

Foxworthy Farms Proposal

Cultivation Permit Application UPC17-0089

Foxworthy Red, LLC.
7955 St. Helena Rd.
Santa Rosa, CA 95404



FIRE RISK ANALYSIS REPORT

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FIRE RISK ANALYSIS REPORT FOR FOXWORTHY FARMS

This Fire Risk Analysis Report (report) has been developed for an 82-acre property located at 7955 St. Helena Road in unincorporated Sonoma County. The property owners have requested approval of a Conditional Use Permit (CUP) through Permit Sonoma. The purpose of this report is to identify the existing wildfire risks and threats to this property, respond to the comments provided in the CUP Findings, and to provide an outline that will be used to create a more detailed Wildfire Mitigation Plan once approval has been granted for this application. The future Wildfire Mitigation Plan will ultimately provide a long-term plan for mitigation and risk reduction to the existing and proposed use of this property. This report will not only provide the roadmap to create a sustainable and fire resilient landscape on this particular property, but will also provide a vision of an increased level of wildfire safety and resilience for surrounding neighbors, improved access and egress for the public and emergency responders, and create a substantial emergency water supply system on the site. In addition, this report will also show that the future Wildfire Mitigation Plan will satisfy goals outlined in Sonoma County's General Plan to address the ongoing and increasing wildfire risk, as well as conforming with numerous goals identified in the 2018 Upper Mark West Watershed Community Wildfire Protection Plan. Combined, these efforts will result in this large property creating a more natural and fire resilient landscape which will help reduce the impacts of future wildfires in this area.

This report will contain the following elements:

1. Description of the property, including comments on current conditions and wildfire risk.
2. Comments addressing CUP Denial Report, dated December 12, 2019
3. Proposed upgrades to property, including access, emergency water supply, and vegetation management.
4. Discussion on benefits of this report will provide to the surrounding community, and efforts that will achieve Sonoma County goals as outlined in the General Plan Safety Element addressing wildfire threats.

- NOTE: This report will not include every action or detail for long term fire resiliency implementation. Those details will be included in a final Wildfire Mitigation Report that will be completed upon approval of this CUP.

Site Information

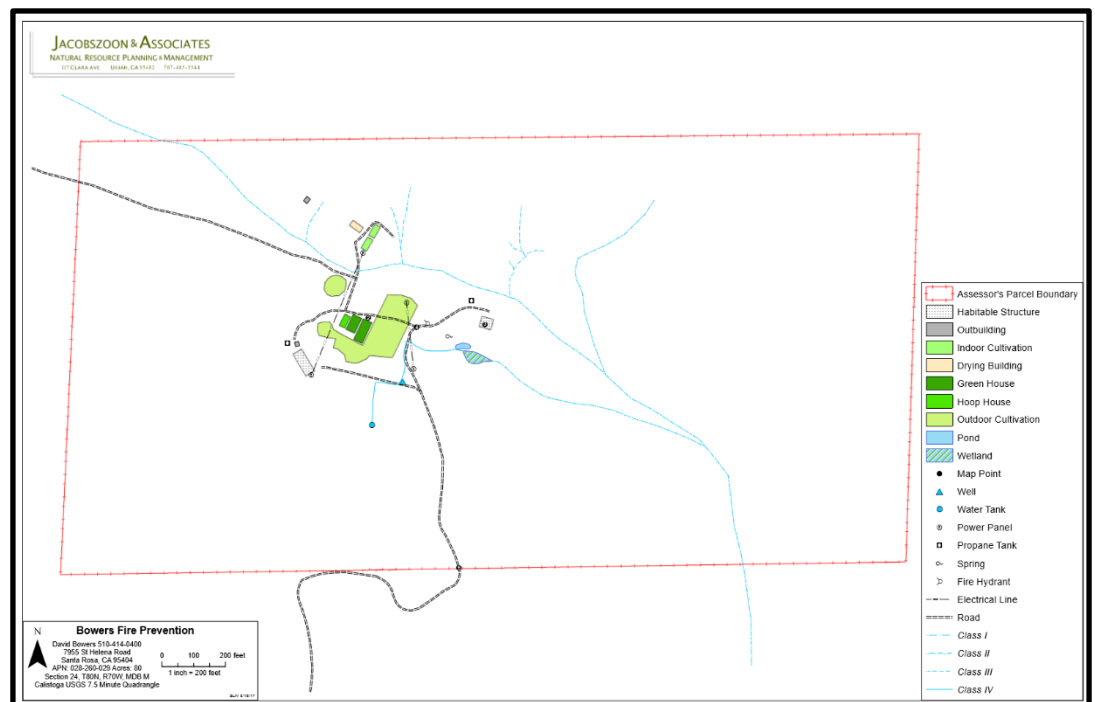
Location: The parcel is located northeast of the City of Santa Rosa and southwest of Calistoga (Napa County) on the north side of St. Helena Road. The project parcel lies adjacent to the Bothe-Napa Valley State Park. The project site on the parcel is within the Porter Creek-Mark West Creek watershed, a designated critical watershed in Sonoma County.

