

Zone Zero
Written Public Comments
11/15/2024

1. Patricia Fleming, Orinda Resident (comments entered on Zone Zero comment form)
2. Michael Tunick, Orinda Resident (comments entered on Zone Zero comment form)
3. William Wagner, Orinda Resident (comments entered on Zone Zero comment form)
4. Jenifer Balducci, Orinda Resident (comments entered on Zone Zero comment form)
5. Sandy Pearson, Orinda Resident (comments entered on Zone Zero comment form)
6. Jason Akel, Orinda (comments entered on Zone Zero comment form)
7. Anna Duncan (comments entered on Zone Zero comment form)
8. Vera Duplan (comments entered on Zone Zero comment form)
9. Dave Chenok (comments entered on Zone Zero comment form)
10. Kate Chenok (comments entered on Zone Zero comment form)
11. Cheryl Nevares comments entered on Zone Zero comment form)
12. Comments posted on YouTube

From: [Patti Fleming](#)
To: [Info](#)
Subject: Re: Zone Zero Announcement: Tri-Agency Meeting Highlights and Next Steps
Date: Thursday, October 24, 2024 6:04:14 PM

Hi,
We live in Orinda and only implementing Zone 0 would not stop a fire during a red flag warning. If we are going to make a difference, we need to follow all the requirements of Zones up to 200 ft from any structures. In Truckee, where we have a second home, the fire department required us to do significantly more than what you are suggesting. I drive around Lamorinda and see nothing but fuel for a fire. As I grew up in Paradise, I am extremely concerned about this subject. Only requiring the 0-5 feet will not provide us safely...just look at the trees and shrubs that are right next to each other everywhere.
Best,
Patricia Fleming
Orinda, CA
925-451-5011

On Thu, Oct 24, 2024 at 4:21 PM Moraga-Orinda Fire District <info@mofd.org> wrote:

Zone Zero Announcement: Tri-Agency Meeting Highlights and Next Steps

Post Date: 10/24/2024 3:45 PM



Zone Zero Announcement Tri-Agency Meeting Highlights and Next Steps

Issued: October 24, 2024

On October 21, 2024, the Orinda City Council, Moraga Town Council, and Moraga-Orinda Fire District Board met in a tri-agency meeting to discuss future requirements to establish “Zone Zero” mitigations around homes within the fire district.

What is Zone Zero?

Zone Zero is part of a comprehensive approach to wildfire risk reduction that includes home hardening, creating defensible space, and perimeter fuel breaks. Zone Zero is the area within 5 feet of structures and attached decks where the presence of combustive material, such as vegetation and wooden fences, is linked to structure loss during wildfires.

Why is it important?

Implementing a Zone Zero requirement would dramatically reduce wildfire risk in our community. However, this would also require significant changes to existing landscaping.

Next Steps:

The MOFD Board will discuss and consider implementing a Zone Zero requirement at future meetings. Residents are strongly encouraged to familiarize themselves with Zone Zero requirements and provide comments regarding support, opposition, or questions via the following webform: https://forms.office.com/Pages/ResponsePage.aspx?id=oR4EPV3OOUmb_mT1R0MpNqxZWsHF1bFIImX4LagD5IKxUNII2S0VJVFZQM0hDNFNUtZfOTIhSVVERWSi4u

For more information:

- Read more about Zone Zero and defensible space here: <https://readyforwildfire.org/prepare-for-wildfire/defensible-space/>

Access the staff report prepared for the October 21, 2024, meeting here:

[Item 2.1 Community Wildfire Risk Reduction Measures](#)

- Review previous discussions by the MOFD Board on the topic of wildfire and insurance at the May 15, 2024, meeting and the associated staff report is available here:
[Item 10.1 Wildfire Insurance Update](#)

Tri-Agency Meeting Recording:

- Watch the full Tri-Agency Meeting here:
<https://www.youtube.com/live/zUBaNesz-8o?feature=shared>

Key Sections of the video:

