

BOARD OF SUPERVISORS

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March 30, 2023

Office of the State Fire Marshall
California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460
Attn: Scott Witt, Deputy Chief

Submitted via email: fhsz.comments@fire.ca.gov

**RE: PLUMAS COUNTY COMMENTS
NOTICE OF PROPOSED RULEMAKING ACTION
REGULATORY ADOPTION PROCESS OF STATE RESPONSIBILITY AREA
FIRE HAZARD SEVERITY ZONES MAP**

Dear Office of the State Fire Marshall:

The Plumas County Board of Supervisors recognizes the Office of the State Fire Marshal (OSFM) published a Notice of Proposed Rulemaking on December 16, 2022, concerning the regulations relating to Fire Hazard Severity Zones (FHSZ) in the State Responsibility Area (SRA). California Public Resources Code (PRC) Section 4204 requires the SFM to periodically review and revise the FHSZ designations and ratings in the SRA. As shown on the FHSZ map, all of the SRA lands are within a FHSZ classification rated as either Moderate, High, or Very High.

The FHSZ map was last updated in 2007. Plumas understands the FHSZ map is being updated at this time to more accurately reflect the zones in California that are susceptible to wildfire to help provide transparency for planning and preparedness efforts and to provide communities a forecasting tool so that the public can take steps to prevent and prepare for wildfire. Moreover, in determining hazard ratings, the hazard mapping process incorporates improved fire science, local climate data, and fire assessment modeling and mapping techniques to identify the most effective measures for fire prevention, intensity, and spread. OSFM states there is substantial evidence that the current FHSZ classifications must be updated to effectuate the purpose of PRC Sections 4201 and 4202.

The Plumas County Board of Supervisors acknowledges the FHSZ map is intended to visually illustrate fire hazard using a science-based and field-tested model to assign a hazard score based on the factors identified as major causes of wildfire spread. These factors are combined into the term "hazard" to refer to the physical conditions that influence and create fire likelihood and fire behavior. Overall, the updated statewide FHSZ map shows increased fire hazard, reflecting an increase in wildfire occurrence and severity in California since 2007.

**PLUMAS COUNTY COMMENTS
PROPOSED FIRE HAZARD SEVERITY ZONES MAP UPDATED NOVEMBER 21, 2022
NOTICE PUBLISHED DECEMBER 16, 2022**

Specific to Plumas, the proposed FHSZ map updated November 21, 2022 (enclosed) reflects the following differences compared to 2007:

Plumas County	Very High	High	Moderate	All SRA
11/21/2022 FHSZ Acres	354,632	52,632	30,238	437,502
FHSZ Acres as % of SRA	81.1%	12.0%	6.9%	
FHSZ % Difference as Compared to 2007	3.0%	4.0%	-7.0%	
SRA Acres Difference as Compared to 2007				2,625
SRA % Change as Compared to 2007				0.6%

The Plumas County Board of Supervisors appreciates the opportunity to respond to the Notice of Proposed Rulemaking and submits the following comments for the record:

- 1. Plumas County Public Hearing Pursuant to PRC Section 4203 was Disappointing.** The OSFM is required to transmit the proposed updated FHSZ map and regulations to each impacted county in California and hold a public hearing. On January 17, 2023, the CAL FIRE Lassen-Modoc Unit hosted the Plumas County public hearing in Quincy at the Fairgrounds on the proposed FHSZ map. Plumas was encouraged by the turnout with over 50 members of the public in attendance and several provided public comment for the record. Plumas was disappointed with the format being a generic written statement read out loud, in addition to the video that was shown, as it was very difficult to follow due to the speed at which the speaker spoke. While Plumas realizes the requirement to provide the same information to all counties across the state, the approach in which the information was presented could be improved to be more understandable and Plumas-specific information should have been included.
- 2. Lack of State and Local Government Communication, Collaboration, and Cooperation is Frustrating.** Imperative to the specific Plumas County SRA FHSZ map update process is state and local government communication, collaboration, and cooperation. Plumas County is likely not the only county in California that is frustrated that locals were not made a part of the drafting and development of the SRA FHSZ map update. Plumas staff would have been very willing, especially with the County's in-house Geographic Information Systems (GIS) and planning expertise, to collaborate with CAL FIRE in local government data gathering and ground-truthing. Plumas is aware that the CAL FIRE Lassen-Modoc Unit was consulted during the map update process; however, Plumas County was not given the same opportunity.
- 3. Availability of Geospatial Data Files Critical for Transparency.** Plumas questions why the geospatial data files to develop the FHSZ map are currently not available during the adoption process. Open access to data is critical to ensuring the accuracy of the information. The Frequently Asked Questions released by CAL FIRE states the release of the geospatial data files could compromise the integrity of the files, causing misrepresentation of the map and regulation. However, upon completion of this process, and once the FHSZ maps become formally adopted, the geospatial data files will become available to the public. Plumas continues to question why after the fact, and not during the process.