Property Description: The project site sits on an 82-acre lot characterized by several large hills and ridges. Slopes on the parcel range from 2 to 20% grade. Puff Lane is a gravel road that provides access to the site, with a travel distance of approximately one mile from St. Helena Road to the project site. There are several other parcels that also utilize this access road, however not all parcels are occupied with built structures. Development on the parcel is clustered near the center of the property and consists of two occupied residences, three small outbuildings, and two greenhouses used for cultivation. A large majority of the site is forested or chaparral, and falls within a Very High Fire Hazard Severity Zone as designated by maps issued by CAL FIRE. Most of the parcel is also designated Grazing Land with a small portion designated as Other Land under the Farmland Mapping and Monitoring Program. This parcel is not subject to the Williamson Act.

Natural Resources: This site has a designated riparian corridor with a setback of 200 feet on the southeast portion of the project parcel. The project site is within the Porter Creek-Mark West Creek watershed, a

designated critical watershed in Sonoma County. The density of vegetation on the site is well beyond acceptable norms due to lack of any sort of vegetation management program, which therefore contributes to the risk of a fire burning with high intensity in this area.

The image at right provides the current parcel layout:

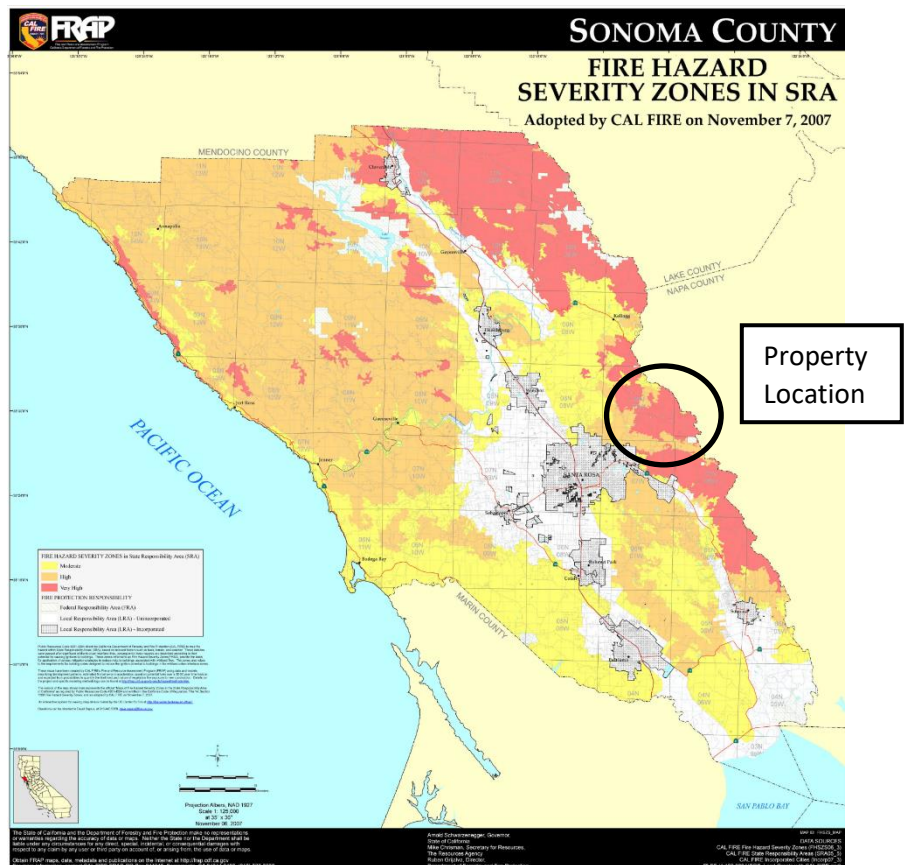


Comments on Wildfire Risk

Sonoma County has experienced more than its fair share of large, catastrophic wildfires in recent years. Chapter 4 of the Public Safety Element from the Sonoma County General Plan provides a good overview of the current state of wildfire risks, and provides suggestions to help mitigate these risks. The Safety Element correctly identifies the fact that, “The combination of highly flammable fuel, long dry summers and steep slopes creates a significant natural hazard of large wildland fires in many areas of Sonoma County.” It goes on to state that between 1989 and 2000, there were a total of 21 wildfires that reached the size of 100 acres or more in Sonoma County. Since the year 2000, Sonoma County has continued to experience large fires greater than 100 acres, the most devastating one being the Tubbs Fire in October 2017. The map below shows the Very High Fire Hazard Severity Zones (VHFHSZ) in rural Sonoma County indicated by the dark orange color. This project resides in the VHFHSZ just to the northeast of the city of Santa Rosa, circled in the map below.

Wildfires are most significantly influenced by three elements – weather, topography, and fuel. Of these three elements, the one we have the most control over is fuels. Vegetation can be modified to reduce the fuel loading to reduce the intensity of a wildfire burning in a given area. Structures are also fuel to a fire, and as such, these can also be modified to exist in a much more resilient manner in a wildfire environment. This report proposes to tackle the fuel problem in a very aggressive manner, which will be explained shortly.

