

# BOARD OF FORESTRY AND FIRE PROTECTION

## 15 - DAY NOTICE OF RULEMAKING

### “SRA Fire Safe Regulations Update, 2014”

[Notice Date –September 04, 2014]

**Title 14 of the California Code of Regulations (14 CCR),  
Division 1.5, Chapter 7, Subchapter 2, Article 2; Subchapter 2, Article 3;  
Subchapter 2, Article 4; Subchapter 4, Article 5**

### **MODIFICATIONS TO TEXT OF PROPOSED REGULATION AND PUBLIC HEARING DATE**

#### **PUBLIC HEARING DATE**

Pursuant to the requirements of Government Code § 11346.8(c), and Title 1 of the California Code of Regulations § 44, the State Board of Forestry and Fire Protection (Board) is providing notice of modifications made to portions of the “SRA Fire Safe Regulations Update, 2014” rule proposal adopted by the Board following their meeting conducted on August 27, 2014. These modifications are substantially related to the 45-day Noticed rule text published July 4, 2014. **The Board will conduct a public hearing to consider adoption of the proposed rule text modifications at their regularly scheduled meeting on Wednesday, October 1, 2014. The meeting will begin at 8:00am in the first floor auditorium of the Resources Building located at 1416 9<sup>th</sup> Street, Sacramento, California.**

#### **MODIFICATIONS TO TEXT OF PROPOSED REGULATION**

The Board is providing notice of proposed modifications to the 45-Day Notice rule text published July 4, 2014. The proposed modifications were identified by the Board staff during review of public comment and in consultation with the Office of Administrative Law and approved by the Board at the August 27<sup>th</sup> hearing. The proposed modifications are discussed briefly below.

#### **Modifications to §1273.07 Roadway Structures**

Board staff has revised the order of the references to California Vehicle Code sections 35250, 35550, and 35750 to make them sequential, shown below and on page 2 of the rule text with double strikethrough and double underline.

Vehicle Code Sections 35250, 35550, and 35750 ~~and 35250~~.

#### **Modifications to Reference on Page 6 of Rule Text (§1275.10. General Standards)**

Staff proposes to modify the reference to the California Fire Code in Section 1275.10, striking “2010” and “Fire-Flow Requirements,” and eliminating capital letters in “title” and “part,” shown below in double strikethrough.

**Modifications to §1275.10 General Standards**

A public comment letter from the San Ramon Valley Fire Protection District brought attention to an oversight by staff. The statement “Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.” was accidentally struck from section 1275.00. It was intended to be copied into section 1275.10. While water tenders are allowed under the proposed rule text in the 45-Day notice, including this statement provides further clarity on the issue. The sentence is placed at the beginning of the third paragraph in section 1275.10, before “Nothing in this article prohibits...” and is indicated below in double underline:

Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available. Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

**PUBLIC COMMENTS**

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the 15-Day Notice. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

**WRITTEN COMMENT PERIOD**

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. **The written comment period ends at 5:00 P.M., on Friday, September 19, 2014.** The Board will consider only written comments received at the Regulations Coordinator’s Office by that time (in addition to those comments received at the public hearing).

The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments may be submitted by U.S. mail to the following address:

Board of Forestry and Fire Protection

Attn: Edith Hannigan  
Board Consultant, SRA  
P.O. Box 944246  
Sacramento, CA 94244-2460

Written comments can also be hand delivered or sent by courier to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
Room 1506-14  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

[board.public.comments@fire.ca.gov](mailto:board.public.comments@fire.ca.gov)

#### **UPDATED INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Following a 45-day Noticed rulemaking hearing at its regularly scheduled meeting of August 27, 2014, the Board adopted the regulation entitled, "SRA Fire Safe Regulations Update, 2014." The regulation was adopted in its noticed form with the addition of two minor modifications. These modifications were based upon comments received from the Office of Administrative Law and the San Ramon Valley Fire Protection District. No opposition to these modifications was raised by Board Members or public hearing participants. The Board adopted a motion to offer a 15-Day Notice pursuant to 11346.8(c) to provide all stakeholders the opportunity to comment on these minor modifications, which were considered substantially related to the 45-Day Noticed rule text.

The Board is authorized under Public Resources Code Sections 4290 to adopt regulations for wildfire protection. The statute, among other things, requires minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA). The regulations set standards for future design and construction of structures, subdivisions and developments in the SRA and provide for basic emergency access and perimeter wildfire protection. These measures provide for emergency access; signage and building numbering; private water supply reserves for emergency fire use; and vegetation modification. This regulation makes several revisions to the existing regulations for the purpose of improving regulatory clarity and uniform implementation of wildfire protection standards associated with residential subdivision development.