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- 4. Recent Fire History Not Included Yet Essential for Plumas.** CAL FIRE states they've used the best available science and data to develop and field test a model that served as the basis of fire hazard severity zone assignments. Continuing, it's stated the latest technologies will be used in the mapping and will include new factors now available including land use changes, recent fire history, new significant wind event data, as well as a model that is more spatially detailed. Plumas understands, specifically, that the fire history data included in the model is CAL FIRE FRAP 2020 fire history, which does not include the 2021 wildfires, those being the most significant and pervasive in generations. Statewide, a total of 2,569,386 acres burned in 2021 in nearly every corner and county in California. Plumas, Butte, Shasta, Lassen, and Tehama experienced the Dixie Fire, the largest single wildfire in California's history, affecting nearly 1 million acres. In Plumas County, the Dixie Fire destroyed homes, businesses, and left a scar on the environment. Plumas County cannot stress enough that the 2021 wildfires recent fire history must be included in the model to account for the existing conditions and lack of vegetation cover for much of Plumas, thereby likely changing the outputs when it comes to the fire hazard severity zone assignments.
- 5. Insurance Issues.** For those in Plumas County affected by the 2021 wildfires, many could not afford insurance, were underinsured, or had their insurance canceled due to the effects on the insurance industry from the 2020 North Complex wildfires. It is devastating that families in Plumas County continue to have their homeowners insurance canceled, making it even more of a financial burden to rebuild and afford to live in the Plumas. As part of the FHSZ map update process, CAL FIRE explains insurance companies use risk models, which differ from hazard models, because they consider the susceptibility of a structure to damage from fire and other short-term factors that are not included in hazard modeling. CAL FIRE goes on to state it is unlikely that insurance risk models specifically call out the Fire Hazard Severity Zones as a factor, but much of the same data that is used in the fire hazard severity zone model are likely included in the insurance companies' risk models. Plumas is skeptical that insurance companies won't be looking to the updated FHSZ map as a tool in evaluating and underwriting fire insurance, which will likely affect Plumas County residents' ability to obtain and/or maintain insurance. Plumas highly encourages CAL FIRE to work with Ricardo Lara, State Insurance Commissioner, to bring relief to the insurance market.
- 6. Minimum Wildland Zone Size Needs Re-Evaluating.** CAL FIRE states the data used to determine hazard, including both fire behavior and burn probability, are averaged over a minimum zone size of 20 acres in urbanized areas and 200 acres in non-urbanized wildland areas, and the classification of a wildland zone as Moderate, High, or Very High fire hazard is based on the average hazard across the area included in the zone. Plumas suggests CAL FIRE re-evaluate the minimum size for a wildland zone, where 200 acres is too large of an area. A smaller scale would be better suited to capture varied wildland fire hazard conditions.

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7. **Update FHSZ Map More Often.** As stated in the Frequently Asked Questions provided by CAL FIRE, the Fire Hazard Severity Zone map evaluates “hazard,” not “risk.” The map is like flood zone maps, where lands are described in terms of the probability level of a particular area being inundated by floodwaters, and not specifically prescriptive of impacts. “Hazard” is based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, recent wildfire, or fuel reduction efforts. “Risk” is the potential damage a fire can do to the area under existing conditions, accounting for any modifications such as fuel reduction projects, defensible space, and ignition resistant building construction. With the dynamic fire environment and science in California, Plumas does not believe it’s appropriate to utilize an expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, recent wildfire, or fuel reduction efforts. Much shorter time periods must be established to analyze, review, and revise the FHSZ map. Wildfire impacts, fuel reduction efforts, and home hardening mitigation will impact future fire behavior and should be accounted for in closer to a 10 year timeframe.
8. **AB 38 Real Estate Disclosure Defensible Space Inspections Create Additional Regulatory Burdens.** Statutory mandates require that all property in High or Very High FHSZs comply with Civil Code 1102.6f, real estate disclosures Assembly Bill 38 (Wood, Chapter 391, Statutes of 2019). These disclosures are known as “AB 38 Defensible Space Inspections,” and are not required for property in Moderate FHSZs. As a result of the proposed regulations, the boundaries of Moderate FHSZs shifted for some Plumas County parcels, altering which properties are now required to comply with AB 38. With a change in parcel zone designations from Moderate to High or Very High, Plumas knows the expansion and reclassification of those FHSZ mapped areas will cause additional burden and regulatory requirements under the AB 38 real estate disclosures.