- Presentation from district resident Nancy Watkins regarding the state of the property and casualty insurance market and wildfire losses: [23:22](#)
- Presentation from Fire Chief Dave Winnacker regarding Zone Zero: [39:55](#)
- Elected Officials' Questions to Staff: [1:07:16](#)
- Public Comment Section: [1:54:53](#)
- Elected Official Discussion: [2:12:00](#)

Written Public Comments:

- View written public comments submitted before the meeting here:

Written Comments Received 10/18/24:

<https://www.mofd.org/home/showpublisheddocument/3785/638648515924370000>

Written Comments Received 10/21/24:

<https://www.mofd.org/home/showpublisheddocument/3787/638651120332470000>

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Patti

From: [Michael Tunick](#)
To: [Info](#)
Cc: Craig.Jorgens@gmail.com
Subject: MOFD future ordinances feedback
Date: Thursday, October 24, 2024 2:00:17 PM

MOFD Board,

I have recently been reading about the proposed modifications to the defensible space requirements and wanted to provide some input. I am an Orinda homeowner who has recently lost insurance coverage and had to bend over backwards to find new coverage at significant cost. I have taken advantage of the ember resistant vents and gutter guards and have complied with MOFD compliance notifications. I am participating in the firewise neighborhood group for my area. I am well aware of the fire risk, the current insurance impact and the things that I can do. However, why are we not working to get 100% compliance with the above items for the entire town before we push out ordinance measures that require drastic modifications to our homes. Citing paradise as an example or showing that South Lake Tahoe has a 5' ordinance is not equivalent to the unique layout of Orinda. While unfortunately our increased fire risk is real, most homes are from the 1950s, lot lines are tight and vegetation is abundant. I see these new regulations and fear that people like me who are doing all these things already will be the ones tearing down our fences and ripping out landscaping while those who won't even talk to a firewise neighborhood rep continue to not comply and let their homes fall out of compliance. I can walk down my street and see plenty of homes not even following the 2' rule, how are they going to enforce 5'?? Of course no one wants the worst case fire storm scenario to become a reality but I think people need to take a step back and work towards the current measures before moving towards expanding the zone. I fear that it will lead to more and more regulations that will only cost me money, will not help get me insurance for a better rate and will not prevent fires if my neighbors don't follow the measures.

If there is another entity that would like this feedback please feel free to forward my comments or let me know and I will send it to them directly.

Thank you for your time.
-Mike

Michael Tunick
Phone 703-598-0601

From: [Sheri Smith](#)
To: [Holbrook, Marcia](#)
Subject: FW: Fire Zoning Change
Date: Wednesday, October 30, 2024 11:16:41 AM

Hi Marsha, Please forward to the Boardmembers and Chief. Many Thanks, Sheri

Sheri Marie Smith
City Clerk
City of Orinda
22 Orinda Way
Orinda, CA 94563
925-253-4221
ssmith@cityoforinda.org

From: William Wagner <wwagnerw3@yahoo.com>
Sent: Wednesday, October 23, 2024 6:14 PM
To: Inga Miller <imiller@cityoforinda.org>; Darlene Gee <dgee@cityoforinda.org>; Latika Malkani <lmalkani@cityoforinda.org>; Brandyn Iverson <biverson@cityoforinda.org>; Janet Riley <jriley@cityoforinda.org>; Sheri Smith <ssmith@cityoforinda.org>
Subject: Fire Zoning Change

This is the first time you received an email from this sender (wwagnerw3@yahoo.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

City Council Members,

I am writing to express my grave concern with the Moraga/Orinda Fire Districts desire to expand the defensible space to 5', 3' feet from the current 2' requirement. This requirement will not do anything to ease the concerns of Carriers to come back into the LaMorinda area to provide insurance at existing rates or reduce the astounding rate increases over the years. That isn't how insurance is priced. I work in the insurance industry that 5' is not part of the calculation for fire risk.

