



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

Pajaro Valley FPD Civil Grand Jury Response

1 message

Murray, Sean@CALFIRE <Sean.Murray@fire.ca.gov>
To: Grand Jury <grandjury@scgrandjury.org>

Fri, Nov 20, 2020 at 2:03 PM

Dear Santa Cruz County Civil Grand Jury,

Attached is our response to the Grand Jury Report titled Ready? Aim? Fire! Santa Cruz County in the Hot Seat. Thank you for the opportunity to respond to this report.

Sincerely,

Sean Murray

Battalion Chief
CAL FIRE CZU
Battalion 4
Pajaro Valley FPD
Santa Cruz County Fire
o 831-728-8290
c 831-254-1716
www.PajaroValleyFire.com

2 attachments

Grand Jury Responce Letter (1).pdf
75K

FireRisks_PajaroFPD_Packet FINAL.pdf
222K

PAJARO VALLEY FIRE PROTECTION DISTRICT

562 Casserly Road Watsonville, CA 95076 P 831.722.6188 F 831.722.7333 PajaroValleyFire.com



November 19, 2020

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean Street
Santa Cruz, CA 95060

Dear Honorable Judge Gallagher:

The Board of Directors for the Pajaro Valley Fire District would like to thank you for the opportunity to comment on the Grand Jury's report titled "Ready? Aim? Fire! Santa Cruz County on the Hot Seat." This report reviewed the external and internal aspects of the fire protection districts in Santa Cruz County and requested that the Pajaro Valley Fire Protection District provide comments. The Pajaro Valley Fire District will strive to work towards the recommendations provided in this report.

Sincerely,

Kendel White

Kendel White

Board Chair



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the**

**Pajaro Valley Fire Protection District
Board of Directors**

**Respond to the Findings and Recommendations
Specified in the Report Titled**

**Ready? Aim? Fire!
Santa Cruz County on the Hot Seat
by October 1, 2020**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of the Board's response approval: November 19, 2020

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. Vegetation/fuel management and abatement are not receiving the attention nor funding needed from the County of Santa Cruz Board of Supervisors, and therefore are not adhering to California Government Executive Order 1.8.19-EO-N-05-19.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Vegetation/fuel management and abatement is the responsibility of the property owner, not the County of Santa Cruz. The County could do more to improve the clearing or removal of vegetation along County-maintained roadways, more than just the sight line clear that may or may not occur annually. The removal of vegetation is expensive and labor intensive for a county that provides many services to the community. I would add that funding is available through different grant opportunities to assist with fuel reduction and the County has benefited from such grants.

F2. Santa Cruz County residents are at increased risk of fire danger due to the lack of risk management for wildfire. Specific risks are not formally identified, tracked, assessed for impact, nor is progress reported by fire departments in the County. Therefore, leaders responsible for budgets and accountability are left unprepared to manage risk, impact, or performance.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F3. City and County officials have not collaborated with PG&E to identify the location of high risk PG&E electrical equipment, and so are left uninformed as to how to manage their responsibilities or how to instruct residents about potential danger due to proximity to this equipment.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

County officials have done what they can as it relates to discussions with PG&E to determine the locations of high-risk electrical equipment in the County. The underlying question is, has PG&E been fully transparent in sharing the information needed for officials to provide information and guidance to the public?

F5. Santa Cruz County would greatly benefit if steps were taken to implement the CAL FIRE, San Mateo - Santa Cruz Unit 2018 recommendation of developing detailed, site specific Community Wildfire Protection Plans for communities throughout the County.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F6. Response time data for fire departments in Santa Cruz County is challenging to obtain. Santa Cruz Regional 9-1-1 previously reported response time data in their annual reports, but did not do so in the 2018 or 2019 annual reports.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F10. Roadside vegetation in rural areas of the County is not being cleared consistently which could potentially increase emergency response time, putting life and property in unnecessary danger. Furthermore, evacuations could be restricted as there is no rule or program that mandates that roads, even critical evacuation routes, be kept cleared meeting defensible space requirements.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F11. There are only approximately 17,000 accounts for the Santa Cruz County opt-in CodeRED™ emergency system, which implies that a significant portion of the County may not receive emergency alert messages, which potentially reduces residents' opportunity to take action in a timely, life-saving manner.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F12. Long Range Acoustic Devices (LRADs), have been deployed in other areas of the state and have proven effective tools in alerting residents in urban and rural areas to a wildfire. However, Santa Cruz County has no such devices, increasing the risk to County residents.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The use of LRADs have proven useful in certain applications. The main factor is public compliance with the use. When activated, will the public react? It has been difficult to gain compliance from the public during evacuations using conventional methods such as reverse 911 or CodeRed alerts. The cost to purchase these systems, as well as their maintenance, is very high.

