

April 18, 2023

Attention: Sedona Fire District Board

Sent via email to kmathers@sedonafire.org

To Governing Board Members and Whom It May Concern:

Our names are Mark and Virginia Blosser. We recently purchased a building lot at 230 Piedras del Norte in VOC. We intend to build a residence this year. This lot borders the Forest Service.

As an element of our due diligence and plan preparation, we have interacted with Chief Dori Booth and reviewed the various fire district codes and standards.

The purpose of this letter is to voice our complaints with the interpersonal aspects, as well as with the Sedona Fire District's (SFD's) requirements for new homes.

Mark is our spokesperson. He has interacted with Ms. Booth by phone and email. Communications were initially satisfactory, but have since taken on a dismissive tone, tinged with arrogance. We are handled as an annoyance, not a customer or partner.

Based on our review of the sources and reasoning underlying SFD's policies, we conclude that in many cases, the requirements are scientifically dubious, illogical, unsupported by facts, excessive, and/or duplicative, to the point of being punitive, arbitrary, and/or capricious. The fire district appears to have adopted extreme standards from other states (like California) without regard for their foundation or their applicability to local conditions. To be blunt, a reasonable person might conclude that SFD's requirements are less intended to protect life and property, and more intended to confound builders and landowners with confusing, costly, and unattainable standards, with the core goal of closing the door on all new development. And, SFD is not shielded from legal action by its assertion that the policies "have all been through the required process". If the policies are wrong, they are open to challenge.

Our specific issues with SFD's requirements are as follows:

1. In reviewing Policy 1333, we disagree with SFD's stated basis for the policy, the presumption that all Sedona areas are at "HIGH fire hazard severity per Table 502 of the 2003 International Urban-Wildland Interface Code." This is an unsupported basis, wrongly labeling Sedona as being "ripe" for fire disasters akin to the Paradise, CA and Las Vegas, NM fires (these fire scenes having been cited to me by Ms. Booth as justifications for SFD's standards). We note that a reasonable person can discern that those fire disaster areas are not in any way similar to Sedona in terms of fuel types, loads, or development styles. SFD has employed hyperbole in its crusade to apply the highest protection levels where such are not needed, and are in fact unjustified by environmental conditions. By doing so, SFD is susceptible to charges of exceeding its authority and acting in an arbitrary and capricious manner. Punishing/demanding excessive concessions from newcomers, to make up for SFD's real or imagined sins or omissions of the past, is unacceptable.

Note that, as used in conducting fuel modeling exercises, Urban/Suburban areas (houses on lots, like most of Sedona) are defined as a NB risk category, NB meaning non-burnable. Therefore, urban and suburban areas are considered as having zero fire behavior in fuel models. In all NB-based fuel models, there is no fuel load—wildland fire will not spread. As this relates to SFD's Table 502.1, it

means that Urban/Suburban developed areas, again this is most of Sedona, do not “count” at all -- as they have no fuel load – and are not considered as “high”, “medium, or even “light” in conducting fuel modeling exercises. This is a basic modeling assumption/error, and it invalidates everything that flows from SFD's assertion that “all of Sedona is high fire risk”.

2. In reviewing Policy 1339, we disagree with SFD's agency's criteria being applied to determine that our 1800 square foot house would require fire sprinklers per NFPA 13D. Policy 1339 provides 13 criteria for requiring sprinklers. As far as we can tell, these criteria are SFD-specific, apparently written by someone at SFD back in 2003. We do not find them in IFC or NFPA 13D. Criterion 1 would exempt our house, as it is smaller than 3600 sf. Criteria 1, 2, 3, 5, 6, 7, 8, and 9 are not applicable/are satisfied. Criterion 4 (considered along with Criterion 5, for which we note that our lot has 2 paved and 1 low-water access routes) is deemed arbitrary and is unnecessary based on the facts and actual SFD practice. Typically, fire apparatus can drive through 24” of moving water and operate in 36” of standing water, and fire personnel don't typically allow “an obstruction” to stop them from responding to a fire scene. Criterion 10 is illogical because a wildland fire comes from outside, not from within a house. A fire sprinkler inside a house won't help put out a wildland fire, nor will it be of any use if a wildland fire has engulfed a home. Finally, SFD did not require fire sprinklers at the new home being built at 55 La Cuerda, 2 doors down from our house. If that home didn't need sprinklers, neither does ours.

