



Who are we?
Where are we going?
Do we promote
sustainable growth
and
quality of life?



FIRE!
IS YOUR HOME
SAFE?



WHO
WILL PUT OUT
YOUR
FIRE?



IS OUR FOOD
SAFE?



2009-2010 PLUMAS COUNTY GRAND JURY REPORT



IS OUR WATER
CLEAN?



WHO IS IN CHARGE OF
ECONOMIC DEVELOPMENT?



WHO RUNS OUR AIRPORTS?

It's Us

It's that one "Is" that we find worthy in fighting for
And it's the reason for planning on
It's us

A tree falling in the forest doesn't make a sound
And a mountain top doesn't have any sight
It is us

We have the sight, we have the need
It is us who must work together
To bring together any fruition of what we have here

Field and stream, man and woman
Supervisor or store clerk, it's us
It's us who are responsible

2009-2010 Plumas County Grand Jury

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**The Goals for Investigations
by
The 2009-2010 Grand Jury**

Rationale for Investigations:

The 2009/2010 Plumas County Grand Jury began its term by gathering information from Plumas County government officers regarding our functions, the current status of governmental operations and future problems created by the current economic climate. The purpose was to identify programs and services likely to have a significant impact on Plumas County's future economic and social well-being. Plumas County has been undergoing an extended period of transition which has been greatly exacerbated by both the recent national economic collapse and the budgetary deficiencies of the California state government. Since the time of the Gold Rush, new inhabitants have been attracted by our abundant natural resources. Their livelihoods depended to a very large extent on industries which either extracted these resources (timber, lumber milling and mining) or facilitated the process (railroads). Due to a combination of resource depletion, changes in government regulations, changes in societal attitudes and shifting market forces, the roles which these industries have previously played as the economic foundations for Plumas County citizens are now either nonexistent or rapidly disappearing. Our assumption was that if Plumas County is to grow and remain a place where young people will come, stay or return, work and raise families, there must be new jobs in local businesses and new industries along with desirable housing and a safe living environment. As a consequence, the 2009-2010 Grand Jury organized our investigations with the following questions in mind:

Who are we?

Where are we going?

We focused on programs and services which we assessed were critical to helping the county move toward the goal of promoting:

Sustainable growth and quality of life.

As did its past, Plumas County's future also depends on its natural resources. However, these county resources will need to provide benefits in a broader spectrum of ways. The resources which we could identify as critical to shaping our future include: the forests and mountains, the natural lakes and reservoirs, the free-flowing streams

and rivers, and the clean mountain air. The tremendous scenic and recreational value of these resources has attracted large numbers of visitors and encouraged an expanding recreational, sporting and hospitality industry. The same resources have also brought many of these visitors back to become permanent, or semi permanent, residents in their retirement. These resources also serve as major assets for attracting new industries with low environmental impact. They will offer their employees a safe and healthful living environment. The best option would be to identify businesses for addition or expansion which will synergize with or compliment our current assets.

We defined these assets as:

Healthy, lush forests

Abundant clean, clear water

Clean, clear air

A high level of public safety

As a consequence, the Grand Jury investigations were organized around three general questions regarding how Plumas County manages these assets:

Which programs or agencies have the current responsibilities for protecting and regulating use of these assets?

Do the current organizational structure and operational policies of these programs or agencies allow them to effectively exercise their responsibilities?

Will the current organizational structure and operational policies of these programs or agencies be sufficient to ensure that they can function effectively as the county moves into the future?

The programs, services or agencies which we identified as being most critical to Plumas County's future and chose to investigate were: Airports, Economic Development, Fire Management, Food Safety, Water Quality and Abundance.

Grand Jury Use of Internet

One of the goals of the 2009-2010 Grand Jury was to bring the Plumas County Grand Jury, now and in the future, into the world of technology – to fully utilize the capabilities of the Internet to speed and to facilitate communication and document/file sharing between panel members. The initial approach was via email using password-protected files. Incompatibilities in software, hardware and internet service by different providers rendered this approach impractical for achieving our stated goal.

After a great deal of research, the Grand Jury established a new position, Webmaster, and purchased a low cost web hosting service. The service provides a high-end business-class online storage sharing website. The service also provides software that easily interfaces with Microsoft and Apple operating systems, which greatly improved the Jury's ability to quickly and securely store and share documents and files both large and small with minimal incompatible issues. The website was easy to set-up, has good support service, is reliable and requires minimal training for use by Grand Jury members. In addition, access to the site is password protected and all privileges for reading, sharing, uploading, downloading and management of documents/files/folders are controlled by the Webmaster and designated users such as committee chairs.

The Grand Jury elected to use their own email service and identities to communicate changes in website content, and the Webmaster used a portable storage device to manually backup documents/files. The website service proved to be a valuable tool and exceeded or met all expectations of our stated goal.

Finally, the combined use of Grand Jurors personal computers (desk top and lap top), printers, email and the web site saved significant time and cost. The use of these modern technologies is especially important in Plumas County due to the long travel distances between the Grand Jurors and the communities they represent.

Plumas County Grand Jury Members 2009-2010

Bourquin, Charles, Chairperson	Hamilton Branch
Brand, Richard	Chester
Dailey, Don	Quincy
Erickson, Paul, Chairperson	Clio
Gill, Pamela, Foreperson	Portola
Hiltunen, Gary	Chester
Howe, Julien, Chairperson	Greenville
Jesenka, Cheryl	Chester
Klemesrud, Eleanor	Graeagle
Matthews, Anne	Taylorsville
Plopper, Charlie, Chairperson	Hamilton Branch
Ramsey, Melody	Chilcoot
Salvato, Fred, Webmaster	Hamilton Branch
Scott, Carole, Foreperson Pro Tempore	Portola
Scotti, Jerry, Chairperson	Chester
Sevier, Harlon	Quincy
Wann, Julie	Hamilton Branch
Wheeler, Linda, Chairperson	Blairsden

Former members:

Berry, Sonya	Quincy
Mike Quisenberry	Blairsden
Kennedy, Starra	Quincy
Windward, Stephen	Quincy

Grand Jury Committees

Airport
Animal Services
Archive
Conflict of Interest
County Audit
Editorial Review
Economic Development
Food Safety
Grand Jury Manual
Plumas County Correctional Facility (Jail)
Stimulus Funding
Structural Fire Management
Water Resources

2009-2010 Grand Jury Celebrates Plumas County Airports' Success

Specific Issue:

Bestowed with the High Quality Standard Award from Exxon Mobil Aviation and operating at a profit, airports in Plumas County serve as shining examples of well-run county facilities. The county will benefit further with the addition of a new U. S. Forest Service Air Attack Base emergency response center at Nervino Airport in 2010. The county will gain revenues and the citizens will realize added forest fire protection. The airports are positioned for growth and the future looks promising.

As the 2009-2010 Plumas County Grand Jury began to choose possible departments of our county government to investigate, a reading of the Grand Jury's investigation history revealed that our three airports: Rogers Field in Chester, Gansner Field in Quincy, and Nervino Airport in Beckwourth, had not been investigated in the past ten years. With our present difficult times, our airports should be accounted for in their role within the future growth and development of this county. Where are we and our airports going? What issues of safety, management, or finance are there that our residents of Plumas County ought to know? This became the purpose of our investigation.

Summary of the investigation:

We of the Grand Jury, by the examination of all pertinent documentation, interviews and tours, found our Airport Department to be run efficiently by the combined teamwork of contract airport managers and the supervision of our Plumas County Director of Facility Services. For this brief summary, our claim of efficiency is found in that the Airport Department has operated with a budget that has been in the black every year.

Findings and Recommendations:

Finding 1: For the 2008-2009 year, the Airport Department operated with a budget that ended with \$5,391 in the black. At midyear this year, the airport budget is in the black by \$7,783.19. We commend the Airport Department for maintaining a budget that allows our airfield to be able to provide their services while not being any sort of financial burden on the people who live and pay taxes in our county.

Recommendation 1: The Board of Supervisors should continue to fund our airports as they have done in the past. Any operating surplus remaining in the budget should be reinvested in the airports for future growth and improvements.

Finding 2: An inspection at our three airfields during January 2010 by Exxon Mobil Aviation examined the general facilities, personal and flight line safety, records and receipts, fuel documentation, and filtration. One hundred and twelve quality control checks were performed in this inspection without any "discrepancy description or recommendations". The county facility at Gansner field was given a compliance rating of 90%. Rodgers Field and Nervino Airport received compliance ratings of 93% and 98% respectively. For this superior rating the Airport Department received Exxon Mobil's High Quality Standard Award.

Recommendation 2: The Grand Jury recommends the airports continue to adhere to their high standards of safety, service, and quality. We commend all three managers for their fine work, both in their offices and on the grounds throughout our airport facilities.

This award would not have been given without the dedication of airport staff trained in the many procedures ensuring the safety of fuels and the flight line.

Finding 3: During the summer of 2009, the Department of Transportation (DOT) made an inspection of the runways and surrounding airspace path of any aircraft at each of our airports. Critical issues were addressed in a timely manner. With the agreement of the DOT, items that were identified as not being critical safety issues will be corrected when funding from DOT becomes available.

Recommendation 3: The Grand Jury encourages the Airport Department to continue their compliance with DOT standards.

Background Information:

Plumas County owns and operates three airports within the county. Rogers Field in Chester, Nervino Airport in Beckwourth, and Gansner Field in Quincy. All three airports handle the typical traffic of private planes, with Rogers Field and Nervino Airport able to land jet aircraft. Airport traffic operates without control towers, but by the use of each pilot's own visual discretion and radio transmissions concerning their intent of takeoff or landing. Runway lights are controlled by radio transmission from the pilot. Fueling is self service, using a card lock system. Hangar and tie down facilities are available at all three airports. Each hangar owner pays their own utilities and is responsible for any upkeep needed on their hangar. Rent is paid to the county for all hangars at a rate of 41 cents per square foot. Property tax and luxury tax is paid to the county each year at a rate of 1%. Charter and sightseeing flights and flight instruction is available at each airport. A light industrial aircraft repair business is operated at Nervino Airport. Rogers Field in Chester has a large building that houses the Chester Fire Department as well as the Chester Public Utilities District.

Director of Facility Services

The county's Director of Facilities Services also supervises the Airport Department. Seventeen percent of the Director of Facility Services' duties are devoted and budgeted for Airport operations. While supervising the two contract managers who oversee Rogers Field and Nervino Airport, he serves as manager for Gansner Field. Salary and benefits for the Director in his service to the airports is \$21,001.

Contract Managers

Rogers Field and Nervino Airport are supervised by contract managers. These managers also have their own private air service business housed at their airports. Salary and benefits are \$18,106. Each manager receives a benefit package and a PERS retirement. Additional income for the Chester manager comes through collecting one half of the profits from fuel sales and all of the tie down fees. Managers are not exempt from paying rent on their hangars or any other fees paid by other pilots. Managers can utilize non-county employees they have hired and trained for airport duties at their own expense. Duties of managers are (some duties may be particular to a given airport and not another):

- Maintain safe, obstruction-free airport grounds
- Perform fuel testing
- Snow removal (estimated time is two hours for every inch of snow)

- Refueling air attack aircraft
- Maintaining runway lights and beacon
- Monitor use of Unicom (radio frequency airport auto lighting)
- Availability for FAA or DOT inspections
- Record keeping

County Owned and Operated Airports

1. Gansner Field, Quincy

Runway length: 4,125 feet

Future Airport Improvements Plan by year:

- 2011--Reseal Pavement, paint airfield markings
- 2012--Tee hangar site development, three 5 unit buildings
- 2015--Replace 4 unit tee hangar building
- 2017--Jet fuel tank dispenser

2. Rogers Field, Chester

Runway length: 5,100 feet with 6,000 feet possible

Chester houses an air attack base operated by the U. S. Forest Service.

Future Airport Improvement Plans by year:

- 2011-2012--Develop east hangar area, including access road
- 2013--Extend taxiway A to end of pavement (35' X 1,000')
- 2014--Reconstruct tee hangar Taxiways (4 @ 60' X 450')
- 2017 New Snow Plow Vehicle

3. Nervino Airport

Runway length: 4,625 with 6,000 feet possible

Future Airport Improvement Plans by year

- 2010--New Snow Plow Vehicle
- 2010--Engineering Design
- 2010--startup of the US Forest Service Air Attack Base/multi-agency fire center
- 2011--Reseal pavement joints and paint airfield markings
- 2012--Tee hangar site development
- 2013-- Environment assessment study
- 2014--Engineering Design
- 2015--Replace 4 unit tee hangar building, plus
- 2016--Construct two 5 unit nested tee hangars, plus
- 2017--Jet fuel tank dispenser

Increasingly, Nervino Airport is becoming a more important center with the traffic overflow from Stead Air Base in Reno. It is also the site of the county's next U. S. Forest Service Air Attack Base. This development is facilitated by Plumas National Forest applying for and receiving \$2.2 million from the American Recovery and Reinvestment Act. It will become a multi-agency fire center. This facility would allow federal, county and private emergency response services to serve Plumas County. The Director of Facility Services says that he projects the Air Attack Base would also include a helicopter attack base for the Forest Service and a possible CareFlight station. The airport would be annexed into Beckwourth Fire District, allowing surrounding areas to get faster emergency response times. The county will receive rent from the Forest

Service (\$25,000/year), Beckwourth Fire, and CareFlight. The Forest Service will pay for and construct their needed facilities with those capital improvements becoming county property in thirty years. This thirty year turnover is typical for all structures that are built on any airport properties by private parties.

Department of Transportation Airport Inspection

In June of 2009, the Department of Transportation (DOT) made an inspection for state permit compliance of our three airfields. Previous inspection letters and the most recent State Airport Permit were used for this evaluation. The corrections noted by the DOT reports, for all three airports:

- Brush within the Runway Safety Area (60 feet side of centerline and 240 feet beyond each end of runway) needs to be removed
- Coniferous trees that penetrate the FAR Transitional Surface needs to be topped or removed
- Lip of runway needs to be filled and compacted flush to grade
- Runway needs to be displaced for local highway penetrating Federal Aviation Regulations Approach Surface

Concerning specific issues at Gansner Field on the DOT inspection of June 18, 2009, two items of concern were noted:

- A fire hydrant between parallel taxiways
- An electrical box on a segment of asphalt between taxiways

It was recommended that the fire hydrant either be relocated or marked with reflective tape and be given a low profile barricade. The electrical box should also be given reflective tape and have a yellow "X" on the asphalt, at the side of the taxiway. Action on these two non-critical issues has yet to be taken, but is planned.

Noting the resource burden associated with some of these needs above, the DOT remarked at the end of the inspection report, "The Department will continue to offer both financial and technical assistance to Plumas County." Monies planned for these compliance issues were not provided because of our State's own budget woes. An agreement stands between both state and county that the issues not resolved may be done at a later date. Rogers Field had similar small tasks to correct that included cutting down trees along the airport's perimeter. Nervino had tall brush and weeds to cut down and an old truck to remove.

Finances

Total expenditures for 2008-2009: \$358,674

Total revenues for 2008-2009: \$373,070 *

- Rents and concessions: \$103,117
- Sale of fuel: \$225,705
- State aid for aviation: \$30,000
- Fuel Facility-other: \$7,286
- Landing Fees: \$5,940
- Interest-Investment funds: \$693
- Reimbursements: \$328.00

* Pumping fees of \$8,291 come out of these revenues. Ten thousand dollars a year is paid on a loan that was taken out in 2006. This loan has been repaid.

