

# Huntington Lake Association Meeting

## January 29, 2021

**Attendees: Doug Bibb, Chris Oberti, Glenn Johnson, Linda Balentine, Elaine Locke, Tiffany Begaye, Jon George, Kim Sorini, Dean Gould, Antonio Cabrera, Dan Mather**

### 1. Forest Health

- Clean-up Update
  - Phase 1 – initial hazmat cleanup completed by EPA.
  - Phase 2 – debris removal responsibility of cabin owners – not all have been completed due to weather conditions. Efforts will continue when conditions allow.
- Soil stabilization
  - What is plan for areas where stabilization wasn't completed?
  - Weather conditions put stabilization efforts in pause. As soon as weather allows (likely spring), Forest Service will continue stabilization efforts to reduce sediment going into waterways (funds through BAER).
  - HLA concern is who will be held liable if contamination occurs in the waterways. Antonio asked this question to Fresno Co. Env. Health at Debris Task Force meeting. Cabin owner is still responsible for removing the debris and if they abandon lot, Forest Service as landowner is responsible. The county at this time doesn't plan to place liability on anyone for lake contamination. Glenn states once spring comes, the runoff comes, so timing is important.
- Hazard trees caused by Creek Fire
  - What are the steps for hazard trees on lots? Adjacent to lot, in general forest?
  - For trees on lot, cabin owner responsibility for removing hazard tree. Fire suppression or BAER likely will not cover trees on lot. If the Forest is able to assist, that will be considered. Glenn mentions that costs for hazard tree removal also effects the intent to rebuild.
  - General Forest clean up post-fire – suppression repair, roadside hazard treatments.

### 2. Rebuilding Cabins, Transfer of Permits

- Some concerns on deciding to rebuild include: insurance; expiration and revision of rec res handbook; letter from Forest Service stating it is safe to rebuild on their lot; issuance of new 20 year permits in 2028; what is the process for those that don't want to rebuild; what weight does external commenters on "No Rebuilding" have on moving forward (Elaine and Jon to reach out to region to see what this process is but Dean doesn't see any major conflict with land management plan and that there will likely be no unmitigable issues); county building requirements; costs for rebuilding and dealing with hazard trees.

- Chris suggests each person who rebuilds should contribute \$1, what can FS do. FS should consider this.
- FS Handbook- Elaine gave the update from Debbie Gaynor (Region 5 Special Uses Coordinator) – It is not likely that there will be any changes to the current handbook- **(Follow up with Debbie Gaynor 1/29- there are no planned changes to the handbook; will be reissued as is).**
- Site safety determination and letter to permittee stating that they can rebuild- Elaine stated that we were waiting on the final report for the geological hazard assessment and **the letters will be coming out soon.**
- New 20 year permits in 2028 and what needs to be done before those are issued
  - Historical evaluation (does this need to happen again?) – **Tiffany to follow up.**
  - Public input on continuance of the rec res permit program - **Jon looking into it with the Region.**
  - What else needs to happen to move forward with the 2028 reissue?
- Unknown requirements for reconstruction with Fresno County (fire sprinklers etc..) – Dan Mather, Fresno County Public Works Chief Building Inspector, gave an update
  - Building codes and variances – can Dan expand on this, how do you get around some of these (fire sprinklers, solar panels)?
  - Dan state local jurisdictions are limited on their authority to waive requirements by the State; international and Ca codes require sprinklers and the cabins/secondary homes still fall in this category. Paradise used waiver - they used a rule in the Urban Dwelling provision code; this provision doesn't waive sprinklers directly but waives requirements for room size; Dan still looking into this. Exemption has to come from legislation.
  - **Keep Dan informed on times of occupancy, number of rebuilds. Dan will reach out to State on rule for urban dwelling provision exemption. Doug and Glenn will get information to Dan on water systems and amount of residences they serve.**
- What if owner doesn't have finances or insurance to rebuild but does want to rebuild? Dean – wants every permit holder to have all the opportunity to rebuild and Forest will be flexible on timelines. **Jon or Elaine to check with Region on window of opportunity.**
- If someone doesn't want to rebuild and permit goes back to Forest Service – explain procedure. If owner decides to abandon lot, they would be responsible to restore lot (we described this to tract presidents on past calls/emails). The permit would be terminated and the lot would be used as in-lieu lot.
- If permit holder declines their lot to trade with an in-lieu lot? Regional policy (2709.11 Chapter 40, 41.23 outlines the options to either 1) rebuild or 2) abandon lot, as the only options. It also outlines the timeframe of one year after destruction of cabin to submit plans to rebuild).
- Permit transferring without a cabin on the lot. Chris expressed that if the permittee doesn't want to rebuild, they should be able to transfer the permit to someone else to

