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Memorandum

To: Board Members
From: Executive Officer
CC: Board Counsel
Date: January 11, 2013
Subject: SRA Evaluations

Problem Statement:

The SRA Fee process has identified potential SRA changes outside of the 5-year review period. One way would be to include a new process for handling individual requests. However, in light of the potential workloads placed upon staff for handling numerous requests, some of which will be somewhat frivolous, this is not a practical solution. Another way would be for personnel to address obvious errors and changes that have occurred since last review. Such changes would need to be of a nature that was significant enough to warrant additional review.

Such a review takes on added importance, since the SRA classification was not intended to become a billing mechanism per se. Rather, it was intended to indicate where the State was to utilize its resources in combating wildland fire.

Current Regulations and Guidelines for Review and Automatic adjustments

- *State Review shall occur in 2010 and every five years thereafter.*

Also:

- *Automatic exclusion and inclusion will be updated as needed by the State GIS coordinator. The State SRA Coordinator will prepare an update for the Board of Forestry and Fire Protection as needed and at a minimum annually.*

The guidelines state:

- *Adjustments and special reviews may be made **at more frequent intervals**, if major land-use changes occur or if inconsistencies are discovered in the CAL FIRE corporate SRA GIS data layer. **Changes to or from SRA can occur from expanding urbanization or changes to agricultural use.** For example, an area previously used for cultivated and irrigated crops may revert to natural vegetation and go from LRA to SRA. Upon notification from the State Board of Equalization, the State SRA Mapping Coordinator will update the corporate SRA GIS data layer with approved incorporations or land-use changes.*



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Thus, we can see that the guidelines contemplate a possibility that an area could be rapidly “urbanized” and therefore, in need of immediate change. Utilizing the classification “key” in the guidelines:

- *If the key directs to a conclusion that results in no change in classification the following situation may exist:*

*"The area is developing, but at this time an overriding state interest still remains. Areas such as this **may in the future develop to the extent that no state interest remains.**"*

The guideline then outlines how to document these potential future changes in the database (note: this is known as “tracking”, and the Department has developed a process for this documentation). In the guidelines, we find this basis for special review:

- *The normal period between classification efforts is five years. However, the State Review Team may set a shorter period of time for a particular area if, in the opinion of the team, the area’s land-use pattern indicates that the classification of that area is likely to change in less than five years. Likewise the Unit or Contract County may submit for review, any area in which significant land-use changes occur between review periods.*

The above indicates that a review of an area may occur at any time, but it hinges on “significant”.

Finally, there is a way to address other changes that are in error:

- *Inconsistencies are occasionally discovered in the SRA corporate GIS data layer. The majority of these findings involve incorrect federal/private ownership or isolated parcels/fragments in the data. These discrepancies may result in improper SRA classification. The intent of this section is to provide a process for the State SRA Mapping Coordinator to follow in order to correct inconsistencies when found.*

*When data inconsistencies are discovered, the same processes for automatic exclusions and inclusions described above are to be followed to make the appropriate determination of change, and document the change. This will often result in an automatic change, **but in some cases may require going through the full Board approval process.***

*One common change involves inaccurate boundaries. The State SRA Mapping Coordinator has **the ability to move SRA boundaries up to 300 meters, if this change is to improve the accuracy of an SRA boundary and is consistent with the original intent of the boundary.** For example, if the shape of an SRA boundary clearly indicates it should follow a highway, the SRA boundary may be moved up to 300 meters to align with that highway using a digital aerial*



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photograph. These error changes would qualify as automatic inclusions or exclusions as previously described, not requiring full Board approval.

Remedies

The intent of the Board on SRA can be accommodated outside of the 5 year review in the following ways:

1. If the Unit, Contract County, or State Review Team identifies areas that are likely to change prior to the next review, they should be addressed immediately via Department initiation of a focused review. This review can go through the process as outlined in the guidelines, and approved by the Board.
2. The SRA Mapping Coordinator can identify automatic inclusions or exclusions that can be identified as SRA GIS data layer inconsistencies in relation to errors fixes and boundary issues. This will often result in an automatic change, but in some cases may require going through the full Board approval process.

This will allow for removal examples of lands where classification issues have been identified as part of the SRA fee process. It will not require submission of thousands of requests, and their subsequent review. It still allows for Board oversight, both as part of the regular review and the Executive Officer's membership on State Review Team.

