

Resource Protection Committee (RPC)

The mission of the RPC is to evaluate and promote an effective fire protection system implemented by the Department of Forestry and Fire Protection and improve forest and rangeland health in California.

COMPLETED OR SUBSTANTIALLY COMPLETED 20152016

1. Update of Title 14 CCR 1270 Regulations (Fire Safe), PRC 4290/4291.

~~Objective: Revise SRA Fire Safe regulations. These regulations provide wildfire protection standards association with residential subdivision development.~~

~~Status: Final rulemaking complete.~~

2. State Responsibility Area 5 year review, PRC 4125.

~~Objective: Every 5 years the Board shall: "... classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be."~~

~~Status: Complete.~~

3. SRA Fire Prevention Fee Exemption (Self-Certification of Home Loss)

~~Objective: AB 2048 chaptered PRC 4213.1, which allows an exemption to the SRA Fire Prevention Fee under certain conditions. The Board created regulations to allow homeowners who have lost habitable structures to request an exemption from the fee by completing a form certifying that the structure is not habitable as a result of a natural disaster and either documents that the Habitable Structure passed a defensible space inspection conducted by the Department or by one of its agents within one year prior to the date the structure was damaged or destroyed or certify that clearance, as required under PRC § 4291 and 14 CCR § 1299.03, were in place at the time that the structure was damaged or destroyed as a result of a natural disaster.~~

~~Status: Final rulemaking complete.~~

4.1. Vegetation Treatment Plan EIR (VTP EIR)

~~Objective: Review public comment received during the April 1-May 31, 2016 CEQA comment period. Direct work team to make updates and develop responses as necessary. Review the most recent update of the Vegetation Treatment Program EIR prepared by the CAL FIRE workgroup.~~

~~Status: VTP EIR in front of full Board for review~~Revisions and responses in progress.

5.2. SRA Fee Grant Program

~~Objective: Develop a grant program to comply with ABX1 29, which directs the Board of Forestry and Fire Protection to utilize money from the SRA fee to provide local~~

assistance grants for fire prevention activities to benefit owners of habitable structures in the SRA.

~~Status: Grant program development complete. Rule text and ISOR being developed by staff. Rulemaking complete.~~

6.3. Utility Notice of Operations

Objective: Registered Professional Foresters (RPFs) are required to disclose known overhead power lines within the plan area when filing a Notice of Intent to Harvest Timber. This information is not usually forwarded to the Utility responsible for the maintenance of those power lines. If the utilities were made aware of impending operations in close proximity to their power lines, they would be able to perform work necessary to ensure public safety.

~~Status: Rule text and 45 Day Notice approved for noticing by Board. Rulemaking complete.~~

4. Cal Poly 1273.09 Dead End Roads Study

Objective: Cal Poly conducted a study to evaluate the Board's dead end road regulation in 14 CCR 1273.09. Study results will be used to inform future rulemaking updates to 14 CCR 1270 et seq.

~~Status: Final report produced June 2016.~~

PRIORITY 1:

~~7. Cal Poly 1273.09 Dead End Roads Study~~

~~**Objective:** Cal Poly is conducting a study to evaluate the Board's dead end road regulation in 14 CCR 1273.09. Study results will be used to inform future rulemaking updates to 14 CCR 1270 et seq.~~

~~Status: Presentation to the Board scheduled for March 2016 meeting.~~

8.5. 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.

~~9. Vegetation Treatment Plan EIR~~

~~Status: Preliminary Draft EIR under review.~~

10.6. 4290 Certification

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

Status: Ongoing as counties submit ordinances. ~~Certification tracking sheet created.~~

11.7. AB 1504

Objective: In 2010, the Legislature passed AB 1504, requiring the Board to examine the Forest Practice Rules to ensure they meet or exceed the state's greenhouse gas reduction requirements for the forestry sector, consistent with the scoping plan adopted by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006 (AB 32).

Status: The Board has contracted with UC Berkeley and CAL FIRE FRAP to provide this analysis of the Forest Practice Rules and will review the findings when available. A revised agreement has been signed with the USFS Southwest Region 5 to compile summaries of carbon stocks and flux for California forests since 2001, write the inventory-related portions of the first AB 1504 Forest Carbon Report, development procedures to automate this compilation for future updates, and to compile summaries and write the inventory-related portions of the second AB 1504 Forest Carbon Report. A senior environmental scientist has been hired by FRAP to assist with these efforts. Action by RPC to be determined based on results of the review.

