

1 Board of Forestry and Fire Protection

2 "Safety Element Review, 2017"

3 Title 14 of the California Code of Regulations (14 CCR), Division 1.5,

4 Chapter 7

5 Adopt

6 Article 6 General Plan Safety Element Review

7 § 1210.00 Definitions

8 § 1210.01 Safety Element Submission

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12 Article 6 General Plan Safety Element Review

13 § 1210.00 Definitions

14 "Board" refers to the California Board of Forestry and Fire Protection.

15 "CAL FIRE" or "the Department" means the California Department of Forestry
16 and Fire Protection.

17 "Director" means the director of the California Department of Forestry and
18 Fire Protection or his or her designee.

19 "General Plan Safety Element" or "safety element" means the safety element
20 as defined in Government Code § 65302(g).

21 "State Responsibility Area" or "SRA" means those areas defined in Public
22 Resources Code § 4102 and delineated pursuant to Public Resources Code §§
23 4125-4128. These lands are shown on digital maps maintained by the
24 Department at its Sacramento Headquarters and may be viewed there or in low
25 resolution at the Board's website: http://www.bof.fire.ca.gov/sra_viewer/.

1 "Very High Fire Hazard Severity Zone" or "VHFHSZ" means an area designated
2 by the director pursuant to Government Code § 51178 that is not a state
3 responsibility area. These lands are shown on digital maps maintained by the
4 Department at its Sacramento Headquarters and may be viewed there or in low
5 resolution at the Department's website:
6 [http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps.](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps)

7 Note: Authority Cited: Section 65302.5, Government Code; Section 4111,
8 Public Resources Code. Reference: Sections 65302, 65302.5, Government Code;
9 Sections 4102, 4112, 4113, 4114, 4740 and 4741, Public Resources Code.

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11 **§ 1210.01 Safety Element Submission**

12 (a) The draft element of or draft amendment to the safety element of a
13 county or a city's general plan shall be submitted to the State Board of
14 Forestry and Fire Protection and to every local agency that provides fire
15 protection to territory in the city or county at least ninety (90) days
16 prior to any of the following:

17 (1) The adoption or amendment to the safety element of its general
18 plan for each county that contains state responsibility areas.

19 (2) The adoption or amendment to the safety element of its general
20 plan for each city or county that contains a very high fire hazard severity
21 zone as defined pursuant to subdivision (i) of Government Code § 51177.

22 (3) The adding as an annexation or appendix to the safety element a
23 Local Hazard Mitigation Plan, Community Wildfire Protection Plan, or other
24 relevant fire plan for the planning area for each city or county referred to
25 in subparagraphs (1) and (2) above.

1 (b) A city or county referred to in subparagraphs (1) and (2) above that
2 revises specific portions of their safety element (for example, flooding
3 hazards) but not the fire safety portion, shall submit their safety element
4 to the Board within the timeline specified in paragraph (a) above, describe
5 the revisions made to the document, and provide to the Board the date of the
6 last review of the safety element conducted by the Board.

7 (c) The draft element of or draft amendment to the safety element may be
8 mailed to Board of Forestry and Fire Protection, Safety Element Review, PO
9 Box 944246, Sacramento, CA 94244-2460 or it may be emailed to the staff
10 person indicated on the Board of Forestry and Fire Protection's Local
11 Government webpage:

12 http://bofdata.fire.ca.gov/board_joint_policies/local_government/.

13 Note: Authority Cited: Section 65302.5, Government Code; Section 4111,
14 Public Resources Code. Reference: Sections 65302, 65302.5, Government Code;
15 Sections 4102, 4112, 4113, 4114, 4740 and 4741, Public Resources Code.

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17 **§ 1210.02 Safety Element Review Procedures**

18 (a) The State Board of Forestry and Fire Protection shall, and a local fire
19 agency may, review the draft or an existing safety element and recommend
20 changes to the local agency within sixty (60) days of its receipt regarding
21 both of the following:

22 (1) Uses of land and policies in state responsibility areas and very
23 high fire hazard severity zones that will protect life, property, and
24 natural resources from unreasonable risks associated with wild land fires.

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1 (2) Methods and strategies for wild land fire risk reduction and
2 prevention within state responsibility areas and very high fire hazard
3 severity zones.

4 (b) The Board may utilize CAL FIRE land use planning staff as technical
5 experts in the review of submitted safety elements.

6 (c) Safety elements shall be evaluated against the Safety Element Assessment
7 (September 2016), hereby incorporated by reference, which is based on the
8 requirements in Government Code § 65302(g)(3). This Assessment may also
9 contain examples of goals, policies, objectives, and implementation measures
10 that jurisdictions may utilize in their overall fire hazard planning
11 efforts.

12 Note: Authority Cited: Sections 65302, 65302.5, Government Code; Section
13 4111, Public Resources Code. Reference: Sections 65302, 65302.5, Government
14 Code; Sections 4102, 4112, 4113, 4114, 4740 and 4741, Public Resources Code.

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16 **§ 1210.03 Safety Element Review Response**

17 (a) Prior to the adoption of its draft element or draft amendment, or
18 annexation or appendix, the board of supervisors of the county or the city
19 council of a city shall consider the recommendations, if any, made by the
20 State Board of Forestry and Fire Protection and any local agency that
21 provides fire protection to the territory in the city or county.

22 (b) If the board of supervisors or city council determines not to accept all
23 or some of the recommendations, if any, made by the State Board of Forestry
24 and Fire Protection or local fire agency, the board of supervisors or city
25 council shall communicate in writing to the State Board of Forestry and Fire

1 Protection and/or the local fire agency its reasons for not accepting the
2 recommendations to the postal or email address stated in § 1210.01(c).

3 (c) If the State Board of Forestry and Fire Protection's or local fire
4 agency's recommendations are not available within the time limits required
5 by § 1210.02(a), the board of supervisors or city council may act without
6 those recommendations. The board of supervisors or city council shall take
7 the recommendations into consideration the next time it considers amendments
8 to the safety element.

9 Note: Authority Cited: Section 65302.5, Government Code; Section 4111,
10 Public Resources Code. Reference: Sections 65302, 65302.5, Government Code;
11 Sections 4102, 4112, 4113, 4114, 4740 and 4741, Public Resources Code.