Two documents are incorporated by reference in these regulations:

American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17)

National Fire Protection Association (NFPA) Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2012 Edition

### **CONTACT PERSON**

Requests for copies of the proposed text of the regulations, the *Final* and *Initial Statements of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Edith Hannigan  
Board Consultant, SRA  
California Department of Forestry and Fire Protection  
P.O. Box 944246  
Sacramento, CA 94244-2460  
(916) 653-2928

The designated backup person in the event Ms. Hannigan is not available is Mr. George Gentry, Executive Officer of the Board of Forestry and Fire Protection. Mr. Gentry may be contacted at the above address or by phone at (916) 653-8007.

### **AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS**

The Board has prepared an *Initial Statement of Reasons* for the "SRA Fire Safe Regulations Update, 2014" rulemaking proposal. This document provides an explanation of the purpose, background, and justification for the Board's adoption of the proposal. The statements are available from the contact person on request. If the rule text modifications discussed in this Notice are adopted by the Board as proposed on October 1, 2014, a *Final Statement of Reasons* will be prepared to reflect the comments and responses received during the written comment period and public hearing.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the original proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at the following address:

California Department of Forestry and Fire Protection  
Resources Building  
Room 1517  
1416 9<sup>th</sup> St.  
Sacramento, CA 95814  
Attention: Edith Hannigan  
Tel: (916) 653-9228

All of the above referenced information is also available on the Board website at:

[http://www.bof.fire.ca.gov/regulations/proposed\\_rule\\_packages/](http://www.bof.fire.ca.gov/regulations/proposed_rule_packages/)

### **15-DAY NOTICE RULE TEXT MODIFICATIONS**

Proposed modifications to the rule text previously adopted by the Board following a public hearing on August 27, 2014 are identified in the 15-Day Notice of Rulemaking rule text as follows:

Existing CCR Text ----- No underline or strikethrough

45-day Notice rule text changes ----- single underline or ~~single strikethrough~~

Deletions of rule text proposed in the 15-Day Notice ----- ~~double strikethrough~~

Additions to rule text proposed in the 15-Day Notice ----- double underline

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board again makes modifications which are sufficiently related to the originally proposed text, it will again make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised.

Notice of the comment period and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice.

The Board will accept written comments on the modified regulations for no less than 15 days from the date on which they are made publicly available.

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Edith Hannigan  
Board Consultant, SRA  
California Department of Forestry and Fire Protection

1 **SRA FIRE SAFE REGULATIONS, 2014**

2 **14 CCR, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 2-5. SRA Fire Safe**  
3 **Regulations**

4  
5 **Article 2. Emergency Access and Egress.**

6  
7 **1273.01. Road Width**

8 All roads shall be constructed to provide ~~a minimum of two nine-foot traffic lanes providing two-~~  
9 ~~way traffic flow~~ a minimum driving surface of two ten-foot lanes, not including shoulder and  
10 striping. These lanes should provide for two-way traffic flow to support emergency vehicle and  
11 civilian egress, unless other standards are provided in this article, or additional requirements are  
12 mandated by local jurisdictions or local subdivision requirements.

13 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
14 4290 and 4291, Public Resources Code.

15 **1273.02. Roadway Surface**

16 ~~The surface shall provide unobstructed access to conventional drive vehicles, including sedans~~  
17 ~~and fire engines. Surfaces should be established in conformance with local ordinances, and be~~  
18 ~~capable of supporting a 40,000 pound load.~~ Roadways shall be designed and maintained to  
19 support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an all-  
20 weather aggregate road base. Project proponent shall provide engineering specifications to  
21 support design, if requested.

22 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
23 4290 and 4291, Public Resources Code.

24  
25 **1273.05. Roadway Turnarounds**

1 Turnarounds are required on driveways and dead-end roads as specified in this article. The  
2 minimum turning radius for a turnaround shall be 40 feet from the center line of the road, not  
3 including parking and the encroachment of the driving surface, from the roadway into and out of  
4 the terminus bulb shall not be less than 38'. The driving surface shall be evenly tapered on both  
5 sides of the driving surface from the encroachment, 15' back along the roadway. The radius of  
6 the taper shall not exceed 40'. If a hammerhead/T is used instead, the top of the "T" shall be a  
7 minimum of 60 feet in length.

8 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
9 4290 and 4291, Public Resources Code.

