

<https://www.nfpa.org/News-and-Research/Publications/NFPA-Journal/2011/September-2011/Features/Stay-or-Go> — (Edited for syntax, grammar, etc. by T. Kayes)

# NFPA JOURNAL

**The Magazine of the National Fire Protection Association**

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**Update posted Wednesday, November 14, 2018:**

This archived article from NFPA Journal was a discussion of wildfire safety practices in the U.S. and Australia. It was intended as neither an endorsement of, nor a guide to the stay-and-defend, or shelter-in-place, practices addressed in the article. If you are currently under an active wildfire threat, you should seek advice from local authorities and immediately follow their recommendations.

*Thomas Welle, Manager, Denver Field Office  
Wildfire Division, NFPA*

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## WILDFIRE + EVACUATION

# Stay or Go?

There are no easy answers for when, or if, to evacuate when wildfire threatens, but NFPA is providing people in fire-prone areas with important information on how to be prepared.

NFPA Journal®, October 2011

*By Stephanie Schorow*

As fire bears down on the house with a roar, the couple inside makes last-minute checks. They have prepared their home and outbuildings with the

latest fire-resistant materials — including replacing wooden shingles with asphalt shingles. They also removed trees and bushes near the buildings, cleaned their gutters, and covered the attic vents to their home with wire screening to prevent wind-blown embers from entering their home. They believe they can withstand the rush of the fire front, and that they'll be able to move quickly with a hose or brooms to put out smoldering embers that could ignite and burn their home or other structures, even hours after the fire front passes.

Miles away, another couple is settling in at a friend's house. They, too, had thoroughly prepared their home and property for a possible wildland fire, but they also readied themselves and their children to leave as soon as the local sheriff called for an evacuation. When the call for evacuation came, they quickly began loading their car with a prepared emergency supply kit, important documents and food supplies. They had two possible routes in mind to get to their friend's house in a nearby city. They were on the road in less than 20 minutes.

As residential development continues to encroach into what is called the wildland-urban interface, or WUI, fire professionals are looking for better ways to save lives and property in forests and grasslands. The scenarios above depict the options of the "Stay and Defend, or Leave Early" (SDLE) model, also known as "stay or go," an approach that has triggered a good deal of debate in the fire safety community.

For advocates like Bob Mutch, a stay and defend model is a viable option in rural or remote areas, provided residents undergo training and prepare their property beforehand. Mutch worked for 38 years as a U.S. Forest Service fire manager and researcher, before he retired to become a fire management consultant. A resident in the remote community of Painted Rocks, Montana, about 100 miles (161 kilometers) southwest of Missoula along the west fork of the Bitterroot River, Mutch believes WUI residents can be educated to make a well-informed choice about staying on their property during fires. "Not every community has immediate access to fire

service,” Mutch says, “so why not establish a cooperative effort where fire services and residents work closely together to provide a safer interface experience for all — firefighters and residents?”

Others are skeptical of stay-and-defend approaches, and view them as terribly, perhaps even tragically, misguided. They argue that warmer, drier conditions, combined with the fuel loads created during the decades when wildland fires were rigorously suppressed, are combining to produce larger, more devastating fires that effectively eliminate SDLE as an option. Far better, they say, is mitigation combined with evacuation.

Prepare homes and property in the WUI according to the fire prevention information found at sources such as NFPA’s Firewise® Communities website, and evacuate as soon as authorities (or common sense) tell residents that they need to get out. The International Association of Fire Chiefs recently launched its Ready, Set, Go! effort, which is designed to teach WUI residents how to prep their homes and property to withstand wildfire while devising strategies for early evacuation.

While it has not taken a formal position on SDLE, the NFPA has provided valuable information on what people should do in the event of wildland fire for 70 years. In 1986, after a wildland fire season destroyed 1,400 homes around the country — 600 in Florida alone — NFPA entered into a cooperative agreement with the U.S. Forest Service, the U.S. Department of the Interior, and the National Association of State Foresters to increase consumer education about protecting homes and life safety in the WUI. That effort evolved into NFPA’s Firewise Communities Program; currently 724 communities in 40 states are designated as Firewise communities.

The primary emphasis, says Michele Steinberg, manager of the Firewise Communities Program, is to help WUI residents make informed choices. “People need to be much better prepared than they are,” Steinberg said.

Aside from a few local fire districts that have their own stay-or-go policies, there is no official U.S. policy on what actions residents should take if their property is threatened by wildfire. If nothing else, though, the current fire season is demonstrating just how important it is to be prepared. Thus far, 2011 has been one of the worst fire seasons in decades, with 4.1 million acres (1.6 million hectares) already burned nationwide, according to the National Interagency Fire Center. An estimated 44.8 million homes abut or intermingle with wildlands in the U.S. These areas are among the fastest-growing in the country and face some of the greatest danger from wildfire. In September, as this story was being reported, Texas was in the midst of the worst wildfire outbreaks in its history.

Nearly 200 fires had flared up across the state, destroying 1,700 homes, killing four people, and forcing thousands to evacuate; the largest fire, the Bastrop County Complex fire near Austin, had burned more than 25,000 acres (10,117 hectares) and destroyed over 1,500 homes. Government agencies, including the U.S. Forest Service, are being saddled with the expense of protecting private property in the WUI. It's the question of cost — who's responsible, and who pays — that promises to drive the stay-or-go debate in the U.S. for years to come.