Insurance companies rely on wildfire risk scores to calculate the price of premiums. The higher the risk, the higher the premium. Underwriters also use wildfire risk scores to balance out the overall risk in their insurance portfolios. Of the items used to score are (1) Vegetation and Fuel Sources, (2) Possible Ignition Sources and finally (3) topography and weather. The 5' parameters does not address 2 or 3 and it is a very weak argument for 1 given the topography and vast amount of oak trees surrounding the hills and all of Orinda/Moraga. Going from 2' to 5' does not address the core underwriting concerns. It may "feel" better for the fire chief and their department heads but I will not have any impact on insurance rates, insurance coverage or the long standing CA insurance commissioner and the Insurance Carriers.

In 2021, I changed my house from wood based shingle siding to James Hardy Cement Siding – basically, fire proof siding. Travelers discount to me for spending that money to fire proof my home? \$1 discount. Yes, you hear that correctly. They did NOT care. There are stories of people getting drop who don't even live in high risk fire zones. The insurance battle is not at the local level.

Let me remind the council of what happened in the Tubbs fire to the community of Coffey Park in Santa Rosa by my parents. You cannot stop that. When the wind moves, it moves. It is very easy to forget that fires move horizontally and vertically in great speeds over great distances. If that 5' was a defensive deterrent and was good at stopping movement of the fire, the Tubbs Fire in 2017 wouldn't have happened. Coffey Park was like Wilder Ranch, but more compressed but it was literally a suburb neighborhood of wide streets, and sidewalks, – nowhere near the topography and fuel that Orinda has beyond the 5' and 30' zones.

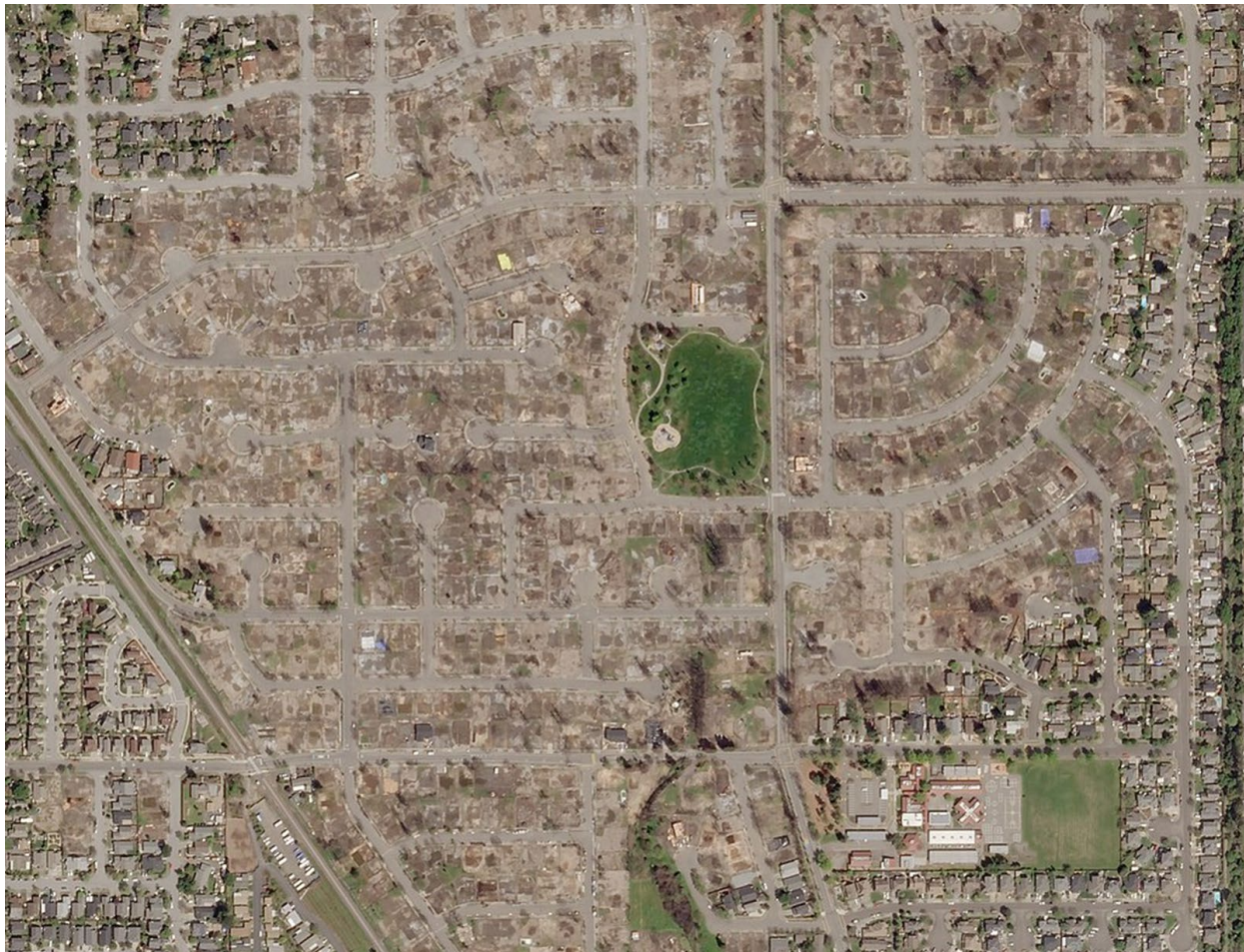
In conclusion – making this change is symbolic only. It does not benefit the homeowners of Orinda/Moraga in reducing our Underwriting Fire Risk Score which is the key objective in this game. It puts undue burden on home owners in time and money to make changes, changes the visual landscape of most homes reducing the curb appeal and exposing security vulnerability by making windows easier to see from the streets for theft, and will not not guarantee anything with respect to stopping fast moving fire.