The remaining two elements are items that we have very little influence over. We cannot affect the weather, and with the exception of minor modifications to the overall landscape, there is little that can be done to influence topographical features of the landscape. What can be done is to ensure access and egress routes are appropriately modified in order to ensure safe passage in the event of a wildfire, both for residents evacuating, as well as emergency responders arriving to tackle the problem. This report will provide insight as to how access will be greatly improved with this project, as well as a proposed secondary means of egress that does not currently exist. The addition of a secondary access/egress route is a huge advantage for both evacuation purposes, as well as use by emergency responders. As emergency responders arrive, an emergency water supply is necessary to adequately control a wildfire. This project proposes to include a new pond that will not only provide irrigation, but will also serve as a



large emergency water source for the entire area. This will also be discussed in more detail later in this report.

The third element that primarily influences wildfire is the weather. While we do not have control over the weather, we can predict its influence. Science tells us that climate change is bringing warmer temperatures that will be experienced over a longer period of time, which increases the likelihood that dry vegetation is a ready ignition source. We also know that the most catastrophic wildfires have a few common denominators – they occur during extreme weather events that include high wind speeds that historically push wildfires from a northerly or easterly direction.

Knowing these details allow us to provide guidance via this report to create a long-term management plan for the property, focusing on ways to help mitigate an approaching fire during these extreme weather events. By helping to reduce the fire’s intensity, create improved access and egress, provide a substantial amount of emergency water supply, and modify structures such that they can resist the impacts of the main wildfire itself and the ember storm that accompanies it, this property can act as a mitigating factor to help reduce the impacts of a wildfire burning in this area. By doing so, it also begins to address the concerns rightly expressed in the County General Plan, and achieve goals to help reduce wildfire impacts. As the Safety Element states, “The type of construction, preventive measures, and the extent of fire suppression services are the chief factors which determine how far these fires spread.” This report will provide the roadmap from which the long-term Wildfire Mitigation Report will evolve to achieve these goals, and reduce wildfire impacts in this area.

