or more. Only then is the matter referred to OWPR for further handling. The Proposed Ordinance then requires the County, through the OWPR, to engage in a meet and confer process with the Responsible Person(s). The length of this process is determined by the Enforcement Official and may last several months or more. It is only after all of the time described above passes that the matter is enforcement.

By the time the Notice and Order is issued, the conditions have existed for several months or more. The Notice is NOT the first tool accessed in the OWPR toolbox; it is the final tool. Defensible space is a timely

need. By the time the Notice is issued, it is quite possible that time has taken this issue into the next fire season. The 15 days is a reasonable timeline to give the Responsible Person(s) one last opportunity to comply after having been given many months in the process. First, it is important to note that such a notice would only be sent or posted if the meet and confer process has failed, which generally means the property owner is either non-responsive or has refused to comply despite having the means to do so. In such instances, the Enforcement Official has discretion to determine the appropriate amount of time that is reasonable to obtain compliance. The goal is compliance, not assessing penalties, so the Enforcement Official will provide sufficient time for compliance, if they feel there is a chance the property owner will begin to cooperate. The Enforcement Official must have flexibility given the wide variety of situations that will arise, and there may be instances in which a threat is so extreme or imminent that the 15 day timeframe may be appropriate. The property owner also has the opportunity to appeal a notice. The appeals process pauses any further enforcement action until the appeal has been adjudicated.


EDCAR Additional Comments:

In 2022 there were 2,507 single family residential sales in El Dorado County, and 105 manufactured /mobile home sales in mobile home parks, for a total of 2,612 closed transactions on the western slope (this information was obtained through the Multiple Listing Service Records, not including the Tahoe Basin). The county needs to be prepared to inspect and re-inspect properties over 5,000 times in the course of a year based on these statistics.

EDCAR recognizes that this is a complicated and lengthy process for the county, and we appreciate your efforts in making modifications that will benefit property owners and the real estate profession.

Thank you again for taking these comments into consideration, and if you have any further questions please reach out to our leadership.

Sincerely,



Debra Miller
2023 EDCAR President
debra.miller@c21selectgroup.com
530-391-7323



Kimberly Beal
2023 EDCAR Government Affairs Director
kimberlyabeal@gmail.com
530-558-5504



BOS rec'd 12/11/23
Public Comment #52

Ordinance 5186

Charles Johnson <chuck945@att.net>

Fri 12/8/2023 4:22 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

Dear Board of Supervisors—

As a resident of Placerville I am opposed to Ordinance 5186. It appears to be invasive to my privacy, places undo financial hardship on homeowners (who do not have financial means to address fire safety) and will negatively affect future home sales. Please vote no on this ordinance. Please develop a plan that works with your community and does not punish us or invade our privacy.

Public comment #52
BOS recd 12/11/23

Ordinance 5186

bev@bevludlow.com <bev@bevludlow.com>

Sat 12/9/2023 8:30 AM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

Dear Board of Supervisors,

As a resident of Shingle Springs, I am opposed to Ordinance 5186. This is an unnecessary and excessive mandate that can cause economic hardship to people who are already trying to "firesafe" their properties, especially those with physical or financial limitations. There are already Firesafe regulations & guidelines in place; we do not need costly fines, penalties, and fees added.

El Dorado county has had in place, for years, a system where one can notify the county of unsafe, unmaintained properties that threaten their neighboring properties, yet the county seems to have neither the manpower nor the money to follow through.

It seems the cost of creating this proposal would better have been spent on helping older, or lower income, property owners clean their properties than by adding another layer of difficulty due to added fees and charges. Addressing the lack of affordable help in refuge removal, vegetation clearing such as weed abatement and trimming, dump fees, especially for hazardous waste, and other hindrances to clearing ones property would be a far more effective than creating legislation that would only add to the difficulties.

This ordinance makes it legal to enter upon someone's property without a legal warrant, based solely on 'someone' saying there is a 'fire safety' issue. This should not be acceptable to any owner of private property.

There are so many things wrong with this ordinance. Please get rid of it now.

