



# COUNTY OF SAN DIEGO

## LAND USE AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

PAM SLATER PRICE  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** May 13, 2009

**TO:** Board of Supervisors

**SUBJECT:** AUTHORIZATION TO ACCEPT \$7 MILLION IN FEDERAL GRANTS FOR HAZARDOUS FUELS REDUCTION ACTIVITIES (District: 1,2, 5)

# FINAL

### SUMMARY:

#### Overview

The County has a deep commitment to safeguarding lives and property from wildfires. On June 16, 2004 (4), the Board established the Fire Safety and Fuels Reduction Program to resourcefully and effectively implement a comprehensive program to complete over \$47 million in fuels reduction activities. The program has been extremely successful, however, fuel loads in areas of the unincorporated county still pose a threat to citizens and property, necessitating continuing actions to remove dead, dying and diseased trees and thin hazardous brush.

This is a request to authorize the Director, Department of Planning and Land Use to accept federal grant funds as they become available, currently estimated at up to \$7 million, for the Fire Safety and Fuels Reduction Program efforts, and to approve actions to secure contract services to begin the work on both public and private lands in the unincorporated area of the county. This grant requires a 10% match, which will bring the total amount available for fuel reduction to \$7.78 million. Matching in-kind vegetation work will be provided by an existing agreement with San Diego Gas and Electric, at no additional cost to the County.

#### Recommendation(s)

##### CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15269(c) of the State CEQA Guidelines, for the reasons detailed in the Notice of Exemption Form dated April 30, 2009 on file with the Department of Planning and Land Use.
2. Authorize the Director, Department of Planning and Land Use to accept up to \$7 million in grant funds from the United States Department of Agriculture, Forest Service as necessary to carry out hazardous fuels reduction activities through Fiscal Year 2012-2013.

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3. Authorize the Director, Department of Planning and Land Use to conduct all negotiations and execute and submit all documents that may be necessary for implementation of the grants including any amendments that do not materially impact or alter the grant program.
4. In accordance with Article XXIII, Section 401, et seq. of the County Administrative Code, authorize the Director, Department of Purchasing and Contracting, to issue Competitive Solicitations and award contracts, and to amend the contracts as needed to reflect changes to services and funding, for project management services and tree and brush removal services.

**Fiscal Impact**

Funds for this request are not included in the FY 2008-2010 Operational Plan. This action may result in grant revenue of up to \$7 million which will be used over multiple years for hazardous fuels reduction activities in the unincorporated area of San Diego County to help prevent future damage to lives and property from wildfires. The funding source is federal grants administered by the United States Department of Agriculture, United States Forest Service. The work will be accomplished through tree and brush removal contracts, as well as consultant contracts for the identification of hazardous vegetation, environmental surveys, inspection activities and administrative tasks. These contracts will be administered by existing staff. A match of 10% is required (up to \$780,000) and will be provided at no additional cost to the County through in-kind vegetation work performed by San Diego Gas and Electric. If approved, funds for this request will be included in the FY 2009-2011 CAO Proposed Operational Plan Change Letter. This request will not require any additional staff years.

**Business Impact Statement**

The County is committed to reducing fire hazards and supporting economic viability for utilization of the resulting woody biomass. The County will seek beneficial uses for all resulting biomass. Practical uses of biomass, such as onsite ground cover and transporting to chipping and composting companies, benefit both the environment and supports local biomass processors.

**Advisory Board Statement**

N/A

**BACKGROUND:**

The San Diego region has been devastated by two major firestorms, in October 2003 and again in October 2007, as well as by many other wildfires. The fires caused widespread damage and the largest evacuations in the history of California. Driven by Santa Ana winds, the wildfires scorched a combined 761,538 acres in San Diego County (391,876 acres in 2003 and 369,662 in 2007). Additionally, years of drought in Southern California continue to provide a home to the opportunistic bark beetle, which has resulted in widespread infestation levels throughout San Diego County. Estimates of conifer and oak tree mortality are as high as 80% with small isolated

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stands experiencing 100%. Catastrophic wildfires continue to be a threat to residents, businesses and the environment with these dead, dying and diseased trees providing a ready source of fuel.

The County's Fire Safety and Fuels Reduction (FSFR) program has already spent nearly \$47 million since 2004, including general fund money, federal grants and match funds provided by San Diego Gas and Electric Company, to aggressively remove dead, dying and diseased trees in the most impacted areas. Program accomplishments to date include:

- Over 417,000 hazardous trees have been removed on roughly 3,350 parcels.
- Work was completed one year ahead of schedule (three years total)
- The targeted acreage was doubled (over 18,000 acres)
- Five times the expected road miles have been treated (nearly 250 road miles).

Despite the great success of the program, hazardous fuel loads in areas of the unincorporated county still pose a threat to citizens and property. Additional trees should be removed and brush should be thinned to reduce fuel loads that easily ignite during dry and windy weather conditions. The necessity of fuels mitigation was starkly evident in the wake of the 2007 firestorm. Communities were spared and significant damages averted due to aggressive tree removal coupled with fire fighting efforts. For example, the Palomar Mountain area, which is home to hundreds of residents, a youth camp and world famous Palomar Mountain Observatory, was spared significant damages. The FSFR program removed approximately 96,000 dead trees from the Palomar area. As a result, a limited number of trees fell onto evacuation routes and suppression actions were able to turn the fire from entering the mountain community. The Department of Planning and Land Use is aggressively seeking additional funding to continue the vital work of the FSFR program.