Comments Addressing CUP Staff Report Dated December 12, 2019

The Sonoma County Board of Zoning Adjustments issued a staff report on December 12, 2019 that denied the CUP proposal from the applicant, Foxworthy Farms. The findings used to recommend denial of the project stated:

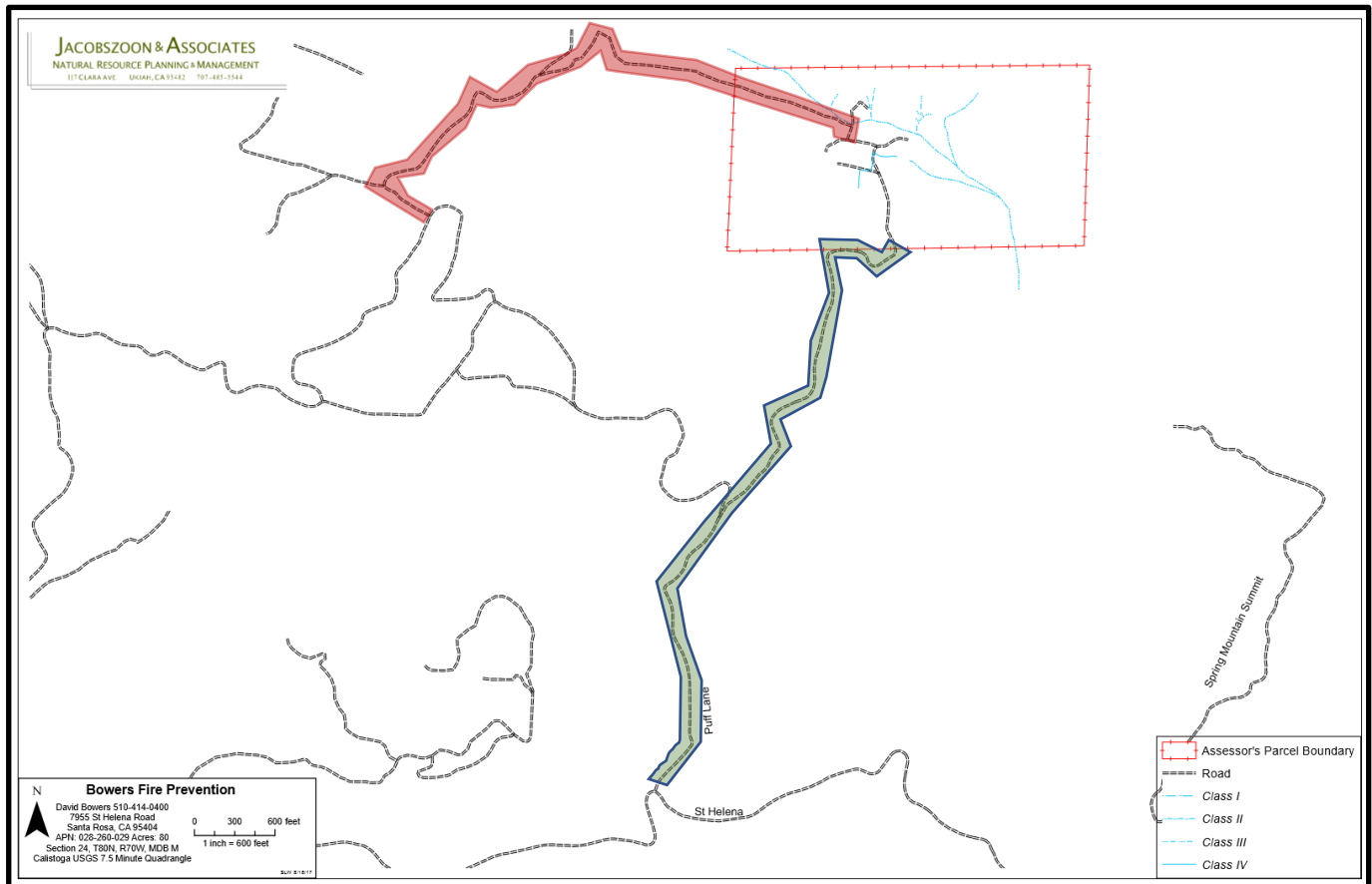
“The project site is designated Resources and Rural Development, which is intended to protect against development and growth on land that is environmentally constrained or lacks public infrastructure and services. The project site is in a rural area, accessed by a private narrow road, and contains dense vegetation and varied topography. The Sonoma County General Plan also requires rural development to occur where public services and infrastructure, public safety, access and response times, and roads are available to serve the projected development. The level of improvements necessary to reduce fire risk to an acceptable level and provide an adequate water supply are not compatible with this land use designation or policies for rural growth and therefore Permit Sonoma cannot approve the project.”