Bev Anderson

Bev

County Proposed Ordinance - Vegetation Management

Gary Clark <garyrclark@gmail.com>

Sun 12/10/2023 12:22 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

December 10, 2023

To: Board of Supervisors County of El Dorado

Re: Ordinance 5186 to amend Chapter 8.09 of the El Dorado County Code of Ordinances entitled Hazardous Vegetation and Defensible Space

We are writing to express our concerns regarding Agenda Item No. 23-1644 to be discussed at the Board of Supervisors' meeting on December 12, 2023. We only found out about this ordinance and are shocked at the invasiveness and autocratic nature of the ordinance, including placing undue financial burdens on homeowners. We have been residents of El Dorado County for over 30 years, and although we understand the need for policies for wildfire safety, this ordinance does not assist homeowners, but burdens homeowners with additional financial hardships on top of the outrageous homeowners insurance costs. So many property owners are currently facing tough decisions about home ownership in this County. Among these are being unable to meet the costs of insurance and being pushed out of their homes by such costs. Now the County wants to add additional financial hardships without any assistance of funds to help mitigate what is already being required by the state or insurance companies.

As we read the ordinance, it appears to be very invasive to privacy - allowing "enforcement officers" to enter private property without permission are "autocratic" actions by the County. The ordinance would definitely contribute to and negatively impact County residents being able to sell their homes. It would also add to the already high cost of ownership for new owners.

This proposal leads to an abuse of power on residents by the county. Rather than trying to assist homeowners and communities with meeting strict requirements being placed on them through insurance companies or seeking to provide available mitigating funds for already financially burdensome requirements (i.e., closing in eaves, etc.), now the County wants to add requirements that place more financial burdens upon us.

We currently are very involved with our local fire safe council, and have good defensible space (which requires work every year). We think this is the right way to go. Give guidelines and use voluntary organizations to encourage wise husbandry of the land.

If you want to protect the land and people of El Dorado County, find out ways to help people with their homeowner insurance costs and provide financial assistance in maintaining defensible space yearly - not with invasive actions, fines, and undue hardships.

PLEASE VOTE NO on this ordinance. Sincerely,

Gary and Susie Clark

Gary and Susie Clark, Somerset, CA

Ordinance 5186

Foster Family <fosterfam@hotmail.com>

Sat 12/9/2023 8:42 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

Dear Board of Supervisors—

As a resident of Somerset, I am opposed to Ordinance 5186. It appears to be invasive to my privacy, places undo financial hardship on homeowners (who do not have financial means to address fire safety) and will negatively affect future home sales. Please vote no on this ordinance. Please develop a plan that works with your community and does not punish us or invade our privacy.

Sincerely,

Jeanie Foster

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Opposition to proposed Ordinance 5186

Kathy Blakeley <skblakeley@comcast.net>

Mon 12/11/2023 10:12 AM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

Dear Board of Supervisors—

As a resident of Shingle Springs, I am opposed to Ordinance 5186. It appears to be invasive to my privacy, places undo financial hardship on homeowners (who do not have financial means to address fire safety) and will negatively affect future home sales. Please vote no on this ordinance. Please develop a plan that works with your community and does not punish us or invade our privacy.

Sincerely,

Kathy Blakeley

Vote NO -- AGENDA ITEM 23-1644

Laura Low <lauralow09@yahoo.com>

Sat 12/9/2023 9:16 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

Dear Board of Supervisors—

As a resident of (city) I am opposed to Ordinance 5186. It appears to be invasive to my privacy, places undo financial hardship on homeowners (who do not have financial means to address fire safety) and will negatively affect future home sales. Please vote no on this ordinance. Please develop a plan that works with your community and does not punish us or invade our privacy.

Laura Low
3511 Sunfaire Ln.
Shingle Springs, CA 95682
916-337-3544

VOTE NO - Vegetation Ordination No. 5186

Lorraine Burgess <cre8tionart@gmail.com>

Sat 12/9/2023 7:30 AM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

 1 attachments (61 KB)

2023-12-09 Bd Supervisors Letter.pdf;

Please include the attached Public Comment for the December 12 Board Meeting.

Thank you

Lorraine Burgess

December 9, 2023

To: Board of Supervisors
County of El Dorado

Re: Ordinance 5186 to amend Chapter 8.09 of the El Dorado County Code of Ordinances
entitled Hazardous Vegetation and Defensible Space

I am writing to express my concerns regarding Agenda Item No. 23-1644 to be discussed at the Board of Supervisors' meeting on December 12, 2023. I only found out about this ordinance and am shocked at the invasiveness and autocratic nature of the ordinance, including placing undue financial burdens on homeowners. I have been a resident of El Dorado County for over 35 years, and although I understand the need for policies for wildfire safety, this ordinance does not assist homeowners, but burdens homeowners with additional financial hardships on top of the outrageous homeowners insurance costs, causing distress to homeowners. So many property owners are currently facing tough decisions about home ownership in this County being unable to meet the costs of insurance, being pushed out of their homes by such costs - and now the County wants to add additional financial hardships without any assistance of funds to help mitigate what is already being required by State or insurance companies.