In Closing

As stated, the broad objective of the proposed rulemaking is to ensure that the people of California understand the degree of severity of fire hazard that is expected to prevail in the zone in which they live and can identify and implement the measures that will reduce the potential for losses to life, property, and resources from wildfire. The anticipated benefit will enhance public safety and protect California’s vital natural resources and wildlife.

Plumas County urges the Office of the State Fire Marshall to genuinely consider the comments of Plumas, other affected counties, and the public and take the time to modify the model in the FHSZ map update and rulemaking process to better achieve the objectives and public safety benefits.

Lastly, Plumas highly encourages CAL FIRE to prioritize grant funding specific to the SRA High and Very High FHSZ areas to further enhance public health and safety and to protect and restore the environment.

PLUMAS COUNTY COMMENTS
PROPOSED FIRE HAZARD SEVERITY ZONES MAP UPDATED NOVEMBER 21, 2022
NOTICE PUBLISHED DECEMBER 16, 2022

Please direct all correspondence to Planning Director, Tracey Ferguson, AICP, at traceyferguson@countyofplumas.com or (530) 283-6214. Thank you for your consideration of Plumas County's comments.

Sincerely,



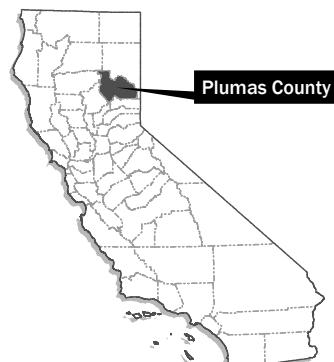
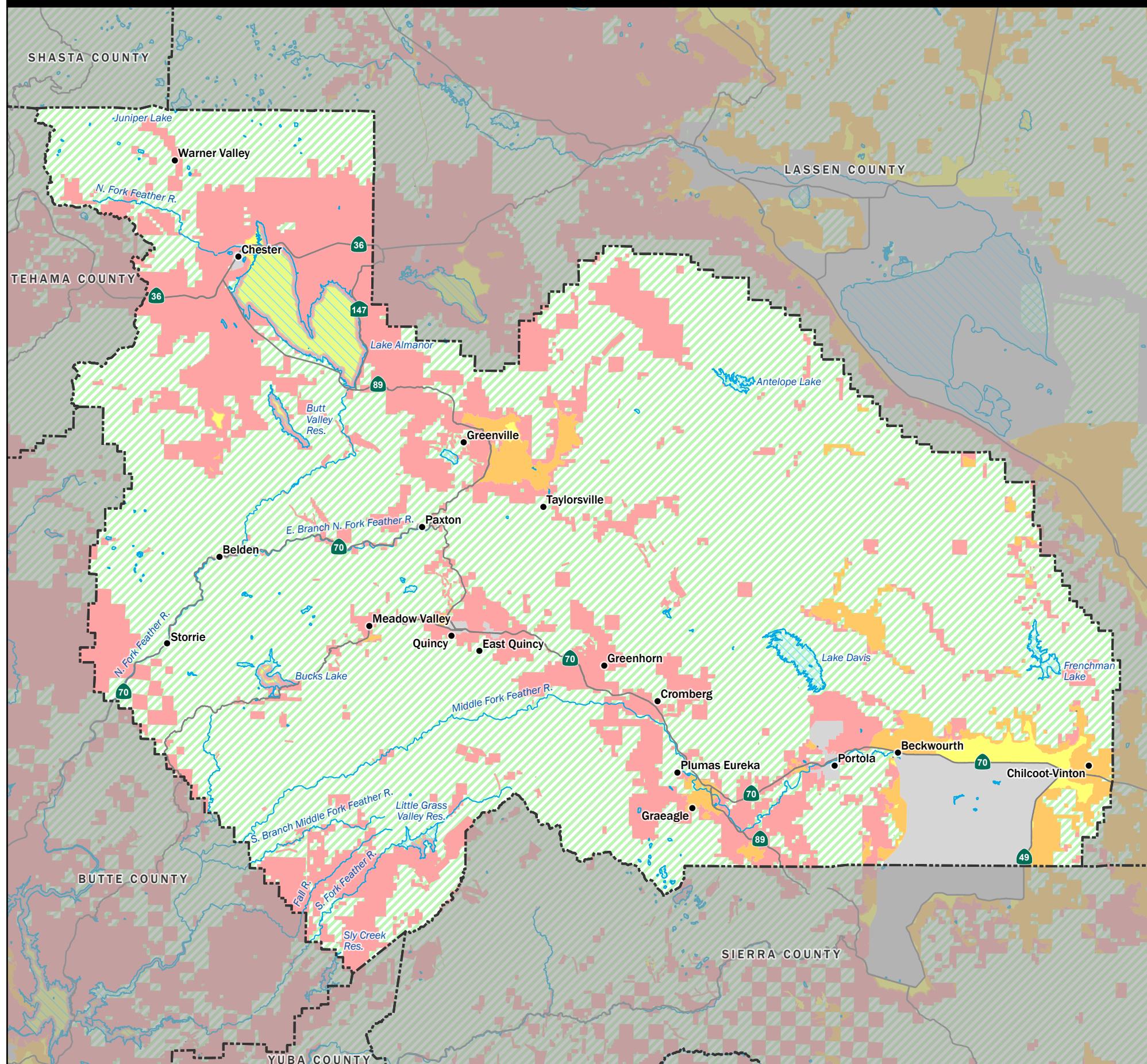
Dwight Ceresola, Chair
Plumas County Board of Supervisors

