**Board of Forestry and Fire Protection**

SUPPLEMENTAL STATEMENT OF REASONS

“Fire Risk Reduction Communities List”

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

**Division 1.5, Chapter 7, Subchapter 1, Article 3**

The Board of Forestry and Fire Protection (Board) intends this Supplement to the Initial Statement of Reasons (ISOR) to reflect changes that have been made to the 45-Day proposed rule text and Initial Statement of Reasons, which was distributed on April 30, 2021.

# SPECIFIC PURPOSE OF EACH ADOPTION, AMENDMENT OR REPEAL (pursuant to GOV § 11346.2(b)(1)) AND THE RATIONALE FOR THE AGENCY’S DETERMINATION THAT EACH ADOPTION, AMENDMENT OR REPEAL IS REASONABLY NECESSARY TO CARRY OUT THE PURPOSE(S) OF THE STATUTE(S) OR OTHER PROVISIONS OF LAW THAT THE ACTION IS IMPLEMENTING, INTERPRETING OR MAKING SPECIFIC AND TO ADDRESS THE PROBLEM FOR WHICH IT IS PROPOSED (pursuant to GOV §§ 11346.2(b)(1) and 11349(a) and 1 CCR § 10(b)).

## Amend § 1268.00(c) and (d)

The proposed action clarifies that a Local Agency may serve jurisdictions that are cities or counties, not only jurisdictions that are a city and county, which is necessary for clarity. The proposed action also deletes redundant terms, which is necessary for written clarity.

## Amend § 1268.01

The proposed action deletes “has met” for written clarity.

The proposed action specifies the materials that must be submitted to the Board in order to substantiate that the Local Agency has met a particular requirement. This is necessary to establish a consistent process for Local Agencies to demonstrate their compliance with a particular list criteria and to provide clarity to Local Agencies regarding the appropriate evidence to submit to the Board for each criteria. Each of these criteria has a specific document or plan that is used to comply with the criteria’s requirements, so it is appropriate to specify each document or plan with the relevant criteria.

## Amend § 1268.02

The proposed amendment specifies that a Local Agency shall submit evidence of achievement of each criteria. This is necessary in order to establish a consistent process for Local Agencies, and because Local Agencies may achieve any given criteria through a variety of plans or other documents, so it was necessary to more broadly state that the Local Agency shall submit appropriate evidence for each criteria.

The proposed amendment also changes the word “prevention,” in § 1268.02(a)(6) to “risk reduction.” This is necessary because “risk reduction” more accurately reflects the purpose of this list, to acknowledge communities who meet best practices for risk reduction.

## Amend § 1268.03

The proposed action no longer requires Local Agencies to submit their materials to a specific email address. This is necessary because the evidence a Local Agency might submit to support their inclusion on the list might include documents that are too voluminous in size or quantity to email, and there are alternative options available for transmitting those documents to the Board. By deleting this requirement, a Local Agency and the Board have the flexibility to determine the best method for sending documents between them.

The proposed action also adds a section to the form filled out by Local Agencies that requests information regarding whether the Local Agency is located in a Local or State Responsibility Area. This is necessary for Board record keeping, so as to later analyze data related to the jurisdictions on the list in either geographic area. The proposed action adds additional form fields requesting a signature from the Local Agency representative and a section for the Board to evaluate whether the Local Agency satisfies the relevant criteria and should be included on the List. This is necessary in order to establish a historical record of the results of applications for the List, and for the Board to be able to communicate to any Local Agencies why they may or may not have qualified for the List.

Further, the proposed action requires the Board to review List applications within 60 days of receipt. Previously, there had been no requirement for the Board to review applications within a particular time period. This amendment adds greater clarity for Local Agencies and consistency with other Board processes that review and respond to other documents submitted by Local Agencies within 60 days (ie, General Plan Safety Element reviews).

## Amend § 1268.04

This proposed amendment specifies that the new list shall be effective on July 1 of even-numbered years. This is necessary to add greater clarity to the initial proposed language, that the list is updated “every other year.” As the first date of effectiveness for this list is July 1, 2022 (see PRC 4290.1), it naturally follows that “every other year” indicates an even-numbered year.

This proposed amendment additionally specifies that a Local Agency shall submit applications by April 1 of even-numbered years to be considered for that upcoming July’s list. This April 1 deadline provides the Board with 60 days to review applications, consistent with § 1268.03(c), prior to their June meeting, where they can approve the list for a July 1 effective date. April 1 provides the maximum amount of time possible to Local Agencies to prepare their applications while also providing the Board with sufficient time to review the applications prior to their June meeting.