## Turning point

SDLE was first used in Australia, which remains the only country to practice it as a formal policy. The concept, and the name, evolved over decades as Australians sought to develop responses to fire in remote areas with limited access to firefighting services, says Sarah M. McCaffrey, a research social scientist for the U.S. Forest Service and member of the advisory committee for NFPA's Wildland Fire Operations Division. In overview, the policy asks Australians to decide well beforehand whether they will choose to evacuate when a fire threatens but is not yet in the area, or stay and actively defend their property, knowing they may well be on their own without assistance from professional firefighting services. The model has been supported by research showing that prepared homes and other structures can withstand

the short rush of a fire front; the protected occupants can then emerge and extinguish smoldering embers, thus saving their property.

The policy had been considered highly successful, but that all changed on February 7, 2009, a day Australians now refer to as “Black Saturday.” On that day, massive wildfires in the southern state of Victoria destroyed more than 2,000 homes and killed 173 people; 113 of the dead were found in or near homes that had burned to the ground — which suggests that staying and defending could be even more dangerous, and far more deadly, than previously thought, depending on the intensity of the fire and the level of preparation of homeowners. Australian Premier John Brumby called for a royal commission to examine the causes of the fires and re-evaluate the SDLE policy. In July of 2010, the commission issued its five-volume report, which recommended that while the [original] SDLE concept should not be abandoned, it did require modification. (See “Black Saturday Aftermath” at the end of this article.)

Now Australians officially call the newer approach “Prepare, Act, Survive.” McCaffrey says the new position acknowledges that there may be some fire conditions that make defending property impossible. “Black Saturday raised the idea that there are times when conditions can be so bad that everybody should be advised to leave,” she says. “And on that day, the conditions were spectacularly bad.”

For Jack D. Cohen, the “prepare” part is the most important, and the one he claims is too often missing from discussions of the SDLE and Ready, Set, Go! models. “I would prefer, regardless of whatever bumper sticker slogan we come up with in the future, that you prepare as if you were going to stay and defend, whether you are going to leave early or not,” explains Cohen, a research physical scientist with the Forest Service Fire Sciences Laboratory in Missoula, Montana, and a member of NFPA’s Wildland Fire Operations Division advisory committee.

Cohen’s research has shown repeatedly that the primary danger to life and

property in a WUI fire is not from the fire front, but from the ember shower or smoldering bits left after the front passes, embers that can start a house fire even days later. Homes, garages, and other structures can be built or retrofitted to survive a fire front and ember shower by using fire-resistant materials, such as slate or asphalt shingles for roofs. “Everything you need to highly reduce the probability of ignition can be purchased at any building supply store,” Cohen says.

Cohen’s research raises a key point: if a fire-prepared home could survive a fire front, why would its occupants have to be there during a fire? That is also the position taken by David Nuss, manager of NFPA’s Wildland Fire Operations Division. “If you do everything right,” Nuss explains, “there’s no reason to stay because your house should withstand the event.”

For many WUI residents, SDLE and its variants come down to a matter of choice; regardless of how well prepared they are, they want the decision on whether to stay or go to be up to them. Barb Axel, whose house is located on the only road into the Painted Rocks area of Montana, participated in a seminar last summer put on by Bob Mutch.

The event featured lectures, videos, and a re-enactment of a 2003 fire in San Diego in which a fleeing family was trapped by fast-moving flames. A Painted Rocks Fire Safety Council member, Axel has prepped her house by installing asphalt shingles and a gravel yard. She trims the trees on her property and keeps pine needles off the roof of her house. “I think I know enough to make an informed decision” in the event of a fire, Axel says. “We would probably stay because of where we’re located — we’re by a road and by the river.” She defends the SDLE approach, but says what worries her are people who wait too long to evacuate. “People want to see what’s going to happen. To me that’s the biggest piece of the education. If you’re not going to stay and defend, you need to get out early.” Alan Tresemer, a veteran battalion chief in the Painted Rocks Fire Rescue Company, says firefighters often wrongly think the public is incapable of making informed

decisions about fire. “It’s not a matter of telling residents to stay or go,” he says. “It’s a matter of giving them a choice.”

## **The meaning of stay and defend**

Rancho Santa Fe, an affluent suburb of San Diego, has its own variation on SDLE. Within the Rancho Santa Fe Fire Protection District, five “shelter-in-place” communities have been established ([rsf-fire.org](http://rsf-fire.org)). Homes have been designed and built to resist a normal fire front; this includes locating homes away from slopes, using fire-resistant materials, installing sprinklers, trimming back trees, bushes, and grass around homes, and other mitigation steps. Residents are urged to leave if fire threatens, but if they can’t safely evacuate, they are asked to stay in their homes but not actively fight fires, says Tony Michele, chief of the Rancho Santa Fe Fire Protection District. During the 2007 Witch Creek fire, 60 homes were destroyed throughout the district, but no houses were lost in the three shelter-in-place communities directly impacted by the fire, he says.

The shelter-in-place model has triggered a debate of its own. Chief Randy Bradley of the Moraga-Orinda Fire District in Orinda, California, and the longtime chair of NFPA’s Technical Committee on Forest and Rural Fire Protection, prefers the term “shelter in place” to “stay and defend.” Bradley argues that the latter term can deceive homeowners into believing they are as capable as professionals at fighting fires, which he says is a dangerous assumption. Whatever the situation, he adds, private homeowners should only shelter in place during a fire as a last resort.

But [Sarah] McCaffrey, who has studied public attitudes and perceptions about SDLE, argues that shelter in place doesn’t reflect the reality of what has to happen for SDLE to be effective in most communities. Stay and defend does not mean hunkering down in a basement, as it might during a tornado or hurricane, she says. Plus, few homeowners can afford the level of over-built protection provided by many Rancho Santa Fe homes; Forbes recently reported the median home sale price as \$2.6 million, making it the

third most expensive zip code in the country. “To be safe, you need to be actively patrolling and putting out embers,” McCaffrey explains. “That’s the challenge of SDLE. It’s not a simple message.”