#### 10 **1273.06. Roadway Turnouts**

11 Turnouts shall be a minimum of ~~40~~ 12 feet wide and 30 feet long with a minimum 25 foot taper  
12 on each end.

13 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
14 4290 and 4291, Public Resources Code.

#### 15 **1273.07. Roadway Structures**

16 (a) All driveway, road, street, and private lane roadway structures shall be constructed to carry  
17 at least the maximum load and provide the minimum vertical clearance as required by Vehicle  
18 Code Sections 35250, 35550, and 35750 ~~and 35250~~.

19 (b) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-  
20 way road or single lane conditions, shall reflect the capability of each bridge.

21 (c) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge  
22 shall be constructed and maintained in accordance with the American Association of State and  
23 Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition,  
24 published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and  
25

1 elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire  
2 apparatus. Vehicle load limits shall be posted at both entrances to bridges when required.  
3 Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which  
4 are not designed for such use, approved barriers, approved signs or both shall be installed and  
5 maintained. A bridge with only one traffic lane may be authorized by the local jurisdiction;  
6 however, it shall provide for unobstructed visibility from one end to the other and turnouts at  
7 both ends.

8 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
9 4290 and 4291, Public Resources Code.

#### 10 **1273.08. One-Way Roads**

11 All one-way roads shall be constructed to provide a minimum, not including shoulders, of one  
12 ~~10~~12-foot traffic lane. The local jurisdiction may approve one-way roads. All one-way roads shall  
13 connect to a two-lane roadway at both ends, and shall provide access to an area currently  
14 zoned for no more than 10 dwelling units. In no case shall it exceed 2640 feet in length. A  
15 turnout shall be placed and constructed at approximately the midpoint of each one-way road.

16 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
17 4290 and 4291, Public Resources Code.

#### 18 **1273.10. Driveways**

19 All driveways shall provide a minimum driving surface of a 10 foot width with a minimum width of  
20 14 feet unobstructed horizontal clearance and vertical clearance of 15 feet. ~~10-foot traffic lane~~  
21 ~~and unobstructed vertical clearance of 15 feet along its entire length,~~

22 (a) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a  
23 turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall  
24 be provided no more than 400 feet apart.  
25

1 (b) A turnaround shall be provided to all building sites on driveways over 300 feet in length, and  
2 shall be within 50 feet of the building.

3 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
4 4290 and 4291, Public Resources Code.

5  
6 **1273.11. Gate Entrance**

7 (a) Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving  
8 that gate and a minimum width of 14 feet unobstructed horizontal clearance and vertical  
9 clearance of 15 feet.

10 (b) All gates providing access from a road to a driveway shall be located at least 30 feet from  
11 the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

12 (c) Security gates shall not be installed without approval. Where security gates are installed,  
13 they shall have an approved means of emergency operation. The security gates and the  
14 emergency operation shall be maintained operational at all times.

15 (d) Where a one-way road with a single traffic lane provides access to a gated entrance, a 40  
16 foot turning radius shall be used.

17 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
18 4290 and 4291, Public Resources Code.

19 **1274.01. Size of Letters, Numbers and Symbols for Street and Roads Signs**

20 ~~Size of letters, numbers, and symbols for street and road signs shall be a minimum 3 inch letter~~  
21 ~~height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign.~~

22 Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5  
23 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed  
24 from the *public way*, a monument, pole or other sign or means shall be used to identify the  
25 structure.

1 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
2 4290 and 4291, Public Resources Code.

3  
4 **1274.09. Size of Letters, Numbers and Symbols for Addresses**

5 ~~Size of letters, numbers and symbols for addresses shall be a minimum 3 inch letter height, 3/8~~  
6 ~~inch stroke, reflectorized, contrasting with the background color of the sign.~~

7 New and existing buildings shall have approved address numbers, building numbers or  
8 approved building identification placed in a position that is plainly legible and visible from the  
9 street or road fronting the property. These numbers shall contrast with their background.

10 Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum  
11 of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access  
12 is by means of a private road and the building cannot be viewed from the public way, a  
13 monument, pole or other sign or means shall be used to identify the structure.

14 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
15 4290 and 4291, Public Resources Code.

16 **1275.00. Intent**

17 ~~Emergency water for wildfire protection shall be available, and accessible, and maintained in~~  
18 ~~quantities and locations specified in the statute and these regulations, in order to attack a~~  
19 ~~wildfire or defend property from a wildfire. Such emergency water may be provided in a fire~~  
20 ~~agency mobile water tender, or naturally occurring or man-made containment structure, as long~~  
21 ~~as the specified quantity is immediately available.~~

22 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
23 4290 and 4291, Public Resources Code.

