



Fire Safe San Mateo County

November 14, 2012 Meeting Minutes

Attendance:

Denise Enea – Woodside Fire Protection District
Guido Ciardi – San Francisco Public Utility District
Philippe S. Cohen – Jasper Ridge Biological Preserve
Steve Richmond – CAL FIRE Ben Lomond Camp
Todd Lando – Urban Forestry Associates
Christine Reed – Central County Fire Department
Lori Cuesta – Western ECI / PG&E
John Romandia – Black Cat Construction
Dick Schwind – South Skyline Firesafe Council
Steve Marra – Los Trancos Water District
Ken Loomis – Western ECI / PG&E
Rich Sampson – CAL FIRE
Jim Palisi – Redwood City/San Carlos Fire Department
Jim Skinner – Redwood City/San Carlos Fire Department
Stephen Kraemer – San Mateo County Parks
John Ferreira – CAL FIRE

Call to order:

9:37 am. Denise Enea calls the meeting to order.

Correspondence:

- Steve Richmond sent emails to membership regarding the Wildfire Prevention Regional Conference in Anderson California on January 30, 2013.
 - [The 2013 Wildfire Prevention Regional Conference on January 30, 2013](#) at the GAIA Hotel and Conference Center in Anderson, CA. Keynote Speaker Kate Dargan, retired State Fire Marshal, will speak on “Wildfire: Past, Present, and Future.” This

Conference was presented in Southern California in September 2011 and received excellent reviews. The Conference is free but registration is required. Registration will open in December and space is limited.

SRA Fee Summary - John Ferriera - CAL FIRE Unit Chief:

- SRA Fee Summary - See [Fire Prevention Fee FAQs, Appendix \(a\)](#).
- Chief Ferriera provided a brief history of forestry and fire protection in the San Mateo County watersheds.
- Definition of SRA: State Responsibility Area (SRA) is the area of the state where the State of California is financially responsible for the prevention and suppression of wildfires. SRA does not include and lands within incorporated city boundaries or in federal ownership.
- Fire Prevention Fee information is available online at <http://www.firepreventionfee.org/>
- SRA map is available online at <http://www.firepreventionfee.org/srviewer.php>
- SRA boundaries may be re-examined in 2013. There is an SRA review every 5 years.
- Fee is supposed to fund projects and create a fire prevention oriented grant program.
- It is unclear how much of the fee will remain locally, if any.
- Philippe (Jasper Ridge) is not concerned about the fee itself, but does have concerns about how it will be distributed.

2012 Goal Review:

1. Become a 501 c(3) non-profit.
 - Status: In-progress for completion January 2013.
2. Apply for grants.
 - Status: two applications submitted. One denied, one in-progress under review.
3. Hire an Executive Director/Coordinator
 - Status: Completed.
4. Provide presentations to local groups.
 - Status: Completed, with room for expansion in 2013.

CDCR Training Update:

- November 7-8, 28-29, December 5-6 in Ben Lomond.
- Steve spoke to Jose yesterday about the need to coordinate with CDCR. A meeting will be held at the Ben Lomond Camp or possibly in Woodside in January.
- No lunches are provided at training.

RCD and WUI Grant Discussion:

- Discussion about how to ensure that goals are communicated to crews.
- Sponsors may not know exactly what to tell the Crew Captains. This is an individual issue with each fire safe council, and can be remediated with additional training.
- Additional training may be needed for project coordinators, specifically to help them communicate and interface with CAL FIRE Crew Captains.
- Steve Richmond emphasized that CAL FIRE needs immediate feedback if crews aren't performing to standards or do not understand project goals and prescriptions.
- There are ten crew captains, and each has different strength and experience. Captains may change from day-to-day, so repeat monitoring and communication may be necessary from project coordinators.

