**Board of Forestry and Fire Protection**

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

**Division 1.5, Chapter 7, Subchapter 1, 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.

(c) Nothing in this Article shall be construed to alter the extent to which a community is eligible for the Federal Communities at Risk List, established pursuant to the Department of the Interior and Related Agencies Appropriations Act, 2001.

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 city, city and county, or county; tribal agency; agency, department, district or other publicly funded entity serving a city and county.

(d) Local Responsibility Area (LRA): Those areas of land classified by the Board of Forestry and Fire Protection where the financial responsibility of preventing and suppressing wildfires is not that of the state or federal government, pursuant to Public Resources Code (PRC) 4125.

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

(1) 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 Title 25, California Code of Regulations, § 6932.

(2) A city with a population under 5,000 where the average median income of the city’s three most populous census tracts is 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 Title 25, California Code of Regulations, § 6932.

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

 (4) 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 § 4102.

(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 and county, or county shall qualify for placement on the Fire Risk Reduction Community List if it meets has met all of criteria (a)(1) -(4) and at least two of criteria (b)(1) -(6) within the last five years or the required update frequency for a given criterion.

(1) The applicant has adopted local ordinance(s) designating Very High Fire Hazard Severity Zones(VHFHSZ) pursuant to Government Code § 51179(a) and submitted them to the Board pursuant to 14 CCR § 1280.02.

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

(3) 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.

(4) After July 1, 2022, 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 Board.

(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) - (6) 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) - (6) have not yet been met but are included in the safety element of the Local Agency’s general plan as policy objectives.

(1) The applicant has adopted one or more local regulations which exceed the minimum regulations adopted by the state in the Fire Safe Regulations (14 CCR §§ 1270.00-1276.04).

(2) The applicant has adopted one or more local defensible space regulations which exceed state minimum regulations in 14 CCR § 1299.03.

(3) The applicant has adopted a WUI code stricter than Title 24, Part 9, Chapter 49 of the California Code of Regulations.

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

(5) The applicant has adopted a comprehensive retrofit code or plan for existing homes.

(6) The applicant has identified wildfire as a high priority hazard in a Local or Multi-Jurisdictional Hazard Mitigation Plan (LHMP or MJHMP), or as a low- or medium priority hazard with the inclusion of one or more mitigation actions, and has adopted the LHMP or MJHMP into the general plan safety element.

Note: Authority cited: Section 4290.1, Public Resources Code. Reference: Sections 4126-4127, 4290.1, Public Resources Code.

§ 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 and 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 and 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.

(1) The applicant has identified wildfire as a high priority hazard in a Local, Tribal or Multi-Jurisdictional Hazard Mitigation Plan, or as a low- or medium priority hazard with the inclusion of one or more mitigation actions.

(2) The applicant has adopted a Community Wildfire Protection Plan; critical infrastructure protection plan; evacuation plan; Integrated Resource Management Plan including a Fire Management Plan; or similar plan addressing fire protection within the Local Agency’s jurisdiction.

(3) The applicant sponsors, coordinates, or actively engages with a community disaster preparedness council or group, including but not limited to a Firewise USA community or a Fire Safe Council, with events or meetings at least quarterly.

 (4) The applicant has adopted a plan or implements an ongoing program to conduct a hazardous fuels reduction project or projects, including but not limited to California Vegetation Treatment Program (CalVTP) projects, Forest Management and Fuels Reduction Plans (FMRFP), Program Timberland Environmental Impact Reports (PTEIR), prescribed or cultural burns, and community fuels reduction work days.

(5) The applicant has adopted a plan or implements an ongoing program to conduct public outreach and education about water conservation, wildfire prevention, vegetation management and fuels reduction, home hardening, evacuation preparedness, defensible space, Traditional Ecological Knowledge pertaining to fire, fire risk reduction, or similar topics.

(6) The applicant has adopted a special benefit assessment or tax measure or fee that addresses wildfire prevention.

(b)

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) Local Agencies wishing to be added to the Fire Risk Reduction Communities List shall complete the Fire Risk Reduction Communities List form, provided on the Board’s internet website, and submit the form and any supporting or substantial evidence electronically.

(b) This form may request

(1) The Local Agency’s name and a point of contact, including address, email, and phone and fax numbers;

(2) Specification of which criteria in 1268.00-1268.04 have been met;

(3) Supporting evidence submitted electronically demonstrating compliance with the requirements in §§ 1268.00-1268.04.

(4) Additional space for Local Agencies to provide additional information or supporting or substantial evidence to support their inclusion on the List.

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.