



## Legislation Text

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**File #:** 24-0664, **Version:** 2

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Chief Administrative Office, Office of Wildfire Preparedness and Resilience, recommending the Board approve the **Final Passage** (Second Reading) of Ordinance **5201** to amend Chapter 8.08 of the El Dorado County Code of Ordinances entitled Fire Prevention to adopt the 2023 Fire Hazard Severity Zone map developed by the California Department of Forestry and Fire Protection, as required by California Government Code section 51179. (Cont. 4/30/2024, Item 27)

**FUNDING:** General Fund.

### **DISCUSSION / BACKGROUND**

On April 30, 2024, the Board heard Ordinance 5201 and continued the item to May 21, 2024 for Final Passage (Second Reading).

On April 23, 1985 (Agenda Item No. 33), the Board adopted Ordinance 3528 which approved amendments to various sections of the El Dorado County Code (now Chapter 8.08, Fire Prevention) to coincide with state law under PRC 4423 related to hazard removal and burning restrictions.

Shortly after the Board's adoption of the County's Vegetation Management and Defensible Space Ordinance 5101 (File No. 19-0630 V2) and the addition of Chapter 8.09, Vegetation Management on April 30, 2019, the Board adopted Ordinance 5102 (File No. 19-0754 V2) on June 4, 2019 to amend Ordinance 3528 by repealing and reserving Section 8.08.020 - Hazard Removal Required of Chapter 8.08 as the language requiring the maintenance of a defensible fire break around structures and required clearing of debris from rooftops was superseded upon the adoption of Ordinance 5101.

On February 6, 2024 (File No. 24-0202), the Board heard Ordinance 5195 to amend Chapter 8.08 of the El Dorado County Code of Ordinances entitled Fire Prevention to adopt the Fire Hazard Severity Zone map developed by the California Department of Forestry and Fire Protection, as required by California Government Code section 51179, in order to apply for designation as a Fire Risk Reduction Community and continued the matter to February 27, 2024 for Final Passage (Second Reading). On February 27, 2024 (File No. 24-0202 V2), the Board adopted Ordinance 5195 with an effective date of March 28, 2024.

Following the initial reading of Ordinance 5195 above, the County was notified by the California Department of Forestry and Fire Protection (CAL FIRE), Office of State Fire Marshall, that the Office of Administrative Law approved the latest State Responsibility Area Fire Hazard Severity Zones (FHSZ) with these zones and an updated map becoming effective April 1, 2024. In accordance with California Government Code section 51179, local agencies are required to adopt and submit an ordinance adopting the Fire Hazard Severity Zones Map to the State Board of Forestry and Fire Protection within 30 days of adoption. As such, and similar to the process in February 2024, staff have prepared an amendment to Chapter 8.08 - Fire Prevention under this proposed Ordinance to amend Section 8.08.100 - Fire Hazard Severity Zones Map, to reflect the updated 2023 Map.

As specified in Government Code section 51178, the State Fire Marshal is mandated to classify lands

within the State Responsibility Areas throughout California into FHSZ and these zones are categorized as either Moderate, High, and Very High. FHSZ maps are updated periodically to accurately reflect areas susceptible to wildfire events based on local climate data, burn probability, and expected fire behavior under extreme fuel and weather conditions through fire assessment modeling. This, among other factors such as vegetation/fuel, topography, climate, crown fire potential, ember production and movement, and fire history, determines each zone's hazard rating.

As an overview of the changes to these FHSZ Maps, CAL FIRE's State Responsibility Area (SRA) represents approximately 50% of the County's 1,788.25 square miles for both the 2007 and 2023 FHSZ Maps. A summary of these zones, classified as Moderate, High, or Very High, along with the corresponding changes to each zone's rating is provided below.

#### Moderate FHSZ:

- 2007 FHSZ Map - approximately 217 square miles, or 24.5% of the SRA and 12.1% of the County
- 2023 FHSZ Map - approximately 31 square miles, or 3.6% of the SRA and 1.7% of the County
- Net decrease of 85.9%

#### High FHSZ:

- 2007 FHSZ Map - approximately 181 square miles, or 20.5% of the SRA and 10.1% of the County
- 2023 FHSZ Map - approximately 171 square miles, or 19.9% of the SRA and 9.6% of the County
- Net decrease of 5.6%

#### Very High FHSZ:

- 2007 FHSZ Map - approximately 487 square miles, or 55% of the SRA and 27.2% of the County
- 2023 FHSZ Map - approximately 656 square miles, or 76.5% of the SRA and 36.7% of the County
- Net increase of 34.8%

It is important to note that these FHSZ evaluate the wildfire "hazard" and not "risk." Consistent with the definition used by CAL FIRE, "Hazard" is based on the physical conditions in the area that create a likelihood and expected fire behavior over a 30 to 50-year time period and do not consider any mitigation measures that reduce wildfire risk such as defensible space, home hardening, other fuel reduction efforts, or recent wildfires. Conversely, "Risk" is based on the potential damage of a wildfire to the area under existing conditions, accounting for any modifications such as defensible space, home hardening, or fuel reduction projects. So while FHSZ Maps can be used as a tool to assist agencies and communities with fire planning and mitigation, implementation of those efforts would not result in a change in designation of the FHSZ upon completion (i.e. a change from High to Moderate FHSZ upon completion of a fuel break surrounding a community).

## **ALTERNATIVES**

The Board may choose not to adopt the proposed revisions to Chapter 8.08 under this Ordinance or direct staff to make further changes; however, the County is still required to adopt this FHSZ Map in accordance with California Government Code section 51179. Not adopting this FHSZ Map would also preclude the County from applying for future designation under the Board of Forestry's Fire Risk Reduction Community List. The County's placement on the Fire Risk Reduction Community List provides for prioritization for local assistance grant opportunities through CAL FIRE for Wildfire Prevention Grants, but most importantly, provides for potential discounts for residents within the unincorporated area of the County as placement on the Fire Risk Reduction List is one of the mandatory factors to be eligible for a discount on their homeowner's insurance premiums.

**PRIOR BOARD ACTION**

See Discussion/Background above.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel has reviewed and approved the proposed Ordinance.

**FINANCIAL IMPACT**

There is no change to Net County Cost associated with the adoption of this proposed Ordinance.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) If approved, continue this matter to the Board of Supervisors regular meeting scheduled on May 21, 2024 for Final Passage (Second Reading).
- 2) Publish the Ordinance Summary in the local newspaper no less than 5 days prior to Final Passage.
- 3) Following Board approval, publish the Ordinance within 15 days after its passage in a newspaper of general circulation published and circulated in the County.

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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