

# Proposed East Bay Hills Fire Prevention JPA

Overview of Needs to Be Addressed and Related Efforts

January 2022

Several stakeholders have asked for a discussion of the unmet needs for wildfire prevention planning and implementation that exist in the East Bay Hills that might be addressed through formation of a Wildfire Prevention Joint Powers Agency (JPA). This memo identifies a series of separate needs, providing background information and suggesting how a JPA might address each of them. It also considers existing efforts related to wildfire prevention and how a JPA would differ from these existing efforts.

This memo will serve as a basis for discussion at JPA Formation Meeting #2 on January 7, 2022.

## Wildfire Prevention Needs

There is increasing evidence that in Wildland Urban Interface (WUI) communities, the best means of protection against the loss of lives, homes and infrastructure from wildfire is to reduce fuel through comprehensive vegetation management, to encourage homeowners to ‘harden’ their homes, and to ensure adequate evacuation routes and planning.

The multiple cities and agencies in the East Bay Hills have very different standards and practices in regard to these wildfire prevention strategies, creating gaps and hazards. Given the nature of wildfire, the lack of consistent prevention strategies in the East Bay Hills threatens all the communities in the region. An East Bay Hills Wildfire Prevention Joint Powers Authority would create a consistent approach that would reduce the risk of wildfire in the entire area.

A portion of the information in this section comes from a White Paper prepared by the Association of Bay Area Governments / Metropolitan Transportation Commission (ABAG / MTC) in 2018 entitled *Bay Area Wildland Urban Interface: Review of Risks, Plans, and Strategies* and available at <https://abag.ca.gov/sites/default/files/fire-study-final.pdf>.

Following are some specific examples of the needs that could be addressed by a JPA:

- 1. Coordinated Regional Vegetation Management and Firebreaks.** Managing vegetation in undeveloped portions of the East Bay Hills WUI and construction of firebreaks and other vegetation management techniques throughout the area will require coordination among various jurisdictions, public agencies, and private land holders. Without a clear and shared strategy, it may be difficult to build consensus on how to implement vegetation management and fire breaks across political boundaries. A strong regional vegetation management and firebreak strategy implemented by a JPA and supported by high-quality data and scientific and professional expertise that the JPA could manage would enable effectiveness, efficiency, and consistency. An effective program must be based on current scientific understanding of wildfire behavior in the wildland-urban interface.
- 2. Grant Procurement.** Many of the needs presented here point to the need for additional funding for fire prevention projects. Local jurisdictions often lack the resources to compete for grants for fire safety projects, and they may not be as competitive in grant processes when they act as

individuals as they would be if they applied together. Moreover, new State laws specifically call out JPAs as appropriate vehicles to compete for and receive State grant funds. An East Bay Hills JPA could avail itself of new State resources, and would be more competitive in seeking State funds than would individual jurisdictions acting on their own.

- 3. Coordination of Planning Processes and Documents.** The ABAG/MTC White Paper highlights the large number of overlapping and non-comprehensive planning documents that address fire safety planning in the Bay Area. Nowhere is there a comprehensive, accepted plan for vegetation management throughout the East Bay Hills. For example, there are 37 different strategies across the Bay Area's various fire prevention planning documents that address vegetation management projects. The JPA could create a single planning process that would be consistently implemented by all member organizations.
- 4. Consistent Regional Data Collection and Analysis.** While the quality of available data and technology to inform wildfire prevention efforts varies significantly among Bay Area jurisdictions, several new data sources are currently being developed (for example by the RPP and EBRPD processes, both of which are described below). However, local jurisdictions may not have the means to evaluate this data for its implications for local planning. A JPA would have the resources to collect any needed additional data and to analyze data as a foundation for fire safety planning.
- 5. Comprehensive and Regionally-Targeted Education and Information for Private Property Owners.** According to the ABAG/MTC White Paper, there are 94 different strategies related to wildfire prevention education identified in the Bay Area's multiple wildfire prevention planning documents. Additionally, there are dozens of educational resources that aim to provide advice to homeowners and other property owners on topics such as vegetation management and home hardening. A JPA could develop a single set of materials specific to the East Bay Hills, for distribution throughout the region, thereby providing a single, trusted resource for homeowners.
- 6. Regionally-Consistent Ordinances for Local Adoption.** According to the ABAG / MTC White Paper, many urbanized areas within the Bay Area that are susceptible to wildfire risk are not currently covered by appropriate fire ordinances. While the State has recently revised and strengthened its code, it is not specific to the needs of the East Bay Hills, which require stronger provisions. A JPA could develop a model for consistent, strengthened fire codes and ordinances for adoption throughout the region, and could also suggest the specific locations within each jurisdiction where the ordinance should be applied.
- 7. Enforcement.** The ABAG / MTC White Paper also notes a lack of consistency in enforcement of fire safety regulations. A JPA could secure funds to allow for increased local enforcement, and could also develop a coordinated approach to enforcement to ensure that all jurisdictions are enforcing relevant codes in similar ways. If desired, it could also serve as an enforcement agency in jurisdictions that opt for JPA rather than local enforcement.
- 8. Subsidies and Grants for Activities on Private Land.** Jurisdictions in the region have varied capacity to provide subsidies and grants for homeowners who are unable to cover the costs of improvements to their properties such as vegetation management and structural hardening. A

JPA could gather and distribute resources for this purpose based on both need and locational importance in regard to prevention of potential wildfires.