rebuild on the lot. Recreation Residence special use permits (FS-2700-5a) Section VII B. Nontransferability – Outlines that the permit itself is not transferable. Chris would like to know the reasoning behind the policy. Follow up with Region- **this would require policy change through Washington office** (2709.11 Chapter 40. Options available 1) rebuild; or 2) abandon lot.). **Elaine to check with Region more on permit transfers (family member, friend, etc.)**.

- Process efficiency- Glenn Johnson stated his concern that approval for reconstruction could get bottlenecked between the different agencies. Dan Mather expressed that Creek Fire reconstruction will get priority with the Fresno County building department. Elaine stated Special Uses Officer and Permit Administrator reviews plans to make sure they follow Rec Res Handbook guidelines and Authorized Officer, Dean Gould approves and signs off on plans (\*didn't state during meeting, but Authorized Officer can delegate approval/sign off of plans to District Ranger). Then plans go to County for County approval and permit. Forest Service follows the same codes as the County. FS doesn't have a different standard.
- Timeline for rebuilding and when they need to give intent to rebuild- **Tiffany can follow up** on the document that stated one year after permit holder receives their site safety determination letter to let us know if they will rebuild or not. Dean stated that we would be as flexible as the policy allows us to with the timelines.

### 3. Stabilizing Commercial Resorts

- Cedar Crest owner has passed away. What are the next steps for this permit?
  - Structures are in probate. Potential buyers deal with seller/real estate agent.
  - Permit has expired. Whoever purchases the structures can apply for a new permit with the Forest Service.
  - Would FS inform them of legitimate buyers for Cedar Crest? Elaine explained that the structures can be purchased by anyone, they are not Forest Service property (*not mentioned in meeting but unless the structures are abandoned and no buyers, then they become FS property*). Anyone who purchases the structures still has to apply for a SU permit through the FS. The application process goes through screening and NEPA (National Environmental Policy Act) analysis to determine if it will be approved or denied. The NEPA part includes scoping (gathering internal and external input/comment) to the public and interested parties on the proposed action.
  - **Elaine to follow up on next steps and will get information out.**
- Lakeshore status.
  - Working with permit holder to come into compliance with all agencies by certain timeline before permit reissuance.
- HLA is interested in this because it has effect on intent to build and the Huntington Lake community. Interested in these staying as commercial resort permits. They would like to be stewards to help move this forward.
- Dean – Lakeshore permit holder's intent is to come into compliance with all agencies in order for permit reissuance. We have established a schedule when these things will be

accomplished. For Cedar Crest, there is interest to bring back into a good standing resort. Dean looking for a balance; a full range of quality opportunities for everyone interested coming to the forest.

#### **4. Focused Educational Consumer Program**

- Because of stay at home orders and COVID regs, many people are coming out to the Forest to recreate, uneducated and unprepared. This is causing a huge trash/sanitary issue on the Forest. HLA would like R5 to start educating public on using the forest.
- Jon – Increased use has been a challenge Forest-wide. The Forest has received funds for COVID mitigation to help clean forest and make the recreating opportunities safe and healthy.
- Kim – the Forest is making efforts to clean up.
- Possible education opportunities – bulletin boards, public announcements, fines to violators.

#### **Next Steps**

- HLA would like recap of minutes
- A second teleconference in 30 days to follow up on action items