Specific to this request, the \$7 million grant, if received, will be awarded by the United States Department of Agriculture, Forest Service. These funds will be used as follows:

- Removal of dead, dying and diseased trees within 500 feet of evacuation corridors and habitable structures. The identification and removal of these trees will be conducted with the oversight of a registered forester and will be conducted pursuant to 14 California Code of Regulations Section 1038(b) of the California Forest Practice Rules; and,
- Strategic vegetation treatments within 100 feet of habitable structures and 30 feet of evacuation roads. This is necessary for the defense of structures and the placement of firefighting activities to protect those structures during fires. However, strategic fuels treatments may also be applied outside these areas pursuant to National Fire Protection Association Standard 1144 (which specifies up to 200 feet) when determined necessary by a registered forester and wildfire fire authority that it is necessary to support the defensible space in order to prevent impacts to evacuation corridors and structures during fires.

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These strategic fuels treatments involve selective thinning of the vegetation, forest or shrub species, either manually, utilizing mechanical devices or other means. Strategic vegetation treatments will be limited to the thinning of 30 to 50 percent of the native vegetation, allowing up to 75 percent thinning in isolated situations dependent on topography, fire history, fuel loading and fire weather history.

All treatment areas (dead, dying and diseased tree removal and vegetation treatment) will be subject to field examination by biological and archaeological consultants in consultation with U.S. Fish and Wildlife Service and California Department of Fish and Game to ensure that impacts to rare, threatened and endangered species are avoided.

The grant money is expected to be spent within five years of receipt and the target areas will be limited to those areas identified by the Forest Areas Safety Taskforce (FAST).

FAST was formed in the fall of 2002, and formalized in the spring of 2003, to address life and property safety concerns related to declining forest health and the increasing number of dead, dying and diseased trees and brush in San Diego County. Formed as a collaborative effort, FAST is made up of various governmental agencies, tribal groups, as well as local, State and federal agencies, community organizations and private citizens such as the Natural Resources Conservation Service, CAL FIRE, Resource Conservation District, U.S. Fish and Wildlife and U.S. Forest Service.

**Linkage to the County of San Diego Strategic Plan**

The development and implementation of strategies to mitigate the risks of wildfires while protecting as much of the watershed resources as possible contributes to the County's Environment and Safe and Livable Communities strategic initiatives and especially the objective to improve emergency preparedness, response, recovery, and mitigation capabilities for both natural and man-made disasters. The implementation of mitigation strategies will help protect our communities by reducing future risk of wildfires

Respectfully submitted,



CHANDRA L. WALLAR  
Deputy Chief Administrative Officer

**ATTACHMENT(S)**


Attachment A – Notice of Exemption

**SUBJECT:** AUTHORIZATION TO ACCEPT \$7.0 MILLION IN FEDERAL GRANTS FOR HAZARDOUS FUELS REDUCTION ACTIVITIES (District: 1,2, 5)

**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

|   |   |   |
|---|---|---|
| <b>COUNTY COUNSEL REVIEW</b>                            | <input checked="" type="checkbox"/> Yes |   |
| Written disclosure per County Charter §1000.1 required? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No  |
| <b>GROUP/AGENCY FINANCE DIRECTOR</b>                    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| <b>CHIEF FINANCIAL OFFICER</b>                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| Requires Four Votes                                     | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No  |
| <b>GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR</b>     | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| <b>COUNTY TECHNOLOGY OFFICE</b>                         | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| <b>DEPARTMENT OF HUMAN RESOURCES</b>                    | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

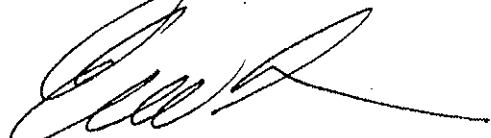
**Other Concurrence(s):** Department of Purchasing and Contracting 

**ORIGINATING DEPARTMENT:** Department of Planning and Land Use

**CONTACT PERSON(S):**

|                                     |  |
|-------------------------------------|--|
| <u>Jeff Murphy</u>                  | <u>Ken Miller</u>                      |
| Name                                | Name                                   |
| <u>858-694-3765</u>                 | <u>858-694-2951</u>                    |
| Phone                               | Phone                                  |
| <u>858-694-2555</u>                 | <u>858-694-2555</u>                    |
| Fax                                 | Fax                                    |
| <u>O-650</u>                        | <u>O-650</u>                           |
| Mail Station                        | Mail Station                           |
| <u>Jeff.Murphy@sdcountry.ca.gov</u> | <u>Kenneth.Miller@sdcountry.ca.gov</u> |
| E-mail                              | E-mail                                 |

**AUTHORIZED REPRESENTATIVE:**



ERIC GIBSON, DIRECTOR

**SUBJECT:** AUTHORIZATION TO ACCEPT \$7 MILLION IN FEDERAL GRANTS FOR HAZARDOUS FUELS REDUCTION ACTIVITIES (District: 1,2, 5)

**AGENDA ITEM INFORMATION SHEET**

(continued)

