

Town of Moraga and MOFD host Fire Safety Community Meeting

By Vera Kochan



Photo Vera Kochan

MOFD Fire Chief Dave Winnacker gives a presentation during Fire Safety Community Meeting

With fire season fast approaching, residents of Lamorinda can't help being concerned about whether the area is prepared for a worst case scenario. The Town of Moraga and the Moraga-Orinda Fire District (MOFD) hosted a May 30 Fire Safety Community Meeting to discuss fire prevention measures, fire insurance, and other related topics.

The Joaquin Moraga Intermediate School's library served as the venue, and Town Manager Scott Mitnick estimated over 100 residents came to hear MOFD Fire Chief Dave

Winnacker, Moraga Police Chief Jon King, Principal and Consulting Actuary Nancy Watkins of Milliman (a property and casualty practice), and Mitnick discuss the topics at hand.

The specter of the 2017 Tubbs Fire, which destroyed parts of Calistoga and Santa Rosa, was just the beginning of what Mother Nature is capable of doing. In 2018, the urban firestorm that began in Paradise and developed into the Camp Fire, eventually burned 153,336 acres, was responsible for 85 deaths, and went on to become

the deadliest and most destructive fire in California history. Up until that point, fires that burned entire communities were not on many Californian's radars.

Winnacker started the ball rolling with a slide presentation discussing, "What has changed?" He noted a significant increase in fuel loading (combustible materials), more development in fire dependent landscapes, increasing vapor pressure deficit (the difference between the amount of moisture in the air and how much moisture the air can hold when it is saturated), and increasing exposure to extreme fire weather.

Winnacker's presentation added that between the years 2010 - 2020, fire crews were "responding to unprecedented environmental and property losses" that were overwhelmingly human-caused. Lightning strikes played a significantly smaller role, followed by "undetermined" causes.

There is a disconnect in understanding wildfire risk, and it is important to note that mitigations matter. Winnacker also stated, "We cannot sup-

press, regulate, or price our way out of the WUI fire problem [Wild Urban Interface -- areas that experience wildfires], and there is a linkage of conditions on the ground to pricing of risk" with regards to insurance.

Wildfires enter a community via three pathways: vegetation to vegetation, vegetation to structure, and structure to structure. MOFD's goal is to disrupt the pathways through fuel treatments, defensible space, home hardening, and WUI suppression response.

Winnacker also discussed a comprehensive view of risks to be considered such as, "how the fire will come to the community; where it will enter via ground component and ember cast; how resilient are those entry points; how many firefighters are available; what are those firefighters equipped for; how long will it take to get them there; and under what command relationships will they work." All of this falls within the understanding of risk, mitigations and residual risk of conflagration level loss.

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Hacienda Nights
6/18 from 5pm-9pm
Hacienda de las Flores
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Temporary injunction issued against wedding noise at Moraga Hacienda de Las Flores

By Sora O'Doherty

The request for a temporary injunction to Contra Costa Superior Court by a group of Moraga neighbors of Hacienda de Las Flores was granted in part and denied in part by the court on May 23. Pending the issuance of a \$10,000 bond, Judge Charles Treat said he would enjoin the use of microphones outside the Hacienda building, but denied the plaintiffs' request to have outdoor speakers removed. The court further denied the request to contain amplified sound indoors, having found it to be not feasible. The court also denied plaintiffs' request for a prohibition on hard alcoholic drinks.

The temporary injunction will be directed at Wedgewood Weddings only, as the court saw no need to enjoin the Town of Moraga. A preliminary injunction was also approved prohibiting Wedgewood from erecting or maintaining a tent or other semi-permanent structure in the parkland outside the boundaries of Wedgewood's exclusive use lease.

The judge based the issuance of the temporary injunction on his finding that the plaintiffs showed "some modest possibility of prevailing on their claim that there is a public nuisance." The judge also speculated that the plaintiffs might

have had a stronger case in 2022, but that "whatever possible noise or unruly party violations have significantly diminished as of the later half of 2023."

Plaintiffs in the case, a group of residents whose homes adjoin the Hacienda property, have requested a five-day jury trial on their complaint. A case management conference has been scheduled for June 7, 2024, and a hearing on demurrer is scheduled for Sept. 12. A demurrer is a legal action which says that even if a plaintiff could prove everything in the complaint, there are still no grounds for the relief sought.

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