Focused Review 2013

The Director has requested that all Units and Contract Counties are to provide staff to conduct a 2013 Focused SRA Review. The purpose of the review is to examine areas of SRA that have been identified as part of the Fire Prevention Fee implementation where boundary or other issues may exist. Persons selected to conduct the focused review must be available for the next three months, have the ability to coordinate with battalions and local government fire districts, and possess GIS Arc View skills. To afford the best support for this review, each Unit and Contract County should designate an Assistant Chief (or higher) as the Unit SRA Coordinator and provide a SRA GIS Support person (may or may not be a Pre-Fire Engineer).

To coordinate the review, the expedited timeline is as follows:

- February 4, 2013 - CAL FIRE Units complete and submit to Region the field evaluation of the SRA focused review areas.
- March 1, 2013 - Regional Review Team completes review of evaluated areas and forwards approved changes to State Review Team.
- April 5, 2013 - State Review Team completes review of the recommendations from the Regions and prepares the change proposal for the Director of CAL FIRE.

The State Review Team consists of the following members:



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1. A member of the Fire Plan Staff.
2. The Executive Officer of the Board of Forestry and Fire Protection.
3. The Region SRA Coordinator where the areas for review are located.
4. A representative for the affected Contract County as needed.

• May 8, 2013- The Board conducts a public hearing to finalize changes. If approved, the board will, at its choosing:

- OR
- 1) Set an implementation date no earlier than 90 days from approval date.
 - 2) Set a July 1 (next calendar year) implementation date for all changes.

This will place the effective date at August 8, 2013

• June 5, 2013- The board shall adjust the fire prevention fees imposed pursuant to this chapter to reflect the percentage of change in the average annual value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as calculated by the United States Department of Commerce for the 12-month period in the third quarter of the prior calendar year, as reported by the Department of Finance. Effective date, per statute is July 1.

Appendix: PRC statutes for SRA classification

ARTICLE 3. Responsibility for Fire Protection [4125. - 4137.]

(Article 3 added by Stats. 1965, Ch. 1144.)

4125.

(a) The board shall classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be.

(b) On or before July 1, 1991, and every 5th year thereafter, the department shall provide copies of maps identifying the boundaries of lands classified as state responsibility pursuant to subdivision (a) to the county assessor for every county containing any of those lands. The department shall also notify county assessors of any changes to state responsibility areas within the county resulting from periodic boundary modifications approved by the board.

(c) A notice shall be posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map, and of any information received by the county subsequent to the receipt of the map regarding changes to state responsibility areas within the county.

(Amended (as amended by Stats. 1989, Ch. 380) by Stats. 1998, Ch. 65, Sec. 15. Effective June 9, 1998. Applicable from June 1, 1998, by Sec. 18 of Ch. 65. Note: Ch. 65 (pursuant to Sec. 20) supersedes, and precludes operation of, Stats. 1997, 1st Ex. Sess., Ch. 7.)



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4126.

The board shall include within state responsibility areas all of the following lands:

- (a) Lands covered wholly or in part by forests or by trees producing or capable of producing forest products.
- (b) Lands covered wholly or in part by timber, brush, undergrowth, or grass, whether of commercial value or not, which protect the soil from excessive erosion, retard runoff of water or accelerate water percolation, if such lands are sources of water which is available for irrigation or for domestic or industrial use.
- (c) Lands in areas which are principally used or useful for range or forage purposes, which are contiguous to the lands described in subdivisions (a) and (b).
(Repealed and added by Stats. 1965, Ch. 1144.)

4127.

The board shall not include within state responsibility areas any of the following lands:

- (a) Lands owned or controlled by the federal government or any agency of the federal government.
- (b) Lands within the exterior boundaries of any city, except a city and county with a population of less than 25,000 if, at the time the city and county government is established, the county contains no municipal corporations.
- (c) Any other lands within the state which do not come within any of the classes which are described in Section 4126.
(Amended by Stats. 1991, Ch. 653, Sec. 1.)

4128.

In establishing boundaries of state responsibility areas, the board may, for purposes of administrative convenience, designate roads, pipelines, streams, or other recognizable landmarks as arbitrary boundaries.

(Repealed and added by Stats. 1965, Ch. 1144.)