9. **Sharing of Technology and Assets.** There are a number of fire prevention and emergency management technologies and assets already in place in individual jurisdictions covering the East Bay Hills, but these technologies and assets are not necessarily available from one jurisdiction to the next, and not all jurisdictions have the resources to acquire these technologies and assets on their own. A JPA could facilitate sharing of existing assets and technologies, and could also acquire and develop new assets and technologies that could be available to all member agencies.
10. **Negotiation of Reduced-Price Services.** Some fire prevention services, such as vegetation removal, are currently procured by individual agencies from private entities, and each agency must negotiate its own pricing. Smaller agencies in particular may pay a premium for such services since they may have less purchasing power than they would as part of a regional consortium. Others have not been in a position to fund vegetation management programs to any extent. A JPA could negotiate for services on behalf of all member agencies, and pass on cost savings to the individual members.

## Other Efforts

The JPA would complement (and not be redundant with) several other fire protection and emergency management efforts that are already underway in Alameda and Contra Costa Counties. While enlarging the scope of an existing agency may seem preferable to forming a new one, the citizens JPA committee explored existing agencies, including those noted below, and concluded that a JPA remains the best alternative. This section provides an overview of these other efforts, and explains how a JPA would augment them:

1. **Hills Emergency Forum (HEF):** The Hills Emergency Forum is a consortium of nine jurisdictions and agencies formed after the 1991 Oakland Hills Fire that exists to coordinate the collection, assessment and sharing of information on the East Bay Hills fire hazards and to provide a forum for building interagency consensus on the development of fire safety standards and codes, incident response and management protocols, public education programs, multi-jurisdictional training, and fuel reduction strategies.

The HEF has proven itself to be an effective vehicle for information sharing, but it has little independent funding, it is composed of staff only (without direct oversight by elected officials), it has no policy-making ability, and it has focused predominantly on fire suppression. A JPA would amplify the efforts of the HEF by increasing funding and staffing, engaging in additional programs, and providing a more effective vehicle for policy coordination with a distinct focus on fire prevention.

2. **Regional Priority Plan (RPP):** The Alameda County Resource Conservation District (ACRCD) and the Contra Costa County Resource Conservation District (CCRCD) have received a grant from the Coastal Conservancy to develop a Regional Priority Plan (RPP) that is intended to address wildfire issues (primarily in wildlands areas) of both Alameda and Contra Costa Counties. According to the RPP website, the RPP will describe the existing conditions of the wildlands in

the two counties and recommend a set of priority projects aimed at reducing risk and damage to sensitive resources and communities.

Different from the JPA, the RPP is focused on wildland areas, and it also does not aim to create a coordinating body among jurisdictions. It appears that the RPP may provide a vehicle for further planning and financing of projects in the eastern wildland and agricultural portions of the two counties, while the JPA effort would focus on urbanized areas and the WUI.

- 3. Community Wildfire Protection Plan (CWPP):** A CWPP is a plan developed through a collaborative framework established by the Wildland Fire Leadership Council and agreed to by state and local governments and other stakeholders in the vicinity of the planning area. A CWPP identifies and prioritizes areas for hazardous fuel reduction treatments and recommends measures to reduce structural ignitability in areas at risk of wildfire. There are separate CWPPs for Alameda and Contra Costa Counties, both prepared by the Diablo Firesafe Council.

The CWPPs provide valuable background information about wildfire planning in the two counties, and they list a compendium of projects that might be undertaken to lessen wildfire risk. However, they do not provide funding, staffing or an interjurisdictional organizational framework to make these projects a reality, which would be provided by the JPA.

- 4. EBRPD Wildfire Risk and Fine Scale Vegetation Mapping.** The East Bay Regional Park District (EBRPD) is leading an effort to create two separate sets of maps regarding wildfire in both Alameda and Contra Costa Counties. The Wildfire Risk Assessment Mapping process is already fully funded and underway, and EBRPD and its partners are also engaged in fundraising to complete Fine Scale Vegetation Mapping of both counties.

These mapping projects will provide valuable information about fire risks and fuel loads, and they will be important tools for future vegetation management efforts and fire risk assessments. However, they will not provide funding, staffing or an interjurisdictional organizational framework to complete fire prevention projects.

- 5. East Bay Regional Communications System Authority (EBRCSA):** The EBRCSA is a Joint Powers Authority created in 2007 and dedicated to building, owning and operating a state-of-the-art emergency communications system for the public agencies within Alameda and Contra Costa Counties. The EBRCSA includes 43 member agencies consisting of both counties, 30 cities, 6 special districts, 3 colleges, the Dublin-San Ramon Services District, and the California Department of Transportation, with a Board of Directors made up of 23 representatives consisting of elected officials, police chiefs, fire chiefs, and city managers.

The EBRCSA provides a useful model for a bi-county JPA addressing emergency management issues. The organizational structure and the steps undertaken to form the EBRCSA may prove instructive in looking at the formation of an East Bay Hills Fire Prevention JPA. However, the EBRCSA is focused solely on emergency communications, and would not be a vehicle for wildfire prevention activities.