**PREVIOUS RELEVANT BOARD ACTIONS:**

April 23, 2008 (9), authorized the application for and acceptance of \$4.5 million in Federal grants for hazardous fuels reduction activities; June 16, 2004 (4), established the San Diego County Fire Safety and Fuels Reduction Program to maximize federal grant funds and provide comprehensive fuels treatment in all high-risk areas; May 19 2004 (14), accepted \$39.904 million in grant funds for hazardous fuels treatment activities; March 24, 2004 (29), adopted revisions to the Removal of Combustible Vegetation and Other Flammable Materials Ordinance; January 7, 2004 (2), received a report from the Chief Administrative Officer summarizing the actions proposed to be taken in response to Firestorm 2003; December 2, 2003 (2, 3, & 4) directed the development of actions and recommendations on the County of San Diego's response to the devastating wildfires that burned through the County in 2003; August 13, 2003 (6) Receive the report entitled Mitigation Strategies for Reducing Wildland Fire Risks and authorized the Chief Administrative Officer to seek additional State and Federal funding for wildland fire mitigation projects and to apply for grant opportunities as they arise; March 12, 2003 (17) determined that there is a need to continue the local emergency for damaging conditions caused by the bark beetle infestation of pine trees in San Diego County; March 5, 2003 (1) Determined need to continue Local Emergency for Damaging Conditions Caused by the bark beetle Infestation in San Diego County; February 12, 2003 (13) Determined need to continue Local Emergency for Damaging Conditions Caused by the bark beetle Infestation in San Diego County; January 28, 2003 (13) Determined need to continue Local Emergency for Damaging Conditions Caused by the bark beetle Infestation in San Diego County; January 8, 2003 (9) Adopted second resolution proclaiming the existence of a local emergency resulting from Bark Beetle infestation in San Diego County; December 10, 2002 (32) Determined need to continue Local Emergency for Damaging Conditions Caused by the Bark Beetle Infestation in San Diego County; December 3, 2002 (1) Adopted resolution of Continuance for Damaging Conditions Caused by the Bark Beetle Infestation in San Diego County; November 12, 2002 (19) Adopted resolution proclaiming the existence of a local emergency resulting from Bark Beetle infestation in San Diego County

**BOARD POLICIES APPLICABLE:**

B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery

**BOARD POLICY STATEMENTS:**

Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery. In accordance with Board Policy B-29, the Department of Planning and Land Use certifies that the activities to be funded by the proposed grant substantially benefit the County of San Diego and would be worthy of expenditure of County funds in the absence of external funding. The program will reduce the threat to citizens and property from fire.

**CONTRACT AND/OR REQUISITION NUMBER(S):**

The Department will obtain an Oracle Award upon notification that it received the grant award.

# Attachment A

## Notice of Exemption

**NOTICE OF EXEMPTION**

TO: Recorder/County Clerk  
Attn: Anthony J. Consul  
1600 Pacific Highway, M.S. A33  
San Diego, CA 92101

FROM: County of San Diego  
Department of Planning and Land Use, M.S. O650  
Attn: Regulatory Planning Division Section Secretary

**SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152**

Project Name: Authorization to Accept \$7 Million in Federal Grants for Hazardous Fuels Reduction Activities

Project Location: The project covers all unincorporated portions of the County of San Diego over which the County has land use jurisdiction.

Project Applicant: County of San Diego, Department of Planning and Land Use  
5201 Ruffin Road, Suite B, San Diego, CA 92123  
(858) 694-3684

Description: The project involves the acceptance of grant funds from the United States Department of Agriculture, Forest Service. If received, these funds will be used as follows:

- Removal of dead, dying and diseased trees within 500 feet of evacuation corridors and habitable structures. The identification and removal of these trees will be conducted with the oversight of a registered forester and will be conducted pursuant to 14 California Code of Regulations section 1038(b) of the California Forest Practice Rules; and,
- Strategic vegetation treatments within 100 feet of habitable structures and 30 feet .. evacuation roads. This is necessary for the defense of structures and the placement of firefighting activities to protect those structures during fires. However, strategic fuels treatments may also be applied outside these areas pursuant to National Fire Protection Association Standard 1144 (which specifies up to 200 feet) when determined necessary by a registered forester and wildfire fire authority that it is necessary to support the defensible space in order to prevent impacts to evacuation corridors and structures during fires.

These strategic fuels treatments involve selective thinning of the vegetation, forest or shrub species, either manually, utilizing mechanical devices or other means. Strategic vegetation treatments will be limited to the thinning of 30 to 50 percent of the native vegetation, allowing up to 75 percent thinning in isolated situations dependent on topography, fire history, fuel loading and fire weather history.

Agency Approving Project: County of San Diego

County Contact Person: Jeff Murphy, Deputy Director

Telephone: (858) 694-3765

Date Form Completed: April 30, 2009

This is to advise that the County of San Diego Board of Supervisors has approved the above described project on May 13, 2009 ( ) and found the project to be exempt from the CEQA under the following criteria:

Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)

- Declared Emergency [C 21080(b)(3); G 15269(a)]
- Emergency Project [C 21080(b)(4); G 15269(c)]
- Statutory Exemption. C Section:
- Categorical Exemption. G Section:



- G 15182 – Residential Projects Pursuant to a Specific Plan
- Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.

statement of reasons why project is exempt: The project qualifies for a CEQA Exemption under Section 15269 (c), Emergency Projects, which allows for projects with specific actions necessary to prevent or mitigate an emergency, when such projects are not long-term or undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short term.

The San Diego region has been devastated by two major firestorms, in October 2003 and again in October 2007, as well as over 50 other smaller wildfires that burned >100 acres each in the past 10 years. Attachment A to this Notice of Exemption illustrates a map of the County of San Diego Fire History from 2006 to the present and the Wildfire History in San Diego County consisting of fires over 100 acres in size. Combined, these fires involved loss of human life, destroyed animals and livestock consumed hundreds of thousands of acres, destroyed hundreds of homes and businesses, and forced the evacuation of hundreds of people. These conditions were largely due to imminent fire danger caused by the extraordinary number of dead, dying and diseased trees resulting from prolonged drought, overstocked forests and infestation by bark beetles and other decay organisms.