Additional funding is available through the FAA for specific improvement programs. The DOT inspects airport grounds once a year and provides major maintenance (e.g. resurfacing) through Cal Trans. This is funded by the FAA through their Airport Improvement Program. Plumas County employs an airport consultant to obtain FAA grants and oversee project designs.

Mid Year Budget Report

Revenues for this part of the year 2009-2010 are down by 23%. However the airports are currently running in the black by \$7783. The shortage in revenue is partly due to the state freezing the California Aid to Aviation Program, in the amount of \$30,000. Revenues were further diminished by the expected loss of fuel sales and the reduced rent when a lessee defaulted on last fiscal year's lease. This property has since been leased to the Chester Fire Department in exchange for fire service. This default can result in loss of revenues in the amount of \$18,000. Cautious optimism prevails for this next fiscal year. The state program for aviation is possibly going to be released on July 1, 2010. Additionally, this fiscal year, a loan to the state for the Roger's field fuel farm has been repaid. This will allow a little more breathing room in the coming year.

Other

All three airports are in compliance with FAA regulations.

Procedures

To ascertain the leadership and general operation of our airports the Grand Jury gained information from the following sources:

Interviews

- Director of Facility Services
- Rogers Field airport manager
- Nervino Airport manager

Airports Toured

- Gansner Field
- Rogers Field
- Nervino Airport

Documents reviewed

- Supplier contracts: Branding and fuel from Exxon Mobile
- Manager contracts
- Land lease contracts
- Plumas County 2008-2009 budget
- 2008-2009 Airport budget
- Airport mid-year (2009-2010) budget report to Chief Administrative Officer and Board of Supervisors
- DOT/FAA permit compliance reports
- Airport capital improvement program (projected costs 2010-2024)

Conclusion:

The Grand Jury found that Plumas County operates safe and effective facilities at no cost to the county. The Grand Jury is appreciative of our airport management. Considering our four seasons and all the tasks in the planning and execution of our airfields' services, our Director of Facilities Services has performed well. Our pilots who base their craft here may be comparatively small in number, yet the county as a whole benefits in the services that our airports provide. The Grand Jury recognizes the potential role the airports can play for the economic growth of Plumas

Economic Development in Plumas County

Specific Issue:

Plumas County is a wonderful place to live because of its surrounding forests, its many stunning lakes, abundant clean water, and pristine air quality. It is such a wonderful place that we want to preserve its natural beauty for our enjoyment and that of the many visitors who come here every year. At the same time, we realize that we must have a healthy economy. Our country is suffering through an unusually deep and long lasting recession, and Plumas County is certainly feeling the impact of America's struggling economy. County revenues are down, our tourism industry is struggling to maintain momentum, our schools are experiencing declining enrollments, and recent layoffs at local mills and in the timber industry have contributed to increased unemployment in the county. Because the state of the economy is on everyone's minds these days, the Grand Jury decided that it was time to look into what the county has done in the past and can do in the future to improve and diversify the economy in Plumas County.

For purposes of the investigation, the Grand Jury defined economic development as sustaining a viable economy that benefits the whole of the citizens of Plumas County to include:

- Employing an economic development program that emphasizes continued support of our current businesses and our local tourism industry
- Striving to create a diversified economic base by attracting a variety of new businesses to our area which are compatible with our desire to preserve the rural environment and natural beauty of Plumas County
- Maintaining the moderate economic growth necessary to sustain a balanced community made up of young people, a viable workforce, and retirees.

Summary of the Investigation:

The Grand Jury investigated Plumas County and the City of Portola (the only incorporated city in the county) to assess the effectiveness of their actions to promote a healthy economy. While the city uses its staff for its economic development programs, the county relies solely upon local non-profit agencies: Plumas Corporation, the Plumas County Visitors Bureau, and the Chambers of Commerce: Chester/Lake Almanor, Eastern Plumas, Indian Valley, and Quincy. The Grand Jury also investigated these agencies to confirm that they are effectively spending funding provided by the county. Both the city and county have economic development plans in place; however, the Grand Jury discovered that neither has adequately funded nor fully carried out their plans. Our investigation concluded that there is room for improvement. A strong commitment on the part of both Plumas County and Portola to follow through on their economic development plans and to collaborate with one another would go a long way in helping our citizens build a stronger, more resilient economy in the coming decade.

Commendation to Plumas Corporation, the Visitors Bureau and the Chambers of Commerce

The Grand Jury found that these organizations are very valuable and effective contributors to planning and promoting economic development in Plumas County, and we commend them for their achievements.

Findings and Recommendations:

Plumas County

Finding 1: The County is not focused on economic development, as defined by the Grand Jury. The Board of Supervisors relies entirely on Plumas Corporation and the local Chambers of Commerce to set priorities and direction for economic development and tourism marketing.

Recommendation 1: The Board of Supervisors should take a leadership role by defining and implementing an economic development policy and program to include planning, funding, implementing, and monitoring economic development in the county. The Grand Jury recommends that the county employ an economic development coordinator to focus on business recruitment and follow through on an economic development plan.

Finding 2: The County is not providing stable or enough funding to support ongoing economic development. There is a tendency to decrease funding for economic development and tourism promotion when the economy is in a downturn. This is evidenced by recent across-the-board budget cuts.

Recommendation 2: The Board of Supervisors should recognize that economic development is a **high priority** for Plumas County and fund it accordingly to ensure resilience as the economy improves.

Finding 3: Plumas County has no contractual obligations attached to its use of public funds for economic development. In the 2009-2010 Plumas County budget, Plumas Corporation received over \$230,000. There is no formal accountability mechanism in place.

Recommendation 3: The County should execute an annual contract with Plumas Corporation for each year's economic development program. A formal contract should include a detailed scope of work and benchmarks for success which can be validated.

Finding 4: Because of the unique geography in Plumas County, regional economic centers exist: Almanor Basin, Blairsden-Graeagle, Eastern Plumas, Greenville, and Quincy. Each center has its own distinctive qualities and economies but all fall under the jurisdiction of the county.

Recommendation 4: Any updated economic development plan completed by the county should take into account the differences between our economic centers and provide specific objectives to assist them in developing and growing their economies.

Finding 5: The Board of Supervisors has hired consultants and the General Plan update is moving toward completion in 2011. Yet Plumas County has not contracted with the current General Plan consultants to include the optional Economic Development Element.

Recommendation 5: Plumas County should ensure that economic development is an **essential** component of the General Plan update. This critical element must be a **high priority**.

City of Portola

Finding 6: The City of Portola has an Economic Development Element in its General Plan, and the city documents the status of each implementation measure. However, there are measures listed for which no progress is shown.

Recommendation 6: The City should set priorities and employ an economic development professional to recommend implementation strategies.

Plumas County and City of Portola--Collaboration

Finding 7: The Grand Jury saw little evidence in our investigation that Plumas County and the City of Portola have made an effort to collaborate on economic development.

Recommendation 7: The timing is right for the county to make sure the Economic Development Element of its General Plan is compatible with the city's updated element. The city and the county should collaborate to develop compatible economic development plans and provide countywide leadership to attract new businesses and industry. Both should consider sharing the cost of an economic development professional for mutually beneficial projects.

Finding 8: As defined by the Government Code, "Sphere of Influence" is a plan for the probable physical boundaries and service area of a local agency. The City of Portola is in the process of updating and redefining its Sphere of Influence and needs cooperation and support from the county to get this done.

Recommendation 8: The Grand Jury feels that much can be gained by the two governments working together on the city's Sphere of Influence. Plumas County and the City of Portola must come together to agree upon an updated Sphere of Influence for the city. Advance sales tax and hotel tax sharing agreements between the two governments should be considered to facilitate moving forward on development projects which could help our economy grow.

Background Information:

In researching economic development in Plumas County, the Grand Jury determined that all of the following governments and agencies are involved in promoting the economy and use some local public funds to accomplish their programs:

- Chambers of Commerce: Chester/Lake Almanor, Eastern Plumas, Indian Valley and Quincy
- City of Portola
- Plumas Corporation/Plumas County Visitor's Bureau
- Plumas County

There are no statutes on the books requiring governments to get involved in economic development. It is not a core service, such as, police protection, road maintenance, or social services; however, city and county officials can play an important role in fostering and maintaining a diversified economy. They can shore up the local economy by

funding economic development programs, improving infrastructure, i.e., roads, water and sewer services, devising clear, concise and timely land use policies, and creating a business-friendly atmosphere.

Plumas County

The Chair of the Board of Supervisors informed the Grand Jury that the county does not have a countywide economic development plan; however, our research indicates that there is a plan which was completed by Plumas Corporation and approved by the Board of Supervisors on October 22, 2002.

Instead of systematically implementing their plan, the Board of Supervisors promotes economic development in other ways. They participate in organizational meetings related to economic development within and outside of the county. Periodically, the Board approves economic incentives to help stimulate the economy. Recently, for example, the county waived the development impact fee that was imposed on all building permits. The Board also supports various development projects which benefit their constituents. A variety of mixed commercial/residential subdivisions have been approved by the Board of Supervisors throughout the county in the last decade. Some of these projects are not built out as planned, and with the downturn in the economy, some are struggling to stay afloat.

The county does not have clearly defined land use policies in place for potential developments because its 1981 General Plan is outdated. The State has granted a two-year extension of the Plan, and the county has hired consultants to implement the updating process. Some development projects have been placed on hold until that process is completed in 2011. In addition to the seven required elements of the General Plan, there are three additional elements which the county can contract with the consultants to complete. One of those is the Economic Element.

Plumas Corporation

Our research indicates that the Board of Supervisors relies solely upon Plumas Corporation for promotion of tourism and strategic economic development planning. This non-profit was first incorporated in 1983 as a lobbying entity with the specific purpose of promoting the expansion of the county's economic base. According to the 2007 revision of its bylaws, in addition to promoting economic vitality, it now also promotes good land stewardship. Eighty percent of the agency's 2009 budget was dedicated to erosion control and fire safe programs.

Plumas Corporation does some long range planning for economic development and provides economic indicators and other data each year for the Board of Supervisors. The agency produced a sixty-eight page Economic Development Strategy plan in 2002 for the county and currently is in the process of updating that document. The agency also uses some of the county funding to apply for grants and to interface with other agencies involved in economic development inside and outside of the county. There is no contract in place between the county and Plumas Corporation. The non-profit files an annual independent auditor's report with the County Administrator's Office.

Plumas County Visitors Bureau

The Plumas County Visitors Bureau, which is under the umbrella of Plumas Corporation, receives a major share of the county's funding for economic development. According to the Plumas Corporation Director, it is the county's official destination marketing organization. Essentially, the staff promotes tourism by marketing Plumas County's tourist events, recreational opportunities, and natural resources all over the country through electronic and print advertising. Their annual report and strategic marketing plan, available on their website, give a comprehensive view of what they do. They are housed in the same building as Plumas Corporation.

Chambers of Commerce

The county contributes funds each year to the Chambers of Commerce: Chester/Lake Almanor, Eastern Plumas, Indian Valley, and Quincy. These are non-profit dues paying associations. They support local businesses through advertising and the production of local events which draw customers for their members. The Chambers' events bring out-of-towners into the county, thus increasing the levels of hotel and sales tax revenues and generating profits for local businesses. Their focus on supporting local businesses and promoting tourism contributes to the overall economic health of the county. The businesses they support create and sustain local jobs and are an important component of economic development.

City of Portola

Although there are several economic centers in the county with which we are all familiar, such as Chester, Greenville, Blairsden-Graeagle, and Quincy, the City of Portola is the only incorporated city with its own municipal government. The city is responsible for its own economic development plan. The city's General Plan was completed in 2001 with land use projections valid to 2020. The Planning Commission is currently completing a ten-year update.

The City's General Plan includes the Economic Development Element which clearly defines the city's plan for economic development and includes nine pages of policies and implementation guidelines. The Element includes such implementation measures as: developing an incentive program for industries, preparing an inventory of the local resources to assist in marketing the area to prospective new employers, preparing a target industries study, establishing a set of standards and "quality of life" criteria for attracting new businesses, working more closely with the schools to establish job training and vocational education programs, and appointing an economic development coordinator.

The city played the leadership role in the proposed development of the Woodbridge at Portola Project, a 400 acre master planned community with a village center, which will provide up to 945 high, medium, and low density residential units and 60 commercial/mixed use dwellings. The city purchased, prepared and then sold the land for the Woodbridge project to the developer which produced a net profit for the city of approximately \$3.8 million. The city also worked diligently to convince Nestlé's Bottled Water Company to take advantage of the city's five natural springs, located on city-owned property, by situating a bottling plant in Portola. If successful, up to 150 new jobs could be created.

Funding Streams:

Plumas County

As discussed above, the county accomplishes its economic development programs through local non-profits. The current budget for these programs totals \$350,112. The following information explains briefly who gets the money and how it is spent.

Plumas Corporation

Plumas Corporation received \$28,500 for economic development planning and activities administered by the Executive Director. This amount covers 10% of the Executive Director's salary and 20% of an administrative assistant. Non-personnel costs, such as technical assistance from Sierra Business Council, marketing through Upstate California EDC, and travel, make up the remaining 70%.

Plumas County Visitors Bureau

Plumas Corporation received \$208,990, which is dedicated to tourism activities carried out by one of its divisions, the Plumas County Visitors Bureau. This contribution pays for 2.75 staff positions, print advertising, internet marketing, publications, promotional supplies, mailers and general administration services provided by Plumas Corporation at a cost of \$36,239 budgeted for the current year.

Chambers of Commerce

The Chambers of Commerce - Chester/Lake Almanor, Indian Valley, Eastern Plumas and Quincy - each got an equal share of \$28,155.50 for fiscal year 2009/2010. The Chambers' income is generated by members' dues, fundraising events, and annual funding from the county. The county funding to these agencies supports part-time paid staff, except for the Chester/Lake Almanor Chamber which has no paid staff, basic operating costs, and some of the many activities that they sponsor. All of the Chambers depend on their dedicated volunteers to help keep costs down.

City of Portola

The city doesn't have a specific budget for economic development. They support individual projects as needed. They do have a \$3.8 million reserve which can be tapped for economic development. Additionally, the City Manager informed the Grand Jury that the city may receive up to \$3 million in settlement funds from the State for business and revenue losses due to the Pike Eradication Project. Some of those funds will be used to repair the economic damage done to Portola by the project.

Revenue

In researching how economic development programs might be financed, the Hotel Tax was identified as a related revenue source. Cities and counties have the authority to levy a tax on hotels, inns, tourist homes, motels, or other lodging. Plumas County levies a tax of 9% on tourists when they stay in local lodgings. This tax generated \$1,152,277 last year. Monies budgeted by the county for economic development programs and tourism promotion for the current fiscal year represent 30.7% of the anticipated Hotel Tax revenue. While the actual revenue from the Hotel Tax increased 16.8% from fiscal

year 2001-2002 to 2008-2009, the amount of funding for tourism promotion decreased 20.2% during that same time period.

The City of Portola also collects Hotel Tax, but it is not a significant revenue source as they have only one motel within the city limits.

Some grant revenues may also become available from time to time for specific projects for the county, the city and the economic centers located throughout the county. Most of those grant dollars are obtained by Plumas Corporation on behalf of the county and by the city manager and city staff on behalf of the city. The grants may fund such projects as landscaping downtown areas.

