January 12, 2021

To: Board Members

From: Claire McCoy, Wildfire Planning Specialist

Edith Hannigan, Land Use Planning Policy Manager

**Re: January 12 RPC Workshop**

# Summary of Discussion

Agenda Item 1: Fire Risk Reduction Communities List

Board staff presented a draft rule plead to establish criteria for developing the Fire Risk Reduction Communities List (List) as required by PRC § 4190.1.

Board members provided feedback primarily regarding definitions for the terms “Local Agency” and “Low-Income Local Agency,” with feedback from the public providing additional sources to inform the definition of “Low-Income Local Agency.” Income thresholds from the Department of Housing and Community Development as well as the Air Resources Board’s Greenhouse Gas Reduction Fund are being considered in defining the term.

Board members also suggested coordinating with the CAL FIRE Grants Program to determine the specifics of how the List will be used in prioritizing applications for local assistance grant funding.

Agenda Item 2: Subdivision Findings Form

Board staff presented a draft form for local jurisdictions to complete in making the two findings required in 14 CCR § 1266.02 upon approval of a tentative or parcel map in State Responsibility Area (SRA) or Local Responsibility Area Very High Fire Hazard Severity Zone (LRA VHFHSZ). The form is not a part of a formal rulemaking process, but rather is intended to streamline and standardize compliance with existing regulations.

Board members provided feedback on the length and structure of the form, as well as what types of evidence should be referenced and submitted along with the form. Regarding one of the required findings about defensible space, members raised the distinction between defensible space requirements that come to bear on subdivision approval decisions and those which can only be met and maintained by homeowners once a subdivision is completed.

Agenda Item 3: Government Code 65302(g)(5) Issue

Board staff provided a summary of an issue raised by local agencies requesting clarification on how to comply with Government Code § 65302(g)(5), which

requires local jurisdictions containing SRA or LRA VHFHSZ to identify in their safety element all “residential developments” located in “any hazard area identified in the safety element” which lack “at least two emergency evacuation routes.” There are no more specific parameters in that code section or elsewhere in statute dictating how local agencies should interpret these terms. The Governor’s Office of Planning and Research is currently in the early stages of developing guidance for local agencies on how to interpret these terms. Board staff will continue to coordinate with OPR on the issue and will communicate with Board members to determine the Board’s desired interpretive role, if any.