On March 7, 2003, a State of Emergency Proclamation was declared in the State of California declaring extreme peril from imminent fire danger caused by dead, dying and diseased trees and vegetation. A copy of the Proclamation is attached as Exhibit B hereto.

On May 9, 2007 and May 9, 2008 the Governor issued Executive Orders making reference to the continuing emergency situation of imminent fire danger due to the extraordinary number of dead, dying and diseased trees in the State resulting from prolonged drought, overstocked forests and infestation by bark beetles and other decay organisms. Copies of these Executive Orders are attached as Exhibit C hereto.

The County of San Diego continues to be threatened by very high fire risk as evidenced by these recent major fires and required evacuations. Removal of these dead, dying and diseased trees and vegetation treatments along evacuation corridors is required in order to minimize the loss of life and property in the next wildfire event and is necessary to prevent or mitigate a wildfire emergency. The removal of dead, dying and diseased trees and vegetation thinning activities will occur within the Wildland Urban Interface areas and the Fire Hazard Severity Zones of San Diego County where the risks of imminent fires are most severe. A map depicting such areas is attached as Exhibit D hereto. Given the continuing emergency of imminent threat from wildfires, this project satisfies the requirements for a CEQA Exemption under Section 15269 (c), Emergency Projects.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: \_\_\_\_\_ Telephone: (858) 694-3765

Name (Print): Jeff Murphy Title: Deputy Director

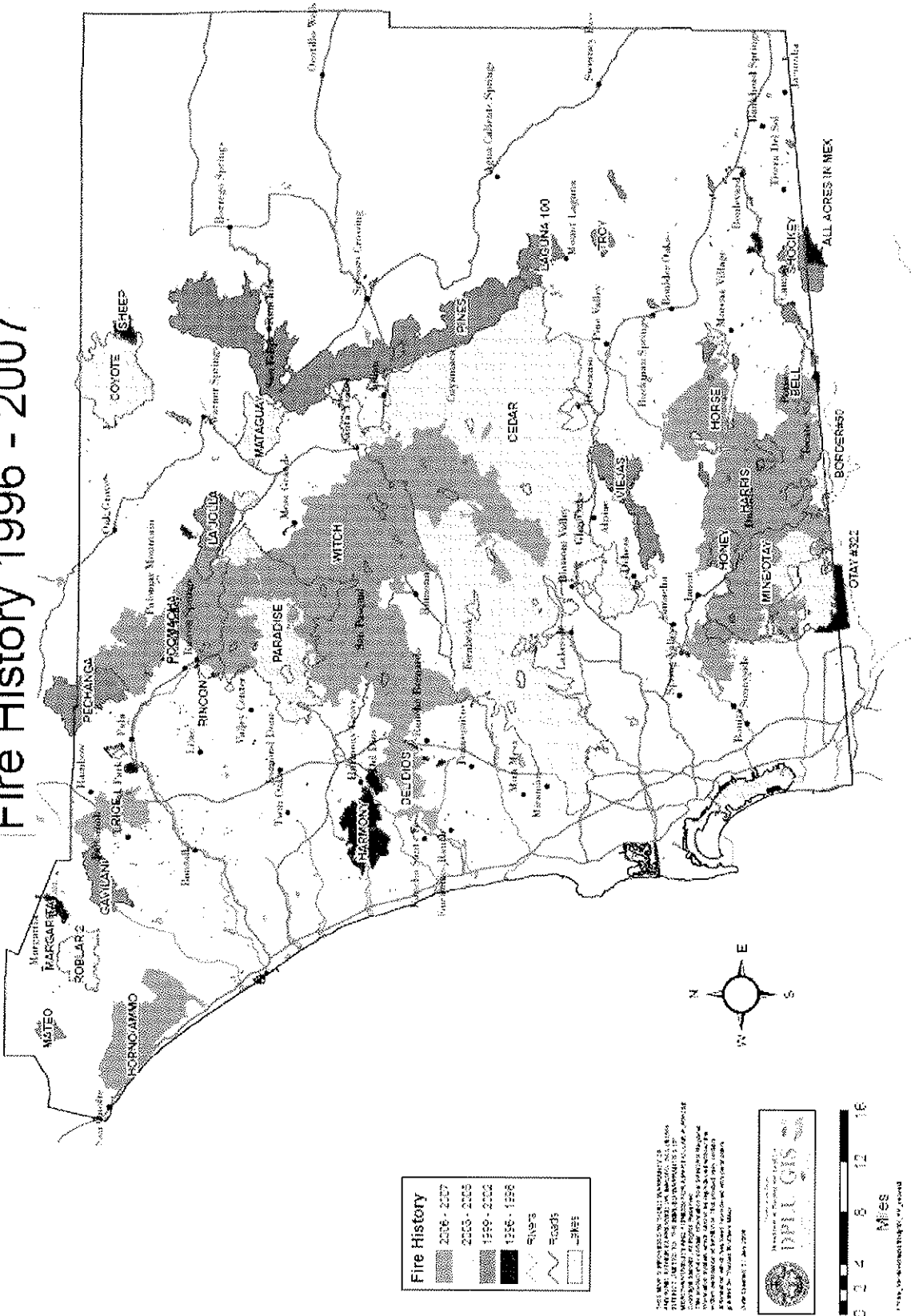
This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.

# **NOE ATTACHMENT A**

## SD County Fire History

# Fire History 1996 - 2007



THIS MAP IS PROVIDED AS A SERVICE TO THE PUBLIC AND IS NOT A WARRANTY OF ANY KIND. THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS MAP. THE USER AGREES TO HOLD THE STATE OF CALIFORNIA HARMLESS FROM AND AGAINST ALL SUCH DAMAGES. THE STATE OF CALIFORNIA DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND ACCEPTS NO LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE USE OF THIS MAP.