12.8. California Fire Plan

Objective: ~~Begin planning for 2018 Update California Fire Plan for 2018. update. Amend 2010 Plan to include prescribed fire memorandum of understanding.~~

Status: ~~Early explorations by staff to begin 2020 update~~2018 update workgroup formed. Department to provide update on incorporating Prescribed fire MOU incorporated into 2010 Plan in spring 2016.

PRIORITY 2:

13.9. Blue Book Staffing Review

Objective: To provide basic fire protection for CAL FIRE Direct Protection Area the Department has developed a Fire Protection Plan, which undergoes approval by the Board of Forestry and Fire Protection. The Plan includes a listing of proposed and existing fire protection companies and stations and related staffing standards.

"PRC 4130 states: The board shall classify all lands within state responsibility areas into types of land based on cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards, and shall determine the intensity of protection to be given to each such type of land. A plan for adequate statewide fire protection of state responsibility areas shall be prepared by the board in which all land of each type shall be assigned the same intensity of protection, and the estimated cost of such intensity of protection shall be determined."

The existing Fire Protection Plan is out of date and does not reflect the current fire protection landscape and department operations.

Status: Board requests a presentation from the Department on this issue at a mutually convenient meeting in 2017~~6~~.

14.10. Role of Grazing in Fire Hazard Reduction

Objective: Examine barriers to using grazing as fire hazard reduction tool.

Status: Early staff exploration.

15.11. Safety Element Review Process Regulation

Objective: *Develop a regulation codifying the review of General Plan Safety Elements by the Board of Forestry and Fire Protection and, to a certain extent, the pre-review and consultation stages by the CAL FIRE land use planning program.*

Status: Rule ~~text in early drafts~~ making to occur in 2017.

16.12. Forest Pest Council

Objective: *Ongoing monitoring, management, and education and outreach (for professionals and lay people) in areas known to be impacted by sudden oak death (SOD) as well as bordering counties. There is a need for increased research for effective management strategies for homeowners and landowners; however, funding appears doubtful. Funding for all SOD-related activities continues to diminish.*

Ongoing monitoring, management, and education and outreach in areas known to be impacted by goldspotted oak borer (GSOB) as well as nearby communities and counties. Ongoing monitoring, management, and education and outreach in areas known to be impacted by polyphagous and Kuroshio shot hole borers. Possibly explore a ZOI with Cal Fire and regionally affected contacts/partners for invasive shot hole borers.

The “Phytophthoras in Native Habitats Working Group” will be joining the COMTF website as a partner. The working group has a Nursery BMP Committee, a Restoration Committee, and a Diagnostics Committee. The working group is focused on educating the native plant nursery industry about BMPs as well as working through issues/problems specifically related to native plant trade as there have been numerous instance of Phytophthoras and other pathogens being moved into native landscapes/restoration areas from stock provided by native plant nurseries over the past year. As SOD was introduced to the native landscape via nurseries, the COMTF is interested in supporting the efforts of the working group.

The CFPC is working on developing a traveling insect/disease training to the various regions of the state to offer locally focused forest health training sessions to professionals, tribes, and other interested parties. Such trainings will not happen before 2017.

Ongoing effort to offer relative, practical information on the drought, tree die-off, pathogens, and diseases to professionals and lay people.

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 invasives through the long-distance movement of firewood.

Status: Ongoing review in 2016.

PRIORITY 3:

17.13. Decision-Making Information Support Systems

Objective: *Review information support systems developed by CAL FIRE FRAP, such as a WUI definition or Fire Hazard Severity Zone inputs, for discussion -and possible updating.*

Status: Early staff and department exploration. Possible presentation by department later in the year.

18.14. Technical Rule Addendum No. 4, Minimum Distances Require by Law, Fire Safe THP Vegetation Treatment

Objective/Status: The Department has request that the Board amend the diagram in technical rule addendum No. 4 to accurately portray the vegetation treatments as required by PRC § 4291(b) and 14 CCR § 1299(a)(2). No progress to date.

19.15. Committee on Criminal Trespass: The purpose of the committee is the examination of policies and practices toward illegal drug growing in California's forests.

Objective: *Due to the changing regulatory landscape around this issue, the RPC has decided it would be prudent to table this discussion.*