CAL FIRE Unit Chief John Ferreira, CZU, Retiring:

- The Fire Safe San Mateo County Board of Directors and Membership wishes to thank Chief Ferreira for his longstanding support of the Council and fire safety and prevention in San Mateo County.
- Chief Ferreira came to the rescue of FSSMC when we lost the support of the Sheriff's Office crews.
- Chief Ferreira came forward to offer the support and use of Ben Lomond Fire Crews, providing two crews per day during fire season in San Mateo County.
- The presence of these crews allowed FSSMC to maintain its reputation for completing fire safe projects.
- Steve Richmond provided details of Chief Ferreira's early career, including his work as a firefighter in Pescadero in 1974. Chief Ferreira became the Unit Chief of the San Mateo-Santa Cruz Unit (CZU) in 2003.
- Chief Ferreira stated that FSSMC is a special entity, and recognized FSSMC's status as the first council of its type in California.
- Chief Ferreira thanked Steve Richmond for his work coordinating FSSMC and acting as a liaison between CAL FIRE and FSSMC.
- Fire Safe San Mateo County presented Chief Ferreira with a plaque reading:
 - "In recognition of service, accomplishments and leadership, Fire Safe San Mateo County commends Fire Chief John Ferreira for his dedication to Fire Prevention and years of service in San Mateo County."
- Chief Ferreira presented a plaque to Denise Enea, with a 1940 vintage CDF Insignia as a thank you for her work and cooperation in fire prevention activities with CAL FIRE.
- Chief Ferreira presented a gift of a book to Philippe, titled "Making Theories to Explain Weather," noting their history of discussions related to climate and weather.
- Chief Ferreira presented several "challenge coins" to other FSSMC members as a thank you

for their support.

- Denise Enea stated that Chief Ferreira was “the funniest Fire Chief in the county, and maybe the state.”



Cal Fire Unit Chief John Ferreira

Project Summaries, by Agency (carry-over from 10/10/2012):

- Woodside FD: May-Oct chipper program with hand crews, free to residents, possible HOA projects in November.
- SF Water: Southern FB. Revisit Edgewood FB? Crystal Springs FB to continue with or w/o NPS (Todd will invite GGNRA rep to future meeting to discuss possible FBs).
- SM County Parks: Per Steve, Wunderlich has scheduled 2 crew at a time for roadside FB and plans to eventually remove all the euc groves in the park (but funding/permit are needed for removal - commercialization may reduce costs). Per Pam, Board of Sup has dedicated some money for fuel reduction (doesn't know how much).
- MidPeninsula: Annually mow and disk some grasslands, fire rd brushing, Hwy 35 FB with CALTrans. Want a FB along Alpine Rd in future.
- Highlands: Previous burn pile project, will ask Steve Richmond if more to come.

FSSMC Non-Profit 501 (c)3 status:

- Denise states that FSSMC should have its non-profit status by January 2013.

- There will be a need for Board of Directors nominations, and representatives from each agency and member.
- Bylaws state that there will be no more than 17 Directors.
 - Nominations for representatives:
 - CAL FIRE - Rich Sampson
 - Coastside - TBD
 - Redwood City - Jim Felice
 - Woodside Fire - Denise Enea
 - Jasper Ridge - Philippe S. Cohen
 - Mid Peninsula Open Space - Brian
 - San MATEo County Parks - Steve Kraemer
 - PG&E - Lori Cuesta
 - San Francisco Water - Guido Ciardi
 - San Mateo County Fire - Andy
 - Nominations for Executive Board:
 - Denise Enea
 - Guido Ciardi
 - Rich Sampson (Treasurer)
- There was some discussion related bylaws and nominations and voting.
- Denise will contact Cal Water to discuss recruiting a Director.
- Roger Wong has been contacted at NPS, but no response yet. He retires in December, so there will be a need to follow up with new supervisor in January.
- Other agencies that may need recruitment:
 - Farm Bureau
 - RCD
 - CALTrans
 - County Agriculture

Urban Forestry Associates Update:

- Bookeeping
 - FSSMC will open bank accounts and create a budget after non-profit status is approved.
 - Camp Billing needs review.
 - Steve Richmond will request a bookkeeping report from the county, but warns that they are difficult to read and understand.
- UFA will establish a Google Apps account under the FSSMC domain name to improve communication, document sharing, and collaboration.
- UFA will undertake the advancement of the FSSMC website.
 - New website proposal will be presented at December meeting.
 - Will contact prior web developer for any material that has been prepared.