DATE: 08/07/08 11:28 AM

DPLU GIS

STATE OF CALIFORNIA

OFFICE OF THE ATTORNEY GENERAL

1700 S. BRIDGEMAN AVENUE, SUITE 200, ANAHEIM, CA 92805

TEL: 714.947.8800 FAX: 714.947.8801

**WILDFIRE HISTORY IN SD COUNTY**  
**Wildfires >100 Acres in Size by Year**  
San Diego County

| <b>Year</b>             | <b>Wildfire (acres)</b> |
|-------------------------|-------------------------|
| 2007                    | 337,018                 |
| 2006                    | 17,697                  |
| 2005                    | 5,661                   |
| 2004                    | 10,363                  |
| 2003                    | 398,034                 |
| 2002                    | 73,931                  |
| 2001                    | 11,847                  |
| 2000                    | 14,337                  |
| <b>Total</b>            | <b>868,888</b>          |
| <b>Per Yr</b>           | <b>108,611</b>          |
| <b>Less 03 &amp; 07</b> | <b>133,836</b>          |
| <b>per yr.</b>          | <b>22,306</b>           |

# **NOE ATTACHMENT B**

March 7, 2003  
State of Emergency  
Proclamation

Please click [here](#) to return to the previous page.

## Press Release

### EXECUTIVE DEPARTMENT

### STATE OF CALIFORNIA



### PROCLAMATION by the Governor of the State of California

WHEREAS, conditions of extreme peril to the people, property and environment exist within the Riverside, San Bernardino and San Diego Counties due to imminent fire danger caused by the extraordinary number of dead, dying and diseased trees resulting from prolonged drought, overstocked forests and infestation by bark beetles and other decay organisms; and

WHEREAS, the Board of Forestry and Fire Protection declared a Zone of Infestation for bark beetle control within these three counties; and

WHEREAS, the outbreak of the infestation has caused the death of trees and other vegetation on thousands of acres, resulting in conditions of imminent fire danger in these counties and the potential for erosion and other environmental damage; and

WHEREAS, Riverside, San Bernardino and San Diego Counties have proclaimed local emergencies, committed funds for tree removal and other fire abatement measures, and Riverside and San Bernardino Counties have each created a Mountain Area Safety Task Force to provide a coordinated multi-agency response to dead, dying and diseased trees and vegetation; and

WHEREAS, by reason of their magnitude these conditions are beyond the control of the services, personnel, equipment and facilities of the three counties, thereby requiring a proclamation of a state of emergency, and

WHEREAS, Riverside, San Bernardino and San Diego Counties have requested a state Proclamation of Emergency in order to expedite removal of dead, dying and diseased trees and vegetation, and to assist in providing evacuation routes and fire safe evacuation centers; and

WHEREAS, unless the risks posed by dead, dying and diseased trees and other vegetation are immediately reduced, there will be an increasingly great risk to life and property from catastrophic fire in an area with limited routes for the evacuation of people and emergency response; and

WHEREAS, the number of contractors available to perform tree removal work for private landowners is insufficient to accomplish the work within the time necessary; and

WHEREAS, under the authority of the Emergency Services Act, section 8558(b) of the Government Code, I find that a State of Emergency exists within Riverside, San Bernardino, and San Diego Counties

NOW, THEREFORE, I, GRAY DAVIS, Governor of the State of California, in accordance with the authority vested in me by the Emergency Services Act, and in particular, sections 8625 and 8558(c) of the Government Code, HEREBY PROCLAIM A STATE OF EMERGENCY to exist within Riverside, San Bernardino, and San Diego Counties

Pursuant to this Proclamation, I issue these orders to be effective immediately:

IT IS ORDERED that the California Department of Forestry and Fire Protection ("CDF"), in consultation with California Department of Transportation, the California Environmental Protection Agency, the Department of Fish and Game, the South Coast Air Quality

Management District, the Lahontan, Santa Ana and San Diego Regional Water Quality Control Boards and other state and local agencies as appropriate, shall immediately:

- \* Assist local jurisdictions in the three counties to prepare public safety plans that provide adequate evacuation routes and fire safe evacuation centers;
- \* In cooperation with other appropriate state and local entities, expedite the clearing of dead, dying and diseased trees and other vegetation that interfere with emergency response and evacuation needs;
- \* Reinforce firefighting resources available in the three counties, including assuring that aircraft and fire crews will be immediately available in the event of a fire, and
- \* Redirect existing resources to assist landowners by giving forest stewardship advice and oversight of tree removal.

IT IS FURTHER ORDERED that all state agencies and departments shall provide personnel, equipment and facilities to assist CDF, as directed by the Office of Emergency Services in consultation with the Department of Finance.

IT IS FURTHER ORDERED that to implement this Proclamation, CDF may enter into contracts and arrangements for the procurement of materials, goods, and services. Pursuant to Government Code section 8571, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended to the extent they would prevent, hinder, or delay the clearing of public evacuation corridors, fire evacuation centers, and routes for emergency response as necessary to mitigate the effects of this emergency.

IT IS FURTHER ORDERED that CDF, in consultation with all appropriate state and local agencies, shall immediately work to improve public evacuation corridors, fire evacuation centers and routes for emergency response. Pursuant to Government Code section 8567, CDF is hereby authorized to enter onto private property as it deems necessary to remove and dispose of dead, dying and diseased trees and vegetation that threaten public evacuation corridors, fire evacuation centers, and routes for emergency response.