Please do not pass this ordinance. If and when a fire comes through, it is gonna suck but adding 3' will not stop what nature will do on its own.

-William Wagner

41 Vista Del Mar

Resident for 10+ years.



From: [Sheri Smith](#)
To: [Holbrook, Marcia](#)
Subject: FW: Zone zero
Date: Wednesday, October 30, 2024 11:16:54 AM

Hi Marsha, Please forward to the Boardmembers and Chief. Many Thanks, Sheri

Sheri Marie Smith
City Clerk
City of Orinda
22 Orinda Way
Orinda, CA 94563
925-253-4221
ssmith@cityoforinda.org

-----Original Message-----

From: Jenifer Balducci <jenifer@jbalducci.com>
Sent: Wednesday, October 30, 2024 9:51 AM
To: Inga Miller <imiller@cityoforinda.org>; Darlene Gee <dgee@cityoforinda.org>; Brandyn Iverson <biverson@cityoforinda.org>; Janet Riley <jriley@cityoforinda.org>; Sheri Smith <ssmith@cityoforinda.org>; Latika Malkani <lmalkani@cityoforinda.org>
Subject: Zone zero

I am against the bandaid of zone zero. This will not stop a large fire. It is a huge financial burden for residents to re landscape. Fences up to the house are needed for safety and for animal containment, both pet and wildlife. Making everyone change to a metal fence is unfeasible and expensive. How can you force everyone to change their decking? Is wood siding next?

Address the real problems like above ground wires, adding more fire breaks and more controlled burns so we don't have a large fire. Work on a better evacuation plan with more fire roads that will be open to residents in an emergency. Don't pass the burden to residents when you and MOFD and the government are not doing all they can do.

Please vote no on a zone zero requirement.

Jenifer Balducci
Orinda resident and UC Master Gardener in training

City Council of Orinda
Mayor Darlene Gee
Vice Mayor Latika Malkani
Councilmembers
Brandyn Iverson
Inga Miller
Janet Riley

Nov 1, 2024

Dear Councilmembers,

I attended the Tri-Agency meeting with MOFD and Moraga last week, and would like to offer my comments on what I learned.

