

Resource Protection Committee (RPC)

The mission of the Resource Protection Committee is to develop and promote a policy and regulatory program that implements fire safe land use planning and effective vegetation management, pursues a fire prevention program in alignment with the State Fire Plan, and improves forest and rangeland health in California.

January 20, 2021

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2020

1. Regulations Development

Objective: Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary.

Status: “Subdivision Map Findings, 2019.” “Very High Fire Hazard Severity Zone Adoption, 2019.” and “Fire Safety Survey, 2019” regulations were all made operable April 1, 2020.

2. Fire Safe Development Regulations Certification

Objective: Review and certify local county ordinances submitted for certification under 14 CCR §1270.03.

Status: Temporarily suspended pursuant to resolution adopted by the Board at its November 4, 2020 meeting to suspend certifications until amendments to the Fire Safe Regulations in accordance with PRC § 4290 are adopted and take effect.

3. Fire Safe Development Regulations Emergency Rulemaking

Objective: Address concerns regarding the scope and applicability of the Fire Safe Regulations in light of the ongoing wildfire and housing crises in the State.

Status: Emergency regulations approved by OAL and made effective on July 27, 2020. Without further action, these emergency regulations will expire on May 26, 2021, due to the Governor’s Executive Orders N-40-20 and N-66-20.

ANNUAL ONGOING ITEMS

1. Safety Element Review (all counties with SRA; cities with VHFHSZ)

Objective: Review General Plan Safety Elements of all counties with SRA and cities with Very High Fire Hazard Severity Zones.

Status: Review of safety elements ongoing.

2. Forest Pest Council

Objective: Ongoing monitoring, management, and education and outreach (for professionals and lay people) regarding invasive pests and pathogens of concern in California's urban and wildland forests.

Ongoing effort to offer relevant, practical information on tree dieoff as well as native and invasive pests and pathogens affecting California's urban and wildland forests.

Ongoing effort to further advance the CA Firewood Task Force 'Buy It Where You Burn It' message as well as the risks associated with spread of invasive species through the long-distance movement of firewood.

Status: Ongoing review.

PRIORITIES FOR 2020

1. Utility Right of Way Exemptions

Objective: Review existing utility vegetation clearance exemptions in 14 CCR § 1250 et seq for areas of conflict or inconsistency with utility clearance requirements established by the California Public Utilities Commission (CPUC).

Status: Draft revisions to Title 14, Division 1.5, Chapter 7, Article 4 complete; Standardized Regulatory Impact Assessment (SRIA) process ongoing. Awaiting Governor's approval for CNRA Assistant Secretary for Finance to sign the Economic and Fiscal Impact Analysis since January 27, 2020.

2. Fire Safety Survey

Objective: With the Office of the State Fire Marshal, by July 1, 2021 survey existing subdivisions of 30 or more residential structures without secondary access at high fire risk, and develop recommendations to improve those subdivisions' fire safety.

Status: Finalizing implementation plan and progress reporting process with CAL FIRE subdivision review and land use planning program. Surveys to be conducted in earnest in the first two quarters of 2021.

3. Fire Safe Regulations Update

Objective: Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary. By July 1, 2021, update the 14 CCR 1270 regulations to apply to LRA, to establish requirements for greenbelts around communities, and to protect undeveloped ridgelines.

Status: Technical consultants and Board staff in final stages of developing draft regulations. Anticipated 45-day Notice to be approved by the Board in January 2021.

4. 14 CCR 1299 Defensible Space Revisions

Objective: Develop regulations in accordance with changes to PRC 4291 enacted by AB 3074, including new requirement for a zero to five-foot ember resistant zone around structures within the SRA and VHFHSZ in LRA. CAL FIRE and the Board will also develop and implement a widespread public information campaign and update the Ready for Wildfire program to explain the updated requirements.

Status: Budget Change Proposal for staff augmentation and technical consultants in approval process.

5. CalVTP Implementation

Objective: The Board will provide statewide web-based training on utilizing the CalVTP and other permitting processes. Working collaboratively with the Coastal Commission and the Water Board, the Board will also identify additional permitting processes that may need to be incorporated into the CalVTP process. To ensure consistent execution of CalVTP, the Board will oversee the first round of Project specific Analysis in various landscapes and geographies to ensure future projects have a consistent and high-quality template to follow. **Status:** The Board has selected to assume lead agency authority for two Project Specific Analysis (PSA) tiered from the CAL VTP. Project collaborators include UC Regents and Mid-Peninsula Open Space District. These two PSAs will be relied upon to develop statewide online training that will be made available in the first quarter of 2021. The focus the training will be to inform interested stakeholders and partners on how to rely upon the CAL VTP to assist efforts focused on increasing pace and scale of vegetation management activities for the purposes of fire prevention. Statewide web-based training is anticipated to become available in the first quarter of 2021.

6. Fire Risk Reduction Communities List

Objective: Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary. By July 1, 2022, develop a list of local agencies taking fire risk reduction activities.

Status: Draft rule text to be presented at the Board's December 8, 2020 Joint Committee meeting. Anticipated effective date of July 1, 2021.