IT IS FURTHER ORDERED that, to assist and encourage landowners to meet their responsibilities for removing dead, dying and diseased trees and creating fuel breaks on their lands, pursuant to Government Code section 8571, the requirement for submitting notices to CDF under the provisions of Title 14, California Code of Regulations, sections 1028(b) and (c), prior to beginning timber operations for the removal of dead, dying and diseased trees or the cutting or removal of trees to create fuel breaks and the limitation on the removal of dead, dying, or diseased trees to ten percent of the average volume per acre are hereby suspended. All other provisions of these regulations shall remain in effect.

IT IS FURTHER ORDERED that to expand the number of contractors available to perform services to property owners for cutting and removing trees for fire safety purposes by authorizing use of tree service contractors licensed to perform tree removal work under Business and Professions Code sections 7000 et seq., in addition to timber operators licensed under the Public Resources Code to perform timber operations, pursuant to Government Code section 8571, the provisions of Public Resources Code section 4371(a) providing that only licensed timber operators may perform timber operations are hereby suspended. A licensed timber operator need not obtain a contractor's license under the Business and Professions Code in order to carry out work under this Proclamation.

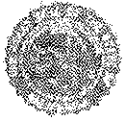
IT IS FURTHER ORDERED that the Office of Emergency Services work with the Federal Emergency Management Agency to redirect excess federal hazard mitigation funds for the purpose of reducing the fire and other hazards caused by the dead, dying and diseased trees and vegetation.

IT IS REQUESTED that the Public Utilities Commission direct utility companies with transmission lines in Riverside, San Bernardino and San Diego Counties to ensure that all dead, dying and diseased trees and vegetation are completely cleared from their utility right-of-ways to mitigate the potential fire danger.

This Proclamation and these Orders are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable in law or equity, against the State of California, its departments, agencies or other entities, its officers or employees, or any other person.

IT IS FURTHER ORDERED that as soon as hereafter possible, this proclamation be filed in the Office of Secretary of State and that widespread publicity and notice be given to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this the seventh day of March 2003.



/s/ Gray Davis  
Governor of California

...

Proclamations are posted as soon as possible but may not always be available on the day they are issued.

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# **NOE ATTACHMENT C**

May 9, 2007 and May 9, 2008  
Governor Executive Orders

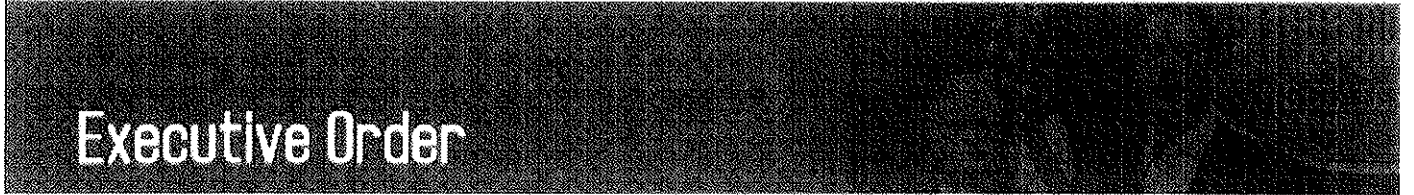


Office of the Governor

ARNOLD SCHWARZENEGGER  
THE PEOPLE'S GOVERNOR



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# Executive Order

## RELATED CONTE

05/09/2007 [Print Version](#)

### EXECUTIVE ORDER S-07-07

by the  
Governor of the State of California

WHEREAS the threat of wildfires in California present extreme peril to the people, property and environment; and

WHEREAS this emergency situation of imminent fire danger is caused by the extraordinary number of dead, dying and diseased trees resulting from prolonged drought, overstocked forests and infestation by bark beetles and other decay organisms; and

WHEREAS the number of dead and dying trees continues to increase, providing a readily available fuel load which could result in catastrophic fires; and

WHEREAS an Arctic Cold Front resulting in extreme low temperatures and freezing conditions swept through California, beginning on January 11, 2007, and continuing for a period of time thereafter, contributed to the increased mortality of wildland vegetation therefore fire danger; and

WHEREAS below normal precipitation, higher than season normal temperatures, strong winds and low relative humidity in the majority of the State during this past winter have contributed to early drying of brush and other wildland vegetation; and

WHEREAS reduction in other-agency resources, including aviation assets, limits their initial attack capabilities; and

WHEREAS coordinated fire prevention, aggressive fuels reduction programs and strong initial attack resources remain critical; and

WHEREAS increased risk of catastrophic wildfires throughout California threatens the lives, property and economic well-being of the people of the State; and

WHEREAS the increased risk of catastrophic wildfires throughout California may result in unplanned releases of air pollutants that adversely affect air and water quality, soil stability, populations of sensitive and endangered fish and wildlife species, and their habitat; and

WHEREAS the increased risk of catastrophic wildfires could significantly impact state efforts to

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09/24/08 - S-10-08

05/16/08 - S-04-08

02/19/08 - S-01-08

09/12/07 - S-12-07

reduce greenhouse gases by large uncontrolled emissions of carbon dioxide and other greenhouse gases caused by wildfire; and

WHEREAS the United States Forest Service and Federal Emergency Management Agency have directed funding to assist in fuel removal and forest health improvement.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effectively immediately:

IT IS ORDERED that the California Department of Forestry and Fire Protection (CAL FIRE) shall secure and deploy additional resources necessary, as determined by the Director, to protect the safety of persons and property from wildfires during periods of elevated fire risk as follows:

- Staff additional fire crews, fire engines, fire bulldozers, and aviation resources as warranted based on fire threat conditions.
- Assign a crew of four firefighters to selected CAL FIRE fire engines as warranted based on fire threat conditions.
- Assign a Helitack Crew to the San Diego County Sheriff's Department helicopter.
- Provide for immediate availability and utilization of the Supertanker aircraft.
- Assign additional resources in the CAL FIRE contract counties as warranted based on fire threat conditions.
- Coordinate with the military for those resources that may be available for assistance during emergencies in California.
- Assign additional fire safety inspectors where and when beneficial to reduce fire risk.
- Assign fire lookouts during peak fire conditions as part of CAL FIRE staffing patterns.
- Increase staffing for command and control functions at CAL FIRE Unit Emergency Command Centers, Northern and Southern Operations centers and the CAL FIRE Sacramento Coordination Center when necessary to respond to significant fire events.