The Background Paper released by MOFD in preparation for the meeting makes a very interesting statement. With regard to fuel breaks and vegetation clearance on larger properties, MOFD states, “...according to recent work completed with actuaries and catastrophe modelers, the upper limit of the benefit such projects can provide is capped at around 20% of the possible risk reduction activity. The remaining 80% of risk reduction benefit is tied to defensible space (modification of combustible materials within 100 feet of a structure) and home hardening (changes to structure).

To repeat more concisely: 80% of risk reduction benefit comes from work done within 100 feet of a structure. This is very much in line with the general emphasis on fire prevention “from the house out”.

In the very next paragraph, MOFD lists their accomplishments in establishing “a progressive code environment that... exceed state-established fire safety minimum requirements.” The first item listed is the controversial requirement to clear a 100 fuelbreak along the property lines of all parcels one acre or larger. This is required without regard to the presence or absence of structures.

I am struck by the juxtaposition of these two statements; first, the observation that vegetation management far from the house doesn’t accomplish much. Second, highlighting the local MOFD ordinance that requires that very thing, even going beyond what is required by the state.

As you may know, I am involved in litigation with the Fire District on this issue, because I strongly believe this ordinance is not only ineffective but highly destructive to the natural environment. Clearcutting of vegetation in inappropriate areas not only destroys habitat for wildlife, it can cause soil erosion and lead to the replacement of native vegetation with more flammable annual invasive grasses.

So, I am somewhat startled to read in the next paragraph of the MOFD Background paper that Ordinance 23-08, requiring parcel line fuelbreaks, provoked stakeholder concern only because it was too onerous and adopted without enough opportunity for comment. I would add that it appears to violate the state of California’s regulations protecting the environment (CEQA) and requires citizens to make decisions with important consequences to the landscape without providing any information on which to base those decisions.

I bring this up because I have been so frustrated by MOFD’s lack of interest in providing better informational materials to the public. A tiny amount of useful material is buried in their website where it is essentially inaccessible to the public. My experience has led me to conclude that MOFD is already seriously deficient in communicating with the public. For any Zone Zero effort to succeed, the communication and outreach effort has to be community-wide. The Fire District alone will not be able to move the ball forward on this.

Here is an example of what happens when you give people a blanket regulation and expect them to somehow apply it appropriately, with no additional information.

This is a vacant lot for sale along Miner Road, across from the golf course. In time for fire season, it was completely denuded, despite being extremely steep, already eroding, and an important part of Lauterwasser Creek's riparian habitat. In addition, there is no structure on the property, and it fronts the golf course, which surely makes it less of a fire risk.



Streambanks need vegetation, to shade and cool the water for fish, provide food and shelter for animals, and to keep roots in the soil, so dirt (and trees!) aren't washed away in a storm.



Nobody meant for this to happen. This is the result of a lot of well-intentioned people with insufficient information and no guidance.

I don't think anyone with any fire agency anywhere would be in favor of this treatment. But it still happened, and does happen, and will happen again. The problem is getting information to the decision makers.

Our climate has changed. In response, we need to change our ways, to protect our homes and communities. But we need to do that effectively, in ways that minimize the impact on the natural community around us, which we also hold dear.

That's why I am in favor of ZONE ZERO regulation. It will be heart wrenching for me to cut down the 70 year old ivy that has graced our family home for longer than I've been alive. But I am willing to do it if it makes my neighbors safer. To me, the research shows that it does.

I hope hardening our homes will allow us to keep more wildlife habitat, away from structures, where it poses far less risk of spreading fire.



Orindans care enough about trout, and otters, and toyon bushes, to have them painted on their library. I think we also care enough to want to provide a place for them in our creeks. We just need to know how to do that, safely.

Climate chaos is real. Other communities are suffering thru hurricanes, floods, sea level rise; threats that are very difficult to avoid. There are increasing numbers of climate refugees world-wide. People are losing everything. We can expect to have to make sacrifices. Fire is our climate challenge. If it can be effectively deterred by altering our landscaping, I think we should try.

We can re-think our landscape design. Or we can lose our insurance, property value, mortgage, and potentially, our homes, community, or lives, our neighbors or our own. Still not an easy commitment to make, but unfortunately inevitable.