Nor is it a simple task. Even Mutch concedes many Americans may not be psychologically and physically able to handle what can suddenly develop into a frightening, disorienting, and life-threatening situation. NFPA’s Nuss claims Australians know that if they choose to stay, they are on their own. “Here though, I’m not so sure,” he says. “I think the philosophy may be that people think they’re prepared to stay and defend, but when it gets a little too hot and smoky that they’ll be able to say ‘Come rescue me.’ That’s not going to happen. You don’t get to have it both ways.”

If there’s an aspect of the stay-or-go discussion where all sides agree, it’s that the most dangerous scenario is to wait until it’s too late, and then try to make a run for it. Statistically, evacuation is one of the riskiest moments for people in the midst of a wildland fire event; Mutch studied the 2003 Cedar Fire in Southern California and found that almost all the 22 civilian deaths occurred when people tried to evacuate at the last minute.

According to researchers in the Australian Bushfire Cooperative Research Centre, 78 percent of the 327 civilian wildfire deaths in Australia from 1908 to 2008 occurred while individuals were evacuating or outside a structure. Some of the most haunting images in the aftermath of Black Saturday were those of burned-out vehicles, often in clumps of four, five, or more, sitting haphazardly across roadways, arranged as they were at the moment their drivers recognized that escape was impossible.

“Typically, when people make the decision to evacuate too late, then they put themselves at significant risk, and that’s when we tend to lose people,” says Nuss. “The evacuation order may have been given, but they ignored it, or it wasn’t clear, or it wasn’t given early enough. Then, when flames are



coming through the front yard, that's when they decide to go. That's when it's too late."

The SDLE model, in general, alarms Bradley. "I believe it is always best practice to evacuate areas early," Bradley says. "I think we should focus our efforts primarily on emergency planning, early notification, and good evacuation planning." Bradley speaks from the perspective of someone who has fought in extremely heavy fire conditions, including fires where firefighters were lost, and he insists that there's simply no way to prepare the public for unpredictable fire dynamics or the terrifying experience of roaring flames, showers of wind-driven embers, plus the near-darkness brought on by suffocating smoke.

Bob Roper agrees. "Even as experienced firefighters, we find every day that no two fires act the same," says Roper, chief of the Ventura County (California) Fire Department and chair of the IAFC Wildland Fire Policy Committee. "From a public policy point of view, there's no way that we can expect that the public would do everything that they have to do to safely stay and defend."

## **Means of communication**

But the "leave early" part of SDLE can be problematic, too, McCaffrey says, since the term can mean different things to different people. Studies show that even after an order to "leave now," not all people will immediately hit the road, McCaffrey says. "For some people, it's 'OK, this might be serious, we may start thinking about leaving,'" she says. "There are some people who are risk-adverse and they'll leave early, and some will leave before an evacuation order. Then there are some who are highly risk tolerant. Those are probably the people who are staying."

Slicing the semantics even finer, "early" can vary by location. "In Australia, their definition of 'early' is to leave as soon as a high fire-hazard weather day is predicted," Roper says. "In most of California, if we did that for the

number of 'red flag' days we have during the [typical] fire season, people would burn out. They wouldn't listen to you anymore."

That's why communications — the message, its content, who delivers it, when it's delivered, and by what methods — is critically important during wildland fire events. "You need to give good information to people so they can make the decision [about staying or leaving] themselves," McCaffrey says. "You need to say, 'If you're not going, here's why we think it's a bad idea, and here is what you need to be doing to make yourself as safe as possible.'" Nuss and other experts say law enforcement and fire officials need to improve messaging to the public and establish consistent terminology for words like "early" and "mandatory" that are clearly understood.

"Mandatory evacuation" can often be misleading. In Colorado, the state's attorney general has determined that law enforcement officials can forcibly remove people from homes for their own safety, but this is not the case in other states, Nuss explained. Roper claims the IAFC is currently trying to establish a clear set of definitions on what "evacuation" means — in terms that can be used uniformly by responders, residents, and the media.

Social media — such as Facebook, blogs and Twitter — have potential for communicating safety information to the public, experts say, but there are pitfalls. A study by the U.S. Forest Service of information sources used by residents during the Fourmile Canyon Fire last September (the over \$217 million in insurance claims associated with the fire make it one of the most expensive in Colorado history) showed fewer than 10 percent used social media to obtain information on the fire, and that those sources were not considered very useful or trustworthy. The study also found that the most commonly used sources and the ones considered most trustworthy were not necessarily the same. For example, 84 percent of respondents said they most commonly used television, but 55 percent said that information from family, friends, and neighbors was most "useful." Sixty percent said they thought that an official press conference was the most "trustworthy" source of information.

If people can't get reliable information through traditional media outlets or from firefighters or law enforcement, Roper says, they'll look somewhere else. That is why it is so important for public safety officials to get clear information to the public early and often, and why it can behoove them to monitor social media, if only to correct false information. "We get the best intelligence," he says, "and we have a responsibility to beat the Twitters."

All sides in the debate agree that establishing clear evacuation routes and communicating those to the public, is a key aspect of protective services in the WUI. Guidelines for disaster planning, mitigation, and evacuation are outlined in NFPA 1600®, Disaster/Emergency Management and Business Continuity Programs. Experts say that outreach programs should stress that people determine multiple evacuation routes, if possible, because fire conditions can change rapidly.

What is increasingly the case is that a home in a fire-prone area, from the wilderness to the suburbs of many major cities, can come with a steep fire-safety price tag. The cost of wildland firefighting in the U.S., along with the cost of post-fire restoration, runs to billions of dollars annually, with the bulk of that expense coming in the WUI — and the federal and state agencies that pay the bills rely on taxpayer dollars to do so. The stay-or-go debate, then, is part of a far larger discussion about the areas where we decide to live, the risks we are willing to assume, and what we are willing to pay for.