IT IS FURTHER ORDERED that CAL FIRE obtain additional staffing as necessary to support a heightened level of fire prevention public awareness and education utilizing CAL FIRE Volunteers in Prevention, Fire Safe Councils, and the Office of the State Fire Marshal.

IT IS FURTHER ORDERED that CAL FIRE continue to expedite the processing of contracts and grants of federal funds to the communities as quickly as possible and support all local and regional responses to the bark beetle affected tree eradication and community emergency planning efforts.

IT IS FURTHER ORDERED that the Office of Emergency Services (OES), in consultation and coordination with CAL FIRE, as fire threat conditions warrant, deploy OES fire engine strike teams to ensure a substantial response capability to any wildland fire situation in California, and that the costs of the deployment shall be reimbursed consistent with the California Fire Service and Rescue Emergency Mutual Aid Plan and the California Fire Assistance Agreement.

IT IS FURTHER ORDERED that the California National Guard prepare its aviation assets, and pre-position ground support equipment as appropriate for immediate response to major wildfires and report to OES weekly on the status of all aircraft.

IT IS FURTHER ORDERED that the California Department of Corrections and Rehabilitation, including the Division of Juvenile Justice, place the highest priority for assignment of level-one inmates and wards to staff Conservation Camp Fire Crews.

IT IS FURTHER ORDERED that the California Conservation Corps report to CAL FIRE daily on the status of all its support crews for response to wildfires.

IT IS FURTHER ORDERED that OES review appropriate state departments to assure

preparedness for response to wildfires.

IT IS FURTHER ORDERED that CAL FIRE and OES work closely with federal, state and local government agencies, bordering states, and the government of Mexico to maximize California's fire prevention and fighting capabilities and to provide appropriate reciprocal assistance when requested.

This Order is not intended to, and does not create any right or benefit, substantive or procedural, enforceable in law or equity, against the State of California, its departments, agencies or other entities, its officers or employees, or any other person.

IT IS FURTHER ORDERED that as soon as hereafter possible, this order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this order.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of May 2007.

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## Office of the Governor

ARNOLD SCHWARZENEGGER  
THE PEOPLE'S GOVERNOR

### EXECUTIVE ORDER S-03-08

05/09/2008

**WHEREAS** last year California experienced devastating wildfires that destroyed lives, property, businesses, and the environment and resulted in the largest deployment of firefighting resources and the highest number of evacuations in state history; and

**WHEREAS** this year, California once again finds itself facing an imminent threat of devastating wildfires and imminent peril to people and property; and

**WHEREAS** the number of dead, dying and diseased trees continues to increase as a result of bark beetle infestation in Southern California, providing a readily available fuel load which creates an imminent threat of catastrophic fires; and

**WHEREAS** current below-normal precipitation, seasonally higher-than-normal temperatures, strong winds, and low relative humidity have contributed to heavy fuel loads and the early drying of wildland vegetation; and

**WHEREAS** reductions in federal aviation assets limit federal initial attack capabilities; and

**WHEREAS** coordinated fire prevention, aggressive fuel reduction programs and strong initial attack resources are essential to protect people, property and the environment in California; and

**WHEREAS** the increased risk of catastrophic wildfires throughout California may result in harmful, secondary environmental effects, including increased emissions of air pollutants; diminished air and water quality; impacted watershed and soil stability; and compromised populations and habitats of sensitive and endangered fish and wildlife species; and

**WHEREAS** the increased risk of catastrophic wildfires could significantly impact state efforts to reduce greenhouse gases due to significant uncontrolled emissions of greenhouse gases caused by wildfire; and

**WHEREAS** immediate action is needed to respond to these conditions and to protect the people, property, economy,

and environment in California.

**NOW, THEREFORE, I, Arnold Schwarzenegger**, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following orders to become effective immediately:

**IT IS HEREBY ORDERED** that the California Department of Forestry and Fire Protection (CAL FIRE) shall secure and deploy additional resources that are necessary, as determined by the Director, to protect the safety of persons and property from wildfires during periods of elevated fire risk as follows:

(a) Staff additional fire crews, fire engines, helitack crews, fire bulldozers, equipment and aviation resources as warranted based on fire threat conditions.

(b) Assign a crew of four firefighters to selected CAL FIRE fire engines as warranted based on fire threat conditions.

(c) Provide for immediate availability and utilization of the Supertanker aircraft.

(d) Assign additional resources in the CAL FIRE Contract Counties as warranted based on fire threat conditions.

(e) Coordinate with the Governor's Office of Emergency Services (OES) and the California National Guard for those military resources that may be available for assistance during emergencies in California.

(f) Assign additional fire safe inspectors where and when beneficial to reduce fire risk, assist with fire hazard reduction, conduct defensible space inspections, and promote fire safe practices, public education and prevention programs.

(g) Assign fire lookouts during peak fire conditions as part of CAL FIRE staffing patterns.