F13. High risk communities in the County are left unnecessarily vulnerable due to the lack of easily accessible, published information of refuge/assembly areas and structures.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

In the event of an emergency requiring evacuation, it is important to take into consideration that early notification is a key factor. The public needs to comply with those requests or orders to evacuate. The use of temporary refuse areas (TRAs) is somewhat of a new concept and is under consideration by many fire agencies. I'm confident that once TRAs are established they will be made public. The County fire agencies have had established evacuation plans in place since 2010. These plans have not been made public as they are used as an internal decision-making tool during the management of incidents.

F14. Because the County does not publish a “shelter in place” plan, when a fire expands rapidly, residents cannot make informed decisions about whether to shelter in place or evacuate.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Decisions to shelter in place are a last resort in the event of an evacuation order. These decisions are made by the law enforcement agency with jurisdiction, with significant input from the fire agency with jurisdiction. When the public shelters in place it needs to be in a structure that has its defensible space and would be considered a standalone structure that would be able to sustain an approaching fire as it passes. Defensible space is a key factor in sheltering in place.

F15. Unlike the City of Santa Cruz, the County does not publish emergency evacuation routes, purportedly to avoid having old or untimely information being followed in an emergency. The County therefore withholds revealing evacuation routes until an emergency is in progress, likely creating unnecessary risk and potential for chaos.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The public needs to know how to get in and out of the community they live in, in the event of a vegetation fire. Having predesignated evacuation routes can cause confusion in a community. When a fire blocks that evacuation route, it causes congestion, that can cause the loss of life. Knowing multiple exit routes can be extremely helpful to residents in leaving the area. The publishing of multiple exit routes is a consideration when evacuation plans are updated.

F16. In the Wildland Urban Interface zone, and in many town centers, traffic choke points exist, and in some instances have roadway obstacles to traffic flow such as overgrown vegetation, concrete medians, curbs, and lane reductions resulting in roads that are inadequate for mass evacuations.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F19. Wildfire preparedness informational materials are well done and public education is attempted by fire departments in the County, but fails to sufficiently reach and motivate residents to act.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

How easy is it to forget that Santa Cruz County has experienced five significant fires in recent history from 2008 to 2019, all having the potential of being a CAMP Fire. It is easy to say it won't happen to me or here! The public needs to do its part and take the information and apply it to their situation. The motivation should be taking a vested interest in protecting your family, your neighbor's family, and your property.

F20. The FireWise institution provides a valuable fire prevention program and, as of March 2020, there were eight FireWise communities registered in the County. Marin County, by contrast, with a similar population, has sixty registered communities, highlighting the need for more FireWise promotion and participation in Santa Cruz County.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F21. The County Office of Emergency Services and fire agencies in the County encourage residents to be prepared for an emergency, however the passive mechanisms such as web sites used to encourage preparedness are not proving to be sufficient.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The public also must want to be involved in preparation for an emergency. There are some select areas that take the topic very seriously, but a good portion have the stance that, “Not here! This is Santa Cruz-- nothing happens here!”

F22. Property owners in the County are responsible for their own vegetation management, yet they are often not sufficiently educated about vegetation management practices, or do not have the capability, financial resources, or desire to create defensible space.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F23. No single organization in the County is assuming a leadership role in Fire Hazard Mitigation. It is not clear whose responsibility it is to minimize this County wide risk.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Due to jurisdictional responsibility, it may be difficult to narrow the leadership role down to one agency. I think the fire agencies in general can take a more proactive approach in their respective jurisdictions to gain greater buy-in from the communities. The Santa Cruz Fire Safe Council has taken some type of role in the effort, but funding is the single most difficult obstacle to overcome. The second obstacle is property owners, and getting their permission or buy in on fuel reduction is difficult.

F24. The annual report to the County Board of Supervisors and the County Administrative Office by County Fire/CAL FIRE does not provide data or analysis of resources, response times, code enforcement, inspection, or education. This information is necessary to show what gaps exist between current performance and community needs in order for informed budget decisions to be made. Without adequate background information, the Board of Supervisors is unable to hold CAL FIRE accountable for the specific responsibilities specified in their contract.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F26. Reporting data, statistics, and formats utilized by fire agencies throughout the County are highly inconsistent, uncoordinated, and therefore not readily evaluated and compared. The standard Insurance Services Office (ISO) rating system would be useful to adopt. Response time data are not well described or consistently reported by the jurisdictions, making accurate assessment difficult, especially by other agencies or by the public.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Pajaro Valley FPD reviews response time data at each of the regular scheduled board meetings.