Procedure:

In researching this matter, the Grand Jury obtained information from the following sources and from their websites:

- Board of Supervisors/County Administrator's Office/County Planning Department
- Chambers of Commerce of Chester/Lake Almanor, Eastern Plumas, Indian Valley, and Quincy
- City of Portola
- Feather River Bulletin
- Plumas Corporation/Plumas County Visitors Bureau

Documents reviewed included:

- Chambers of Commerce Budget and Expenditure Reports
- City of Portola Budget, Audit Report, Economic Development Element, Special Project Reports and Studies
- Plumas Corporation Audits, Annual Reviews, Budget Requests, Economic Development Plans and Reports, Marketing Plans
- Plumas County Budgets, General Plan Consultant's Proposal and Contract

The Grand Jury interviewed:

- Chair of the Plumas County Board of Supervisors
- City Manager of the City of Portola
- County Administrator of Plumas County
- Directors and/or Members of Boards of Directors of the Chambers of Commerce
- Plumas Corporation's Executive Director

Conclusion:

This recession is a wakeup call for all of us. We need to start today to plan for a successful economic recovery. Tomorrow may be too late. It is time for Plumas County and the City of Portola to take the lead in economic development and to form a partnership for the common good of our citizens. No matter where economic development occurs, we will all benefit by increased revenues and taxes to support the services, infrastructure and economy in our county.

You – as a citizen of Plumas County - can also provide strong support of economic development efforts through participation in county and city governments. Get active on committees and commissions. Buy local whenever possible. Volunteer and participate in organizations that support our communities, and finally, enjoy the natural beauty, wonders, and opportunities in our county.

Is the Food in Plumas County Safe?

Specific Issue:

The Grand Jury believes that even in troubling economic times there are certain undeniable rights and safeguards that county government must provide. In addition to fire and police protection, food safe from contamination should be high on the list. If we expect Plumas County to grow and attract both tourism and permanent residents, food safety and consumer protection are crucial elements of county governance that must function well. A recent consumer research report found that the health-related costs of food-borne illnesses in the United States totaled \$152 billion a year. That did not include costs associated with food recalls or those incurred by the industries involved. Much of these health costs are incurred by emergency room visits, over half of which are supported by taxpayer funds. The Grand Jury believes we must be assured that whether it is meals delivered to the elderly, fruits and vegetables sold on the street, goods sold at our markets, or an occasional trip to a local restaurant, we can always rely on the safety of our food products and handling. We must be assured that retail food handlers/vendors and street vendors are properly monitored for quality and safety. The process by which Food Safety and related consumer protections are administered in Plumas County is the focus of this Grand Jury investigation.

Summary of the Investigation:

The Grand Jury addressed the question: What does the County Government do to protect consumers from unsafe food?

The Grand Jury found that the Environmental Health Division of the Plumas County Public Health Agency has as one of its nine areas of responsibility Food Safety and Consumer Protection. Three Division Specialists spend a part of their time inspecting every retail food provider (grocery store, minimart, restaurant, food stand and mobile facility) twice a year to ensure they meet the "California Retail Food Code". Inspections are based on a 51 point inspection form, which is completed at the time of the inspection, posted on the Plumas County web site and must be made available to customers by the establishment upon request. As outlined in the County's training manual, the procedure by which inspectors address infractions is highly individualized and discretionary, placing a heavy emphasis on maintaining goodwill between the facility owner and the inspector as the best way to ensure that a facility provides clean and safe food to customers. While there is no record of a serious outbreak of food-related illness in the recent past, the Grand Jury believes that consumer safety can be best served by changes in the Environmental Health policy and procedures to increase the transparency of the results of inspections, and to make the enforcement of corrections of code violations more uniform and rigorous.

Findings and Recommendations:

The Plumas County Division of Environmental Health is doing a commendable job in addressing the concerns of Food Safety, keeping County residents safe from food related illnesses as might be found in food handling facilities, or illnesses found in food product distribution from outside of County sources. One significant measure of the

Division's effectiveness, based on County Health Agency records and other County health facilities records, is that there were no incidences of food borne illnesses that could be traced back to food facilities within the County in recent years. The Grand Jury feels that County residents may not realize the many functions that the Division performs and the importance of those tasks in providing the high margin of safety to County residents.

Even with a smoothly running Division, the Grand Jury feels certain aspects of the Division's process are open to modification. It is easy to stand on the outside looking in and make suggestions, but the Grand Jury believes that if certain procedures were implemented by the Division, the process would be stronger, allowing for even more safety for residents and tourists. The Grand Jury's recommendations are as follows:

Finding #1: Plumas County ordinances do not require that restaurants and other food facilities visibly display their inspection sheet, so customers don't know the quality and cleanliness of the facility. The Grand Jury believes that more transparency should exist for the inspection results.

Recommendation #1: The County's Environmental Health Division should either establish a grading system whereby the quality and cleanliness (safety) of the facility is displayed in the form of letter grade of A, B, or C, or by the colors green, yellow, or red, as determined by the quality of the latest inspection. If a grading system is determined not workable, the Division should require food facilities to display the most recent inspection form, placed near the entrance, visible to patrons.

Finding #2: Presently, mobile/temporary food facilities don't have to display their permits or inspection compliance sheets.

Recommendation #2: If a grading system is not used for all food handling facilities, the Division should require the mobile/temporary businesses to display the operating permit and the results of the most recent inspection, visible to potential customers.

Finding # 3: The current approach for handling infractions appears to be based more on establishing a positive, collaborative, relationship with owners/managers of food handling facilities than with setting strict guidelines and times for correcting the problems.

Recommendation #3a: The Division should establish a brief but detailed set of instructions for inspectors to apply uniformly for correction of infractions.

Recommendation #3b: The Division should establish a standard pattern of rotation for inspectors in such a manner that the same inspector does not conduct more than one of the two inspections of a facility in the same calendar year.

Recommendation #3c: The Division should establish a standard schedule of fines or sanctions for reoccurring violations of a consistent nature.

Recommendation #3d: The Division should establish a fee for owner/operator requested re-inspections for those owners who want to improve their previous inspection grade.

Finding #4: The Division's web site, where food facility inspection results are posted, is a very positive process for creating transparency and awareness for food safety. The

Grand Jury commends the effort, but believes that many County residents and tourists are not aware of the site.

Recommendation #4: The Grand Jury suggests that the Division increase their effort to publicize the existence and nature of this site, using any and all media approaches to reach as many people as possible.

Finding #5: The funding for the department comes from a variety of sources. If any of those funds were reduced, service would suffer if the other sources were not increased.

Recommendation #5: That the Board of Supervisors not reduce the County's tax contribution further than it is now nor take any actions that would compromise the state and other resources that fund the program.

Background information:

In Plumas County, the Environmental Health Division of the Plumas County Public Health Agency has the responsibility for Food Safety and Consumer Protection as one of its nine functions. The Department inspects every restaurant, grocery, and mobile or temporary food facility in the County twice a year for compliance with the "California Retail Food Code". A procedural manual for guidelines and training of food facility inspectors—the "Food inspection Data Fields Marking Guideline"—is used to gain consistency and uniformity in the inspection process. When infractions are found, the Division must assure that the facilities correct them to meet the Code. The Division has three Specialists assigned to Food Safety in specified geographic areas of the County. They each inspect all of the facilities in their given area. Among their other State mandated functions, these three Specialists are responsible for inspecting more than two hundred food facilities twice a year.

In addition to the inspections of food handling facilities themselves, the Division places on the County web site all food facility inspection sheets for public viewing. Since only about half of the Counties within the State do this, the Jury feels the process is a positive asset for our County. To view these inspection sheets go to (www.countyofplumas.com/publichealth/envhealth).

The Division also takes an active role in public education regarding public and consumer safety issues. A list of the Division's functions and parameters are published in the Annual Report. The Division furnishes information on the County web site where much information about the Division, including the Annual Report can be found. The Division also publishes newspaper articles, handouts, and other information regarding food safety. As a free service to County clients, they also administer the State required Serve Safe Certificate test for food service workers.

As indicated in the 2008 Annual Report, the Division's total revenue sources for all programs, including the Food Safety program, are "Fees for Service—34%, State Realignment—32%, State Program Reimbursement Grants—15% Contracts for Services and other revenue—16%, and County Contribution—3%. The Grand Jury feels that if any of the funding sources mentioned above were reduced, the Division's performance could be negatively affected, and the Division's functions are crucial to the well being of County residents.

Procedures:

Information about the Environmental Health Division Food Safety and Consumer Protection program came from the 2008 General Fund Budget, the Plumas County Public Health Agency Environmental Health Division Annual Report for 2008 and the information about the Division and its programs contained on the County web site. The Division Director provided manuals and procedural documents. The Director and other members of the Division's staff involved in food safety were interviewed. To assess the effectiveness of their process, the Grand Jury has reviewed Division procedures and assessed County Health Department records and the records of other health facilities within the County for food borne illnesses that could be traced to local food handling facilities. The Grand Jury wishes to express its thanks and appreciation to the Environmental Health Division and its staff for the cooperation it has shown during this investigation.

Water Quality and Abundance

Specific Issue:

The Grand Jury addressed the question: What does the County Government do to protect County residents from unsafe drinking water, and what does it do to determine that adequate water is available for future potable and safety uses? "All day I faced the barren waste without the taste of water," the old Bob Nolan song, "Cool Water" goes. Presently, 40 percent of the fresh water in the United States is polluted and not drinkable. Clean water is one of Plumas County's best resources and we need to protect it and monitor it for continued quality. Water is essential for the world, as we know it, to survive. People and governments have always tried to control it. Wars have been fought over it. Individuals and corporations have become rich through the possession and sale of it. Over the years, this State has had a rather "feast or famine" relationship with it. Those that don't have it want it, and those that have it, want to keep it. Here, in the West, the elements of rain from nature tend to come in cycles. Those of us, who are 6 and 7 decades old, have seen many periods of drought accompanied, afterwards, by periods of excessive rain and floods. In times of excess our major rivers carry our precious commodity out to sea. Only time will tell if climate change will alter that pattern. Water can be very political, and at the same time, personal. This year's Grand Jury, 2009-10 is not taking either of those views. Water issues are interrelated with many other issues in Plumas County. They cross boundaries with economic development, fire protection, and with continued residential developments in our County. A few "watch dog" people in a sparsely populated Northern County probably can't change the "course of human events" that will direct the future of water control or usage in our State. Nevertheless, the Grand Jury's focus is on Plumas County, and how, as citizens of this County, we can best protect and maintain the quality and the reserve quantity of our most precious natural resource, our water.

Summary of Investigation:

Water is the most precious of our County's natural resources, as this year's Grand Jury has found. It winds its way through many of this year's investigations, like a clear mountain stream divides and yet binds together the people and places of this little part of the world called Plumas County. It helps answer the first portion of this Jury's mantra, "Who are we?" Without it there would be no towering forests, or mountain meadows, no deep blue lakes or crystal clear streams. Without it there would be no cities, small villages, or wide spots in the road, where our people settled. Water will also direct the second portion of our mantra, "Where are we going"? Without water there can be no developments, increased recreational opportunities, or the kind of jobs that will bring in, or encourage young people to stay and raise their families. The third driving force of this Jury is "Sustainable growth and quality of life." One can't imagine either of those without the life giving essence of water. It has to be the very large elephant in the room where any county agency is plotting our future.

This Jury believes that this County's Environmental Health Division ("EHD") is doing a commendable job in permitting, monitoring, and controlling this County's usage and quality of water. They work within the bounds of not only County, but State and Federal statutes. When working with highly important facets of government, like overseeing

things that affect our quality of life, the question always arises, "are they doing enough?" Because we are a small county and don't have the resources the larger counties have, does it mean we can't test for what other counties test for? Does it mean that we can't exceed our present State or Federal standards? With something like the overriding importance of water, we should.

The problem that this Grand Jury found is that with larger developments, 200 units and above, there are decisions made regarding the quality and quantity of water by the Plumas County Planning Department and the California Department of Health with no involvement by the EHD to evaluate the legitimacy of those decisions regarding water quality and quantity. Those who are held responsible for the decision must have a part in making the decision.

Findings and Recommendations:

This Grand Jury recognizes the EHD's jurisdiction over water quality and quantity as a highly important responsibility for the quality of life of county residents. It is in that recognition that our recommendations are directed. It is not that the EHD is not performing well, because it is. Our recommendations are this Grand Jury's attempt to simply improve the existing systems.

Finding #1: Once individual private wells are permitted and approved, no other monitoring or testing is done unless the owner requests it. With 10,000 to 11,000 septic systems in the county, some of them quite old, can we assume the well water is not affected?

Recommendation #1: Each Individual aquifer should be tested for contamination periodically on a schedule determined by the EHD.

Finding #2: Private wells fed by aquifers within the County are only tested for coliform bacteria. Metal contamination and other microbial contamination are not tested. If mercury is found in lakes and streams, is it in our well water?

Recommendation #2: The EHD should also test well water from each aquifer within the county for the following potentially toxic metals: Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Thallium and Zinc. This is especially relevant in an area such as Plumas County with a history of mining. Additionally, because of increased development and agricultural activity, testing should be done for a broader spectrum of disease producing microbes.

Finding #3: Because of non existing recordkeeping during earlier years, there are an undetermined number of water wells existing within the county without documentation as to their location.

Recommendation # 3: The EHD should actively establish and implement a plan to locate and document old and/or undocumented wells, lessening the chance of those wells contaminating our aquifers.

Finding #4: With new developments larger than 200 water connections, the EHD is not involved in evaluating the quality or quantity of the source of water proposed by the developer and sanctioned by the state, until after the development is approved. As it is

now, there is no one within the county who evaluates whether the state is doing an adequate job of assuring there is enough water available for the development.

Recommendation #4: This Grand Jury strongly recommends that the EHD be actively involved in the Planning Department's approval process to independently evaluate all aspects of the water quality and quantity proposed by the development to assure that the water source for the development is adequate and won't adversely affect another. This would lessen the chance of a development being approved without sufficient water, as has happened in the past.

Finding #5: There is a history of developments gaining approval without demonstrating that the proposed water source is sufficient to provide for both residential water, and water for fire protection of the development.

Recommendation #5: The Board of Supervisors should not approve any development without the EHD first evaluating and certifying that the proposed water source for both domestic and emergency fire protection use is sufficient.

Finding #6: Realistically, the water quality of our lakes and streams is fragile to say the least. There are multiple county agencies, departments and community groups that oversee that fact. This Grand Jury believes that maintaining the quality of above-ground water is also the task of each individual that lives here and those who come to enjoy the beauty and recreate.

Recommendation #6: The EHD and other agencies should develop a public relations campaign to raise awareness that our lakes and streams are fragile.

Finding #7: Once a septic system is installed, there is no requirement for ongoing monitoring. There is no requirement for periodic pumping of septic tanks.

Recommendation #7: The Board of Supervisors, through the EHD, should establish a countywide requirement for mandatory pumping of septic tanks when a property is sold, and actively inform residents of the need to pump their septic systems every three to five years.

Background Information:

In Plumas County the Environmental Health Division of the Plumas County Public Health Agency has the responsibility for drinking water protection and determining sufficient quantities of water for individual wells and wells for development up to 199 connections. As indicated in their 2009 Annual Report, in 2005 their Division was certified as the Local Primacy Agency (LPA) by the California Department of Health. This allowed water system purveyors and operators a local contact and resource in helping to protect drinking water quality. Again, from their Annual Report, the EHD monitors 139 drinking water systems throughout the county. These include non-community systems, such as resorts and campgrounds, small systems serving less than 15 connections, and community systems with up to 199 connections. Whenever drinking water does not meet established standards, the system operator must advise its customers, and when there is an immediate risk to human health, the operator must issue a Boil Water Advisory.