We disagree with these findings on a number of levels, and will provide additional information which will contradict a number of these comments. The findings as written do, in fact, correctly identify many of the deficiencies that currently exist on the property and surrounding area. What they failed to take into account was the improvements that will take place as part of the conditions to be met when this permit is approved. This report will provide evidence that the proposed improvements will, in fact, reduce the wildfire risk to an acceptable level, far beyond current conditions. The road deficiencies, lack of emergency water supply, and overall fire risk will all be significantly addressed and improved, which will therefore reduce the fire risk not only on this property, but the entire surrounding area. These

improvements address concerns as identified in the Sonoma County General Plan Safety Element, as well as the Upper Mark West Watershed Community Wildfire Protection Plan. The result of issuing a denial for this project subjects the property to remain under the current approved use. Prior to the current owners purchasing the land, the existing house was being utilized as a short-term vacation rental. Sonoma County guidelines allowed up to 8 transient overnight guests, and up to 14 guests during the daytime. The current temporary use has actually reduced the number of people working on the property on a daily basis. The current owners have in fact already begun significant improvements in roadside vegetation clearances, as well as vegetation treatment projects on the property, reducing the fuel load for wildfires to ignite. In addition, the current owners are proposing significant improvements to road access and egress, emergency water supply, and continuing with a large-scale vegetation management plan, none of which will take place should the CUP denial stand. Because the current wildfire threats would remain in place, with little or no chance of being improved to the level proposed by the applicants, the decision to deny the application actually renders the property and surrounding area to a much higher risk of wildfire impacts. The applicant is fully aware of the significant wildfire threat in this area, and as such the CUP proposal is offering to take significant steps to help mitigate these risks through an aggressive, long-term Wildfire Mitigation Plan program. The following items will be addressed as part of this Plan:

- 1. Primary Access Plan:** Although the current status of Puff Lane is narrow in a few places, there are many other areas where it exceeds minimum requirements, with little to no vegetation alongside. Puff Lane splits at approximately the half mile mark after turning off of St. Helena Road. The fork that continues straight provides access up to the project site. The left fork is used by Monan's Rill and connects to Mattei Road, which also connects back onto St. Helena Road. The applicants have partnered with Monan's Rill on an extensive vegetation clearance project along the roadside of Puff Lane in the first half mile stretch, which has largely been accomplished in preparation for the 2020 wildfire season. The applicants have also partnered with neighbors along the second half mile of Puff Lane to perform similar roadside clearances. These have also been largely accomplished for 2020. These partnerships and ongoing maintenance with continuous improvement projects along the entire length of Puff Lane will continue in future years to ensure adequate emergency access and egress. These clearances will be maintained at a minimum of 10 feet on both sides of the roadway, and a minimum of 15 feet of vertical clearance, allowing a much more open space for vehicles to travel, especially during a wildfire scenario. This roadside treatment plan has been supported not only by Monan's Rill and other neighbors, but also by the Sonoma Land Trust, CAL FIRE, and the Sonoma County Fire Authority. A long-term maintenance program will be implemented to maintain these clearances into the future. In addition, the applicant is also proposing to provide a hard-paved surface and/or concrete where necessary to mitigate the areas along the roadway that exceed the maximum slopes required in current regulations. The remainder of the roadway will be maintained with gravel surface, with periodic turnouts where necessary to meet current road standards. With these improvements after project approval, both residents and emergency responders will be provided with a much safer and higher standard of road access than currently exists. The BZA Findings stated that the property contained a narrow road with inadequate vegetation clearance. The proposed improvements will eliminate these inadequacies, with required turnouts in the few narrow locations, paved surfaces in steeper locations, and substantial vegetation clearances that will significantly improve response times to emergencies for this area in the future. The map below shows the property line in red, with the improvements to Puff Lane shown in shaded

green, and a proposed secondary access/egress route shown in shaded red. This improved emergency egress route will be discussed in the next section below.