Enclosure: Plumas County SRA FHSZ Map (Updated November 21, 2022)

Cc: Kevin Kiley, Congressional District 3
Brian Dahle, Senate District 1
Megan Dahle, Assembly District 1
Board of Supervisors, Plumas
Debra Lucero, County Administrative Officer
Sheriff Todd Johns
Gretchen Stuhr, County Counsel
Tracey Ferguson, Director of Planning
Chuck White, Director of Building Services
John Mannle, Director of Public Works
Scott Packwood, CAL FIRE Lassen-Modoc Unit
Mark Rotlisberger, CAL FIRE Lassen Modoc Unit
Jonathan Pangburn, CAL FIRE Lassen-Modoc Unit
Adam Mattos, CAL FIRE Lassen-Modoc Unit

State Responsibility Area Fire Hazard Severity Zones

November 21, 2022



Fire Hazard Severity Zones in State Responsibility Area (SRA)

	Very High	354,632 Acres
	High	52,632 Acres
	Moderate	30,238 Acres

Fire Protection Responsibility Areas (non-SRA)

	Federal Responsibility Area (FRA)
	Local Responsibility Area (LRA)

0 5 10 15 Miles

0 5 10 15 20 25 Kilometers

Projection: NAD 83 California Teale Albers
Scale: 1:475,000 at 11" x 17"

Public Resources Code 4201-4204 directs the California Department of Forestry and Fire Protection (CAL FIRE) to map fire hazard within State Responsibility Areas (SRA) based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones (FHSZ), classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone.

Access PDF versions of the maps at <https://osfm.fire.ca.gov/fhsz-maps>. For more information, please visit the Frequently Asked Questions document for the 2023 Fire Hazard Severity Zones at <https://osfm.fire.ca.gov/fhsz> or scan the QR code at right. If you have further questions, please call 916-633-7655 or email FHSZcomments@fire.ca.gov.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata, and publications at <https://frap.fire.ca.gov>.
For more information, please call 916-633-7655 or email FHSZcomments@fire.ca.gov.

Gavin Newsom, Governor, State of California
Wade Crowfoot, Secretary for Natural Resources, California Natural Resources Agency
Mike Richwine, State Fire Marshal, California Department of Forestry and Fire Protection

Data Sources:
CAL FIRE Fire Hazard Severity Zones (FHSZSRA_DRAFT_23_1)
CAL FIRE State Responsibility Areas (SRA22_2)



Scan or click the QR code for more information and to visit the interactive FHSZ viewer.