Grant Applications:

- Members are encourage to contact Urban Forestry Associates with ideas for projects that may benefit from grant funding.
- Per Denise Enea and Andy hubbs, the CA FSC grant for the chipping program was declined, but there is no word yet on the WUI grant.
- Per Rich Sampson, the CWPP will be updated soon. We are looking for RCD funding again. This time look for buy-in from Fire Chiefs, but not the Board of Supervisors.

Agency Roundtable:

There will be no agency roundtable due to the time.

Meeting adjourned 11:55 am

Appendix (a): Fire Prevention Fee FAQs

Below are answers to a list of common questions related to the SRA Fire Prevention Fee.

What is the Fire Prevention Fee?

Assembly Bill X1 29 was approved by the California Legislature on June 15, 2011 and signed into law on July 7, 2011. The law established a new annual Fire Prevention Fee to pay for fire prevention services within the State Responsibility Area (SRA). This fee is assessed on owners of habitable structures located in the SRA.

What is the State Responsibility Area (SRA)?

The State Responsibility Area includes state and privately-owned forest, watershed, and rangeland where the State of California has primary financial responsibility for the prevention and suppression of wildfires. SRA does not include lands within city boundaries or in federal ownership. SRA is determined under regulations of the Board of Forestry and Fire Protection (Board). The SRA definition can be found in [Public Resources Code \(PRC\) 4126](#).

SRA forms one large area (over 31 million acres and approximately 825,000 habitable structures) to which CAL FIRE provides a basic level of fire prevention and protection services. Many areas receive augmented fire protection from local fire protection agencies.

What is a habitable structure?

A "habitable structure" is a building that can be occupied for residential use. These include single family homes, multi-dwelling structures, mobile and manufactured homes, condominiums and apartment buildings. Habitable structures do NOT include incidental buildings such as detached garages, barns, outdoor sanitation facilities and sheds.

What about condominiums?

In a condominium complex, each owner has a separate parcel and would be assessed \$150 per condominium, with a reduction of \$35 per condominium if it is also within the boundaries of a local fire protection agency.

What about apartments?

In an apartment complex, the fee is \$150 per apartment building (not per apartment unit), and with a reduction of \$35 per apartment complex if it is also within the boundaries of a local fire protection agency.

I own a mobile or manufactured home. What do I do if I receive more than one bill when I only have one home?

Only habitable structures, including mobile or manufactured homes, are assessed the fee, so homeowners who inadvertently receive two bills when they only have one mobile home are only required to pay one of the billings. A petition for redetermination should be submitted for the other billing WITHOUT making payment, but make sure to include the account number of both bills on all correspondence. If a fee is paid while concurrently submitting a petition for redetermination, payments made that are determined to be not due will be refunded.

What about other structures?

The current law does not provide for the fees to be charged to non-habitable structures such as businesses and offices. Also, incidental structures without living areas such as detached garages, barns, woodsheds and outbuildings are not assessed the fee.

How Were Habitable Structures Identified?

The owners of SRA habitable structures were identified by a joint effort between CAL FIRE and the Designated Fee Administrator (DFA) under contract to CAL FIRE. The DFA is a firm that specializes in the administration of benefit fees and other levies for governmental agencies throughout California. Determination of habitable structures as required by state law is technical and use of the DFA gains accuracy and efficiency. In addition, use of the DFA maintains uniform application of the Fire Prevention fee statewide.

