

RESOLUTION NO. 2021-161

REDUCING RISK OF FIRES ASSOCIATED WITH ENCAMPMENTS IN VERY HIGH FIRE HAZARD SEVERITY ZONES OF UNINCORPORATED SAN BERNARDINO COUNTY

On Tuesday September 14, 2021, on motion of Supervisor Baca, Jr., duly seconded by Supervisor Rowe and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, wildfires are a frequent natural disaster in California, causing significant harm and loss to individuals, communities, wildlife, and great parts of natural landscape; and

WHEREAS, the duration and size of wildfires have increased over the last several decades; and

WHEREAS, researchers at the University of California, Irvine have found that California's wildfire problem has been getting worse with each passing year of the 21st century and the State's burn season has lengthened in the past two decades and that the yearly peak has shifted from August to July; and

WHEREAS, the burn season generally ends November of each calendar year; and

WHEREAS, according to the California Office of the State Fire Marshal:

- a. While most of California is subject to some degree of fire hazard, there are specific features that make some areas more hazardous; and
- b. The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors; and
- c. These designations, referred to as "Fire Hazard Severity Zones" (FHSZ), mandate how people construct buildings and protect property to reduce risk associated with wildland fires; and
- d. The FHSZ maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior; and

WHEREAS, CAL FIRE maps also include Very High Fire Hazard Severity Zones (VHFHSZ) which are the most wildfire prone areas; and

WHEREAS, the CAL FIRE VHFHSZ map is available for public review at

<https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>; and

WHEREAS, there exists in the unincorporated region of San Bernardino County VHFHSZ (Unincorporated County Region VHFHSZ); and

WHEREAS, the 2020 Point-in-Time Homeless Count identified over 3,000 County residents experiencing homelessness; 76% of whom are unsheltered; and

WHEREAS, there are many encampments throughout the Unincorporated County Region VHFHSZ, increasing the risk of fires starting and causing harm and loss of life and property; and

WHEREAS, people located in encampments in the Unincorporated County Region VHFHSZ may miss emergency notifications and may experience challenges in safely evacuating a fire area; and

WHEREAS, efforts to notify or evacuate people in encampments located in the Unincorporated County Region VHFHSZ can cause undue risk and/or harm to outreach workers and emergency responders; and

WHEREAS, encampments in the Unincorporated County Region VHFHSZ pose a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, and/or essential services; and

WHEREAS, recognizing the same or similar risks of encampments, on August 10, 2021, the Los Angeles County Board of Supervisors moved to prohibit homeless encampments in the unincorporated Los Angeles County region designated VHFHSZ; and

WHEREAS, by this resolution, the San Bernardino County Board of Supervisors desires to take action to address the risk of fires associated with all encampments in the Unincorporated County Region VHFHSZ.

NOW, THEREFORE, BE IT RESOLVED, that in order to prevent or mitigate the occurrences of fire and the corresponding loss and/or injury to life and/or property, the San Bernardino County Board of Supervisors:

1. Acknowledges that encampments in the Unincorporated County Region VHFHSZ under certain circumstances are prohibited under existing laws; and
2. Directs the Fire Chief/Fire Warden to identify encampments and other activities within the Unincorporated County Region VHFHSZ that could increase the risk of fire; and
3. Directs the Community Revitalization Group to provide outreach and offer resources of relocation for people experiencing homelessness that are displaced. These encampments should be prioritized based on risk level associated with location, access, terrain, and fuel; and
4. Directs the Sheriff to provide appropriate notification to property owners and people occupying the encampments of the prohibition to the extent the encampments are already prohibited under existing law; and
5. Directs the Sheriff to assist in examining Unincorporated County Region VHFHSZ with the goal of keeping these areas free of encampments consistent with applicable law; and
6. Directs the Code Enforcement division of Land Use Services to assist in the notification for the removal of these encampments, and
7. Finds that the proposed actions are not a project pursuant to the California Environmental Quality Act (CEQA) since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed actions are organizational or administrative activities of government which will not result in direct or indirect physical changes in the environment. In the alternative, find that the actions are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) and section 15269(c) of the State CEQA Guidelines; and
8. Determines that this resolution shall remain in effect unless or until it is otherwise amended or terminated by this Board.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret), Janice Rutherford, Dawn Rowe,
Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

* * * * *

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of September 14, 2021. #18, CCM.

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy