CA Department of Forestry and Fire Protection

4290 Workgroup
Vision/Scope

July 11, 2012

Document Revision History

Date	Document Version	Updated By	Description of Changes
7/2/10	Ver. 1.0	cz	Initial draft
8/31/10	1.1	md	Draft
2/7/12	1.2	md	Amended time frames
5/21/12	1.3	jc	Amended time frames and short term goals
6/13/12	1.4	jc	Amended goal

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. The Board recognizes that these regulations have not been reviewed or updated since their inception. The Board has periodically received input on issues regarding the implementation and interpretation of these regulations from CAL FIRE units and stakeholders affected by the regulations. Also, CAL FIRE has reported to the Board that other regulations contained in Title 19 and in Title 24, Part 9, Chapter 5, known as the California Fire Code, have similar and potentially conflicting regulations.

Beginning 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. Given the continuing issues stated above, 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 a CAL FIRE and appropriate stakeholders initiate a review beginning in 2011.

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.

Project goals

Complete a review of relevant statutes, regulations, and guidelines related to fire safe development. Provide recommendations that will ensure consistency in intent and language.

Project Scope and Work Plan

- **Short term activities during 2012:**

    - Compare and evaluate Title 14, 19 and 24 for inconsistencies and conflict among the codes. Clearly identify the intent of the regulations and statute.
      Target completion date: Third Quarter.

    - Evaluate effectiveness of relevant guide books; Structure Fire Protection Field

Guide; Fire Hazard Zone Field Guide, Fire Safe Guide for Residential Development,
Target completion: Third Quarter

- Develop a process for local ordinance for certification of PRC 4290.
  Target completion: Third Quarter.

- Title 14 and Local Government's General Plan Safety Element process with utilizing PRC 4290 certification and integrating the outcomes of the evaluation of the guide books.
  Target completion: Third Quarter.

- Identify, draft short term and long-term solution changes in statute, regulations, code, interpretation, IB, policy Change.
  Target completion date: Third Quarter

- Stakeholder scoping, RCRC,CSAC, LOC, FPO's WUI, OPR, CA Planning as
  Target completion date: Third Quarter.

- Review and revise 14 CCR 1270; provide revisions to the Statewide Fire Prevention Committee FPAC and Resource Protection committee (RPC).
  Target completion: Fourth Quarter.

- Deliver 1270 revision report and recommendations to FPAC for Review and forward recommendations to Management Council (MC) using issue paper format.
  Target completion: Fourth Quarter.

- Stakeholder review, RCRC,CSAC, LOC, FPO's WUI, OPR, CA Planning association.
  Target completion date: Fourth Quarter.

- Deliver MC-approved 1270 revisions recommendation to the Board of Forestry and Fire Protection using is paper format.
  Target completion: First Quarter 2013.

- Recommendations to the Board of Forestry and Fire Protection, RPC, State Fire Marshal, Target completion: First Quarter 2013

- **Longer term program goals 2013:**

  - Develop the potential regulatory amendments. This will include technical and legal analysis of development codes; engagement of local agencies affected by the changes; science-based input from relevant technical, engineering, and professional society experts; and consideration of national standards.
    Target completion: Third Quarter.

- Initiate code amendment action to incorporate any recommended amendments. Target completion Date: Third Quarter.

- **Longer term program goals 2014:**

  - Begin implementation and field training for adopted regulations. Target completion Date: Second Quarter.

Communications Plan

1. Establish email distribution list consisting of workgroup members and designated stakeholders.
2. Hold quarterly face to face meetings. Hold monthly conference calls.
3. Provide monthly reports to the Board's Resource Protection Committee and the Statewide Fire Prevention Committee 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, economic growth political issues. . . The Legislature's latest initiative is the newly imposed "State Responsibility Area Fire Prevention Benefit Fee" ("SRA Fee"). In January 2012, the Board adopted emergency regulations to implement this fee. These emergency regulations will expire in July 2012 (though the emergency will likely be re-adopted for an additional 90-180 days) and must be succeeded by permanent regulations. The Board is currently considering inclusion of a provision in the draft permanent regulations that would incentivize local government development of fire safe ordinances. This draft provision is linked to the existing § 1270 provision for Board certification of local ordinances. Such a feature in the permanent SRA Fee regulation would surely elicit the interest of local and state politicians and their constituents. In addition, it has implications for the Workgroup's evaluation of regulatory amendments to § 1270 fire protection standards.

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 can have an economic impact on developers.

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.

Roles and Responsibilities

Role and Responsibilities	Staff Member
Project Sponsors CAL FIRE Wildland Fire Prevention and the Board of Forestry's Resource Protection Committee. Approve and facilitate project direction and provide necessary resources.	Melodie Durham George (YG) Gentry (Executive Officer to the Board)
Project Manager(s)/IC Acts as a team advocate for the sponsor. Manages expectations and communication. Manages project schedule, scope, issue, and resource utilization.	Jana Luis
Legal and Regulatory Branch Act as consultants to the project.	Kevin Reinertson Giny Chandler
Field Representatives and External stakeholder's liaisons Represent the field and act as consultants to the project. Contact to external stakeholders.	Workgroup members

Project Plan (Proposed)

Major Milestones	Due Dates
Finalize Workgroup formation	completed
Vision Scope Approved	completed
Establish list of external stakeholders	completed
Complete comparison of titles 14,19 and 24	Third Quarter 2012
Evaluate effectiveness of relevant guidebooks; Structure Fire Protection Field Guide; Fire Hazard Zone Field Guide, Fire Safe Guide for Residential Development.	Third Quarter 2012
Develop a process for local ordinance certification of PRC 4290.	Third Quarter 2012
Title 14 and Local Government's General Plan Safety Element	Third Quarter 2012

Identify, draft short term and long-term solution changes in statute, regulations, code, interpretation, IB, policy Change.	Third Quarter 2012
Stakeholder review, RCRC,CSAC, LOC, FPO's WUI, OPR, CA Planning association.	Fourth Quarter 2012
Review and revise 14 CCR 1270; provide revisions to FPAC.	Fourth Quarter 2012
Deliver final 14 CCR 1270 revisions to MC	Fourth Quarter 2012
Deliver short term regulatory recommendations and 1270 revisions to FPAC for Review and forwarding to Management Council	Fourth Quarter 2012
Deliver MC-approved 1270 revisions to the Board of Forestry and Fire Protection, PRC.	First Quarter 2013
Provide MC-approved proposed regulatory recommendations to PRC	First Quarter 2013
Initiate official code noticing actions	2013
Begin field training and implementation of adopted regulations	2014