CAL FIRE maintains boundaries of State Responsibility Areas (SRA) in a spatial database and has worked with the DFA to locate parcels and habitable structures that are within SRA boundaries. As part of its ongoing business, the DFA has statewide property data that comes from a variety of sources, including electronic parcel and mapping information. All of this information was used to identify habitable structures. If a property owner feels that the information used to identify their habitable structures is incorrect, they should contact the Fire Prevention Fee Service Center directly because only the Service Center, which is part of the DFA, and CAL FIRE are responsible for the fee determinations. The DFA and CAL FIRE will also handle the review of any potentially incorrect fees or incorrect property information.

What is the amount of the fee?

The fee is assessed at the rate of \$150 per habitable structure. However, owners of habitable structures that are within the boundaries of a local fire protection agency will receive a reduction of \$35 per habitable structure. Residents in the SRA will receive the specific fee amount and exemptions (if any) on the fee billing notice.

What if I cannot afford to pay the entire bill? Can I make payments?

Homeowners may file a petition without payment if they are financially unable to pay the amount in full. The Board of Equalization (BOE) advises the owner to make an initial payment of any amount they can reasonably afford, with a note explaining what they are able to pay per month. Another alternative is to call the BOE and speak to collection staff, who will make notes on the account of the payment terms. The BOE is working with callers to make payments over a 5-10 month period if needed. The BOE is sensitive to the many factors to consider such as fixed incomes or unemployment, and these are not business owners but rather private citizens. When any homeowner enters into a payment plan within 45 days of billing and completes the payment of the fee portion, the BOE relieves the penalty charge. Additionally, interest accrues on any unpaid fee amount over the course of the payment plan, but is generally well under a dollar a month. BOE would also like to remind feepayers with an inability to pay their fire fee billing in full that they can call BOE toll-free at 1-800-400-7115, and select option "4," to be connected to a representative in the special taxes and fees section who can help them arrange a payment plan suitable to each feepayer's financial situation.

What does the fee pay for?

Over time, this fee will fund a variety of important fire prevention services in SRA. Such activities include fire break construction and other fuel reduction activities that lessen the risk of wildfire to communities and evacuation routes. This may include brush clearance around communities, along roadways and evacuation routes. Other activities include defensible space inspections, fire prevention engineering, emergency evacuation planning, fire prevention education, fire hazard severity mapping, implementation of the State Fire Plan and fire-related law enforcement activities such as arson investigation.

Who is responsible for paying the fee?

The person or agency responsible for paying the fee is the owner of record of a habitable structure as of July 1, on the county assessor rolls, or as recorded by the California Department of Housing and Community Development on July 1 of the state fiscal year in which the fee is due. This is the case regardless of whether the owner of record changes during the course of the fiscal year.

How do I find out if my structure is within the SRA?

Visit the "[State Responsibility Area Viewer](#)" webpage.

Where will the money collected by the fee be used?

SRA forms one large area across California in which CAL FIRE provides a basic level of fire prevention services. Therefore, the funds will be expended on services and activities throughout the SRA.

Under what authority is this fee being charged?

In 2011, Assembly Bill AB X1 29 passed and established this fee. The California State Board of Forestry and Fire Protection was required to enact emergency regulations to implement the fee. The Fire Prevention Fee is codified in law in the [Public Resources Code 4210](#) et.seq. The Board of Forestry and Fire Protection has adopted [emergency regulations](#) further defining the fee, how it is collected, and how it can be appealed.

Why is this fee being charged now to habitable structure owners in the SRA?

ABX1 29, provides the following legislative findings:

- The presence of structures within SRA can pose an increased risk of fire ignition and an increased potential for fire damage within the state's wildlands and watersheds.
- The presence of structures within SRA can also impair wildland firefighting techniques and could result in greater damage to state resources caused by wildfires.
- The costs of fire prevention activities aimed at reducing the effects of structures upon State fire protection responsibilities in SRA should be borne by the owners of these structures.
- Individual owners of structures within SRA receive a disproportionately larger benefit from fire prevention activities than that realized by the state's citizens generally.
- It is necessary to impose a fire prevention fee upon individual owners of structures in SRA to fund fire prevention activities in those areas from which such owners derive a specific benefit.
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What if I am already protected by another fire agency?

