



RESOURCE GUIDE #6

Coming Soon – 2022 State Initiatives & Resources

With numerous new State laws affecting wildfire planning, mitigation and evacuations, State agencies are responding to new requirements with updated regulations, advisory guides and programs. This Resource Guide compiles the key initiatives and resources coming in 2022 that will help Bay Area agencies.

WILDFIRE - PLANNING & PROGRAMS

Fire Hazard Planning Technical Advisory (OPR)

Public Review Draft – November 2020

Final Release – 2022 after internal review and editing; Final document will be posted to [OPR's General Plan Webpage](#)

The Technical Advisory provides cities and counties with guidance for complying with statutory requirements to address and mitigate wildfire hazards and associated risks in the general plan safety element. This Technical Advisory can assist cities and counties as they revise their general plans to better address fire hazards and reduce the associated risks. The goal of the Technical Advisory is to provide a robust planning framework for addressing fire hazards, reducing risk, and increasing resilience across California's diverse communities and landscapes. The update provides guidance on:

- outreach and engagement to promote more robust and collaborative wildfire solutions,
- conducting comprehensive wildfire hazard and risk assessments,
- aligning and integrating these assessments across a variety of plans, and
- developing general plan policies and programs that reduce risk for existing and future communities.

The Advisory includes sample policies, programs, case studies, potential funding sources, and other resources and tools to support local planning and implementation to reduce wildfire risk at the community scale.

Background: In 2015, OPR published an initial Fire Hazard Planning TA to address Senate Bill [SB] 1241 (2012) which revised the safety element provisions in State law to require all cities and counties whose planning area is within the state responsibility area or very high fire hazard severity zones to address and incorporate specific information regarding wildfire hazards and risks. These requirements are codified in Gov. Code § 65302(g)(3) and 65302.5(b). Pursuant to the requirements of SB 901 (Dodd, 2018) and Assembly Bill [AB] 2911 (Friedman, 2018), as codified in Gov. Code § 65040.21, OPR is now updating the document to include "specific land use strategies to reduce fire risk to buildings, infrastructure, and communities" and preparing the TA "in consultation with the Department of Forestry and Fire Protection (CAL FIRE), the State Board of Forestry and Fire Protection (State Board), and other fire and safety experts." Per Gov. Code § 65040.21, OPR must update the guidance document "not less than once every eight years."

WUI Land Use Best Practices Inventory (OPR)

Partial Release – Winter 2021, Ten best practice case studies

Final Release – Spring 2022, Final documents will be posted on the [California Adaptation Clearinghouse](#)

The Best Practices Inventory will catalog local government best practices for planning and enforcement that address and reduce wildfire hazards and risks in the wildland-urban interface (WUI). This project builds on OPR's Fire Hazard Planning Technical Advisory by highlighting specific mitigation and resilience activities taking place in the WUI. The inventory and best practice case studies can inform local agency planners, consultants, fire officials, emergency management officials, climate adaptation and resilience officials, and other interested stakeholders as they develop wildfire prevention, mitigation, and adaptation goals and programs.

Background: On June 27, 2019, Governor Newsom signed the Budget Act of 2019 (AB 74, Statutes of 2019, Chapter 23), which provided state budget appropriations for fiscal year 2019–20. CAL FIRE received \$10 million for the purpose of fire protection, of which \$250,000 was earmarked for OPR to inventory and publish on its website best practices reflected in local planning ordinances and enforcement practices undertaken at the local level in the wildland urban interface. A portion of this funding is being used for the inventory.



Wildfire and Flood-After-Fire Plan Alignment Guides (OPR / CAL FIRE)

Final Release – Summer 2022, Final documents will be posted on the [California Adaptation Clearinghouse](#)

Planners, emergency managers, and climate adaptation practitioners will be able to use the guides to understand how different planning processes can be aligned to better leverage their resources and capacity to prepare for future hazards. Both guides will provide an overview of required local planning and enforcement elements and best practices, discuss concrete strategies to leverage various stages of different planning and implementation processes, and identify crosswalk opportunities and tricky spots to avoid. They will also illustrate tools and state guidance documents that support planning and implementation. The guides will generally model OPR's Coastal Plan Alignment Compass.

Background: On June 27, 2019, Governor Newsom signed the Budget Act of 2019 (AB 74, Statutes of 2019, Chapter 23), which provided state budget appropriations for fiscal year 2019–20. Within the Greenhouse Gas Reduction Fund appropriation, the CAL FIRE received \$10 million for the purpose of fire protection, of which \$250,000 was earmarked for OPR “to inventory and publish on its internet website best practices reflected in local planning ordinances and enforcement practices undertaken at the local level in the wildland urban interface.” A portion of this funding is being used to develop the Wildfire Plan Alignment Guide

Wildfire Land Use Training Program (CAL FIRE & Community Wildfire Planning Center)

Trainings – Fall 2022, To stay engaged about training opportunities, contact general@communitywildfire.org

CAL FIRE and the Community Wildfire Planning Center (CWPC) are developing a new training program to help planners across California learn more about wildfire risk reduction through land use tools. The training will cover regulatory requirements as well as approaches for holistic fire planning to shift local policies and regulations and to reframe the preservation and protection of housing from wildfires.

