

SMP/EGVMA CWPP Development Team  
c/o Philip Seymour, Co-Chair/  
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September 30, 2018

Santa Barbara County Board of Supervisors  
105 E. Anapamu Street,  
Santa Barbara, CA 93105

Re: San Marcos Pass/Eastern Goleta Valley Mountainous Area CWPP  
Agenda Item No. 5, October 2, 2018 Board of Supervisors Meeting

Dear Chairman Williams and Honorable Board Members:

This letter is submitted by the Development Team for the San Marcos Pass/Eastern Goleta Valley Mountainous Area Community Wildfire Protection Plan (“CWPP”). The Board letter for this Agenda item (Agenda Item No. 5, October 2, 2018) took us somewhat by surprise, as the CEO’s office, which represents the advisory County Working Group for the CWPP, did not communicate with any of us about the report, nor provide a copy of the letter before it was posted on the Board of Supervisors website. Consequently, the information in the Board Letter is rather incomplete and in places misleading. The principal points addressed below are the following:

1. The Development Team is a broadly representative group of area residents and fire professionals. The draft CWPP was developed using a democratic process that ultimately achieved a consensus approval of 10 of the 11 original Development Team members, including the environmental representative of the Urban Creeks Council. Although one original member was unable to work cooperatively with other Development Team members, the draft CWPP itself fully takes environmental considerations into account, while providing adequate protection for area residents, firefighters and local resources.

2. While the Development Team is eager to complete the CWPP, the October completion date proposed by in the Board Letter is completely unrealistic. The draft CWPP has not even been released for public review at this time. After public review is complete, the Development Team will make final modifications utilizing the democratic process it has always utilized to date. In addition, some changes we already anticipate making, such as updating the Environmentally Sensitive Habitat overlays on CWPP maps, will require technical work that must be coordinated with our consultants Geo Elements, LLC and County Fire mapping staff. Done correctly, these things will take time.

### THE CWPP COLLABORATIVE PROCESS

Under the County guidelines for CWPPs, the proponents of the CWPP are directed to form a “Development Team” to serve as the decision making body for the CWPP process. The guidelines do not specify who should be represented on the Development Team, or how they should be selected. Generally, it appears to be that Development Team members are intended to come directly from the communities that will be most affected by the CWPP, i.e. area residents, homeowners associations, etc.<sup>1</sup> This is consistent with the process followed for the Mission Canyon CWPP, which was prepared entirely by the Mission Canyon Association after consultation with other interested persons.

Our mountain and foothill communities chose to take a more inclusive approach. Initial meetings, which began in April, 2015, included representatives of the County Fire, U.S. Forest Service, Urban Creeks Council, Wildland Residents Association, Painted Cave Volunteer Fire Department, and various individual community representatives. When the Development Team was formally created in January 16, 2016, after discussions with the County, the following representatives were included:

- County Fire: Battalion Chief Rob Hazard, County Fire fuel management specialist
- U.S. Forest Service – Nic Elmquist, Los Padres National Forest Assistant Fire Management Officers and vegetation management specialist
- San Marcos Foothills – Kendra Duncan O’Conner, President, San Antonio Creek Homeowners Association
- San Marcos Foothills – Susan Epstein, community leader and Goleta School Board member
- Mountain residents– Rocky Siegel, Wildland Residents Association and San Marcos Volunteer Fire Department
- Mountain residents – Kevin Buckley, Painted Cave Volunteer Fire Department
- Paradise Canyon – Mark Linnane, retired USFS firefighter and long-time Superintendent of Los Padres (formerly Los Prietos) Hotshot Crew
- Santa Barbara County Fire Safe Council – Phil Seymour, retired environmental attorney and former U.S. Forest Service firefighter

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<sup>1</sup> The guidelines specifically advise the CWPP proponents to “Create lists of individuals and/or groups that would benefit from identifying, prioritizing and recommending hazardous fuel reduction and structural ignitability” and lists individuals or groups that would be “impacted” by the same. (Guidelines, p. 2.) Development Team members are then selected by the proponents from those who commit to participate in the process after initial meetings with these invitees.