F27. The 2015 County of Santa Cruz Emergency Operations Management plan does not adequately address evacuation, and references data too outdated to be useful, such as a population density map from the 2000 census.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F29. The Grand Jury finds that formally specified baseline and target performance statements, in alignment with the Center for Public Safety Excellence Assessment Process, neither currently exist nor are they reported by fire departments in the County as required by best practice standards. There are no goals set or measures made of progress for review by the Board of Supervisors regarding County Fire/CAL FIRE performance. Other fire districts in the County are similarly remiss in reporting to their governing bodies. Appropriate goals would include progress on response times, vegetation management, and code inspection progress, all of which are necessary to properly quantify the budget and resources required for full-time, volunteer, and prison inmate workforces, in appropriate, affordable proportions.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Pajaro Valley FPD reviews its contract with CAL FIRE for performance as it relates to the cooperative fire protection agreement. This agreement contains a local operating plan which defines the goals and outlines the performance requirements of the agreement.

Recommendations

R1. Santa Cruz County, under the auspices of the Emergency Management Council (EMC) with LAFCO support, should study a governing structure that would tie all fire agencies in the County together with common leadership, objectives, sharing of data, and maximized use of resources. (F23, F25)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

The Pajaro Valley FPD welcomes the opportunity to work together with other fire agencies in the County. Currently we do not have a timeline on when this will be accomplished.

R4. The fire districts of Santa Cruz County should establish a plan by January 2021, to develop actionable Community Wildfire Protection Plans (CWPP) that follow the framework established by the 2018 Santa Cruz County - San Mateo County CWPP. (F2, F5, F22)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

This requires further analysis to determine the fiscal impacts.

R10. Santa Cruz County and Cities should create and/or update Hazard Mitigation Plans by July 1, 2021. Any new or existing plans should be updated a minimum of every three years. All plans should address wildfire risk, evacuation and shelter in place plans, emergency alerts, vegetation management, and confirm compliance with California SB 821. (F1, F2, F10, F11, F14–F16, F29)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Pajaro Valley FPD will implement a Hazard Mitigation Plan. The Plan will address wildfire risk, emergency alerts, and vegetation management. The District will implement a wood chipping program for homeowners to create defensible space. The plan will also address how to better inform the District’s residences of fire risks.

R11. The CAL FIRE Ready for Wildfire website should be actively promoted and shared within the community via all available means, including printed descriptive materials inserted into utility and property tax bills, by December 31, 2020. (F19–F21)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The District will continue to provide fire prevention material specific to Ready for Wildfire in our District mailer. We will also provide this information on the District website. Utility companies restrict the addition of added material to their billing statements.

R15. All fire districts in Santa Cruz County should coordinate with utility companies to provide information to residents, via information inserted in utility bill mailings, describing how to sign up for emergency notifications by December 31, 2020. (F19)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Utility companies restrict the addition of additional material to their utility bills.

R16. Fire departments throughout the County should take an active role in encouraging communities and neighborhoods to sign up for FireWise, and be measured on their success by their respective governing boards on an annual basis. (F19–F22)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Pajaro Valley FPD Board of Directors will review to determine the feasibility of implementing such a program in the district.

R18. County Fire and the fire districts within the County should evaluate whether purchase of Long Range Acoustic Devices (LRADs) would be beneficial in helping notify residents to evacuate in an emergency by December 31, 2020. (F12, F15, F17, F18)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

This will require extensive research on the system and a feasibility study to determine the cost for such a system. In addition, a study would need to be conducted to determine how many units would be needed to provide coverage for the county and what locations would be best to maximize coverage.

R21. County emergency planners at all levels should provide notification of evacuation routes and/or shelter-in-place options by March 31, 2021. Notification plans should be provided for when power is out and dissemination of information by wireless or internet is difficult or impossible. (F11, F14, F15, F17, F18, F27)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

This will require additional analysis to determine best practices for dissemination of information.

R23. Santa Cruz County and Cities should invest in an ALERTWildfire Imaging Surveillance system. Cameras should be purchased, installed, and tested to achieve full coverage of the County by the beginning of the 2021 fire season. (F4)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Pajaro Valley FPD is located at the toe of the Santa Cruz Mountains and does not have a location within the district that would provide a clear visual of the greater area. The District supports the endeavor to install such cameras in an area that would provide a visual view of the district. The Watsonville Airport would be a great location for such a camera and would provide a great view of the District.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**