Owners of habitable structures within the SRA and also within the boundaries of a local agency that provides fire protection services receive a reduction of \$35 per habitable structure.

I already pay for local fire protection, why do I need to pay this fee as well?

The law determines that the fee should be charged to the owners of habitable structures in the SRA in part because such habitable structure owners receive a disproportionately larger benefit from fire prevention services in SRA. Historically, locally-funded fire protection services have arisen because residents want an increased level of fire protection services beyond those provided directly by CAL FIRE. Locally-funded fire protection services typically include elements of fire prevention. However, these are in addition to services provided by CAL FIRE across the entire SRA. The Fire Prevention Fee was established to fund some of the state fire services provided by CAL FIRE that directly benefit owners of structures in SRA.

How frequently are fees owed?

The fee is assessed annually beginning in fiscal year 2011-12 (July 2011).

How will the fees be collected?

The law specifies that the Board of Equalization(BOE) will collect the fee. A billing notice will be mailed to property owners in the SRA each year, much like vehicle registration renewals. As specified by law, the BOE will collect the fee pursuant to the Fee Collection Procedures Law as found in Section 55001 et seq of the California Revenue and Taxation Code.

When is the fee due?

The fee is due within 30 days of the date on the billing notice.

What will happen if I don't pay the bill?

If you don't pay the total amount of your Fire Prevention Fee bill within 30 days of the date on the billing notice, the BOE will mail a late notice, which may include interest and penalties. The BOE may take other actions in order to collect any unpaid fees. For further information or to make payment arrangements, please visit the BOE website at www.boe.ca.gov or contact them directly at 1-800-400-7115.

Are there penalty or delinquency charges, if I do not pay the fee before the deadline?

Yes. If you do not pay your fee prior to its due date, an additional 10% penalty may be added to your bill. In addition, interest may be added to the past due fee amount.

Why doesn't my County Assessor collect these fees?

The legislature designated the BOE to collect these fees. The Fire Prevention Fee funds activities statewide within all areas of the SRA.

I did not receive a bill, is a fee due from me now?

If you own a habitable structure in the SRA, you should receive a bill. The fee is not due until 30 days after the date printed on your bill. Fiscal Year 2011-12 bills are expected to be sent over a period of about 4 months starting in August of 2012.

My address has changed. What should I do?

If you received a bill from the BOE addressed to your old address, you can provide your new address with your bill payment. If you have moved since June 30, 2011 and think BOE may not have a current address, please contact the BOE at 1-800-400-7115 to notify them of your new address.

Can my fee be appealed?

The billing notice will include a phone number for property owners to call with questions and instructions for how to file an appeal. Under the Fire Prevention Fee law, an appeal is called a "Petition for Redetermination." According to regulations of the Board of Forestry and Fire Protection, fee payers wishing to appeal the fee must file a petition for redetermination within 30 days of receiving their bill. Based on its review of the petition for redetermination, the Department or its Designated Fee Administrator may or may not make adjustments to the amount of the fee, modify or eliminate it. A decision on the appeal must be made within 60 days of receipt of the petition. Typical reasons for an appeal would be such things as the habitable structure not being located within SRA, incorrect determination of the number of habitable structures, incorrect fire district inclusion, or other similar factors.

How do I appeal this fee?

The person named on the bill may file an appeal by completing a Petition for Redetermination. You may obtain the Petition for Redetermination form at www.firepreventionfee.org/Appeals. You can request that a form be mailed to you by calling 1-888-310-6447.

How much time do I have to make an appeal (file a Petition for Redetermination)?