Sincerely,

Sandy Pearson
Miner Rd, Orinda

From: [Sheri Smith](#)
To: [Holbrook, Marcia](#)
Subject: FW: Fire ordinance comments
Date: Monday, November 4, 2024 9:06:27 AM

Hi Marsha, Happy Monday! Please forward the e-mail below to the Board and Chief. Many Thanks, Sheri

Sheri Marie Smith

City Clerk

City of Orinda

22 Orinda Way

Orinda, CA 94563

925-253-4221

ssmith@cityoforinda.org

From: Jason Akel <jasakel@gmail.com>
Sent: Saturday, November 2, 2024 10:09 AM
To: Inga Miller <imiller@cityoforinda.org>; Darlene Gee <dgee@cityoforinda.org>; Latika Malkani <lmalkani@cityoforinda.org>; Brandyn Iverson <biverson@cityoforinda.org>; Janet Riley <jriley@cityoforinda.org>; Sheri Smith <ssmith@cityoforinda.org>
Subject: Fire ordinance comments

This is the first time you received an email from this sender (jasakel@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Hello Orinda City Council,

I was unable to attend the recent meeting about fire ordinances / safe space, but wanted to share my thoughts if you are going to ultimately proceed with a 5-ft perimeter...

Many of us have multiple signature oak trees around our homes. For example, we have two approximate 500-year-old and 350-year-old valley oaks (per arborist) flanking our home. Cutting the limbs so that nothing is within 5 ft of the structure would kill both of these trees without question; it is actually a guarantee given their position. No matter what the ordinance is or insurance, we of course wouldn't do this. Certainly we keep these trees trimmed so there are no branches 20 to 30 ft from the ground. Please be sure any ordinance does not decimate these beauties and destroy our property value. These trees must be excluded. If fire is going to sweep through our wooded neighborhood, it's going to take everything. Cutting down these trees is not going to save the homes. We just won't do it, so please exclude them.

Now I probably wouldn't say the same for pines and eucalyptus... but that's for the experts to weigh in on. I think it is important to require that anyone with a eucalyptus tree, regardless of its location, must keep the bark trimmed and cleaned up at its base. That's a problem with one of the trees on Vista del Mar... The last remaining hold out of eucalyptus in our area I think. It's gigantic and could go up like a Roman candle.

Many of us also have ornamental trees next to our homes, e.g. small maples. These are worth hundreds to thousands of dollars. Please account for the species and not ask for clear-cutting. Many of these trees will

die if we attempt to transplant them to another location.

Happy to dialogue this or share pictures so you see what I mean. Lmk.

Thank you,

Jason Akel
49 Acacia Dr, Orinda
c. 415.244.7770

From: [Anna Duncan](#)
To: [Info](#)
Subject: 5 foot ember resistant zone proposal
Date: Monday, November 4, 2024 11:11:25 AM

I am writing to express my opposition to the proposed new 5 foot ember resistant zone. This proposal seems to me to be draconian given the fact that we still have Monterey Pines, Eucalyptus, and shake roofs in our community. Why not start with mitigating the higher risk issues would seem to have a significantly higher benefit as it relates to spreading wildfire.

While I appreciate the MOFD Fire Districts attention to wildfire mitigation, I believe that the 5 foot ember resistant zone requirement will harm many homeowners and will not provide as much risk mitigation as removal of the known hazards as mentioned above.

Thank you for your consideration.

Anna Duncan
10 Irving Court, Orinda

From: [Vera Duplan](#)
To: [Info](#)
Subject: MOFD
Date: Monday, November 4, 2024 2:40:27 PM

Deal MOFD,

I am writing to express my opposition to the proposed new 5 foot ember resistant zone. This proposal seems to me to be draconian given the fact that we still have Monterey Pines, Eucalyptus, and shake roofs in our community. Why not start with mitigating the higher risk issues would seem to have a significantly higher benefit as it relates to spreading wildfire.