Not only does the ordinance place financial burdens on the homeowners for requirements on their structures and property, but also along private roads to the properties that homeowners are struggling financially to upkeep - many roads are not county-maintained.

As I read the ordinance, it appears to be very invasive to privacy - allowing "enforcement officers" to enter private property without permission is "autocratic" actions by the County. The ordinance would definitely contribute to and negatively impact County residents being able to sell their home, and may be forced to do so because of already experiencing an insurance financial burden.

The proposal leads to an abuse of power by the County on its residents. Rather than trying to assist homeowners and communities with meeting strict requirements being placed on them through insurance companies or seeking to provide available mitigating funds for already financially burdensome requirements (i.e., closing in eaves, etc.), now the County wants to add requirements that places more financial burdens.

We currently are very involved with our local fire safe council, and have good defensible space, which requires work every year. Is the Board of Supervisors considering residents who do not have the financial means to just live daily, for retirement residents, for those unable to physically do what may be required to keep up their defensible space, but trying the best they can? No, I do not think the County is considering this at all - they want power over the people and take away property rights.

If you want to protect the community of El Dorado County, find out ways to help people with their homeowner insurance costs and provide financial assistance in maintaining defensible space yearly - not with invasive privacy actions, fines, and undue hardships.

PLEASE VOTE **NO** on this ordinance.

Sincerely,

Lorraine Burgess

Lorraine Burgess, El Dorado, CA

Re: Ordinance 5186

BOS-District IV <bosfour@edcgov.us>

Mon 12/11/2023 12:30 PM

To:brikarjo1@calis.com <brikarjo1@calis.com>

Cc:BOS-Clerk of the Board <edc.cob@edcgov.us>

Hi Karen,

Thank you for your input on this issue. This email is copied to the Clerk of the Board for distribution to all Board members and inclusion in the public record.

Shelley Wiley

Assistant to Supervisor Lori Parlin, District IV

Board of Supervisors, County of El Dorado

Phone: (530) 621-6513

[Sign Up for District IV Email Updates](#)

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From: brikarjo1@calis.com <brikarjo1@calis.com>

Sent: Sunday, December 10, 2023 1:55 PM

To: Lori Parlin <lori.parlin@edcgov.us>

Subject: Ordinance 5186

Dear Lori & Board of Supervisors,

I am in support of this ordinance 5186; I wouldn't think the county would trespass on anyone's property without the right to do so. For many years I've lived next to an unmaintained property of 25 acres of brush, berries and thistles, that surrounds the side and back of my property (no house). I've wanted a fire break by the owners (as this property doesn't give me a 100' clearance to my property/house). I think this ordinance addresses these kinds of properties.

I hope this ordinance will address all of the communities concerns without invasion of people's rights.

Sincerely,

Karen Bartholomew


Public Comment Dec 12 Agenda Item #52. 23-1644

Sharon Kerrigan <sharon@staor.org>

Mon 12/11/2023 3:43 PM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>; Nicholas LaRiviere <Nicholas.LaRiviere@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>

Cc: Sharon Kerrigan <sharon@staor.org>; Ryan Smith <rsmith@compass.com>; Dylan Hastings <dylan@homeintahoe.com>; Jill Teakell <jillteakell@aol.com>; Ellen Camacho <ellen@tahoeellen.com>

 1 attachments (870 KB)

EDCBOS-PubCommentRePropDefSpcOrdChanges.pdf;

To the Honorable Board of Supervisors, Chief Administrative Officer and Clerk of the Board:

We ask that you please include this written public comment pertaining to agenda item 52. 23-1644 re: Chapter 8.09 of the El Dorado County Code of Ordinances entitled Hazardous Vegetation and Defensible Space for tomorrow's Board of Supervisors meeting, and add it to the file/public record.

All the best,

Sharon Kerrigan, RCE, ePro
Executive Vice President
South Tahoe Association of REALTORS®
530.541.7007 | sharon@staor.org