Appeals (Petitions for Redetermination) must be filed with the Department of Forestry and Fire Protection or its representative within 30 days from the date of the original notice of determination. If a petition is sent by mail, it will be accepted if the post mark is within 30 days.

If I pay my fee and then appeal it (file a Petition for Redetermination), will my payment be refunded?

If you pay your fee and file a petition for redetermination, and it is determined the fee was charged in error or should have been charged at a lower amount, the fee for your account will be corrected accordingly. If the correction results in a credit balance on your account, the BOE will mail you a refund for the credit amount.

I do not own the property for which the fee is due. How do I get this resolved?

The person responsible for paying the fee for the 2011-12 fiscal year is the owner of record as of July 1, 2011 on the County Assessor rolls, or as recorded in the records of the California Department of Housing and Community Development. This is the case regardless of whether the owner of record at that time is still the property owner now. The July 1st date is used because that is the same date used for the issuance of property tax bills. If you no longer own the property, you will not be subject to this fee for that particular property in future years.

Consequently, if you are listed as the owner of the property on the County Tax records or State Housing and Community Development Records as of July 1, 2011 you are subject to the fee, even if someone else owns the property now. If you did not own the property then or never owned it, file a Petition for Redetermination and indicate that this is the case. If it is subsequently determined that you are not subject to the fee, the billing will be canceled and any refunds that are due will be made.

SRA Questions

What is the basic law that describes SRA?

State law describes SRA in [Sections 4125 – 4128 of the Public Resources Code](#). Specifically, Section 4126 says that SRA includes:

- Lands covered wholly or in part by forests or by trees capable of producing forest products
- Lands covered wholly or in part by timber, brush, undergrowth, or grass, whether of commercial value or not, which protect the soil from excessive erosion, retard runoff of water, or accelerate water percolation, if such lands are sources of water which is available for irrigation or for domestic or industrial use
- Lands in areas which are principally used or useful for range or forage purposes, which are contiguous to other lands so defined. It is important to understand that lands in SRA are based on vegetative cover and natural resource values.

SRA includes state and privately-owned forest, watershed, and rangeland for which the primary financial responsibility of preventing and suppressing fires rests with the State. SRA does not include lands within city boundaries or in federal ownership. The lands are determined under regulations of the Board of Forestry and Fire Protection (Board). The SRA definition can be found in [PRC 4126](#):

What do terms like "watershed" in the SRA law mean?

More precise information in determining which lands are in SRA are contained in a document entitled [State Responsibility Area Classification System](#) adopted pursuant to rule of the State Board of Forestry and Fire Protection. The *Classification System* delineates factors related to structural density, size of agricultural parcels, and specific watershed characteristics.

My structure is not in the SRA, so am I still subject to the fee?

If you think that your property is not within the SRA, you can research the approximate location at www.firepreventionfee.org/sra_viewer, or you can call the Fire Prevention Fee Service Center at 1-888-310-6447 and request that a Petition for Redetermination form be mailed to you. Alternatively, you may obtain the Petition for Redetermination form at www.firepreventionfee.org/Appeals. If it is subsequently determined that your structure was not within the SRA as of July 1, 2011, the fee billing will be canceled.

What kind of review will be done to see if my property can come out of SRA?

The Department does statewide review of SRA every 5 years. The last review was completed in 2010. Adjustments and special reviews may be made at more frequent intervals if major land-use changes occur or if inconsistencies are discovered in the CAL FIRE corporate Geographic Information System (GIS) data layer. These changes can occur from expanding urbanization where residential density fundamentally alters watershed characteristics; they can also occur from changes in agriculture crops that involve cultivation and irrigation. Your property would be considered for removal from SRA as part of a special review if it appeared that, major land use changes had occurred in the area or if there are inconsistencies in the CAL FIRE corporate GIS data layer.

How long will it take to complete the review of my property for removal from SRA?

If it is determined that a special review will be made, the review will take up to a year.