While I appreciate the MOFD Fire Districts attention to wildfire mitigation, I believe that the 5 foot ember resistant zone requirement will harm many homeowners and will not provide as much risk mitigation as removal of the known hazards as mentioned above.

Thank you for your consideration.

*Vera Duplan
674 Fox Run
Orinda*

From: [dave.chenok](#)
To: [Info](#)
Subject: Opposing 5 Foot Ember Resistant Ordinance
Date: Monday, November 4, 2024 2:56:02 PM

I am writing to express my opposition to the proposed new 5 foot ember resistant zone. In general, I support efforts to keep our community safe, and we are strong supporters of the fire chief. However, this proposal is a little too much, a little too quick. I would be supportive of a measure that created a zone within which vegetation and disposable objects would be prohibited; I would also be supportive of one that stated that no new inflammable structures be permitted within a 5 foot zone. But the cost to homeowners of replacing existing wooden fences and other structures would be prohibitive; additionally, unless there were an enormous lead time--and given what we know of contractor capacity in the area--it would take a long time for the community to comply with such an ordinance. Further, realistically, the likelihood that a fixed structure such as a wooden fence would catch fire before vegetation and other kindling near houses seems low--I can't believe that fixed structures near houses are our biggest outstanding risk at this time. There must be treatments available that would help to make existing fences/etc. more fire resistant, and we would love to learn more about theses. Thank you for your consideration.

*Dave Chenok
50 Heather Lane, Orinda*

From: [Kate Eresian Chenok](#)
To: [Info](#)
Subject: Opposing 5 Foot Ember Resistant Ordinance
Date: Monday, November 4, 2024 4:31:45 PM

I am writing to express my opposition to the proposed new 5 foot ember resistant zone. In general, I support efforts to keep our community safe, and we are strong supporters of the fire chief. However, this proposal is a little too much, a little too quick. I would be supportive of a measure that created a zone within which vegetation and disposable objects would be prohibited; I would also be supportive of one that stated that no new inflammable structures be permitted within a 5 foot zone. But the cost to homeowners of replacing existing wooden fences and other structures would be prohibitive; additionally, unless there were an enormous lead time--and given what we know of contractor capacity in the area--it would take a long time for the community to comply with such an ordinance. Further, realistically, the likelihood that a fixed structure such as a wooden fence would catch fire before vegetation and other kindling near houses seems low--I can't believe that fixed structures near houses are our biggest outstanding risk at this time. There must be treatments available that would help to make existing fences/etc. more fire resistant, and we would love to learn more about theses. Thank you for your consideration.

*Kate Chenok
50 Heather Lane, Orinda*

From: [cheryl nevares](#)
To: [Info](#)
Subject: No to zone 0
Date: Thursday, November 7, 2024 11:51:51 PM

Our family is against the MOFD proposal to implement a zone zero policy....no vegetation or combustibles within 5 feet of a house.

We've been grateful to receive mofd-supplied vent covers and roof gutter screens which we've installed. We regularly groom our landscape and remove leaves a vegetation trimming. Yes, we use yours and orinda's chipping service. We have trimmed shrubs up and away from our house foundation. We regularly water our landscape in the summer with pumped spring water. We've rid ourselves of a whole hillside of juniper--our own work as was the replanting. We reroofed this year. \$\$\$

But asking for a moonscape next to the house isn't going to happen for us. It's irrigated there. I'm more concerned about the wood decks attached to our house that can't be removed.

Thank you.
Cheryl Nevares
15 La Cintilla
Orinda

TRI-AGENCY MEETING



Moraga-Orinda Fire District

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2 Comments



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@tracyapple1880 2 weeks ago

What an excellent, empowering presentation. Really superb. It seems to me as we try to have the community understand the reasoning behind suggesting this new measure we should make a link to the presentation/meeting not only available but strongly suggested. As we saw from the shares, people changed their minds on the basis of grappling with the straightforward information and recommendations that were provided.



Reply



@pkliot 2 weeks ago

Great and compelling presentation; thank you, Chief Winnacker!



Reply