- Urban Creeks Council – Dan McCarter, retired Santa Barbara City Fire Department Captain
- Los Padres Forest Watch – Jeff Kuyper, Executive Director, LPFW
- Consultant Team – David Kerr, Geo Elements LLC

The majority of the current draft CWPP was prepared by our consulting team (Geo Elements) based on certain standard requirements and past models such as the Santa Monica Mountains CWPP, Montecito CWPP and Goleta CWPP, all of which were written in whole or in part by Geo Elements. However, the Development Team took a very active role in expanding discussion or altering recommendations where we believed the first draft did not provide adequate detail or did not fully reflect local community values. In particular, the “best management practices” governing environmental protection measures were exhaustively rewritten by a Development Team subcommittee. The bulk of this work was done by representatives of the Fire Safe Council, San Marcos Foothills and Urban Creeks Council, with input from other members. [The Los Padres Forest Watch representative was invited to participate in the redrafting process, but did not do so.] Other sections of the consultant draft dealing with fire protection issues were exhaustively reworked by Battalion Chief Rob Hazard based on local knowledge and experience. Designations for existing and potential additional fuel treatment areas were developed entirely by Development Team representatives, based on on-the-ground evaluations by area representatives, affected landowners and our County Fire and Forest Service expert representatives.

In the course of preparing the CWPP, we were frequently required to consider differing recommendations, suggestions and priorities coming from different members of the Development Team. In some cases, this led to rejection of proposals by one member, or from our consultant team, in favor of compromises that were acceptable to the remaining members of the Team. For the most part, however, we were extraordinarily successful in finding solutions that are acceptable from both public safety and environmental perspectives. The draft CWPP completed in early 2018 was ultimately approved by 10 of the 11 Development Team members, including the Urban Creeks Council representative. The 11<sup>th</sup> member, Mr. Kuyper from the Los Padres Forest Watch, resigned from the Team after taking offense at an email from our consultants, and before registering any formal comments on the current draft CWPP. The Urban Creeks Council board of directors subsequently withdrew their representative on the Development Team for reasons that have never been explained to us. We are not aware that any members of the Urban Creeks Council other than their designated representative have ever actually read the draft CWPP.

As discussed below, the public process for developing the CWPP is not over yet. The process to date, however, has been open, collaborative and remarkably successful in producing a balanced CWPP. It is the nature of any open collaborative process that participants are entitled to their own opinions, and may continue or withdraw from the process as they freely choose.

Collaboration, however, does not mean that any participant is vested with veto powers simply because their views are not adopted by the majority.

The best evidence of a successful process is the CWPP itself. The Development Team very much looks forward to proceeding to full public review of the CWPP, further modifications where warranted, and eventual approval by the Board.

#### PUBLIC REVIEW AND TARGET DATE FOR COMPLETION

The Board letter recommends that the CWPP be completed and submitted to the Executive Office by the end of October. Much as we would like to see the CWPP done and approved, this is completely unrealistic. We already anticipate making some revisions to the current draft CWPP as a result of ongoing input and evaluation over the last six months. Beyond that, it was agreed early in the process that a draft CWPP would be made available for public comment, and at least one public hearing, before being finalized by the Development Team. This public review process has been on hold for the last five months while we were waiting to receive Working Group comments on the draft CWPP. In addition, we believe that some agencies and interested parties consulted early in the CWPP process, such as California Department of Fish & Wildlife, would also like to review the current draft parallel with any public hearing process. Assuming that we do receive additional public and government agency input, the Development Team will then undertake a final review to decide what changes to include in the final CWPP, utilizing the democratic process we have relied on in the past. We also already know that certain technical changes that will have to be made to the current CWPP maps, such as revisions to include the new Environmentally Sensitive Habitat maps approved by the Board in August of this year. These technical changes will take time and coordination with our consultants and the County Fire mapping staff.

Given the level of community interest and the fact that the County Working Group has now shown signs of actively participating in the process, the Development Team will certainly proceed as rapidly as possible while respecting the collaborative nature of the CWPP process. However, given the number of variables involved, it is impossible to commit to any specific due date. Our hope is that we may proceed to a public hearing in early December or early January, and present a final CWPP in late January or February. However, if adjustments are necessary to ensure full public review and consideration of all recommendations, we will take the time necessary.

Regarding the public hearing, the original agreement between the community representatives and the County was that County Planning & Development would conduct public noticing for residents in the CWPP area through its usual public noticing procedures, i.e. mailing and newspaper publication. On August 29 of this year we sent a letter to the Working Group members asking if County P&D would still perform this function. We have received no answer to that letter. Perhaps the Working Group representative on this agenda item can clarify whether

the County wishes to honor this obligation, or whether the Working Group now recommends that the CWPP process be shortened by foregoing a public hearing on the draft CWPP.

Sincerely,

*Philip A. Seymour*

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Rocky Siegel, Wildland Residents Association  
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