The EHD also partners with the California Department of Fish and Game, a sub group to the Almanor Basin Watershed Advisory Committee that monitors Lake Almanor water

quality, and other water quality organizations to help protect lakes, streams and groundwater water supplies. One example of this was in 2008, when the EHD completed the 10th and final year of well testing as a result of the 1997 pike eradication project. In 2007, they began year one of a new ten year testing cycle for chemicals used in the 2007 treatment. Also in 2008, the EHD received Department of Public Health accreditation for water quality testing. The EHD offers certified water quality analysis for coliform bacteria and E. coli. The EHD's Annual Report for 2008 goes on to say that this service supplements the nearest private laboratory options in Chico or Reno. It is available for wells, springs, or surface water, making the analyses useful for routine water quality checks for private sources or to help pinpoint contamination problems with public water systems.

Within the permitting process for wells and septic systems, the EHD insures that wells are at least 50 feet from a septic tank, and at least 100 feet from leach lines. After permitting for wells and septic systems for individual private connections, there is no monitoring by the EHD. If there are problems, the EHD will act in a consulting manner to help correct the problem, but there is no county or state requirement for monitoring. There is also no requirement for periodic pumping of septic tanks. The EHD has recommendations and flyers that encourage pumping every 3-5 years, but there are no recommendations to make it mandatory.

With septic systems that feed into a common leach field, the threshold for installation requirement goes up. With 2 connections the threshold goes higher, and when it reaches 5, the Regional Water Control Board takes over the permitting process and perhaps ongoing monitoring.

With individual private wells, for the permit process, the individual will do well to follow the information in the County's "Well Manual—Information on the Well Installation and Permit Process." It mentions water supply that meets the ground water well standards, where to locate it, the type of material to use in drilling, how to put on a sanitary seal, and other such things. The individual submits an application which, when completed, spells out what the person wants to do. The application then goes to the EHD, and if it is complete, they have a set of administrative standards to meet, standards that consider the well's distance from septic tanks and leach fields, and how far wells can be from creeks, rivers, and lakes. If the individual can meet the various criteria, the EHD issues the permit.

A community well is one that is used by several units like a resort or campground. There is a one stop permitting agreement with the Building Department and behind the scenes various county agencies look at their piece of the process. Once the application reaches the EHD, permitting is basically an administrative process.

With a development, permitting depends on the size of the development, the density, and the developer's proposal. Approval depends on the county's general plan and the zoning requirements. If a development is proposed in a "prime opportunity" area, the developer will have to connect to a community water system. In this case the developer will need a "Will Serve" letter from the district, stating that the community system has

the quantity and quality of water to meet their needs. The developer will get their "Will Serve" letter which satisfies the water needs for the development.

Depending on the number of connections of the development, the criteria for permitting and approval gets more stringent. If the development is 5 or more connections, it becomes a classification called a "State Small Water System." The EHD refers to those standards to determine what infrastructure is needed. It would become more sophisticated with more chemical monitoring and other things.

The next higher threshold is 15 or more connections, and each time the criteria for approval gets more involved. The EHD is the regulatory body of developments with up to 199 connections. At 200 connections it falls under the jurisdiction of the California Department of Health. If the development is proposed for over 200 connections, the EHD will administer and monitor the development until 200 connections are made. With a "new" development of over 200 connections, the EHD would function as the local liaison without any further involvement in the decision making process. They would field questions by the developer and try to connect them with the state, but they wouldn't have direct responsibilities for the development other than seeing that the reports were filed and that some of the conditions put upon the development are in place.

With developments over 200 connections, the approval process starts with the Plumas County Planning Department. When the developer starts to develop property, the Planning Department looks at all the issues. They will look at traffic, air quality, water supply and liquid waste, all items under the California Environmental Quality Act. The Planning Department is the hub that supplies these coordinating services. The water supply is just one stroke. The ultimate responsibility, authority, and jurisdiction are under the California Department of Health. The parties work directly with the Planning Department. Any comment the EHD would make would be indicating that the development is under the jurisdiction of the California Department of Health.

The Planning Department has the responsibility to compile all of the process into the Environmental Impact Report, distributed for public comment. The document must then be approved by the Planning Department with any additional conditions required for approval. The EHD is not involved with the original permitting and approval process for these large water systems. However, once all the planning and all the agreements are satisfied, then the EHD is the local permitting agency and the responsible agency for enforcement of state regulations for that system, from 15 to 199 connections until it goes beyond that number, despite the fact that they have no input during the approval process. The EHD gets concurrence from the California Department of Health, drawing from the state's expertise when necessary. The EHD relies on information from the hydrologist, for the kind of pump tests, the duration, and qualitative issues, referring to the California Department of Health when there are questions.

Procedure:

The Grand Jury obtained information about the Environmental Health Division from the 2008 General Fund Budget publication. We also have the Plumas County Public Health Agency Environmental Health Division Annual Report for 2008. There is much

information about the EHD and its program on their web site (www.countyofplumas.com/publichealth/envhealth). The EHD's Director has supplied manuals and information pamphlets about water wells and septic systems installations and permitting processes. The Grand Jury has obtained much information by interviewing the EHD Director about the approval process for wells and septic systems, and the kind of oversight and control the EHD has or doesn't have over the existence and life of such projects. The Grand Jury has also obtained information from interviews with the Directors of both the County Planning and Building Departments and took time to question the Director of the Plumas County Flood Control and Water Conservation District to learn how his organization affects Plumas County water. The Grand Jury wants to determine the effectiveness of the EHD's involvement in keeping our county's domestic water safe, and assuring that informed judgments are made in determining if there is sufficient water supply for individual and development needs.

Conclusion:

The Grand Jury wishes to express its appreciation to the Director and staff of the Environmental Health Division for their cooperation in our investigation. The EHD has charge of many programs, all related to the health and safety of County citizens. As we all look to our county's future and "where we are going," the Environmental Health Division must take on this Grand Jury's role as "watch dog" to protect and sustain those qualities of life that make Plumas County such a desirable place to live.

Frightening Realities About Fire in Plumas County

Introduction:

The 2009-2010 Plumas County Grand Jury began its investigation of fire fighting services in Plumas County as a result of statements made by its guest speakers. Even at preliminary stages of the investigation, it became frighteningly apparent that there are many layers to this “onion” and they stink.

The Grand Jury urges all citizens to read this report and contact your government officials to demand they act now.

The issues are multiple and the solutions range from simple to complicated. This Grand Jury chose to report only those issues that show severe and immediate need:

1. There are no fire protection services for one fifth of the homes and parcels in Plumas County. Is your property at risk? See Fire Services Section.
2. Plumas County government leaders have failed to protect the citizens of Plumas County by not taking steps to remedy the lack of fire protection. See Board of Supervisors Section.
3. There are no State fire fighting units in Plumas County. This situation has left us at risk for catastrophic fires. See Fire Services, *CAL FIRE* section.
4. The Board of Supervisors has not acted on the advice of its own Emergency Services Advisory Committee. See Board of Supervisors Section.
5. Plumas County government leaders have been approving land development without adequate fire fighting services and there are no assurances it will stop. See Development Section.

The Grand Jury decided to organize and simplify this rather complex and lengthy report for the general public. We purposely left out many technical terms and inserted commonly known or easily understood names.

Fire Services

Findings and Recommendations:

Finding1: There are no fire protection services for 4,631 (19%) parcels in Plumas County. You can't be guaranteed of any fire fighting response if you live outside of a Fire Protection District (FPD) or Community Services District (CSD). You may be billed for firefighting services if they are rendered (see table below).

The 4,631 number is misleading. Each parcel could have many structures.

Recommendation1a: County government leaders must take immediate action to ensure the safety of its citizens. This Grand Jury does not presume to know exactly what action must be taken. However related Findings and Recommendations are cited below.

Recommendation1b: Every homeowner should contact the nearest fire house and ask very specific questions: will they come to your home to fight a fire and will they charge? Your house may be covered, but are your neighbors'? Their fire can quickly become yours!

Communities outside of Fire Protection Districts

<u>Almanor Basin/North County Area</u> <ul style="list-style-type: none">• Warner Valley• Canyon Dam• Humbug Valley• Feather River Home site• Willow Creek Home site• Caribou• Seneca	<u>Quincy/Meadow Valley/Mid-County area</u> <ul style="list-style-type: none">• Keddie• Butterfly Valley• Bucks Lake• Spring Garden• Little Grass Valley
<u>Greenville/Indian Valley/Feather River Canyon</u> <ul style="list-style-type: none">• Storrie• Tobin• Belden• Twain• Paxton• Rush Creek	<u>Portola/Graeagle/South County area</u> <ul style="list-style-type: none">• Clio• Blairsden• Johnsville• Mohawk Vista• Feather River Inn• Dixie Valley

This list represents whole communities outside of fire districts. It does not include all areas. It is important to contact your local fire department to verify your fire services.

Finding 2: There is no clear way for landowners to ascertain if their property taxes are paying for fire protection services.

Recommendation2: The County Tax Collector must modify the property tax statements to itemize the amount of property taxes that are allocated for fire protection, including the name of the district providing fire fighting service. If none of the property tax goes to support fire protection, the statement should say so.

Background:

Is your house in a fire protection district? The answer is **Maybe Not!**

“Does my home have fire protection?” As the 2009-2010 Grand Jury has discovered, getting the answer to this question is not straightforward. The worst way to find out is by reporting to “911” a fire in your home or your neighbor’s home and then no one shows up to fight the fire. Just as bad, a fire crew may show up, but only to fight your house fire when it starts to burn into the surrounding forest. Alternatively, they may show up, fight the fire and then charge you for it.

The most reliable way to find out if your home or business is located within a fire protection district that has a fire department that will respond to the “911” call and actually fight a fire in your home, is to go to the nearest fire station and ask them. Be aware that fire fighting units of the US Forest Service (USFS), which may be the nearest station, are not authorized by USFS policy to fight fires in structures, but only fires in the wildlands (forests, grasslands). Their job is to protect the forests.

The Grand Jury identified a number of reasons why it is important for homeowners in Plumas County to establish whether their buildings are located on a parcel outside the boundaries of a fire protection district or Community Service District that provides fire protection. If the parcel is outside of fire protection boundaries, the following are likely to be the case:

- No fire suppression
- No inspections for fire code compliance
- No enforcement of state fire codes
- No share of property taxes for fire protection

How many homes in Plumas County are outside of fire protection districts or are without fire protection? The Grand Jury directed this question to the Planning Department three times and received three different answers which we considered misleading. However, from the data provided (three different maps and three separate tables), the Grand Jury derived the following:

Acreage. Plumas County has a total of 1,672,119 acres. The majority (about 70%) of the acreage is US government owned land. US government owned land is well protected by the US Forest Service.

The Grand Jury is concerned about the rest of the land, which is privately owned and is where county residents live. According to the Planning Department, only 11% of privately owned land is outside of a fire protection district. 11% is misleading because the Planning Department takes into consideration all of the land, both federal and non-federal.

When only private land is considered, including all the acres in commercial forest and ranches where very few if any houses are located, approximately 45% of that land appears to be outside of a fire protection district.

When only the private land that is not commercial forest and ranches where most of the homes are located is considered, approximately 20% of that land appears to be outside of a fire protection district.

Population. The 2000 census counted 20,824 residents in Plumas County. Only 950 (5%) of these residents live in areas outside of a fire protection district. However, this counts only full time residents. It does not include the summer population arriving well after the April 1st census was conducted.

Number of Parcels. There are a total of 24,838 parcels in Plumas County for which fire protection is critical. This figure excludes US government land and parcels that are rights of way and could not have homes on them. A significant number of these parcels (4,631 or 19% of the total) are outside of fire protection districts. Since most of the lands are zoned so that they could include more than one building and many contain multiple housing structures, this represents the minimum number of residences that are without fire protection within the county.

This data provided by the Planning Department is misleading.

Here's the bottom line. This year's Grand Jurors were told that the only data available to Planning Department staff was whether or not a parcel had a property tax assessment for improvements. Given the clear understanding that "unit" is the only common denominator for understanding how many homes and/or other-use structures are located outside of districts providing fire protection services, one could conservatively estimate that there is one percent of Plumas County parcels on which are constructed at least two "units". If that number were to increase to 5% within the next five years the resulting increase in "units" constructed outside districts providing fire protection services would increase substantially. It is not unreasonable to envision ten years out to the year 2020 when ten percent or more of the county's parcels would have multiple "units" which in turn would increase that percentage.

The Grand Jury researched the question: is a property's location within or outside of a fire protection district a matter of legally required "disclosure"? The CALIFORNIA ASSOCIATION OF REALTORS® has both prepared and provided Real Estate Brokers statewide with this disclosure document, *Statewide Buyer and Seller Advisory*. The document places full responsibility on the buyer to "contact the local fire department".

According to the Plumas County Planning Department, there are 13 fire protection districts that, along with the city of Portola, operate volunteer fire departments. There are also seven Community Service Districts, which are “authorized to operate fire departments,” but may not actually be required to provide fire protection within their districts. These Community Service Districts may contract for fire services from adjacent volunteer fire protection districts. The level of service may not be the same for homes outside of the fire protection district boundaries as it is for homes located within its boundaries. The table below lists these Fire Protection and Community Service Districts.

Plumas County Fire Districts including CSD/PUD's providing Fire Protection	
Fire Protection Districts	Community Service Districts
1. Beckwourth FPD 2. Chester PUD 3. City of Portola FPD 4. Crescent Mills FPD 5. Eastern Plumas FPD 6. Graeagle FPD 7. Hamilton Branch FPD 8. La Porte FPD 9. Meadow Valley FPD 10. Peninsula FPD 11. Prattville-Almanor FPD 12. Quincy FPD 13. Sierra Valley FPD	1. C-Road CSD 2. Gold Mountain CSD 3. Greenhorn CSD 4. Indian Valley CSD 5. Long Valley CSD 6. Plumas Eureka CSD 7. West Almanor CSD

It is generally understood that there are two critically important elements to successfully protect structures from being destroyed by fire. The first is proximity to and services received from fire protection service providers. The hallmark descriptor is universally understood to be **response time**, or how long will it take emergency fire protection staff and equipment to arrive at an incident. The second essential necessity in the saving of persons' property from structural fire is an immediately available emergency water supply. Current structural fire fighting vehicles here in Plumas County pump water at a rate of 1,000 gallons per minute and require sustained water flows approximating one hour to save a typical residential structure; that would amount to a sustained water supply of 60,000 gallons per pumper truck.

There was consensus among fire experts providing testimony that Plumas County could support one to five fire emergency services districts. Those fire and emergency service providers are needed to protect all parcels and structures within the County. Clearly, increasing the number of districts is not what the experts have recommended, nor would it be cost effective.

Plumas County Fire Safe Council

Individual **wildland fires** cause the most property destruction of all categories of fire emergencies. All Californians, as well as Plumas County residents, will not soon forget the Oakland Hills Inferno, the Malibu Canyons wildfires, or the very recent Angora Fire located in the South Lake Tahoe Basin that destroyed 309 residential and business structures. Etched in everyone's memories are those vivid televised images of block after block of destroyed buildings. Wildland fires occur in what has been termed a *community-at-risk* (CAR). All Plumas County communities are *communities-at-risk*. Typically homeowners prize these zones as they represent the aesthetically attractive midpoint between the edge of suburbia and most typically beautiful forested areas. Hilly terrain offering premium vistas are frequently a distinct asset of a *community-at-risk*. Unfortunately, extreme fire hazards are commonly ignored by individuals purchasing property in these zones.

Here in Plumas County one voluntary organization, the **Fire Safe Council**, has made tremendous strides by developing a model that mitigates the wildland fire danger inherent to all *community-at-risk* zones.



residences belongs to the US Forest Service, if the forest is a national forest. If the forest is privately owned, it is the responsibility of the landowner with the possibility of additional assistance from a private, nongovernmental organization, the Plumas County Fire Safe Council.

Thousands of Plumas County residents' homes are located in or next to forests, in what has been termed *communities-at-risk*. The overriding concern facing homeowners located in this environment is the threat of wildland fire. While the State of California has enacted legislation extending the defensible space perimeter requirement around homes from 30 to 100 feet, wildland fires represent an even greater threat than ever before to homeowners in forested areas. This is because most forests have not benefited from naturally occurring, periodic forest fires that consumed naturally occurring fuels. This hazardous situation has been compounded as the number of

The Grand Jury found that the use and enforcement of fire codes and standards varies depending on whether they are being applied to a structure (homes, outbuildings, and commercial buildings), to the area immediately surrounding a structure (defensible space, access roads, turnarounds, fuel tanks and emergency water for fighting fires) or to the nearby wildlands (national and private forests as well as grasslands). In Plumas County, responsibility for prevention and mitigation of hazardous fire conditions in forests next to family

homes being built in the forest interface has rapidly increased during the last 10 to 15 years.

During the past several years the Plumas County Fire Safe Council (PCFSC) has developed grant funded projects that have served groups of homeowners, homeowners associations, and other groups in mitigating or reducing the quantity of wildland fire fuels on our forest floors. These projects thin forested areas, remove fire ladder vegetation that frequently leads to devastating crown fires in addition to removing combustible materials that result in healthier, safer and more attractive forested areas. In summary, these projects provide a responsible alternative to periodic wildfires.

The Mission Statement of the PCFSC is: *To reduce the loss of natural and manmade resources caused by wildfire through Firewise community programs and pre-fire activities.* The Council maintains an informative webpage: <plumasfiresafe.org>

Fire Services - CAL FIRE

In round figures, two-thirds of the Plumas County land surface is part of the Plumas and Lassen National Forest and Lassen Volcanic National Park; the remaining one-third is comprised of privately owned parcels of which a substantial majority are located in what California has designated as this county's *State Responsibility Area* (SRA). Exceptions to this classification are parcels within *Local Responsibility Areas* (LRA) that include the lands within the City Limits of Portola, a relatively large area surrounding Chester, two small areas of several blocks each located in Quincy, and small areas near the fire houses in Graeagle, Whitehawk, Beckwourth, and Chilcoot. Plumas County's SRA includes numerous approved subdivisions as well as privately owned forest production and agricultural parcels.

The SRA and LRA designations were actually made by *CAL FIRE* on behalf of the State a number of years ago and every five years that agency is required to revisit and evaluate those classifications. Currently that every five-year evaluation is being implemented in this county. *CAL FIRE* is also fiscally responsible for protection from and prevention of wildland fires including forested and agricultural lands as well as structures.

Superficially it would appear to be a "good thing" that a majority of Plumas County residents' homes are located in designated SRA's. Statewide *CAL FIRE* has an outstanding reputation for its emergency fire protection services.

CAL FIRE's presence in Plumas County is extremely limited. *CAL FIRE* does not employ any emergency responders, nor does it house any firefighting equipment within our county. The situation occurred almost 20 years ago in 1991 with the adoption of a "Cooperative Fire Management Agreement" (CFMA) between the US Forest Service and *CAL FIRE*. *CAL FIRE* traded off its Plumas County acreage emergency services responsibilities to the US Forest Service in exchange for acreage located somewhere else. The missions of the Federal and State agencies are quite different. The US Forest Service attempts to protect the national forests, while *CAL FIRE* protects forests and also provides structural fire protection in locales where it has an active presence.

CAL FIRE does maintain a small administrative presence in Quincy; however, the reality of having a SRA designation is essentially meaningless for our county residents.

In designated SRA's, *CAL FIRE* has the fiscal responsibility for provision of the following services:

1. Insure fire safe conditions, based on California State fire codes (4290 and 4291), including road construction, signage, access, vegetation clearance, turnarounds, fuels reduction and defensible space, and water sources, by:
 - Evaluation of plans for building permits and new developments
 - Inspection of construction sites for new and remodeled homes
 - Inspection and enforcement on properties with existing homes
2. Issuance and enforcement of burning permits.
3. Suppression of fires involving residences and other structures.
4. Suppression of fires in wildlands (grasslands and forests).
5. Repair of suppression related activity damage (e.g., spreading of dozer berms, installation of water bars, minor road repairs, minor fence repair, etc.) will be done as an integral part of overhaul/mop-up.
6. Operation of information and education programs including: Red Flag Alerts, press releases regarding fire management and risk, Smokey Bear, and local education.

CAL FIRE does not provide these services in Plumas County.

CAL FIRE has eight fire fighting units, located in other counties, which provide mutual support to the USFS, if needed, for fighting fires in the State Responsibility Areas in Plumas County. There are two in Lassen County (Susanville, Westwood); four in Butte County (Jarbo Gap, Feather Falls, Hart's Mill, Robinson Mill) and two in Yuba County (Dobbins and Loma Rica).

The USFS has seven fire fighting units in Plumas National Forest that fight fires and carry out other *CAL FIRE* responsibilities in State Responsibility Areas in Plumas County: Challenge Work Center, Brush Creek Work Center, Strawberry Guard Station, Greenville Work Center, Gansner Bar, Doyle Fire Station, and Boulder Creek Work Center.

The 2007 Angora fire located in the South Lake Tahoe Basin serves as an example of how ineffective it is for the US Forest Service to exchange responsibilities with *CAL FIRE*. Prior to the incident *CAL FIRE* maintained no trained personnel or firefighting equipment in the South Shore area similar to the current situation here in Plumas County. Similarly, part of the area devastated by the Angora fire had been designated by *CAL FIRE* as a SRA and was a part of that same acre exchange agreement. It took the USFS an hour to arrive at the scene of the incident from the North Shore. Because the USFS was required to provide structural fire protection in the Tahoe Keys community, a function outside of its Mission Statement, the Forest Service billed the South Lake Tahoe Fire Department \$600,000 for its services. Lost in the Angora fire were 242 residences and 67 commercial structures. As a result of this devastation,

CAL FIRE now has professionally trained staff and equipment stationed in the South Lake Tahoe Basin. Does Plumas County have to wait for our own Angora Fire to get *CAL FIRE* protection?

A recent memorandum from the Chief of the US Forest Service to Regional Foresters entitled “Wild Land Fire Suppression Policy for Structure Protection,” states that US Forest Service units are to “apply strategy and tactics to keep wildland fires from reaching structures, as prudent to do so.”

However it also states:

“The Forest Service shall not:

- Take direct suppression actions on structures other than those that tactically reduce the threat of fire spread to them.
- Enter structures or work on roofs of structures for the purpose of direct suppression actions.”

Two recent house fires in SRA’s in Plumas County, outside of local fire protection districts, indicate some of the consequences of these policies. In one case, the only fire fighting unit to arrive was the USFS unit near Quincy. This fire fighting unit watched the house **burn to the ground** while being prepared to fight the fire should it threaten to spread into the adjacent national forest land. In the other case, the first fire fighting unit to arrive was from the nearest local fire protection district in Graeagle. The unit had trouble finding and reaching the house and actually getting around the structure to fight the fire, because the new home had been approved for occupancy without inspection or enforcement of state fire codes concerning roads, signage, turnarounds, clearance, etc. The house **burned to the ground**, but, because the destroyed residence was not in the fire protection district, the fire protection district billed the homeowners for the costs of sending the engines and crews to their home. In this case this cost was more than \$20,000.

Development

Findings and Recommendations:

Finding 1: Plumas County government leaders have been approving land development without adequate fire fighting services. This practice amplifies the number of homes and parcels with inadequate or no fire protection services.

Recommendation 1. The Board of Supervisors is urged to adopt ordinances requiring stringent minimum standards that developers must meet prior to Subdivision Master Plan approval that include:

- A signed contract for fire protection services
- Installed fire protection infrastructure and equipment
- Sufficient emergency water supplies

Background:

A major concern examined by the 2009-2010 Plumas County Grand Jury is the provision of fire protection and fire prevention services in this county. Specifically investigated were the County Building and Planning Departments. The Grand Jury found that the use and enforcement of fire codes and standards varies depending on whether they are being applied to a structure (homes, outbuildings, and commercial buildings), to the area immediately surrounding a structure (defensible space, access roads, turnarounds, fuel tanks and emergency water for fighting fires) or to the nearby wildlands (national and private forests as well as grasslands). The Grand Jury found that a large number of parcels (4,631) have been approved for building construction and occupancy located outside of fire protection districts. Homeowners and business owners are likely unaware that in the event their structures catch fire, there are no fire fighters mandated to respond and fight that fire.

The Grand Jury asked how new subdivisions and residences get approved in areas where there is no entity responsible for fighting a fire, should a home catch fire. We studied the processes employed by developers, working with county officials and the Board of Supervisors, to gain approvals for fire protection services. This included provision of emergency water supplies. After a developer acquires land outside of a fire protection district (FPD), one of the requirements of a plan for further subdivision and construction is that there be fire protection. The Board of Supervisor requests the Local Area Formation Commission (LAFCo) to either (a) create a new Community Services District (CSD), or (b) approve annexation to an existing fire protection district (FPD). Either alternative meets the requirement for approval.

If a new CSD is formed, the Board of Supervisors by statute becomes the Board of Directors of the new district. They have authorized the new CSD to operate a fire department, but without the specific responsibility to provide fire protection or the requirement for knowledgeable employees and minimal equipment to fight a structural fire. Unfortunately, this is sufficient for the approval process of the development.

At this point, it is the Board of Supervisors and their key employees (Planning, Building, and Environmental Health Departments) that must decide whether this CSD is capable of providing fire service and sufficient emergency water to fight a fire. If annexation is

the approved option, then the plan can go through the entire approval process without any formal agreements or contracts for fire protection or the provision of water service.

In the case of annexation as authorized by LAFCo, it is noted that the LAFCo Board is chaired by a member of the County Board of Supervisors; seated on that Board is a second member of the Board of Supervisors and each of these individuals has a designated alternate that is also a Board of Supervisors member.

Evaluation of the plans for compliance of nonstructural state fire codes is the responsibility of the CSD that probably has no qualified employees, or a volunteer Fire Chief with little time to review plans before the approval deadline.

The key players in the process of new development approval are (1) the developer, (2) the Board of Supervisors, (3) the Local Area Formation Commission, and (4) key county staff persons who report to and are evaluated by the Board of Supervisors.

The Planning Department is charged with responsibility for approving the subdivision of a parcel into lots for single-family residences, multiple housing units, and/or commercial units from what formerly was a single land parcel. The problem involves a developer acquiring land outside of any established fire protection districts authorized to provide fire protection services. To obtain subdivision approval the developer follows one of two scenarios to obtain fire protection and water services.

Scenario #1: LAFCo approves annexation of a parcel adjacent to a FPD and/or CSD which has the authorization to operate a fire department. All county fire protection entities are volunteer organizations at the time annexation is approved, which may or may not have facilities, professional employees or resources. This annexation option is a relatively new choice for developers.

Scenario #2: LAFCo, following a resolution by the Plumas County Board of Supervisors, requested by the developer, establishes a new CSD with responsibility for providing potable and emergency water supplies, sewage disposal, and authority to operate a fire department. This CSD has no resources, employees, or facilities, but will manage the facilities produced by the developer once the development is completed. Because there are no full time residents within the new development or the new district, the Board of Directors of this entity is composed of the members of the County Board of Supervisors, a role that is mandated by law. The County Director of Public Works serves as the General Manager of the District; within the recent past the developer was selected to serve in this role.

In both scenarios the Development Plan and Environmental Impact Report (EIR) cite the FPD and water service provider proposed for annexation or the new CSD as the source of fire protection and water and sewer services. The Plumas County Planning Director is responsible for overall assessment and approval of the EIR and Development Plan and for overseeing evaluations made by state agencies in the case of larger subdivisions. The Planning Director refers the Plan to the Building Department for compliance with Building Codes as might be

applicable. The EIR and Development Plan are referred to the Environmental Health Director for assessment of water and sewage plans. To establish whether the Plan complies with non-structural fire codes (roads, turnarounds, emergency water supply, etc.), it is sent to the FPD or CSD with a short turnaround deadline and **default approval** if no response is provided.

Ultimately, the Planning Director, who also serves as the County's Zoning Administrator, is charged with approving the Development Plan and EIR and then submitting his recommendation to the Board of Supervisors for final evaluation and approval. In most cases, the Board of Supervisors also sits as the Board of Directors of the new CSD as well as having responsibility for reviewing the performance of the Planning, Environmental Health, and Public Works Directors, setting their respective compensation, and approving each of the Department's operating budgets. The Grand Jury believes the department directors' close subordinate relationship to the Board of Supervisors creates an unreasonable position for senior staff. It also has potential to interfere with the Board providing objective oversight.

Today there is a critical need for local county-elected and appointed officials to begin restructuring this County's former dependence upon on-going, essentially "rubber stamped" master plan subdivision approvals that historically generated an increasing property tax revenue stream that supported the County's menu of services perceived to benefit the local resident population. Concurrent with the bursting of the national housing and real estate "bubble" beginning in 2004-2005, the County Chief Administrative Officer has observed and reported a new and distressing five-year or possibly longer trend in declining revenues associated with declining property values and associated assessed valuations.

Early in its investigation of **structural fire protection** this Grand Jury learned that subdivision master plans approved by the Planning Department prior to 1991 had no requirement to be included in a local district providing fire protection services. The rationale offered focused on the potential expense to that category of parcel owners in gaining access to such services. Apparently omitted from any consideration was the number of years that lapsed prior to subdivision build out; in Plumas County subdivision build out timelines stretch 20 or more years for most developments. During those extended periods of years many things are subject to change except the absence of structural fire protection services. Now that Plumas County property owners have entered the 21st Century, it is clearly time for this past practice to be corrected for the good of all.

There is a related concern as subdivision master plans continue to be approved within Plumas County. Almost without exception with each approval action the Board of Supervisors authorizes yet another small community water service utility with primary responsibility for emergency water supplies. Most often these developer recommended districts are proposed to serve very limited numbers of parcels in the range of 100 to 600. In fact, such subdivision approvals have created a needless proliferation of local utility districts that cannot economically provide minimal essential services.

As subdivision master plans continue to be approved within Plumas County the result is a continued proliferation of small FPDs or CFDs that are supposed to provide emergency fire protection services; in most cases the fact that these new districts are scaled to the subdivision proposed size renders them too small to be operated on a cost effective basis not dissimilar to the community water districts referenced above.

Board of Supervisors

Findings and Recommendations:

Finding1: The Board of Supervisors is doing next to nothing about the fact that so many residents and property owners have no fire protection.

- In 1991, an agreement between State and Federal agencies removed fire fighting services from the majority of homes and parcels in Plumas County. County government officials have known this for 19 years.
- Until five years ago, Plumas County had a Fire Marshall. When that position became vacant, the Board of Supervisors chose not to fill it.
- CAL FIRE does not provide fire fighting services in Plumas County.

Recommendation 1: This Grand Jury believes that the Board of Supervisors has no other choice than to sue the State of California to obtain the same CAL FIRE firefighting resources that all other neighboring counties enjoy.

