

3 Wildland Fire Resiliency Program Policies

3.1 Overview

Midpen’s Board-adopted Resource Management Policies (RM Policies) guide the ongoing management of the natural resources on Midpen lands. Resources covered under the policies include plants, animals, water, soil, terrain, geologic formations, and historic, scenic, and cultural features. The purpose of the RM Policies is to:

- Set the framework for Midpen's resource management program;
- Provide general guidance for issue-specific and site-specific planning;
- Provide staff and the Board a tool for informed, consistent, and effective resource management decision making;
- Inform the public of the purpose and intent of Midpen's resource management program; and
- Provide a basis for evaluating Midpen's progress in reaching its resource management objectives.

The Program is intended to be consistent and supported by the RM Policies, including Chapter XV on wildlife fire management. This policy was recently reviewed and analyzed by Midpen’s consultants, Spatial Informatics Group (SIG) and Panorama Environmental, Inc. (Panorama). The consultants reviewed Midpen and other agency policies related to fire ecology, fire management, prescribed fire, suppression activities, vegetation management and ecosystem resiliency, and post-fire response. The resulting report (Appendix A) presents recommendations to update Midpen policies and actions that support the overarching objectives and goals of Midpen’s Wildland Fire Resiliency Program.

The recommendations for the revised RM Policies were presented to Midpen’s Planning and Natural Resource Committee, which recommended forwarding the revised RM Policies to the full Board for approval. The full text of the revised policies and implementation measures can be found in Section 4 of the Policy Analysis and Recommendations report, provided in Appendix A.

3.2 Summary of Policy Review and Recommendations

3.2.1 Methods

The methodology for the policy review started with a compilation of existing Midpen policies, with a focus on policies related to wildland fire management, vegetation management, forest management, ecological succession, climate change, and scenic and aesthetic resources. The

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primary focus was on the Board-approved RM Policies, but other sources were also consulted for guidance or language related to vegetation management and fuels treatment. The following additional sources policies of the following agencies were similarly compiled and ~~included~~ considered in this analysis:

- Bear Creek Redwoods Preserve Plan (adopted January 2017)
- Defensible Space (Fuel Reduction) Permit Program (adopted in April 2009)
- Good Neighbor Policy (adopted October 1988, last amended September 2007)
- Integrated Pest Management Program (adopted September 2014, last amended January 2019)
- La Honda Creek Open Space Preserve Master Plan (adopted August 2012)
- Regulations for Use of Midpeninsula Open Space District Lands (adopted July 1993, last amended February 2014)
- Service Plan for the San Mateo Coastal Annexation Area (adopted June 2003)

Surrounding jurisdictions and CAL FIRE have their own policies and practices related to wildland fire management. The policies of these agencies were similarly compiled. The following agency-agencies' policies were included in this analysis:

- CAL FIRE
- San Mateo County ~~Parks and Recreation Commission~~
- ~~San Mateo County Planning~~
- Santa Clara County
- Santa Cruz County Planning
- State of California Government
- Woodside Fire Protection District
- California Board of Forestry and Fire Protection

Fire safe councils are grassroots community-based organizations that share the objective of making California's communities less vulnerable to catastrophic wildland fire. Fire safe councils accomplish this objective through education programs and projects such as shaded fuelbreaks or firebreaks to protect area residents against an oncoming wildland fire and to provide firefighters with a place to fight the oncoming fire. The first fire safe councils started in the early 1990s, and there are now over 100 across the state. Local fire safe councils usually include representatives from:

- Fire agencies, including CAL FIRE, the U.S. Forest Service, the Bureau of Land Management, and/or local fire protection districts as appropriate
- Local governments, such as cities, counties, and special districts
- Other agencies, such as Resource Conservation Districts
- Public members
- Tribes
- Businesses, especially insurance

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All local fire safe councils are independent entities. Some are organized as non-profit 501(c)(3) corporations; others operate under a memorandum of understanding with a county, city, and/or local fire protection district; some have no formal structure at all. Fire Safe San Mateo County, Santa Clara County Fire Safe Council, and the South Skyline Fire Safe Council are the fire safe councils that operate in the Program area. All fire safe councils pursue public and private partnerships to enhance public education and expand fuel reduction. The fire safe councils do not operate under specific policies and regulations but, as entities, provide numerous resources for defensible space, homeowners' fire risk reduction, fire codes, fire crews, information on invasive species, shaded fuelbreaks, fire history, chipper programs, and more. CWPPs are also developed under local fire safe councils. The CWPP for San Mateo and Santa Cruz Counties was published in April 2018 and the Santa Clara County CWPP was published in August 2016. Midpen coordinates with the fire safe councils within Midpen boundaries. Midpen also participated in the development of both CWPPs and was a signatory to the Santa Clara County CWPP.

Neither the San Mateo County and Santa Cruz County nor the Santa Clara County CWPPs includes specific policies, but each summarizes goals and strategies of the entities and agencies within its coverage areas and provides overarching guidance on many aspects of fuel management and wildland fire preparedness that would be relevant to Midpen's Program. The considerations of the CWPPs were, therefore, included in this policy analysis.

3.2.2 Process for Making Recommendations

Recommendations for updates to the RM Policies were made by evaluating the objectives and general components of the Program against existing policies for consistency and compatibility. The policies of other jurisdictions were then evaluated to determine if they were already included in Midpen policies or if they provide important guidance that should be incorporated into the RM Policies for Board consideration. The CWPPs were also evaluated to ensure that existing policies encompass the important tenets of the Program.

3.3 Policy Revisions to Support the Program

The policy analysis revealed that the goals and components of Midpen's Wildland Fire Resiliency Program are generally supported by the RM Policies, however, the following updates to the RM Policies may be considered to better address wildland fire management and ecosystem resiliency. The specific text revisions are available in the Wildland Fire Resiliency Program Resource Management Policies Analysis and Recommendations report (Appendix A).

- Adding ecosystem resiliency to the Wildland Fire Management policies, including an objective to identify acceptable levels of environmental change that allows for establishment and maintenance of resiliency at the landscape level;
- Adding language to address post-fire restoration and response;

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- Adding language regarding the indigenous use of fire and objectives to coordinate with tribes on prescribed burning practices and incorporate cultural practices of prescribed fire for desired outcomes;
- Adding language that defines and supports programmatic planning efforts to implement wildland fire resiliency activities and address regulatory barriers;
- Adding language acknowledging the adopted CWPPs for San Mateo and Santa Cruz County and Santa Clara Counties County and consideration of supporting the CWPPs implementation actions that are consistent with Midpen practices;
- Adding language that defines and describes the importance of adaptive management and decision-making flexibility to respond to ecological feedback;
- Adding an objective to identify the focus of non-fire fuel management actions versus prescribed fire actions;
- Adding an objective to adopt new emerging technology into management methods;
- Allowance for landscape visual changes for fuels management under Scenic and Aesthetic Resource policies; and
- Updates to the Climate Change policies that acknowledges the actions and related tradeoffs that should be considered to avoid large, catastrophic carbon emissions (and major ecological impacts) from large destructive fires, such as selective fuel clearance and controlled prescribed burns.