Road Access Map Legend:

Puff Lane Improvements:

- a. (Roadside Vegetation Clearances, Turnouts and Paving as Required)

Puff Lane Access/Egress Improvements:

- b. (Connection with Mattei Road)

2. **Emergency Egress:** Currently, Puff Lane is a one way in and out access road for this property. The applicant has identified an alternative egress route that could be improved to allow a secondary emergency egress for residents along Puff Lane, as well as a secondary access for emergency responders in the event the upper half of Puff Lane becomes inaccessible. Puff Lane splits into two sections approximately a half mile up from St. Helena Road. The primary section of Puff Lane continues for another half mile to reach the gate at the applicant's property. The left hand split of Puff Lane continues on to meet up with Mattei Road, which also connects back with St. Helena Road further to the West of Puff Lane. An older access road currently exists that travels through the northwest portion of the applicant's property, and eventually reconnects to Mattei Road. This "road" has not been maintained over the years, and is currently in very poor condition. The applicant proposes to enter into an agreement with the neighboring property owners to make improvements to this existing

roadway that would provide an emergency access/egress route from both Mattei Road as well as from the end of Puff Lane. The planned improvements are shown in red in the map above. This proposal to create a secondary access/egress route again provides substantial improvements to both residents in this area as well as emergency responders, and as mentioned earlier, meets goals established by the Sonoma County Safety Element as well as the Mark West Community Wildfire Protection Plan. It also mitigates the BZA Findings that inadequate access and egress exist in the area. Final details regarding these improvements will be provided in the future Wildfire Mitigation Plan once the project is approved.

- 3. Emergency Water Supply:** The applicants have proposed an onsite pond that will provide water for irrigation of the property, but will also provide more than 120,000 gallons of water dedicated for emergency use in the event of a wildfire. There are two hydrants onsite, both with two blue markers identifying their location. Both of these hydrants are planned to be connected to the new pond for emergency water supply. Future plans call for a coordinated effort with neighboring fire agencies to become familiar with these improvements for emergency purposes. A current wildfire Type 3 fire engine, on average, holds approximately 500 gallons of water. This emergency supply will be enough to allow 240 fire engines to refill their tanks. Put another way, a total of 48 strike teams of engines (5 engines in each strike team) would be able to refill at this single site. These types of emergency water supply systems are extremely rare in rural areas, and the lack of adequate water supplies has rightfully been pointed out by the County to be one of the contributing factors in the spread of large, devastating wildfires. By approving this application, the creation of such a significant water supply in a remote, rural area serves CAL FIRE and all local fire agencies in their efforts to appropriately respond and suppress unwanted wildfires. This provides a substantial mitigation to the BZA Finding of inadequate emergency water supplies in rural areas.
- 4. Vegetation Management Plan:** The findings also point out the dense vegetation and varied topography of the site. As stated earlier, there is little that can be done to address the varied topography. However, the dense vegetation will be addressed in an aggressive manner, and in fact has already begun. The property currently contains a mixture of native, non-invasive and ornamental vegetation. However, focus will be given to remove invasive species of plants across the site, and specifically focused on areas around structures where they could contribute to wildfire combustibility and spread. Efforts have already begun to perform vegetation clearing and thinning to help reduce the wildfire risk around the developed portion of the parcel. These efforts will continue into the future to introduce critical fuel breaks that will be strategically located taking advantage of topographic features that can aid in reducing wildfire spread and intensity. When completed, the Wildfire Mitigation Plan will ultimately address a plan to create a wildfire resilient landscape across the entire property, recreating a more fire adaptive environment. Efforts such as this will help slow wildfire spread and reduce wildfire intensity, providing an opportunity for suppression forces to help control future fire events. The BZA Findings failed to address these plans to help reduce the wildfire impacts both on this property and to the surrounding area.
- 5. Structures and Other Considerations:** Two habitable structures are located on the property, both of which have non-combustible roof construction, combustible exterior siding, single pane windows, and are located on a relatively level portion of the site. In addition, there are

non-habitable structures nearby that are used for cannabis operations and property management. There are onsite electrical panels, propane tanks, and other utilitarian components that will require ongoing mitigation and long-term maintenance. Defensible space standards as required by California Public Resources Code 4291 will be exceeded, as well as compliances with the Sonoma County Fire Safety Ordinance No. 6184. The long-term Wildfire Mitigation Plan will provide a more detailed analysis of each of these infrastructure components, and identify ways to mitigate their ignition potential, as well as their combustibility when exposed to a wildfire. None of these provisions were identified in the BZA Findings, but each one will help mitigate existing conditions.

Benefits to this Property and Surrounding Community

There have been previous statements made in this report that point to benefits that will be gained after the approval of this application. This section will point out other benefits, as well as tying these benefits into solutions for the Sonoma County General Plan Public Safety Element.