Finding2: The Board of Supervisors has not been sufficiently involved with the land exchange agreements between the U S Forest Service and CAL FIRE. This continues to leave Plumas County without State fire services. Clearly the best interests of the County have not been served for years.

Recommendation2: The Board of Supervisors needs to take the initiative to be actively involved with all aspects of Fire Safety, and not allow the County to be under represented or unprotected now or in the future.

Finding3: The Board of Supervisors has not acted on recommendations by its own Emergency & Fire Services Advisory Committee.

Recommendation3: The Board of Supervisors must act on the committee's recommendations.

Finding 4: No organization in Plumas County discloses with certainty if a parcel is located in a fire protection district.

Recommendation 4: The Board of Supervisors will mandate that:

- The Planning Department will disclose fire protection status for every parcel in the County (including fire protection district name or "no district").
- The Building Department will require written acknowledgement of that status from a property owner who applies for a building permit.
- All sellers of real estate disclose fire protection status for any real estate sale in the county.

Background:

Reference Fire Services, Development and Appendix G

Procedure

The 2009-2010 Grand Jury instantly recognized the topic of **Fire** as a “hot button” issue on behalf of the county’s residents and property owners. Investigated initially was the hazard of wildland fire and its impact on the *urban-wildland interface* of which almost all privately held parcels in the county are classified. The investigation first focused on the work of the Plumas County Fire Safe Council. The panel’s recognition of the tremendous work this group is accomplishing allowed it to focus its investigation more precisely on **Structural Fire Management** within the County.

The Grand Jury extended and focused its investigation on four principal areas:

- Approved parcels and structures outside of fire protection districts
- State Responsibility and Local Responsibility Areas within Plumas County
- Subdivision Development Approval Processes within Plumas County

The committee’s investigation obtained essential factual information from the following:

1. County Administrator’s Office
2. Board of Supervisors
3. County Council
4. County Planning Office
5. County Building Department
6. Local Agency Formation Commission
7. Local Fire Protection and Community Service Districts
8. Plumas County Emergency Services Advisory Committee
9. All websites associated with the above agencies
10. May 1 *Power-Point* Presentation made to Plumas County firefighters by Ray Zachau, Division Chief, Fire Marshal, South Lake Tahoe Fire Department: *The 2007 Angora Fire & What Went Wrong*

Documents reviewed by the committee:

- *California Master Cooperative Wildland Fire Management and Stafford Act Response Agreement*, March 28, 2008
- *Cooperative Fire Protection Agreement / Operating Plan* (Between US Forest Service and ... CAL FIRE) May 15, 2009
- Plumas County Final Budget for 2009-2010 and previous years
- Members of the Board of Supervisors concurrently serving as Directors of local CSD Boards, LAFCo Board of Directors, and as employers of critical County Department Administrative Officials
- Multiple Large Scale GIS County Maps prepared by Planning Department Staff
- Plumas County Board of Supervisors and Planning Commission November 10, 2009, Workshop focused on the new County General Plan
- California Association of Realtors®: *STATEWIDE BUYER AND SELLER ADVISORY*, SBSA Revised 4/07, page 4 (front and back) of 10 (e.g., standard form “disclosures”)

- *FIRE HAZARDS, FIRE HAZARD SEVERITY RATING*, standard form published by the Director of the California Department of Forestry (CDF) that identifies “Very High Fire Hazard Severity Zones”
- *NATURAL HAZARD DISCLOSURE STATEMENT* standard form “disclosure” document published by DISCLOSURESAVE, Austin, TX.
- Plumas County Emergency Services Advisory Committee – Recommendations for Fire Protection Improvement Standards

The Committee Interviewed:

- Board President, Plumas County Fire Safe Council
- County Planning Director and staff members
- County Building Official
- Members, Board of Supervisors
- CAL FIRE Captain and Operations Officers
- Local Fire Protection District Chief

Conclusion

One can only imagine the feelings and thoughts going through peoples' minds while watching their home burn to the ground with a US Forest fire unit standing by to protect the nearby forest. Or, a local Fire District Unit responds to your house fire, puts the fire out and then tells you that your house is outside of the fire district and you will be billed for the response. This shouldn't happen but it does.

There are many reasons for the above scenarios and they will continue if nothing is done. That is why the Grand Jury feels the Board of Supervisors must take immediate action on the presented recommendations.

Audit Committee Report

Background:

The purpose of the Plumas County Audit Committee is to provide a forum where Grand Jury and Board of Supervisors members meet with county financial management and the independent auditor to ask questions, obtain information, and become familiar with the audit and county financial processes.

The Audit Committee is made up of two members of the Board of Supervisors, the Chief Administrative Officer, the County Auditor/Controller (the chair of the committee), two Grand Jury members, and the County Treasurer/Tax Collector.

The independent auditors are usually retained on a three year contract. The county is currently in year two of its contract with Smith & Newell CPA's. The independent auditor is always available to the Grand Jury to answer questions. The Grand Jury may advise the independent auditor of questionable financial activity and request that the auditor follow up accordingly. The Grand Jury may also contract, separately from the county, with the auditor to conduct special audits.

The schedule of the annual independent audit process is as follows:

- On June 30 of each year, the contracted independent auditor performs a cash count
- Beginning in July, the auditor collects documentation from county departments
- During the months of September through November, auditors are on site to perform their audit function
- In early January, a draft audit report is issued to select department heads and shared with the Grand Jury members
- By mid-February, the Board of Supervisors reviews and approves the final audit.
- The final audit report is required by law to be published by March 30.

County Audit Committee meetings are scheduled as needed. The County Auditor/Controller scheduled an informal meeting on September 9, 2009, so that the incoming Grand Jury members appointed to the Audit Committee could meet the independent auditor, voice any concerns, and learn about the audit process. Grand Jury members were encouraged to defer any financial or audit concerns, which indicate the need for further investigation, to the next Grand Jury so that the matters can be addressed at the September 2010 Audit Committee Meeting.

Findings and Recommendations:

Finding 1: The Grand Jury Audit Committee members found it very helpful to meet the independent auditor and county officials early on in our terms and to learn firsthand about the audit process.

Recommendation: The County Auditor/Controller should continue to schedule an introductory meeting of the County Audit Committee in early September each year.

Finding 2: In January, the County Auditor/Controller provided a very rough electronic draft of the pending financial statements to the two Grand Jury members participating in the Audit Committee. The draft was difficult to follow and understand. It was not feasible for the Grand Jury members to provide comments based upon that draft. The final audit report was not made available to the Grand Jury until the final audit review meeting.

Recommendation 2: The County Auditor/Controller should release the final audit report within a reasonable timeframe to allow for Grand Jury review and questions prior to the scheduled County Audit Committee final review meeting.

Finding 3: The County Audit Committee final review meeting was scheduled one hour prior to final audit presentation to the Board of Supervisors.

Recommendation 3: The County Audit Committee final review should take place at least one week prior to presentation of the report to the Board of Supervisors to allow for any necessary changes found during the final audit review.

Finding 4: The Board of Supervisors representatives were not present at any of the County Audit Committee meetings.

Recommendation 4: The two members of the Board of Supervisors appointed to the County Audit Committee should attend the meetings.

Finding 5: The two members of the 2009-2010 Grand Jury Audit Committee had substantial professional work experience in public sector finance and accounting that made their participation on the County Audit Committee reasonably easy. Future years' Grand Jury participants may not have that sort of professional background.

Recommendation 5: The County Auditor/Controller, as committee facilitator, needs to be highly sensitive to the diverse backgrounds of the Grand Juror participants to assure full understanding of both the governmental audit process, as well as, any resulting findings.

Summary of Citizen Complaints

Complaint C1 000000 (carried over from 2008-2009 Grand Jury)

Complaint against the Plumas County Sheriff's office for failing to arrest an alleged assailant. Complainant also stated that the Plumas County District Attorney had refused to investigate the situation.

The Plumas County Grand Jury determined that an investigation should be conducted into policy and procedures at the Plumas County Sheriff's Department. However, this Grand Jury was unable to conduct the investigation and recommended it to the 2010-2011 Grand Jury (see Appendix B, Plumas County Grand Jury History of Investigations).

Complaint C2 050909 (carried over from 2008-2009 Grand Jury)

Complaint against the Plumas County Probation Department procedures in processing a juvenile through arrest, incarceration, transfer to a detention facility and to a residential treatment center. The principal complaint was against the tone of voice used by the Probation Officer and the lack of psychological testing prior to placing a juvenile in a detention or other holding facility.

The Plumas County Grand Jury determined that an investigation should be conducted into policy and procedures at the Plumas County Probation Department. However, this Grand Jury was unable to conduct the investigation and recommended it to the 2010-2011 Grand Jury (see Appendix B, Plumas County Grand Jury History of Investigations).

Complaint C3 062309 (carried over from 2008-2009 Grand Jury)

Complaint against the Plumas County Probation Department regarding procedures in processing a juvenile transfer to a detention facility.

The Plumas County Grand Jury determined that an investigation should be conducted into policy and procedures at the Plumas County Probation Department. However, this Grand Jury was unable to conduct the investigation and recommended it to the 2010-2011 Grand Jury (see Appendix B, Plumas County Grand Jury History of Investigations).

Complaint C4 080309

Complaint against the Plumas County Probation Department procedures in processing documents and in the placement of a juvenile in a juvenile facility.

The Plumas County Grand Jury determined that an investigation should be conducted into policy and procedures at the Plumas County Probation Department. However, this Grand Jury was unable to conduct the investigation and recommended it to the 2010-2011 Grand Jury (see Appendix B, Plumas County Grand Jury History of Investigations).

Complaint C5 052109

Complaint against a State of California Child Protective Services attorney for failure to properly represent educational and other needs of foster children.

The Plumas County Grand Jury investigates Plumas County departments and organizations funded by Plumas County. The complaint did not fall under the jurisdiction of this Grand Jury.

While the Plumas County Grand Jury does not investigate State agencies and personnel, with concurrence of complainant, this complaint was referred to California Superior Court Judge Ira Kaufman, at his request.

Complaint C6 092309

Complaint against the Plumas County Sheriff's Office and a county District Attorney for failure to prosecute a case of alleged juvenile rape.

Although the Plumas County Grand Jury is civil in nature and this complaint did not fall under the jurisdiction of this Grand Jury, under advisement from California Superior Court Judges Kaufman and Hilde, and with concurrence of complainant, the Grand Jury referred the complaint to the California State Attorney General. The Attorney General determined that no action was required. The Plumas County Grand Jury closed the complaint.

Complaint 7 092209

Complaint against a Plumas County Board Supervisor and a Planning Department Director regarding approval of a new housing development in the county. The complaint alleges collusion and conflict of interest in the process.

The Plumas County Grand Jury had determined to review land development processes in Plumas County and had formed an investigative committee for said purpose. Refer to Development Approval investigative report which is part of this Final Report.

The Plumas County Grand Jury also interviewed County Counsel regarding conflict of interest when a Board member sits on boards of other county entities, such as a water district. Refer to Development Approval investigative report which is part of this Final Report.

Complaint 8 111809

Complaint against a Plumas County community development employee; judicial assistance was requested.

The Plumas County Grand Jury is civil in nature. The complaint did not fall under the jurisdiction of this Grand Jury and was, therefore, closed.

Complaint 9 111709

Complaint against Plumas County Animal Services requesting removal of a county employee for endangering the welfare of animals and the safety of people. Complaint content acknowledged that Plumas County Human Resources was expected to take

disciplinary action for a recent infraction. Complaint included communication with Plumas County department heads regarding this subject.

Plumas County Grand Jury members visited the Plumas County Animal facility, unannounced. Jury members were professionally received, were impressed with the personnel and facilities, and observed proper care and feeding of the animals.

The Plumas County Grand Jury determined that no further action was required, and the complaint was closed.

Complaint 10 011810 (1 of 3)

Complaint against members of LAFCO for illegal award of benefits to LAFCO board members.

The Plumas County Grand Jury is civil in nature. This complaint did not fall under the jurisdiction of this Grand Jury and was, therefore, closed.

Complaint 11 011810 (2 of 3)

Complaint against Portola City Manager and City Councilman for Brown Act violation when meeting with GLRID and Plumas County employees.

The Grand Jury determined that the Brown Act was not violated by any parties attending the private meeting, as there was no quorum of the individual Boards/Councils/CSD's participating. The Grand Jury closed the complaint.

Complaint 12 011810 (3 of 3)

Complaint against Plumas County Board of Supervisors for settling a court case in the termination of an employee.

The Plumas County Grand Jury is civil in nature. This complaint did not fall under the jurisdiction of this Grand Jury and was, therefore, closed.

Complaint 13 031710

Complaint against county law enforcement employees and a private physician for alleged mistreatment during arrest, failure to make a deal with the complainant during arrest and responsibility for involving the complainant's automobile in an accident. The complainant requested that the Grand Jury disbar a deputy district attorney, revoke retirement benefits from a former sheriff's department employee and force a private physician to pay for automobile damages.

The Plumas County Grand Jury is civil in nature. This complaint did not fall under the jurisdiction of this Grand Jury and was, therefore, closed.

Complaint 14 042810

It is the policy of the Plumas County Grand Jury that all complaints must be filed using the Grand Jury Citizen Complaint form. The complainant did not use the form. The complaint was not considered by the Grand Jury, although a letter was sent to request the complaint be resubmitted using the form.

Elections Department Review of Procedures

Election Scanning Department Report

Report of inspection of ballot scanning procedures requested by Plumas County Clerk/Recorder's Office conducted on 9/25/09

Supervisors: Kathy Williams, Deputy Clerk Recorder/Registrar of Voters

Marcy DeMartile, Election Coordinator

Tina Aubrey, Department Clerk Recorder

Procedures:

- Ballots are printed and tallied by precinct
- Polling places are limited to 1000 voters
- A tape records all votes and it is saved
- Memory card is used to show election tallying on computer screen
- In counting ballots, the machine will spit back any ballot with no votes on it.

Security:

- Multiple verification approaches used
- Machines re-set for each election. No ballot goes through without verification.
- The memory card is saved in the safe
- Tapes are held for several months as a record; 22 months for federal elections and 6 months for local for any challenges
- Tapes are then destroyed
- During the ballot count, red plastic locks secure the machines. Lots of checks and balances.
- The machines can't be uploaded twice, and they are not connected outside the room.

The subcommittee that made the requested inspection believed that the election process was well-organized and the processes were reliable.

Jail Inspection Report

Reason for Inspection:

The Plumas County Grand Jury is annually required to inspect any jail within the County in accordance with the California Penal Code.

Procedure:

The Plumas County Grand jury conducted an inspection of the Plumas County correctional facility (jail), accompanied by the Sheriff and a Staff Sergeant.

Background:

The jail was constructed in 1976 for a maximum of 37 inmates. In the 1990s it was expanded to accommodate 67 inmates. Unfortunately staffing of the jail was not increased to accommodate the nearly doubling in the number of inmates. This dangerous situation has existed for more than a decade and needs to be remedied. The location of the jail is in East Quincy and is adjacent to a maintenance yard, a transfer station and a recycling facility. The jail is bordered in the back by the access road to the aforementioned facilities.

Findings and Recommendations:

The Grand jury recognizes that with the current economic downturn it is difficult to provide adequate funding for a new jail or to facilitate improvements to the existing facility and to increase the staffing needed to improve the efficiency and safety of current working conditions.

However, there are very critical needs that must be addressed somehow before a serious incident involving injury or death occurs. We request that the County take a very hard look at the conditions presented in the following report.