The good news is that NFPA is providing WUI residents with even more resources to help them protect their property. "In theory, if you've done everything that Firewise preaches in terms of the ignitibility of your home and property, it should withstand fire whether you're there or not," Nuss explains. "But you have to do it beforehand. You can't do it as the fire is coming over the hill."

**Stephanie Schorow** is the editor of Boston's Fire Trail: A Walk through the City's Fire and Firefighting History. (For more on California, see pp. 14–17.)

## **Black Saturday Aftermath**

Modifying the SDLE policy to [better] account for the most severe wildfires: "Leaving early is still the safest option." Australians have long been proud of their fierce self-reliance, which is illustrated by the country's wildfire policy. Prior to 2009, residents in remote rural areas were urged to evacuate their property if fire threatened, but those who felt they could adequately defend their property were permitted, even encouraged, to do so.

This official national policy, generally referred to as "Stay and Defend or Leave Early," or SDLE, came under intense scrutiny following the worst wildfires in Australian history, which occurred in the southern state of Victoria on February 7, 2009 — "Black Saturday." Those fires killed 173 people, 113 of them in or close to buildings, and called into question the wisdom of the stay-and-defend model. A royal commission was called to review the circumstances surrounding those fires, and in July 2010 that commission issued a five-volume report of its findings.

The report did not recommend the total elimination of SDLE, but asserted that the policy should not apply in severe fire conditions. "The stay or go policy failed to allow for the variations in fire severity that can result from differing topography, fuel loads, and weather conditions," the report said. "Leaving early is still the safest option. Staying to defend a well-prepared defensible home is also a sound choice with less severe fires, but there needs to be greater emphasis on important qualifications."

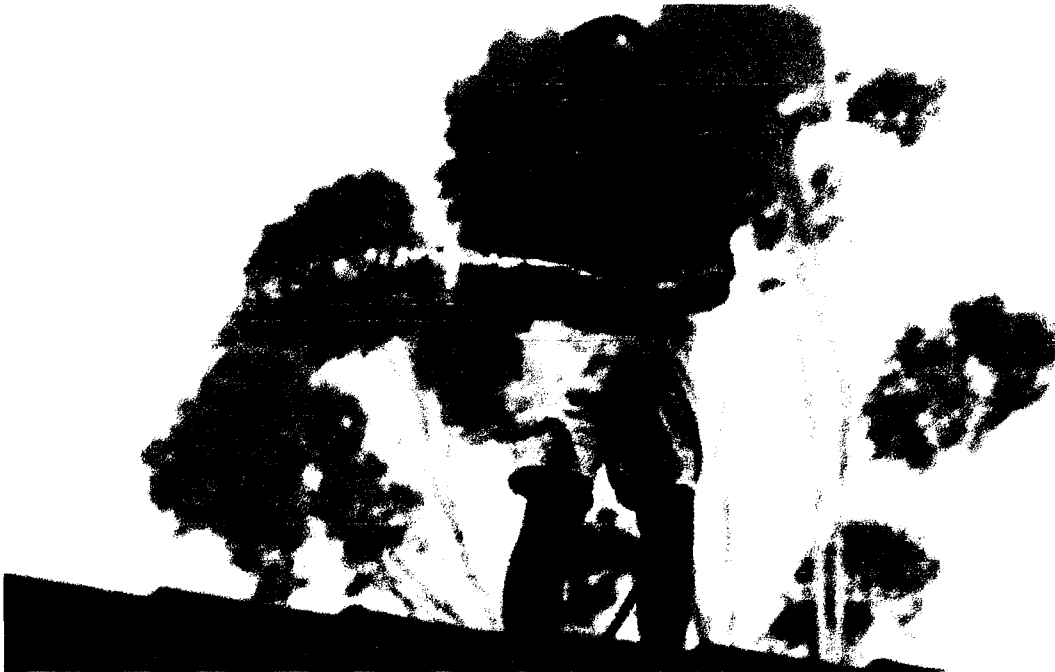
Other report recommendations include:

- Strengthening [official] fire warnings and improving their timeliness and dissemination;
- Providing more practical and realistic options such as community refuges and wildfire shelter, with more assisted evacuation for vulnerable people;

