**Board of Forestry and Fire Protection**

**Title 14 of the California Code of Regulations (14 CCR),**

**Division 1.5, Chapter 7, Subchapter 4, Article 3**

**Fire Risk Reduction Communities List**

Article 3 Fire Risk Reduction Communities List

§ 1268.00 Authority

(a) The Board of Forestry and Fire Protection (“Board”) shall develop criteria for and maintain a “Fire Risk Reduction Community” list of local agencies located in a State Responsibility Area (SRA) or a Local Responsibility Area Very High Fire Hazard Severity Zone (LRA VHFHSZ), identified pursuant to Section 51178 of the Government Code, that meet best practices for local fire planning.

(b) Notwithstanding any other references to this list, the Department shall, except for activities described in paragraph (5) of subdivision (c) of Public Resources Code Section 4124.5, prioritize local assistance grant funding applications from local agencies based on the “Fire Risk Reduction Community” list. This prioritization shall not affect applications from entities that are not local agencies.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Section 51178, Government Code; and Section 4124.7, Public Resources Code.

§ 1268.01 Intent

(a) These regulations have been prepared and adopted for the purpose of creating a list of local agencies which meet local fire planning best practices and which the Department of Forestry and Fire Protection shall prioritize for local assistance grant funding.

(b) To promote the equitable distribution of funds for local fire planning and plan implementation, these regulations have been prepared with the intent to provide additional avenues for low-income local agencies to qualify for placement on the list.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Section 4124.7, Public Resources Code.

§ 1268.02 Definitions

(a) Board: California Board of Forestry and Fire Protection.

(b) Fire Risk Reduction Community List: A list of local agencies located in a state responsibility area or a Local Responsibility Area Very High Fire Hazard Severity Zone, identified by the Board pursuant to Public Resources Code § 4290.1, which meet fire planning best practices.

(c) Local Agency: Any county, city, city and county; tribal government or tribal agency; agency, department, district or other publicly funded entity serving a city or county.

(d) Local Responsibility Area (LRA): Any land in the state which is not located in a State Responsibility Area or Federal Responsibility Area and is governed by a Local Agency.

(e) Low-income Local Agency: One of the following:

i) A city with a median household income equal to or less than 80 percent of the area median income for the county in which it is located, as determined and published by the Department of Housing and Community Development in the California Code of Regulations Title 25 § 6932.

 ii) A county with a median household income equal to or less than 80 percent of the statewide median household income.

 iii) An agency, department, district or other publicly funded entity serving at least one city or county which qualifies as Low-Income.

(f) State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

(g) Very High Fire Hazard Severity Zone (VHFHSZ): As defined in Government Code § 51177.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Sections 51177-51178, Government Code; and Sections 4126-4127, Public Resources Code.

§ 1268.03 Criteria for Local Agencies that are Cities, City and County, or Counties

(a) A Local Agency that is a city, city or county, or county shall qualify for placement on the Fire Risk Reduction Community List if it meets all of criteria (a)(1) -(4) and at least two of criteria (b)(1) -(5).

(1) Adoption of local ordinance(s) designating Very High Fire Hazard Severity Zones(VHFHSZ) pursuant to Government Code § 51179(a) and 14 CCR § 1280.02.

(2) Transmission to the Board of findings for all tentative and parcel maps approved for areas located in SRA or LRA VHFHSZ pursuant to 14 CCR § 1266.02.

(3) A progress report on implementation of fire safety recommendations from the Board upon subdivision review in a Fire Safety Survey (pursuant to 14 CCR § 1267.01) for each community reviewed within the jurisdiction. This report shall be generated by the Local Agency and submitted to the Office of the State Fire Marshal, which shall submit reports it approves to the Board.

(4) The safety element of the Local Agency’s general plan has been submitted to the Board for review pursuant to Government Code § 65302.5(b), and all recommendations have been adopted.

(b) A Local Agency that is a city, city and county, or county shall qualify for placement on the Fire Risk Reduction Community List if it meets at least two of criteria (b)(1) -(5) in addition to all criteria listed in subsection (a). A Low-income Local Agency that is a city, city and county, or county shall qualify for the list if two or more of criteria (b) (1-5) have not yet been met but are included in the safety element of the general plan as policy objectives.

(1) Submission to the Board of a local ordinance which adopts standards that equal or exceed the minimum requirements in the State Fire Safe Development Regulations (14 CCR 1270.00-1276).

(2) Submission to the Board of any local defensible space standards which exceed state minimum standards in 14 CCR 1299.03.

(3) Adoption of a WUI code stricter than the California Fire Code.

(4) Adoption of a zoning ordinance, special district or special overlay zone that includes fire hazard mitigation requirements which exceed state minimum requirements. Such requirements may address growth boundaries, safe zones or areas of refuge, structure density, ornamental vegetation, subdivision design, structure design features, or other fire safety features.

(5) A comprehensive retrofit code or plan for existing homes.

§ 1268.04 Criteria for Local Agencies that are not Cities, City and County, or Counties.

(a) A Local Agency that is not a city, city or county, or county shall qualify for placement on the Fire Risk Reduction Communities List if it has met two or more of criteria (a)(1) -(6) within the last five years or the required update frequency for a given criterion. A Low-income Local Agency that is not a city, city or county, or county shall qualify for the list if one or more of criteria (a) (1-6) has been met within the last five years or the required update frequency for that criterion and one or more is included as an objective or expected outcome in that Agency’s management or strategic plan or similar planning document. If a Local Agency is unable to meet two of criteria (a) (1-6) because the criteria are inapplicable to that agency, the agency may submit substantial evidence demonstrating an equivalent means of local fire planning.

(1) Recognition as a Firewise USA community by the National Fire Protection Association (NFPA).

(2) Adoption of a Community Wildfire Protection Plan.

(3) Sponsorship of an active community disaster preparedness council or group.

(4) District policy or an ongoing program to promote water conservation.

(5) A plan or ongoing program to conduct a hazardous fuels reduction project or projects.

(6) A plan or ongoing program to conduct public outreach and education about wildfire prevention, vegetation management and fuels reduction, home hardening, evacuation preparedness, defensible space, risk reduction or similar topics.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Section 51178, Government Code; and Section 4290, Public Resources Code.

§ 1268.05 Submission of Applications for List Eligibility

(a) A Local Agency wishing to be added to the Fire Risk Reduction Communities List shall report, on a form provided by the Board and submitted electronically in PDF format, which criteria it meets and provide appropriate supporting evidence for each criterion.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Section 4290.1, Public Resources Code.

§ 1268.06 List Updates

(a) The Fire Risk Reduction Communities List shall be published on the Board’s website no later than July 1, 2022.

(b) The list shall be updated no less frequently than biennially, to be effective on July 1.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Section 4290.1, Public Resources Code.