Facility:

Finding 1: The current jail is one of the last linear designed jails in California. The design has the cells and other rooms in a straight line where it does not permit the staff to easily observe inmates in different locations of the jail or to be able to respond to emergencies.

Finding 2: In addition, due to the poor construction design, radio communication within the facility is spotty, allowing potentially dangerous situation to develop with weak response.

Finding 3: Another concern, which is due to occasional overcrowding are the forced early release of inmates into the community. A larger facility would alleviate this reoccurring problem.

Finding 4: The perimeter fence in the exercise yard is bordered by a public access road. Outsiders have clear access to the fence enclosing the exercise yard. They can then place drugs, weapons and other contraband where inmates can retrieve them. There have been two escapes (one being abetted by an accomplice) in the past dozen years, but both were soon captured.

Finding 5: There are risks involved in transporting prisoners to the courthouse. Video arraignment, where the inmate is arraigned from the jail was tried, but poor acoustics in the jail precluded its use.

Finding 6: The washer and dryer need replacing but the kitchen was adequate and clean but is overdue for a fire inspection. Meals are well-prepared and nutritious.

Recommendations:

1: New jail is needed

In the last Grand Jury report it was noted that Plumas County is to receive state funding for a new courthouse. A new jail facility must be part of the planned construction, one with improved design to insure better inmate monitoring and more consistent communication between staff.

2: Critical Need

Short of the building of a new facility, it is imperative that the current jail be provided a safer enclosure for the exercise yard which would prevent escape attempts and ensure greater exclusion from the outside public.

3 Soundproofing one of the jail rooms might enable the use of video arraignment, thereby reducing the need for dangerous transportation of inmates to the current courthouse.

4 Critical need

An efficient and dependable communication system needs to be installed in the current facility so that quick responses would help mitigate any emergencies arising within.

Staffing:

Finding 1: The current level of 15 correctional officers (three of 18 are on long term sick leave) is wholly inadequate for a jail of this size. While the staff is doing a superb job in our estimation. Understaffing encourages dangerous and threatening conditions to exist for both staff and inmates alike.

Finding 2: Because of the numerous programs going on during the evening and graveyard shift involving much movement of inmates the possibility of disruption or attack are greatest at this time. They are manned by only two officers, too few to respond effectively and safely to any problems.

Finding 3: Beside the potential problems expressed in the previous findings, there exists the possibility for future lawsuits, costing the county millions of dollars in settlements.

Finding 4: Inspections by the California Dept of corrections and rehabilitation have found the current jail to be understaffed by a minimum of five correctional officers. In addition, four previous grand juries and this one have also found the jail staffing to be terribly inadequate and unsafe.

Recommendation - Critical need:

The Board of Supervisors should immediately seek funding to bring staffing up to an adequate level. Yes it will be expensive, (the Sheriff estimates it will cost \$500,000 to

bring on five new officers) but this Grand Jury is convinced it's not a matter of if something tragic will happen, but when

Programs and Procedures:

Finding 1: The procedure for booking and detaining arrestees is secure and efficient. Because of the inadequate staffing, the exercise areas are potentially problematic. The workout room can hold only 20 inmates at a time with one officer monitoring them. The exercise yard has only one officer monitoring of 35 inmates at a time. This ratio is totally inadequate for individuals with violent and/or psychotic proclivities.

Finding 2: The grievance process for inmates seemed to be adequate. Concerns of the inmates are appropriately addressed and dealt with.

Finding 3: Programs offered at the jail include: educational, religious, medical/dental and mental health. Not offered, because of a lack of need for them or as a result of the minimal time spent at the facility, (all inmates are released within one year) are programs concerned with; vocational, domestic violence, victim/gang, diversity awareness and work furlough activities.

Recommendation:

Considering the lack of space and staffing, the Grand Jury feels the jail is doing all it can to provide the needed programs for inmates to utilize. Assistance from various community organizations on an as needed basis is certainly greatly needed and appreciated.

Conclusion:

In spite of the inadequate staffing and outdated facility, the Plumas County jail does a superb job in serving the citizens of Plumas County.

It is imperative, however, that we move forward toward the establishment of a new jail or to addressing the critical needs currently jeopardizing the efficiency and safety of the jail and its staff

The Grand Jury expects meaningful responses from the Board of Supervisors and associated committees and departments. Waiting for a major tragic event to occur before substantial action is taken is unacceptable

We will work with the deciding bodies to correct the concern of the county correctional facility, which has been on the books for more than a decade.

We owe to our peacekeepers – the one who protect us from the dark elements of our community – at least that.

Stimulus Grant Funding

In a review of previous Grand Jury Final Reports, the 2009-2010 Plumas County Grand noted that a need for additional funding was reiterated throughout all Jail Inspection reports. As a result, the Grand Jury looked into grant and stimulus-funding activities being performed by Plumas County government.

Grant funding needs are unique to each county department, so grant writing usually occurs in each department, jail included. However, the Grand Jury found that the pursuit of federal stimulus funds is led by the Stimulus Task Force Originating Committee. This committee consists of seven task force members, and participating members: School District (1), Feather River College (1), Hospitals (3), Plumas County Management Council (24), Economic Recovery Committee (12) and the Board of Supervisors (5).

The Grand Jury requested and was granted permission to attend and observe the next Stimulus Task Force Originating Committee meeting which was then scheduled for February 24, 2010. Two Grand Jury panel members attended the meeting, held in the Board of Supervisors room at the Courthouse in Quincy. Of the forty-six members and participants, three task force and two Plumas County Management Council members were in attendance.

The Grand Jury felt that the meeting was quite informative regarding what it takes to get stimulus funds, and the requirements to get them. We found that stimulus grant funding is not just free money; there is a catch to getting some of these federal funds. For example the County Sheriff said that he requested \$250,000 for funding two new deputy sheriff positions. The request was turned down because there is not enough crime in Plumas County, according to the federal Government. Additionally, if awarded the funds, after two years, the county would have to fund the new positions permanently. If not done, the county would be required to return the stimulus funds to the Federal Government.

Following are some of the projects the Stimulus Task Force Originating Committee members are working on: \$2.2 million for Forest service, environmental , Beckwourth Fire station, breaking ground in June or July; reverse 911 system Federal Grant of \$100,000 plus, almost complete; \$108,000 energy grant, joint venture with Feather River College. Also being requested - a grant for Feather River College and three other colleges for training programs in renewal technology; biomass-solar-wind energy, baby boomer replacement programs in partners with PGE; \$440,000 for weatherizing programs for low income, \$35,000 for health and human services; broadband development between Chilcoot and Keddie, \$2.5 million Airports-FFA, and \$1,473,450 for road projects, Bucks Lake Road. Spanish Creek overpass, \$28,000,000; creek projects, trails; \$1,000,000, new trails in - 5 years. Fuel reduction work, \$200,000. Visitors center at Chester Airport, amount unknown; Johnsville ski lift operations, \$2.7 million, Sierra Nevada College courses in ski hill operations.

Based on what was described to the Grand Jury, it appears that the committee is doing all that they can to get all the stimulus funds possible for the county as well as for the jail. Attendees made it clear that the competition to gain stimulus funding is very stiff, and just applying for it does not necessarily mean that they will get the funds.

Appendix A - Function of the Grand Jury

The Plumas County Grand Jury is a body of nineteen Plumas County citizens charged and sworn to inquire into matters of civil concern within the boundaries of Plumas County and any incorporated city within these boundaries. Appendix B lists the County and City Departments that are open to Grand Jury inquiry. Grand Jury duties, powers, responsibilities, qualifications and selection processes are set forth in the California Penal Code Section 888 et seq. See Appendix D.

The Grand Jury functions lawfully only as a body. No individual grand juror may act alone and has no authority to act alone. Meetings of the Grand Jury are not open to the public. The Penal Code requires that all matters discussed before the Grand Jury and all deliberations are to be kept private and confidential. The end result of all investigations into civil matters is released to the public in a final report, which sets forth the findings and recommendations of the Grand Jury.

Participation in Grand Jury service is an opportunity for citizens from various communities within the county to work together, get an in-depth look at local government, and to make informed recommendations which may improve and enhance services. The effectiveness of a Grand Jury is determined not only by the selection of topics, agencies and entities to be reviewed, but also by the sitting panel's thorough and attentive commitment to detail and accuracy so that the findings in the final report are substantiated, provable and verifiable.

Service on the Grand Jury is also a way to contribute and make a positive difference. Jurors serve twelve months and some jurors continue on to serve a second twelve months. The term of service runs from July 1 to June 30.

The term of the Grand Jury is limited and, by necessity, the panel must narrow its focus in order to be thorough. Therefore, the citizenry may question why certain issues are not covered in greater detail. If any citizen is concerned or interested in asking the Grand Jury to review a specific matter, the citizen complaint is the method, and the forms are available at the Plumas County website. Whether the issue is a complaint or simply a concern, this is the venue by which citizens may be heard and a response may be made. A sample Citizen Complaint form and directions for submission may be found in Appendix E.

This final report represents the work that has been done by the 2009-2010 Grand Jury, a body of research, observations, and interviews that have allowed this panel to formulate their findings and recommendations. The persons responsible for the departments, offices, and issues addressed herein may agree or disagree with our findings and recommendations, but they are obligated to respond. (Refer to Appendix F for the requirements set forth for response.) The nineteen members of this Grand Jury are privileged to have served the citizens of Plumas County, and we wish to convey our respect, as well, for all those who serve in county government.

Appendix B:

Plumas County Grand Jury History of Investigations

Department, Agency Program	Earlier Years	2003- 2004	2004- 2005	2005- 2006	2006- 2007	2007- 2008	2008- 2009	2009- 2010
Administrator/CAO	95-96 01-02							
Agriculture Commissioner								
Airport Operations								X
Alcohol & Drug	95-96 01-02							
Animal Services	95-96 01-02 02-03		X		X			X
Assessor	95-96 98-99							
Auditor/Controller	01-02							
Board of Supervisors	01-02			X	X	X	X	
Building Department	02-03		X					X
Clerk/Recorder	01-02							
Community Services Districts					X			
County Counsel								
District Attorney	98-99				X			
Facility Services	99-00 02-03			X				
Fair	01-02					X		
Farm Advisor								
Feather River College					X			
Fire Management								X
Health Dept./Environmental Health (Plumas Co Public Health Agency)			X					X
Hospital Districts	01-02						X	
Housing & Community Development								
Human Resources	99-00	X						
Information Technology	99-00							
Jail	Annual	X	X	X	X	X	X	
Juvenile Hall	02-03		X					
Law Library	99-00							
Library	98-99							
Local Agency Formation Commission (LAFCo)						X		
Mental Health	95-96 99-00							
Museum	98-99							
Nutrition Program	95-96						X	
Office of Emergency Services						X		
Planning Department							X	
Plumas Corporation	01-02							X
Plumas County Flood Control & Water Conservation Dist		X	X					
Plumas Unified SD	02-03	X	X					
Probation Department	98-99 01-02	X						
Public Works Department	98-99 01-02							
Sheriff/Coroner	98-99 01-02	X				X	X	
Stimulus Funding							X	
Social Services/Public Guardian	95-96				X			
Treasurer/Tax Collector	98-99							
Risk Management								
Veteran's Services	95-96				X			
Fire Departments	01-02 02-03		X					
Portola Cemetery District								
Recreation Districts	95-96							

-recommended for
investigation
follow-up

-recommended for
Investigation
follow-up

-recommended for
investigation
follow-up

follow-up

-recommended for
investigation
follow-up

Appendix C: Requirements per Penal Code Section 888 et seq.

The Penal Code requires the Grand Jury to:

- Inquire into the condition and management of the public prisons;
- Inquire into the willful or corrupt misconduct in office of public officers;
- Investigate and report on the operations, accounts, and records of county officers, departments, or functions of the county. The investigations may be conducted on some selective basis each year;
- When requested by the Board of Supervisors, investigate and report upon the needs for increase or decrease in salaries of the county elected officials; and,
- Submit a final report of its findings and recommendations no later than the end of its term, to the Presiding Judge of the Superior Court.

In addition to these requirements, the Grand Jury may:

- Investigate and report upon the needs of all county officers, including the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, the several offices;
- Examine the books and records of a redevelopment agency, a housing authority, or a joint powers agency and may investigate and report upon the method or system of performing the duties of such agency or authority; and,
- Examine the books and records of any special-purpose assessing or taxing district located wholly or partly in the county or the local agency formation commission in the county and may investigate and report upon the method or system of performing the duties of such district or commission.

Although not mandated by the California Penal Code, it is the policy of the Plumas County Grand Jury to review and acknowledge all written, dated, and signed citizen complaints. See Appendix E for more information about filing a citizen complaint.

Appendix D: Citizen Complaint Form and Explanation

PLUMAS COUNTY GRAND JURY, P.O. Box 784, Quincy, CA 95971
CITIZEN COMPLAINT FORM
(Please print or type all information)

Person Filing Complaint

Date:

Name: Phone

Address: City State/Zip

Agency or person about whom complaint is made

Name: Title

Department:

1. Describe your complaint

(Briefly state action that is (was) dishonest, improper, illegal, inefficient, etc.)

2. Set forth the facts upon which the complaint is based.

(Describe in detail, include all names, dates, places, etc.)

3. What other agencies, officials or persons have you contacted about this matter?

What was (has been) their response to you?

(Give names, addresses, phone numbers, contact dates and any other information you think is pertinent.)

4. Is the complaint involved in litigation? No Yes

5. Should we contact any other agencies or persons?

(Please give names, addresses, phone numbers, etc.)

6. What action do you think the Grand Jury should take?

Signature:

IT IS A CRIME TO REPORT TO THE GRAND JURY THAT A CRIME HAS BEEN COMMITTED KNOWING THE REPORT TO BE FALSE.

(Penal Code No. 148.5.d)

ATTACH COPIES OF PERTINENT DOCUMENTS AND CORRESPONDENCE
(USE AND ATTACH ADDITIONAL SHEETS IF NECESSARY)

The Grand Jury may also review and acknowledge all written, dated and signed citizen complaints. Within the time allowed by its established investigatory priorities, the Grand Jury may investigate complaints where appropriate. All complaints are treated confidentially. This applies to the written documents as well as the testimony of witnesses and participants. The complainant may be asked to appear as a witness. Note should be made that the sitting panel functions only as a civil Grand Jury and does not deal with criminal matters. If a complaint appears to involve the criminal court system, the matter is handed over to the office of the District Attorney for review and investigation.

Citizen Complaint forms may be obtained on-line at the Grand Jury page of the Plumas County Website or by sending a written request to:

Plumas County Grand Jury
P.O. Box 784
Quincy, CA 95971

Appendix E - Note to Respondents/Requirements for Response

As a result of Grand Jury investigation and reporting, certain agencies, entities, departments, districts, and functions of county government may be the subject of the final report which outlines findings and recommendations. Penal Code Sec. 933.05 outlines the requirements for those responding to the Grand Jury final report. For the assistance of all respondents, this Code is summarized as follows:

The responding person or entity must, within time frames specified in Penal Code 933(c), respond in one of two ways:

- That you agree with the finding;
- That you disagree 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 for the disagreement.

Recommendations by the Grand Jury require action (Penal Code 933.05). The responding person or entity must report action on all recommendations in one of four ways:

- The recommendation has been implemented, with summary of the implemented action;
- The recommendation has not yet been implemented but will be implemented in the future, with a time frame for implementation;
- The recommendation requires further analysis. If the person or entity reports in this manner, the
- law requires an explanation of the analysis or studies in a time frame not to exceed six months;
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an accompanying explanation.