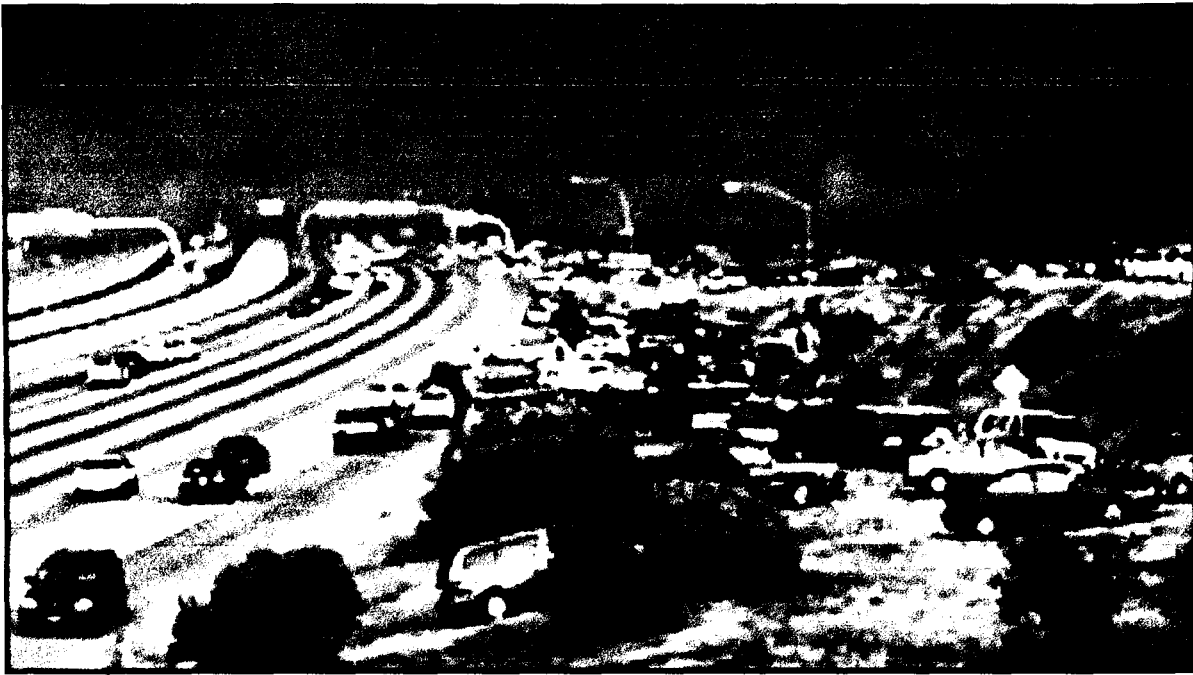
- Providing improved public education about wildfire behavior and house defensibility;
- Improving the deployment and use of roadblocks;
- Ensuring that fire agencies have thorough processes for identifying and approving particularly dangerous activities such as back-burns;
- And funding a long-term program of prescribed burning, with an annual rolling target of a minimum of five percent of public land each year, to reduce fuel loads in public lands.



What stay-and-defend looks like: A California homeowner reacts after firefighters arrive to take over the protection of his home and two of his neighbors' homes during a 2003 wildfire. Some fire experts question the ability of most civilians to withstand the physical and psychological rigors of facing down a wildfire, and urge evacuation in almost all instances. (Photo: Carlos Avila Gonzalez/San Francisco Chronicle/Corbis)



What stay-and-defend looks like, part II: SDLE supporters say that with proper preparation and action, including aggressively keeping windblown embers off of rooftops, homeowners who choose to stay can help to significantly reduce the chance of home ignition from a wildfire. (Photo: Jason Reed/REUTERS)



What evacuation **should not** look like: Cars scramble to exit the I-15 as the Cedar Fire crosses the freeway in San Diego County, California, in 2003. Most of the 22 civilian deaths associated with the fire were the result of people waiting too long to evacuate. Efforts are underway to improve emergency evacuation messaging for fire officials and law enforcement. (Photo: CNP/Corbis)



## **READY, SET, GO!**

Preparedness programs like Ready, Set, Go! do not supersede state and local laws regarding how and when people should evacuate an area. RSG's call to "leave early" reflects the fact that waiting until the last moment can put people in great danger and can impede the responding time of firefighters trying to access an area. There are a number of ways communities can prepare for the future possibility of evacuation, however, including:

Encourage fire departments to engage with the people they serve in a beneficial dialogue on situational awareness as a fire approaches;

Identify special needs populations and related procedures;

Assess the availability of fire resources during a fire;

Determine what evacuation may require, if evacuations are a part of local response protocols.

For more information visit [wildlandfirersg.org](http://wildlandfirersg.org).

## **PETS + LIVESTOCK + SDLE**



For a checklist of considerations related to SDLE and animals, see the "Planning For Your Pets and Livestock" section at: [firewise.org/animals](http://firewise.org/animals).

HEALTH + BEHAVIOR

## Rent burden strains more than three-quarters of low-income seniors in California, study finds

Venetia Lai | August 21, 2018



[iStock.com/USowpla](#)

“Older Californians with limited incomes struggle to pay for shelter, food, medical care and other basic necessities. Escalating rent prices can push them out the door,” said D. Imelda Padilla-Frausto, co-author of the fact sheet.

**M**ore than three-quarters of California’s low-income seniors are financially burdened by

rent, according to a [new fact sheet](#) from the [UCLA Center for Health Policy Research](#). Low-income seniors who rent — numbering more than half a million — can be forced to move far from their established social and medical networks to find rentals they can afford; they may end up in substandard housing; or — at worst — homeless, according to authors of the study.

“Older Californians with limited incomes struggle to pay for shelter, food, medical care and other basic necessities. Escalating rent prices can push them out the door,” said [D. Imelda Padilla-Frausto](#), research scientist and co-author of the fact sheet. “If they’re lucky, they can land at a relative or friend’s home.”

Rent that requires more than half a household’s pretax income is identified as a “severe burden,” while rent that consumes more than 30 percent but less than half is a “moderate burden,” according to the U.S. Department of Housing and Urban Development.

According to the study, 55.8 percent of low-income seniors in California shoulder a severe rent burden and 22.6 percent are moderately burdened. California renters of all ages also feel the pinch, but not to the same extreme: 28.7 percent bear a severe rent burden, according to a [recent state housing report](#). The UCLA study uses the most currently available census data, the 2016 American Community Survey.

#### Regional and county differences

Sacramento-area counties have the highest proportion of severely rent-burdened low-income seniors, 63.7 percent. Combined with the 18.6 percent of low-income seniors who are moderately burdened, that region has the highest regional rent burden, affecting more than 8 in 10 low-income seniors, according to the study. Of the seven regions analyzed, the San Joaquin Valley area and Los Angeles County (counted as a region because of its large population) were close behind, at 80.3 percent and 80 percent, respectively.

Counterintuitively, the high-cost Bay Area region has a slightly lower overall rent burden among low-income seniors, 77.1 percent, because some long-term tenants in the area live in rent-controlled units, which reduces their rents paid, the study reports. Still, 40.9 percent of low-income senior renters in this broad region have a severe rent burden.