(h) Increase staffing for command and control functions at CAL FIRE Unit Emergency Command Centers, Northern and Southern Operations Centers and the CAL FIRE Sacramento Coordination Center when necessary to respond to significant fire events.

(i) Assign additional staff as necessary to provide emergency incident support and burn area emergency assessment and response activities.

**IT IS FURTHER ORDERED** that CAL FIRE utilize staff as necessary to support a heightened level of fire prevention public awareness and education utilizing CAL FIRE Volunteers in Prevention, Fire Safe Councils, and the Office of the State Fire Marshal.

**IT IS FURTHER ORDERED** that CAL FIRE develop and implement aggressive interdiction plans for the

enforcement of laws regarding arson and illegal and dangerous fireworks, focusing on high traffic, high impact, high volume distribution and transportation points which may be the sources for the ignition of wildland fires in California.

**IT IS FURTHER ORDERED** that CAL FIRE continue, within its authority, to expedite the processing of contracts and grants of federal funds to communities, and continue to support local and regional responses to the bark beetle affected tree eradication and community emergency planning efforts.

**IT IS FURTHER ORDERED** that OES shall, in consultation and coordination with CAL FIRE and as fire threat conditions warrant, (a) deploy OES fire engine strike teams to ensure a substantial response capability to any wildland fire situation in California, with the costs of the deployment to be reimbursed consistent with the California Fire and Rescue Mutual Aid Plan and the California Fire Assistance Agreement, and (b) augment personnel at OES operations centers and emergency incident support teams as necessary to respond to significant fire events.

**IT IS FURTHER ORDERED** that the California National Guard prepare its aviation assets, and pre-position ground support equipment, as appropriate for immediate response to major wildfires and report to OES weekly on the status of all aircraft.

**IT IS FURTHER ORDERED** that the California Department of Corrections and Rehabilitation, including the Division of Juvenile Justice, establish the highest priority for assignment of minimum custody or camp-approved inmates and wards to Conservation Camp Fire Crews.

**IT IS FURTHER ORDERED** that the California Conservation Corps (CCC) report to CAL FIRE daily on the readiness of all CCC support crews for response to wildfires.

**IT IS FURTHER ORDERED** that OES review the preparedness of state agencies and departments to ensure readiness for response to wildfires.

**IT IS FURTHER ORDERED** that CAL FIRE and OES work closely with federal, state and local government agencies, bordering states, and the Mexico border states to maximize California's fire prevention and fighting capabilities and to provide appropriate reciprocal assistance when requested.

**IT IS FURTHER ORDERED** that, to the extent authorized by applicable law, the purchasing authority of CAL FIRE and OES (and other state agencies and departments as deemed necessary by the Director of OES) shall be raised to \$100,000 to expedite the contracts necessary to prepare and respond to emergencies during this fire season.

**IT IS FURTHER ORDERED** that the Department of General Services (DGS), in coordination with OES, shall establish short and long-term procurement mechanisms to secure the unique goods and services that may be required to support communities in an emergency.

**IT IS FURTHER ORDERED** that OES, in consultation and coordination with the California Resources Agency and the California Environmental Protection Agency, initiate preparedness and training efforts for local governments

to ensure that post-fire watershed assessments, emergency protective measures, effective debris removal efforts, post-fire burn area assessments, and mitigation efforts to evaluate potential hazards, are implemented to address needed remediation.

**IT IS FURTHER ORDERED** that the California Environmental Protection Agency and the California Resources Agency shall oversee the Climate Action Team's development of measures for wildfire fuels reduction and biomass utilization.

**IT IS FURTHER ORDERED** that CAL FIRE shall provide educational information to homeowners on defensible space and California Building and Fire Codes ignition-resistant building materials, and shall develop training for defensible space inspection and building ignitability in consultation with the Department of Insurance, OES, and the Federal Emergency Management Agency (FEMA).

**IT IS FURTHER ORDERED** that CAL FIRE shall conduct vigorous defensible space inspections, and shall impose fines and/or liens pursuant to applicable authority if necessary.

**IT IS FURTHER ORDERED** that to assist landowners to meet their 100-foot defensible space requirements to reduce hazardous vegetation and landscaping, CAL FIRE, in consultation with the California Biomass/Biofuel Collaborative, may enter into contracts, agreements, and arrangements for the chipping, hauling, burning, or other methods of disposal of hazardous vegetation removed by landowners as required by Public Resources Code section 4291 and Government Code section 51182.

**IT IS FURTHER ORDERED** that OES shall continue to support the development of fire hazard information and shall continue to make it available to the public.

**IT IS FURTHER ORDERED** that OES shall assist local communities to help ensure that federal hazard mitigation grants are focused on the areas of greatest vulnerability in the Wildland Urban Interface in California.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**I FURTHER DIRECT** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.



**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of May 2008.

\_\_\_\_\_  
Arnold Schwarzenegger



# **NOE ATTACHMENT D**

## Priority Areas

# Forest Area Safety Task Force













COUNTY

SAN DIEGO

**DRAFT**

REVISED 8/12/2008

## 2008 F.A.S.T. Project Areas

-  Palomar Mountain
  -  I-8 - Laguna Fire
  -  Greater Julian
  -  Southeast County
  -  San Luis Rey West
  -  Santa Margarita
  -  Northeast County - Warners
  -  Cuyamaca - Laguna
  -  Rancho
- Jurisdiction**
-  Military
  -  National Forest
  -  Municipalities



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29,182 ac

71,152 ac

124,930 ac

32,913 ac

70,829 ac

53,457 ac

169,280 ac

214,111 ac

