
California Board of Forestry and Fire Protection

California Department of Forestry and Fire Protection

Fire Safe Development Workgroup Vision/Scope

January 9, 2017



Document Revision History

Date	Document Version	Updated By	Description of Changes
11/8/2016	1.0	EH	Creation
11/22/2016	1.1	EH	Updated staff roles & responsibilities
12/8/2016	1.2	EH	Revisions per RPC 12/6
01/09/17	1.3	EH	Long term project goals

Background

The State Board of Forestry and Fire Protection adopted regulations in 1991 for building construction and development in State Responsibility Areas. These regulations are titled “State Responsibility Area Fire Safe Regulations” and they are contained in 14 CCR § 1270 et seq.

In September 2008, the Board began a review of these regulations to address specific issues brought to the Board. The review primarily focused on proposed regulatory changes for the Administrative Article related to Scope, Inspection Authority, and Exceptions and made changes to those sections. After those changes were adopted, the Board and CAL FIRE Executive Team determined that it was necessary to do a complete review of the SRA Fire Safe Regulations and requested that CAL FIRE and appropriate stakeholders initiate a review beginning in 2011. This review culminated in a series of substantive changes to the regulations affecting all the articles in the SRA Fire Safe Regulations subchapter and made effective January 1, 2016.

The SRA Fire Safe Regulations contain a provision to allow counties to certify their local ordinances as meeting or exceeding the Board standards, which allows counties to use those standards in the SRA instead of the statewide Board standards. Those certifications become invalid when the county amends their local ordinances or when the Board amends the state regulations. As a result of the Board’s 2016 changes to the Fire Safe Regulations, all previously issued certifications were voided. After receiving and reviewing local ordinances for compliance with these new regulations, the Board became aware that other regulations contained in Title 19 and in Title 24, Part 9, Chapter 5, known as the California Fire Code, as well as the California Vehicle Code, the California Manual of Uniform Traffic Control Devices, and other state codes and regulations have similar and potentially conflicting requirements as those found in the SRA Fire Safe Development Regulations.

In addition, it became apparent that many counties were unaware of the SRA Fire Safe Regulations and certification process, and that a greater effort to communicate the requirements in the SRA Fire Safe Regulations to both stakeholders and CAL FIRE Units was required. As counties submitted their revised ordinances to the Board for certification, the Board realized these communication efforts and compliance rates would be improved if SRA Fire Safe Regulation updates coincided with the triennial updates to the California Fire Code.

The SRA Fire Safe Regulations are only one part of the Board’s and CAL FIRE’s role in affecting land use development in the state responsibility area and very high fire hazard severity zones. Over time, this workgroup would ensure all of the Board and CAL FIRE’s programs and policies affecting land use and development were aligned with one another to avoid conflicts and redundancy and promote efficiency.

Vision Statement

Ensure consistent, technically sound, and appropriate regulations and guidelines are established for governing fire safe development in State Responsibility Area and other

locations determined to be within the statutory responsibility of CAL FIRE and the Board.

Project goals

Complete a review of relevant statutes, regulations, and guidelines related to fire safe development. Provide recommendations for regulatory changes that will ensure consistency in intent and language. Create a guidebook to assist jurisdictions in implementing the adopted regulations. Meet continually to review the existing regulations and reports from the field and revise the regulations and guidebook as needed. Address related programs, policies, and handbooks to ensure consistency, efficiency, and accountability.

Project Scope and Work Plan

- Establish a team called the Fire Safe Development Workgroup. The Workgroup will develop a work plan, refine project scope, identify and request resources needed to complete the project goals, and lead the review and update.
 - Target Completion Date: In perpetuity. Produce reports at least triennially to coincidence with California Fire Code updates.
- **Near term activities during 2017:**
 - Prepare a vision statement/work plan for the Workgroup. Establish liaison with Office of the State Fire Marshal California Fire Code/WUI Code workgroup(s). Target completion date: 02-01-2017
 - Establish statewide internal representatives and identify external stakeholders. Target completion date: 03-01-2017
 - Compare and evaluate Title 14, 19, and 24, and other codes for consistency. Target completion date: 09-01-2017
 - Review and revise 14 CCR 1270; develop guidebook; provide revisions to Fire Prevention Committee and Executive Staff. Target completion date: 03-01-2018
 - Provide approved 1270 revisions and guidebook to the Board of Forestry and Fire Protection's Resource Protection Committee. Target completion date: 06-01-2018
 - Begin formal rulemaking process. Target completion: ongoing 10-01-2018 through 4-30-2018
 - File regulations with Secretary of State with 01-01-2020 effective date. Target completion date: 05-31-2018
- **Longer term program goals:**

- Develop program training and implementation to take place between filing with Secretary of State and effective date (May 31, 20xx – January 1, 20xx)
- Reconvene workgroup in January 2020 and triennially in January to begin three-year review and revision cycle:
 - 1/1/20xx-9/30/20xx – review and development
 - 10/1/20xx-4/30/20xx – APA rulemaking process
 - 5/31/20xx – Filing with Secretary of State
 - 1/1/20xx – effective date of regulations
- Review and revise CAL FIRE and Board Handbooks on land use planning and development to ensure consistency with existing codes, processes, etc.
- Determine related land use planning issues and address as needed. May include communication plan (website resources, fire planning newsletter), integrating new research into regulations (such as the 2016 Cal Poly single access subdivision report), or post-fire rebuilding and recovery.

Communications Plan

- Establish email distribution list consisting of workgroup members and designated stakeholders.
- Hold quarterly face to face meetings. Hold monthly conference calls.
- Provide monthly reports to the Board's Resource Protection Committee, CAL FIRE's Fire Prevention Committee, and OSFM CFC/WUI Code workgroups to describe progress.

Critical Issue Assessment

Political: Project likely to be of interest to legislature. Legislative initiatives periodically proposed to address project topic. Project involves land use and economic growth political issues.

External: Rule amendments could be of interest to local governments and development stakeholders. Rules affect how local government approves development.

Legal: Invokes advocates (environmental stakeholders support strong regulation) and opponents (development stakeholders and local government may oppose) and perceived increases in regulatory standards.

Economic: Regulation amendments could have an economic impact on developers or landowners.

Fiscal: Proposal will have an impact on time needed by CAL FIRE employees to fully complete assessment and proposal of updates. Allocation of personnel is essential to completion of project. Proposal will have an impact on time needed by CAL FIRE employees to engage in training for effective implementation of any regulatory changes.

Roles and Responsibilities

Role and Responsibilities	Staff Member
Project Sponsors CAL FIRE Wildland Fire Prevention Engineering and the Board of Forestry's Resource Protection Committee. Approve and facilitate project direction and provide necessary resources.	Edith Hannigan Chief Steven Hawks
Project Manager(s)/IC Acts as a team advocate for the sponsor. Manages expectations and communication. Manages project schedule, scope, issue, and resource utilization.	Edith Hannigan
Legal and Regulatory Branch Act as consultants to the project.	Legal: Brent Jo Regulatory: Greg Andersen
Field Representatives and External stakeholder's liaisons Represent the field and act as consultants to the project. Contact to external stakeholders.	Workgroup members

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