The same held true when the authors studied the severe rent burden rate in specific large counties: Sacramento County has a severe rent burden rate that is 25 percent higher than San Francisco County, 68.2 percent to 43.3 percent, respectively. Other county variations: In Los Angeles County (excluding the city of Los Angeles), 61.5 percent of residents have severe rent burdens, compared to 53.7 percent in the city of Los Angeles. The other large counties analyzed in the study — Orange, San Diego, Santa Clara and Alameda — also have high rates of moderate burden and even higher rates of severe rent burden.

“In California, we have a rapidly aging population,” said [Steven Wallace](#), associate director of the center and lead author of the study. “The gap between many older adults’ fixed incomes and increasing rents is likely to widen to a chasm unless changes occur in rental costs, incomes or both.”

<http://newsroom.ucla.edu/releases/rent-burden-strains-more-than-three-quarters-of-low-income-seniors-in-california-study-finds>

In 2016 Lori Parlin called desperately requesting the help of Compass2Truth affiliates after she and Sue Taylor had just lost a court case. At her request, I facilitated a two hour conference call with our expert consultants on their proven Constitutional methods. Note Lori's letterhead on the first document just distributed to you addressed to Supervisors Novasel, Ranalli and Veerkamp.

The next document is an email sent by Lori dated February 4, 2017 referencing that letter in which she states, "I think I worry about the first paragraph and the references to the constitutions. I really didn't look those up myself; I just copied your text."

The following Save Our County letter addressed to Sue Novasel dated March 6, 2017 claims to hold the Board of Supervisors accountable for violating their Constitutional Oaths of Office. Each of the Supervisors received a personalized copy of the letter. However Lori fraudulently swapped Sue Taylor's name on the letters rendering them null and void. Due to her dishonesty, that meant Sue could not truthfully swear an oath and lawfully affix her signature to a notarized notification of legal responsibility which is the first essential of due process of law.

It was glaringly obvious that neither Sue nor Lori grasped the basic Constitutional concepts contained in the letter before you. Sue & Lori stormed out of my home in anger when I refused to bail them out of the jam they had created for themselves. A year later we requested the letters be removed from the SOC website claiming to hold the Supervisors accountable to their oaths of office. Those letters still remain posted to the SOC website.

Authentic leadership requires strict adherence to the EDC core values, doing what is right legally and morally at all times regardless whether or not someone is watching. Lori knew that she would be held to the same standards of honesty and accountability as she expected of any other public official. Mandatory Public Service Ethics required under AB1234 repeatedly states, "Ethics laws are a floor for conduct, not a ceiling. Just because a course of action is legal, doesn't make it ethical or what one ought to do. Because of the breadth of anticorruption law, avoid any temptation to walk closely to the line that divides legal from illegal conduct." Lori has already crossed that line on several occasions, particularly as it involves RMAC and maintenance of the corrupt status quo. In so doing she has failed to demonstrate the qualities that voters expected of her, namely character and integrity.

If you have any questions or comments, please make them at this time while I'm at the podium.

1) 1/26/17 Parlin TGPA/ZOU letter 2) 2/4/17 Parlin email 3) 3/6/17 SOC letter 4) 9/3/18 Remove SOC letters



Lori Parlin  
3971 Crosswood Drive  
Shingle Springs, CA 95682

= Full copy of  
Sue Taylor/SOC letter

January 26, 2017

Supervisor District 3, Brian Veerkamp  
Supervisor District 4, Michael Ranalli  
Supervisor District 5, Sue Novasel  
330 Fair Lane, Building A  
Placerville, CA 95667

Dear Supervisors Veerkamp, Ranalli, and Novasel:

This letter, which concerns the "Targeted General Plan Amendment and Zoning Ordinance Update (TGPA/ZOU)," is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX, and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3 Section 1.

This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2D. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

Whenever constitutional violations are committed by public officers, there are constitutional remedies available to the people. Such remedies make those who violate their oaths, such as you, accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their

## **Melody Lane**

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**From:** Lori Parlin <loriparlin@sbcglobal.net>  
**Sent:** Saturday, February 4, 2017 9:02 AM  
**To:** 'Melody Lane'  
**Subject:** Presumptive letter attached  
**Attachments:** Presumptive Letter - LUPPU.docx

Hi Melody,

Please take a look and let me know if you see anything that needs changing before sending to Jack and Margy.

I think I worry about the first paragraph and the references to the constitutions - I really didn't look those up myself, I just copied your text.

I'm around this weekend, so we can talk soon.

Lori

Sue Taylor  
Save Our County  
P.O. Box 961  
Camino, CA 95709

March 6, 2017

El Dorado County Supervisor District 5, Sue Novasel  
330 Fair Lane, Building A  
Placerville, CA 95667

Dear Supervisor Novasel:

This letter, which concerns the "Targeted General Plan Amendment and Zoning Ordinance Update (TGPA/ZOU)," is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX, and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3 Section 1.

This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2D. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

Whenever constitutional violations are committed by public officers, there are constitutional remedies available to the people. Such remedies make those who violate their oaths, such as you, accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. Fraud vitiates any action. When the

Constitutions are not rigorously obeyed by public officers, there is no lawful, legitimate government in place, and actions conducted by those operating the machinery of an illegitimate government are null and void, without lawful force or effect upon the people. No one is required to obey an unconstitutional order, statute, regulation, rule, code or policy, especially issued by unconstitutional domestic enemies.

The El Dorado County General Plan is referred to as the constitution of the County. The Custom, Culture, and Economic Stability section of the El Dorado County General Plan includes: "El Dorado County is blessed with abundant natural resources and has long been recognized for its spectacular beauty. While impacted, these same attributes exist today. The County has a tradition of appreciating and conserving these resources, using them wisely, and upholding a strong ethic of stewardship over these assets. It is the combination of these features that are now referred to as rural character."