One statement that points out wildfire hazards in the Public Safety Element reads as follows:

“Residences have increased the number of fires in hazardous rural areas. 97% of the wildland fires over 50 acres since 1989 were caused by human activities or facilities. Residences in rural areas cause fire suppression agencies to devote limited resources to structural protection while the wildfire spreads.”

This report points out that the parcel operated by Foxworthy Farms already contained residential structures that were being utilized by online rental services. As such, the parcel already had human activities and facilities, with no plan to make any improvements to create a more fire safe area. In the event this application is denied, those human activities could continue to take place, but with none of the benefits of the proposed land use improvements for this project. As pointed out above in the Public Safety Element, the existing conditions with no improvements are therefore a higher risk for fire ignition and potential wildfire threat than will be in existence once the project is approved.

In addition, Policy PS-3k from the Public Safety Element suggests property owners work with the California Department of Forestry and Fire Protection to identify areas of high fire fuel loads and take advantage of opportunities to reduce those fuel loads, particularly in “Areas with very high or high potential for large wildland fires” and in High Fire Hazard Severity Zones. The completed Wildfire Mitigation Plan that will be created once this project is approved will do exactly that. The applicant has already been in touch with local CAL FIRE resources, and they have also participated in previous roadside vegetation project work. The local Battalion Chiefs from both the Santa Rosa Battalion and the St. Helena Battalion are in full support of the proposed efforts on this property. They welcome the plan for a large-scale vegetation management plan, road improvements to allow easier and faster access, a potential secondary access/egress route, and emergency water supplies that currently do not exist. These plans will ultimately be highlighted by CAL FIRE and local emergency responders as a critical site that can aid their efforts in suppression for future wildfire events not only on this property, but for the entire surrounding community.

Another statement in the Public Safety Element comments on a vision for Land Use Planning efforts in Sonoma County. It states:

“In order to reduce the risk of fire damage in rural areas, the types and intensities of land uses should be limited. Wildland fire hazards may be reduced by mitigation measures including the removal of vegetation and installation of dependable water systems, but cannot be eliminated entirely. Rural development should be most restricted where natural fire hazards are high, fire protection is limited, and road access prevents timely response by firefighting personnel and rapid evacuation by residents.”

It is important to point out that this is not an application asking for additional structural development. This parcel was developed many years ago, and as such already has access issues, electrical distribution, and other amenities that all rural residential properties contain. The application acknowledges the current deficiencies of access, lack of emergency water supply, and substandard vegetation management. It is providing substantial improvements in these critical areas to reduce the risk of wildfire impacts on this site and to the neighboring community. It is through the approval of this application that this report can be used to create the Wildfire Mitigation Plan to improve all of these deficiencies, and achieve the stated goals of reducing the wildfire threat in rural Sonoma County.

In addition, the applicants have already approached neighborhood residents and groups to gain support for these fire safety measures in this community. As such, their efforts will begin to support and achieve goals of the Upper Mark West Community Wildfire Protection Plan. Their goal is to become good neighbors who support the needs for fire safety measures in this rural area, join existing groups to further achieve their goals of this important watershed area, and create a much higher level of fire safety in this area than currently exists.

Conclusion

This report is only the preliminary step for a much larger effort to address wildfire concerns on and around this property. This report spells out a vision to address the findings that led to the denial of the application from the Sonoma County Board of Zoning Adjustments. This report addresses the findings as written, with explanations and details on how these findings can be mitigated. The projects and goals outlined in this report will ultimately be spelled out in more detail once this application has been approved. Once project approval is granted, a more comprehensive Wildfire Mitigation Plan will build on the visions identified in this report, and ultimately create a long-term plan to establish a more fire resilient environment on this property, and maintain safety elements for access and emergency water supplies that currently do not exist. And these elements will be maintained far into the future.

Wildfires in Sonoma County are unfortunately a reality that are not expected to diminish in the near future. The Sonoma County General Plan expresses concerns for these events, and provides a vision on how property owners can help mitigate the impacts from wildfires. For an existing property, there will rarely be a better opportunity to put in place such robust fire resiliency measures that will prove to be a significant benefit to the entire community. We appreciate your thoughtful consideration on these proposals, and welcome your comments and feedback.