24  
25 **1275.01. Application**

1 The provisions of this article shall apply in the tentative and parcel map process when new  
2 parcels are approved by a local jurisdiction. ~~The emergency water system shall be available on-~~  
3 ~~site prior to the completion of road construction, where a community water system is approved,~~  
4 ~~or prior to the completion of building construction, where an individual system is approved.~~

5 When a water supply for structure defense is required to be installed, such protection shall be  
6 installed and made serviceable prior to and during the time of construction except when  
7 approved alternative methods of protection are provided.

8 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
9 4290 and 4291, Public Resources Code.

#### 10 **1275.10. General Standards**

11 Water systems that comply with the below standard or standards ~~meets or exceeds~~ the  
12 ~~standards specified in Public Utilities Commission of California (PUC) revised General Order~~  
13 ~~#103, Adopted June 12, 1956 (Corrected September 7, 1983, Decision 83-09-001), Section VIII~~  
14 ~~Fire Protection Standards and other applicable sections relating to fire protection water delivery~~  
15 ~~systems, static water systems equaling or exceeding the National Fire Protection Association~~  
16 ~~(NFPA) intent of these regulations.~~

17 Water systems equaling or exceeding the National Fire Protection Association (NFPA) Standard  
18 1231, "Standard on Water Supplies for Suburban and Rural Fire Fighting", 1989 Edition, or  
19 mobile water systems that meet the Insurance Services Office (ISO) Rural Class 8, 2nd Edition  
20 3-80, 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2012 Edition,  
21 hereby incorporated by reference, and California Fire Code 2010, California Code of  
22 Regulations Title 24, Part 9, Fire Flow requirements, standard shall be accepted as meeting  
23 the requirements of this article. ~~These documents are available at CDF Ranger Unit~~  
24 ~~Headquarters.~~

1 Such emergency water may be provided in a fire agency mobile water tender, or naturally  
2 occurring or man made containment structure, as long as the specified quantity is immediately  
3 available. Nothing in this article prohibits the combined storage of emergency wildfire and  
4 structural firefighting water supplies unless so prohibited by local ordinance or specified by the  
5 local fire agency.

6 Where freeze protection is required by local jurisdictions, such protection measures shall be  
7 provided.

8 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
9 4290 and 4291, Public Resources Code.

#### 10 **1275.15. Hydrant/Fire Valve**

11 (a) The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation,  
12 no closer than 4 feet nor farther than 12 feet from a roadway, and in a location where fire  
13 apparatus using it will not block the roadway.

14 The hydrant serving any building shall:

15 (1) be not less than 50 feet nor more than 1/2 mile by road from the building it is to  
16 serve, and

17 (2) be located at a turnout or turnaround, along the driveway to that building or along the  
18 road that intersects with that driveway.

19 (b) The hydrant head shall be ~~brass with~~ 2 1/2 inch National Hose male thread with cap for  
20 pressure and gravity flow systems and 4 1/2 inch draft systems. Such hydrants shall be wet or  
21 dry barrel as required by the delivery system. They shall have suitable crash protection as  
22 required by the local jurisdiction.

23 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
24 4290 and 4291, Public Resources Code.

1 **1276.00 Intent**

2 To reduce the intensity of a wildfire by reducing the volume and density of flammable  
3 vegetation, the strategic siting of fuel modification and greenbelt shall provide

4 (1) increased safety for emergency fire equipment and evacuating civilians by its utilization  
5 around structures and roads, including driveways; and

6 (2) a point of attack or defense from a wildfire.

7 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
8 4290 and 4291, Public Resources Code.

9  
10 **1276.03 Greenbelts**

11 Subdivision and other developments, which propose greenbelts as a part of the development  
12 plan, shall locate said greenbelts strategically, as a separation between wildland fuels and  
13 structures. The locations shall be approved by the inspection authority. Selected locations  
14 should be consistent with the Unit Fire Plan.

15 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
16 4290 and 4291, Public Resources Code.

17 **1276.04. Driveways.**

18 Driveways shall have minimum of ten feet horizontal fuel reduction, which includes the required  
19 clearance in 1273.10, from the traveled surface on both sides of the driveway fuel reduction  
20 zone, from the point at which the driveway meets the road to the defensible space of the  
21 structure, to support civilian evacuation and fire equipment access. The fuel reduction is such  
22 that it reflects CCR title 14, 1299 Defensible Space Zone Two. These shall include turnouts and  
23 turnarounds.

24 Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections  
25 4290 and 4291, Public Resources Code.

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