The Statement Vision of the El Dorado County General Plan includes: "Maintain and protect the County's natural beauty and environmental quality, vegetation, air and water quality, natural landscape features, cultural resource values, and maintain the rural character and lifestyle while ensuring the economic viability critical to promoting and sustaining community identity."

In 2011, El Dorado County started on a lengthy process to update its General Plan and Zoning Ordinance. The process was named the Targeted General Plan and Zoning Ordinance Update (TGPA/ZOU). Along the way, the public became increasingly aware of the negative impacts that the TGPA/ZOU would have on the quality of life in El Dorado County. At the March 17, 2015 Board of Supervisors meeting, Chairman Veerkamp, denied the public the right to make comment on the staff's TGPA/ZOU status update. Chairman Veerkamp stated that the public would get an opportunity to address concerns about the TGPA/ZOU at a public workshop. At the April 14, 2015 Board of Supervisors meeting Chairman Veerkamp, again denied the public the opportunity to comment on the staff's TGPA/ZOU status update and your silence was consent and agreement of his actions.

The Board's continued refusal to allow the public the opportunity to make comment on the staff's monthly TGPA/ZOU status update was a violation of the Ralph M. Brown Act. By your actions, as stated herein, you perjured your oath, which oath was given in exchange for the public trust. Therefore, you violated the public trust, and also violated the rights of free speech, redress of grievances to government and peaceful assembly, guaranteed in the First Amendment, all of which actions were conducted by you without constitutional or any other valid lawful authority.

Your actions prompted the public to serve the El Dorado County Board of Supervisors with a Cease and Desist Letter Pursuant to Government Code Section 54960.2 on June 15, 2015. The County did not respond to the letter within the required 60 days. Instead, as noted during



public testimony during Open Forum at the September 1, 2015 Board of Supervisors meeting, the Board of Supervisors no longer had staff give monthly updates on the TGPA/ZOU process. That action denied the public any opportunity to comment on the TGPA/ZOU process and left the public in the dark without the benefit of transparency into discussions between the Board and staff.

At the August 27, 2015 hearing on the TGPA/ZOU, testimony to the Planning Commission explained that the normal process for rezoning a property is to give notification about a specific project so that the public can attend hearings to give input into the outcome of the project, including mitigations. However, the TGPA/ZOU process completely bypassed the site-specific project notification and hearing process, which left most of the Citizens in El Dorado County unaware of how their own property or surrounding properties would be impacted by the TGPA/ZOU.

At the conclusion of its TGPA/ZOU hearings on September 2, 2015, the Planning Commission made a recommendation to the Board of Supervisors to approve the TGPA/ZOU. Due to the lack of sufficient opportunity to address the serious impacts of the TGPA/ZOU, the public filed an appeal to the Board of Supervisors on September 8, 2015, pursuant to Government Code, Sec. 65354.5:

Any "interested party" has the right to pay the fee and appeal a recommendation regarding a general plan amendment to the Board of Supervisors, within five days of the planning agency action. Such an appeal must be filed with the Clerk of the Board of Supervisors.

An appeal hearing provides the Board of Supervisors with a broader set of options than a typical legislative hearing. The typical legislative hearing tends to narrow the Board's options to approval, conditional approval, denial, or continuance. An appeal hearing opens up more options for the Board to pursue conflict resolution and alternative dispute resolution.

The request to the Board of Supervisors for appeal hearing was denied, in violation of Government Code, Sec. 65354.5. This action contradicts El Dorado County's Code of Ethics 'to strengthen public service and maintain and promote faith and confidence of the people in their government.' You are required by Law to abide by your oath in the performance of your official duties, yet, by your own actions as herein stated, you perjured that oath and betrayed the public trust. You have no constitutional authority, whatsoever, to oppose the very documents to which you swore or affirmed your oath, but, by your actions as herein described, that is exactly what you did. Your actions either support and uphold the Constitutions, or oppose and violate them. It is this simple, and your actions, witnessed by all present at the referenced meetings, completely violated and opposed the Constitutions, which you are sworn to uphold.

The national and state Constitutions guarantee to the people their inherent, unlimited, unalienable rights, including, but not limited to, all aspects of due process of law. These Constitutions also impose strict controls upon the actions of public officers and restrict them to specific limited delegated authority. Public officers, including you, can act only within the lawful scope of their limited delegated duties and authority. When you act outside of these constitutional restrictions, you act unlawfully and thus are personally liable for your actions.

After denying the public its right to an appeal, the Board of Supervisors held a series of public hearings on November 10, 12, and 13, 2015, to give the appearance of public participation. On November 13, 2015, written testimony was submitted to the Board of Supervisors that the TGPA/ZOU was not an open, public process. The TGPA/ZOU was approved by you on December 15, 2015, in direct violation of Policy 2.2.5.3 of the 2004 El Dorado County General Plan:

Policy 2.2.5.3 The County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;
2. Availability and capacity of public treated water system;
3. Availability and capacity of public waste water treatment system;
4. Distance to and capacity of the serving elementary and high school;
5. Response time from nearest fire station handling structure fires;
6. Distance to nearest Community Region or Rural Center;
7. Erosion hazard;
8. Septic and leach field capability;
9. Groundwater capability to support wells;
10. Critical flora and fauna habitat areas;
11. Important timber production areas;
12. Important agricultural areas;
13. Important mineral resource areas;
14. Capacity of the transportation system serving the area;
15. Existing land use pattern;
16. Proximity to perennial water course;
17. Important historical/archeological sites; and
18. Seismic hazards and present of active faults.
19. Consistency with existing Conditions, Covenants, and Restrictions.

