



# Moraga-Orinda Fire District

Fire Marshal Jeff Isaacs

**Sent Via: Email**

November 24, 2022

Shane Vargas  
Battalion Chief Land Use Planning  
6105 Airport Rd  
Redding, CA 96002

**RE: Orinda Safety Elements Comments**

Dear Chief Vargas,

Thank you for reaching out to the Moraga-Orinda Fire District (MOFD) and seeking the fire district's comments regarding the City of Orinda's safety element. Working with the Orinda Planning Department, I have had the opportunity to provide feedback and comment to City staff as they developed their safety element. MOFD enjoys a cooperative relationship with the City and regularly works with staff to ensure our community is prepared for a wildfire event. However, MOFD has concerns about procedures for Emergency Evacuations and Figure 2 Evacuation Routes in the current version of the Orinda Safety Element.

MOFD recognizes the limited number of evacuation routes within Orinda's boundaries due to the constrained nature of the existing surface street network. Further, we are in full support of efforts to identify additional evacuation routes. However, this support is contingent upon compliance with existing standards for roads as outlined in the statutes and regulations referenced below. Current state law requires roadways to meet either the minimum roadway standards established by the Board of Forestry in CCR Title 14 or the standards in the California Fire Code or MOFD Ordinance 20-01. Of note, the state minimums exempt roads used "solely for agriculture, mining, or the management and harvesting of wood products." In short, it is clear that simply declaring a road an "evacuation route" does not eliminate the requirement for compliance with road width, surface, and grade requirements.

Safety Element Figure 2 shows evacuation scenarios utilizing routes approved for construction as Emergency Vehicle Access (EVA) roads. This is a local designation originally proposed by former MOFD fire marshal Tonya Hoover for enhanced fire trails to provide alternate access to all wheel drive wildland fire apparatus and were never intended or approved for use by the public. The safety element further states, "Some roadways within the city are emergency vehicle access roads and inaccessible to the public. The City or MOFD would need to open these roadways to provide access during an emergency evacuation event"<sup>1</sup>.

The EVAs in the Wilder Community (formerly Orinda Gateway) were designed by the developer and approved during the plan review process by MOFD. The EVAs were approved exclusively for use by emergency vehicles. As such, they do not meet the minimum requirements for public roads, to include non-compliant obstructions in the form of gates. The laws which promulgate the minimum standards for roadways are in place to ensure the safety of those that travel on them. Assembly Bill 747 requires that a jurisdiction "upon the next revision of a local hazard mitigation plan on or after January 1, 2022, or

<sup>1</sup> Orinda Safety Element Emergency Evacuation Pg 15

beginning on or before January 1, 2022, if a local jurisdiction has not adopted a local hazard mitigation plan, would require the safety element to be reviewed and updated as necessary to identify evacuation routes and their **capacity, safety, and viability** (emphasis added) under a range of emergency scenarios”<sup>2</sup>. To show evacuations using EVAs that are not designed to minimum safety standards clearly does not meet the requirements included in Assembly Bill 747.

MOFD opposes the use of EVAs as evacuation routes. If the city wishes to use fire trails currently designated as EVAs as evacuation routes, then these EVAs must be brought into compliance with minimum safety standards. MOFD is in full support of this option and will expedite the plan review process should Orinda choose to bring the EVAs up to the current roadway safety standards as established by state law and local amendments.

Sincerely,



Jeff Isaacs  
Fire Marshal

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<sup>2</sup> Assembly Bill 747 [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB747](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB747)