If either finding or recommendation deals with budgetary or personnel matters of a county department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority.

Requirement to Respond

No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency (includes departments) shall comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Every elected county officer or agency head for which the Grand Jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the Presiding Judge of the Superior Court, with an information copy sent to the Board of Supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. All of these comments and reports shall forthwith be submitted to the Presiding Judge of the Superior Court who impaneled the Grand Jury.

Appendix F - Grand Jury Report Distribution List

The Honorable Judge Ira Kaufman
The Honorable Judge Janet Hilde
Plumas County Grand Jury 2009-2010
Plumas County Grand Jury 2010-2011
Plumas County Administrative Officer
Plumas County Auditor/Controller
Plumas County Board of Supervisors
Plumas County Building Department
Plumas County Clerk
Plumas County Community Development Commission
Plumas County Counsel
Plumas County Court Executive Officer
Plumas County Building Department
Plumas County Department of Animals Services
Plumas County Department of Environmental Health
Plumas County Department of Public Works
Plumas County District Attorney
Plumas County Facilities Services Department
Plumas County Flood Control and Water Conservation District
Plumas County Information and Technology Department (Website)
Plumas County Jail
Plumas County Libraries
Plumas County Office of Emergency Services
Plumas County Planning Department
Plumas County Public Health Agency
Plumas County Sheriff
Plumas County Superintendent of Schools
Plumas County Treasurer/Tax Collector
Plumas County Board of Realtors
Plumas Corporation
California Attorney General's Office
California Department of Forestry and Fire Protection-Lassen, Modoc, Plumas District
(2)
California Grand Jurors Association
California State Archivist
California State Fire Marshall
Airport Manager- Ganser Field (Quincy)
Airport Manager-Nervino Airport (Beckwourth)
Airport Manager-Roger Field (Chester)
Chamber of Commerce: Chester
Chamber of Commerce: Greenville
Chamber of Commerce: Eastern Plumas
Chamber of Commerce: Quincy
City of Portola
Local Agency Formation Commission (LAFCo)

Seneca Hospital District
All Special Districts (55)
Lassen National Forest
Plumas National Forest
Smith & Newell CPA's
U.S. Senator Boxer
U.S. Senator Feinstein
U.S. Congressman McClintock
State Assemblyman Logue
State Senator Cox
Auditors

Appendix G: Plumas County Emergency Services Advisory Committee

Recommendations for Fire Protection Improvement Standards

9/15/09

Plumas County Emergency Services Advisory Committee was formed by the County Board of Supervisors in April of 2007, and renamed to the Plumas County Emergency Services Advisory Committee in 2009, in recognition of the critical needs and scope of services provided by local Fire Protection Agencies, directed that this committee be formed.

The Committee's Mission is to, "***Determine the funding feasibility of providing uniform and comprehensive emergency services to all of Plumas County***".

The Advisory Committee identified three core objectives and is working towards recommending solutions to each. They include:

- **Increasing funding for all emergency services**
- **Mitigation of existing and future hazards that impact public health and safety**
- **Providing a uniform level of service County wide that meets federal, state, and local mandates**

Members of the group have collectively identified a number of deficiencies with respect to County planning and buildings which are continuing to contribute to inhibiting County fire departments from meeting the last two objectives, and placing additional demands (fiscal & response) on these already strapped departments.

The Advisory Committee understands that fixing the fiscal problems of departments and getting to a point of uniform levels of emergency services countywide will take time. Unfortunately, probably a long time. However, the committee feels strongly that if the Board is serious about working to solve those issues, then, at the very least, the County should not continue to allow practices that continue to exacerbate the situation.

This report only identifies problems that the Advisory Committee felt could be dealt with fairly easily and in a short timeframe. There are others that will require more effort and time. Included are general recommendations for corrective actions to these problems for the Board's consideration. These recommendations are intended to serve as a framework for Fire Protection Improvement Standards for Plumas County. In-depth analysis and detailed explanations of each issue and their recommended corrective actions are not provided here. Those are expected to occur during discussions for each of the actions the Board agrees to accept. Implementation of recommendations may require a combination of Board Policy, code adoption or adjustments, public education or other activities.

Issues have been identified that pertain to a) existing homes and communities, b) new home construction in existing County approved subdivisions, and c) new subdivision development (>5 units).

Issues and recommendations are being made in four areas:

- 1. Building and Construction**
- 2. Access**
- 3. Hazardous Vegetation**
- 4. Community Planning & Development**

A. Issues that create impacts to County Emergency Services

1. Building and Construction

- A. Plumas County presently allows residents with existing shake roofs to obtain a permit from for repair/replacement of up to 50% the roof with like kind. Consequently residents wishing to continue having a shake roof can accomplish their desires in 2 years. This perpetuates a risk of structure ignition, as wood shake roofs are the number one cause of home loss in wildfires.
- B. Unprotected propane regulators can be impacted by snow loads causing threats to humans and structures.
- C. Structures are being constructed and retrofitted with automatic generators that come on when the power is turned off that may threaten firefighter safety.
- D. Construction and reconstruction of decks on existing structures and decks in new construction in Local Responsibility Areas (LRA), or low and moderate fire hazard in the State Responsibility Areas (SRA) are not covered under the 2008 California WUI building code and therefore there are no regulations governing their flammability or structural integrity in fire conditions, posing a risk to firefighter safety.
- E. Fire Departments are concerned with their ability to protect & suppress structure fires in very large homes in areas without hydrant systems.

2. Access

- A. Homes are currently being remodeled or sold which do not comply with California and Plumas County requirements for address (road & house) signing (PRC 4290), often making responses difficult and longer.
- B. Homes are currently being constructed in Plumas County that do not comply with California's requirements for Fire Safe Driveways (PRC 4290), making emergency responses more difficult.
- C. Plumas County has no requirements for the opening of gates to access homes or communities during an emergency creating a risk to public safety and difficulty for emergency responders.
- D. Many homes in Plumas County have addresses that are not tied to their structure's access point, making emergency responses difficult and/or longer.

3. Hazardous Vegetation

- A. Many homes in Plumas County do not comply with defensible space requirements (PRC 4291). Local enforcement of PRC 4291 is limited to non-existent and the citing process cumbersome. This places homes, citizens and firefighters at higher risks.
- B. Subdivisions exist with extremely hazardous fuel conditions in common areas and on vacant lot parcels which provide a continual threat to existing homes and public safety, and may prevent adjacent homeowners from attaining their 100' of defensible space.

4. Community Planning & Development

- A. Plumas County Fire Chiefs have the responsibility for increased fire protection with increased development, which creates additional impacts and an increase on the demand for their services, but they have no authority to specify requirements in the planning approval process, as they can only make suggestions.
- B. There have been a number of existing or planned Subdivisions outside of a fire protection district that are either left unprotected, or are impacting surrounding fire departments that may end up responding as good neighbors. Yet those departments receive no tax base or voice in the levels of service, for areas out of district.
- C. New citizens of Plumas County who move here and purchase homes and property appear to not always be aware or informed on who provides their fire protection, what their insurance rating is or what the wildland fire risk is until something happens.
- D. PRC 4290 requires 2,500 gallon water tanks for all new home construction when a community water system does not exist in subdivisions. Currently Plumas County does not require them for subdivisions approved before 1991. This creates a situation where there is no water available for fire suppression in entire communities, even as new homes are being constructed, posing a risk for increased fire size, structure loss and firefighter safety.
- E. Fire Hydrants in the County are not standardized, creating difficulty with assisting units in mutual aid incidents.
- F. Some subdivision zoning has allowed for the construction of large subdivisions (with numerous homes) with the use of lower class roads that limit emergency vehicle response and adequate ingress and egress during an emergency.
- G. Subdivision maps have been approved for roads that allow Hammerhead T's in communities where the Fire Chief believes it will restrict emergency vehicle access.

H. Subdivisions have been approved with extremely hazardous fuel conditions and then placing the burden for treatments on each new individual property owner. This usually precludes economy of scale and treatment options, as well as taking away the opportunity for leveraging of forest product values from all of the development. It generally leads to communities not being treated to a fire resilient condition.

B. Recommendations to mitigate identified issues that create impacts to County Emergency Services

1. Building and Construction

A. Plumas County presently allows residents with existing shake roofs to obtain a permit from for repair/replacement of up to 50% the roof with like kind. Consequently residents wishing to continue having a shake roof can accomplish their desires in 2 years. This perpetuates a risk of structure ignition, as wood shake roofs are the number one cause of home loss in wildfires.

Recommendation:

Adopt the Shake Roof Ordinance amendment proposed in 2007 which does not allow building permits for maintenance or repair of greater than 20% of a wood shake roof and require all new roofs be Class A.

B. Unprotected propane regulators can be impacted by snow loads causing threats to humans & structures.

Recommendations:

- 1) Require all propane regulators be protected under a snow shed device, roof structure, or device which provides protection.
- 2) Prior to building inspectors signing off permits, require certification that propane regulators are protected under a snow shed device, roof structure, or device which provides protection.

C. Structures are being constructed and retrofitted with automatic generators that come on when the power is turned off that may threaten firefighter safety.

Recommendations:

- 1) Require a warning sticker in or on the main electrical box with the location of the generator identified for all structures with automatic generators.
- 2) Prior to building inspectors signing off permits, require certification of warning stickers for those structures with automatic generators.

D. Construction and reconstruction of decks on existing structures and decks in new construction in Local Responsibility Areas (LRA), or low and moderate fire hazard in the State Responsibility Areas (SRA) are not covered under the 2008 California WUI building code and therefore there are no regulations governing their flammability or structural integrity in fire conditions, posing a risk to firefighter safety.

Recommendation:

Adopt California's 2008 WUI Building Code Standard for all decks in Plumas County.

E. Fire Departments are concerned with their ability to protect & suppress structure fires in very large homes in areas without hydrant systems.

Recommendation:

Require home greater than 4,000 square feet to be sprinklered.

2. Access

A. Homes are currently being remodeled or sold which do not comply with California and Plumas County requirements for address (road & house) signing (PRC 4290), often making responses difficult and longer.

Recommendations:

- 1) Prior to building inspectors allowing work to begin and on final building permit sign off; require that address signing is compliant.
- 2) Develop a process for homes being sold in Plumas County to be compliant with address signing.

B. Homes are currently being constructed in Plumas County that do not comply with California's requirements for Fire Safe Driveways (PRC 4290) in California, making emergency responses more difficult.

Recommendations:

- 1) Adopt the driveway ordinance proposed in 2007, which requires all driveways meet the PRC 4290 Fire Safe Standard.
- 2) Require all driveways for new construction meet the PRC 4290 Fire Safe Standard.
- 3) Require that all lots in a proposed subdivision be able to comply with the PRC 4290 Fire Safe Standard.

C. Plumas County has no requirements for the opening of gates to access homes or communities during an emergency creating a risk to public safety and difficulties for emergency responders.

Recommendations:

- 1) Require Knox Boxes or an available means of access for any gates.
- 2) Require an available means of access for opening of community gates when power is out.

D. Many homes in Plumas County have addresses that are not tied to their structure's access point, making emergency responses difficult and/or longer.

Recommendations:

- 1) Develop a process for a check and balance system between the Sheriff's Office and Planning & Building Department to identify gaps & errors in street and address signing.
- 2) Prior to allowing work to begin on building permits for remodels or new construction, require verification of proper address and correction if necessary.
- 3) Develop a process for homes being sold in Plumas County to require verification of proper address and correction if necessary.

3. Hazardous Vegetation

A. Many homes in Plumas County do not comply with defensible space requirements (PRC 4291). Local enforcement of PRC 4291 is limited to non-

existent and the citing process cumbersome. This places homes, citizens and firefighters at higher risks.

Recommendations:

- 1) Develop a process that allows County code enforcement officers, fire chiefs or designees, and code compliance officers, to enforce PRC 4291.
- 2) Prior to building permit final approval on building permits for remodels, require defensible space (PRC 4291) compliance as is required for new construction.
- 3) Develop a process with the County DA, Counsel, & departments to create a more effective mechanism for obtaining defensible space compliance.
- 4) Develop a process for homes being sold in Plumas County to be defensible space compliant (PRC 4291) before they are sold.

B. Subdivisions exist with extremely hazardous fuel conditions in common areas and on large vacant lot parcels which provide a continual threat to existing homes and public safety, and may prevent adjacent homeowners from attaining viable defensible space.

Recommendation:

Consider requiring treatment of hazardous fuels in community common areas and large parcels within communities at risk at some point in the future.

4. Community Planning & Development

A. Plumas County Fire Chiefs have the responsibility for increased fire protection with increased development and sub-divisions, which creates additional impacts and an increase on the demand for their services, but they have no authority to specify requirements in the planning approval process, as they can only make suggestions.

Recommendation:

Develop a process to insure that the Fire Chief with the responsibility for protection has input and an appropriate role in the approval process for a developments and subdivisions.

B. There have been a number of existing or planned Subdivisions outside of a fire protection district that are either left unprotected, or are impacting surrounding fire departments that may end up responding as good neighbors. Those departments receive no tax base or voice in the levels of service.

Recommendations:

- 1) Stop approving new subdivisions for development without either annexation into a fire protection district, or the creation of a fire protection district.
- 2) Create a County Fire Chief position that is responsible for the coordination of fire, EMS, and emergency services to the unincorporated portions of the County not currently covered by local agency, municipal or fire districts.

C. New citizens of Plumas County who move here and purchase homes and property appear to not always be aware or informed on who provides their fire protection, what their insurance rating is or what the wildland fire risk is until something happens.

Recommendation:

Develop a process for homes and property being sold in Plumas County to insure disclosures of the responsible fire protection agency, fire insurance rating and wildfire risk information.

D. PRC 4290 requires 2,500 gallon water tanks for all new home construction when a community water system does not exist in subdivisions. Currently Plumas County does not require them for subdivisions approved before 1991. This creates a situation where there is no water is available for fire suppression in entire communities, even as new homes are being constructed, posing a risk for increased fire size, structure loss and firefighter safety.

Recommendation:

Require all new homes constructed outside of a community with an approved community water system (regardless of when the subdivision was approved) to comply with PRC 4290 & provide 2,500 gallons of water for fire protection.

E. Fire Hydrants in the County are not standardized, creating difficulty with assisting units in mutual aid incidents.

Recommendation:

Require all fire hydrants comply with a standard 2 1/2", 4.5', 2 1/2" standard when installing or replacing hydrants.

F. Some subdivision zoning allowed for the construction of large subdivisions (with numerous homes) with the use of lower class roads that limit emergency vehicle response and adequate ingress and egress during an emergency.

Recommendation:

Require all proposed subdivision road classes are properly determined regardless of parcel size and that they comply with PRC 4290 ingress and egress standards.

G. Subdivision maps have been approved for roads that allow Hammerhead T's in communities where the Fire Chief believes it will restrict emergency vehicle access.

Recommendation:

Develop a process for the County to work with the local Fire Chief having the protection responsibility on allowing hammerhead T's in lieu of turnarounds in new sub-divisions.

H. Subdivisions have been approved with extremely hazardous fuel conditions and placing the burden for treatments on each new individual property owner. This usually precludes economy of scale and treatment options, as well taking away the opportunity for leveraging of forest product values from all of the development. It generally leads to communities not being treated to a fire resilient condition.

Recommendations:

- 1) Require the treatment of hazardous fuels throughout a proposed subdivision prior to the map being approved.
- 2) Require provisions for the maintenance of those treated stands by the CSD or HOA in the development proposal.