The Final Environmental Impact Report (FEIR) for the TGPA/ZOU contains several comments from property owners asking for an opportunity to have input on the rezoning of their property or property near them. However, you chose to deny Citizens their due process by rezoning properties without the site-specific analysis stated in Policy 2.2.5.3.

For example: In the FEIR, the response to Letter I-15 states, "The County will consider this request in its deliberations prior to adoption of the TGPA and ZOU." The County did not at any time consider the request to change the land use designation of parcel number 319-260-01 to match the zoning. Instead, you denied the public its due process when you changed the zoning to match the higher intensity land use without any site specific analysis, which directly conflicts with Policy 2.2.5.3.

Another Example: Documentation was entered into the record during the TGPA/ZOU process showing that in 2011, parcels 327-211-14, 327-211-16, and 427-211-25 had been rezoned from residential to commercial, but that rezone was challenged in court and later rescinded because of its noncompliance with Policy 2.2.5.3. Additionally, it was shown that in 2011 those parcels should not have been rezoned until proper infrastructure is in place, according to General Plan Policy 2.2.5.7: "Where approval of this General Plan has created inconsistencies with existing zoning, lower intensity zoning, in accordance with Table 2-4, may remain in effect until such time as adequate infrastructure is available to accommodate a higher density/intensity land use." Despite evidence showing that adequate infrastructure is not available, you chose to rezone the parcels as part of the TGPA/ZOU process, and completely bypass the public's right to site-specific analysis on those parcels.

An Additional and Final Example: One of the many reasons stated for initiating the TGPA/ZOU process was to bring zoning districts into consistency with land use designations. However, through the TGPA/ZOU process, parcel number 327-140-07 was rezoned to Commercial Community (CC) from Commercial Professional Office (CPO). (In 2010 this parcel was rezoned by a previous legislative action, with serious public debate between the neighbors and land owner, from R1A to CPO and the land use changed from Medium Density to Commercial.) Despite the existing CPO zoning being consistent with its Commercial land use designation, you voted to bypass the public process and rezone parcel number 327-140-07 from CPO to CC, which is a higher-intensity use. This constitutes another egregious violation of due process by public officials, sworn to uphold the public interest. Pursuant to rights guaranteed in the Constitutions and due process of law, an American Citizen, such as I, can expect that a public officer will abide by his oath in the performance of his official duties, yet you, madam, failed to do so, thus, completely betrayed the public trust when you committed your unconstitutional actions.

Your refusal to provide a meaningful process for Citizens made it extremely clear to the audience that this meeting was a joke, a farce and a fraud, simply meant to give the appearance of a just and fair hearing, but delivering nothing of the kind. When a Supervisor ignores the people's comments and the people's concerns have no impact whatsoever, regarding approval/non-approval of a proposed project, yet the Supervisors hold a meeting to only placate the concerns of the people, then, obviously, hypocrisy, misrepresentation and fraud abound.

Anytime multiple government officials engage in the above-described activities, then, obviously a conspiracy is entered into by, between, and among those officials to offend and subvert the Law, and deprive the people of their inherent and due process rights, thus, that ~~conspiracy by government against the people is not constitutionally authorized.~~ These are very basic, simple positions that go to the FACT that any acts or action by government, conducted in opposition to and in violation of the Constitution(s), are unlawful, criminal, seditious to the Constitution(s), and constitute insurrection, and in many cases, treason against America, her people and our Constitution(s).

If you disagree with anything in this letter, then rebut that with which you disagree, in writing, with particularity, to me, within 30 days of this letter's date, and support your disagreement with evidence, fact and law. Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,

Sue Taylor  
Save Our County

cc: District 1 Supervisor, John Hidahl  
District 2 Supervisor, Shiva Frentzen  
District 3 Supervisor, Brian Veerkamp  
District 4 Supervisor, Michael Ranalli  
Former District 1 Supervisor, Ron Mikulaco  
Media and other interested parties

**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Monday, September 3, 2018 2:54 PM  
**To:** Sue Taylor; Lori Parlin  
**Subject:** Remove LUPPU Presumptive Letter from SOC website

Sue and Lori,

It was recently brought to my attention that you never removed this letter from the Save Our County website as we requested over a year ago:

<https://saveourcounty.net/2017/03/10/supervisors-violate-constitutional-oaths/>

Sue did not author this letter, nor could she follow up by utilizing the prescribed Constitutional methods. Lori fraudulently swapped Sue's name on the letterhead. In fact, it became obvious neither of you even grasped the basic Constitutional concepts. Please remove it immediately from the SOC website.

*Melody Lane*

**Founder – Compass2Truth**

All authority belongs to the people...in questions of power, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution. ~ Thomas Jefferson ~

As of 3/11/19:

## Save Our County

Protecting, Restoring, And Sustaining El Dorado County, California

ABOUT CURRENT LITIGATION IN EDC ISSUES BY AREA TOPICS OPINION  
RECOMMENDED READING RESOURCES VIDEOS ARCHIVES Measures E and G DONATE

## Supervisors Violate Constitutional Oaths

El Dorado County  
Watchdog  
March 10, 2017  
Abuse of Power,  
Board of Supervisors,  
General Plan,  
TOPA/ZOU,  
Uncategorized  
Abuse of Power,  
Constitutional Oath  
of Office, El Dorado  
County Board of  
Supervisors, LUPPU,  
TOPA, ZOU, Violation

Supervisors Novasel, Ranalli, and Veerkamp received the following letters on March 8, 2017. As of this date, former Supervisor Mikulaco has not picked up his letter at the Post Office.



STOP  
Urbanizing  
RURAL El Dorado County

JOIN THE DISCUSSION ON  
FACEBOOK



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