3. SFD's criteria focus on prescriptive use of (often ineffective and unnecessary) tools, rather than on attaining performance standards/desired outcomes. This is improper. For example, Ms. Booth told me that I needed to have sprinklers for wildland fires. She said this is because embers “can get in”. But the proper answer would be, “you need to attain the performance standard of preventing embers from getting in and/or the house catching fire, not “you need to install a fire sprinkler inside the house and maybe it will help put out a wildland-caused fire”. SFD should endorse and assist with implementing common sense, cost effective practices that are directly targeted at preventing the problem. For example, a homeowner can prevent their house from catching fire by employing building techniques like “Santa Fe style” stucco homes without attic vents/penetrations, using fire resistant roofing materials, installing rooftop/manually actuated sprinklers, and maintaining clear and defensible spaces.

4. In this same vein, Ms. Booth told me I needed fire rated windows and doors. I would first note that SFD didn't require the builder at 55 La Cuerda to do this. I would also note that this is not a uniform requirement of any area builders, based on my conversations with Builders First Source staff. This requirement appears in Policy 1333 (Criteria 504.8 and 504.9). Curiously, I found identical code language in San Diego County (CA)'s Wildland Urban interface building requirements, so perhaps SFD lifted it verbatim from there? Note again that Sedona's and San Diego's fuel loads and fire risks are not remotely the same, and ignore for the moment that Policy 1333 is invalid because it is based on SFD's false/unproven assumption that “Sedona has the same fire risk as California”. Similar to what we discussed in our Issue 3, these policy criteria are unnecessary prescriptive tools, not performance standards/desired outcomes. The correct performance standard/desired outcome is “don't allow wildland fires to reach and catch nearby homes on fire”. There are numerous ways to attain this performance standard. SFD should provide builders and homeowners with consulting services, so that we can design the most efficient and cost-effective fire prevention “systems” for our properties. For example, why should someone buy exotic windows and doors, costing tens of thousands of dollars extra? A more effective way to prevent fire from reaching the walls, windows, and doors of a house would be to clear and landscape the property in a way that prevents fire from burning vegetation on the lot or approaching the house. Maintain clear and defensible spaces, use gravel, remove problem trees and shrubs, etc. Plus, SFD should work with the Forest Service to clear and maintain defensible strips

on "their side of the fence", similar to what is done in the chaparral areas of southern California (San Diego County requires "clear space" to 30 feet and "defensible space" to 100 feet, generally, and a similar arrangement makes perfect sense in Sedona, as well).

As I previously discussed with Ms. Booth, and based on fire models, a developed (urban/suburban) parcel that is maintained essentially free of fuels has extremely low fire risk. Therefore, it is difficult for SFD to defend categorizing urban/suburban developed parcels as fuel sources, provided they have "insufficient flammable vegetation" and are properly maintained. Alternative compliance (using different tools to achieve a performance standard) should not only be allowed, but be encouraged and supported. For example, require a "clear/defensible" lot, not a legion of "fire rated exterior materials" that escalate building costs. In summary, if there's de minimis risk of fire reaching the exterior walls of a home (no vegetation to burn on the ground), then windows and doors don't need to be fire rated.

So, in conclusion, our request of SFD is as follows:

1. SFD agrees to revisit and revise its residential-oriented fire protection policies and standards, specifically to address and to revise/remove the extreme "California" requirements and to adopt scientifically defensible "Sedona-appropriate" criteria and standards.
2. For our individual case, and for other residential builders on request, given that SFD will be revisiting and revising its standards, SFD agrees that until it completes the "Sedona-appropriate" revisions to its policies and standards, it will allow alternate fire protection plans. This includes permitting homes to be built without sprinklers and fire rated doors or windows, provided those homes are sited to include robust clear and defensible spaces, and provided those homes are constructed using 1-hour fire rated roof coverings and exterior walls.
3. Probably more than anything else, SFD needs an attitude adjustment. From "we're your boss and you'll do as you're told" to "we will work with you as a partner and resource, with the goal of reducing community-wide fire risks to the maximum extent economically achievable".
Work with us, don't push us around.

As an aside, I have made initial contact with SFD's contracted attorney, William Whittington. I have also discussed my concerns with Tim Perry, reporter at Red Rock News. If we cannot find common ground through alternate compliance (in line with our above request), it's our intent to "gather up" the other aggrieved parties in town and retain a lawyer.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Blosser" followed by a flourish.

Mark and Virginia Blosser
azblossers@gmail.com

cc: State Fire Marshal
William Whittington