Background: On June 27, 2019, Governor Newsom signed the Budget Act of 2019 (AB 74, Statutes of 2019, Chapter 23), which provided state budget appropriations for fiscal year 2019–20. CAL FIRE received \$10 million for the purpose of fire protection, of which \$250,000 was earmarked for providing training to local planners on land use planning issues in the WUI. CAL FIRE entered a contract with the CWPC to develop and administer the training curriculum to local planners on land use planning issues in the WUI.

EVACUATION PLANNING

Evacuation Technical Advisory (OPR)

Release Public Review Draft – Spring 2022

Final Release – Late 2022 / Early 2023 *after internal review; Final document will be posted to [OPR's General Plan Webpage](#)*

Three separate bills – SB 99, AB 747, and AB 1409 – revised the safety element provisions in State law to require all cities and counties to identify residential developments with less than two evacuation routes and address the adequacy of evacuation routes and locations for a range of hazards (see [Resource Guide #5](#) for more background). OPR's Evacuation Advisory will provide guidance to help communities meet these new requirements. In addition, it will highlight available resources and describe potential strategies communities can implement to increase equity and build resilience. The Advisory is intended to assist city and county planners in discussions with professionals from hazard mitigation, disaster preparedness, emergency response, and disaster recovery agencies as they work together with community members to develop effective evacuation policies for the general plan.

Background: SB 99 (2019) amended GC § 65302(g), requiring communities to “identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes.” In addition, AB 747 (2019) added to and AB 1409 (2021) amended GC § 65302.15. As a result, communities must now “identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of emergency scenarios” in their general plan safety element.



WILDFIRE – MAPS, CODES, and REGULATIONS

IMPORTANT: The wildfire requirements are changing within the Local Responsibility Area (LRA). In addition to updates to the Fire Hazard Severity Zone Maps, California Building Code Chapter 7a, and the State Minimum Fire Safe Regulations, new state laws, SB 901 (2018), AB 642 (2021), and SB 63 (2021) have expanded the application of maps, codes, and regulations into additional areas within the LRA.

Figure: Summary of New Map, Code, and Regulation Application for the LRA

Existing Requirement		Responsibility Area		
New Requirement		Local (LRA)	State (SRA)	Federal (FRA)
Fire Hazard Severity Zone	Very High	Published Maps	Published Maps	
		7a Standards	7a Standards	
		Fire Safe Regs. (SB 901) NEW!	Fire Safe Regs.	
		GC 51182 Defensible Space	PRC 4291 Defensible Space	
		CC 1102.19 Hazard Disclosure NEW!	CC 1102.19 Hazard Disclosure NEW!	
	High	Published Maps (AB 642) NEW!	Published Maps	
		7a Standards (SB 63) NEW!	7a Standards	
			Fire Safe Regs.	
			PRC 4291 Defensible Space	
		CC 1102.19 Hazard Disclosure NEW!	CC 1102.19 Hazard Disclosure NEW!	
	Moderate	Published Maps (AB 642) NEW!	Published Maps	
		TBD Standards (SB 63) TBD	7a Standards	
			Fire Safe Regs.	
			PRC 4291 Defensible Space	

Fire Hazard Severity Zone Maps – Update & LRA Expansion (CAL FIRE)

Release of State Responsibility Area Maps – Early 2022

Release of Local Responsibility Area Maps – Late 2022

The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant wildfire hazards. The current maps, last published in 2007-2008, are being updated to incorporate improved fire science, weather and fuel data, and a more spatially detailed model. CAL FIRE classifies all of the State Responsibility Area (SRA) into either a moderate, high, or very high Fire Hazard Severity Zone (FHSZ). Previously, Government Code Section 51178 required CAL FIRE to map only the very high FHSZs within the Local Responsibility Areas (LRA). **Effective January 1, 2022, Assembly Bill 642 (2021) will require CAL FIRE to identify and publish maps of the moderate and high FHSZs in the LRA.**

Background: Public Resources Code Section 4201 requires CAL FIRE to develop FHSZ maps for the SRA. The FHSZ designations determine fire safe development, building construction, defensible space, and hazard disclosure for the sale of property requirements. The Fire Hazard Severity Zone maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior. Many factors are considered such as fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. Urban and wildland areas are treated differently in the model, but the model does recognize the influence of burning embers traveling into urban areas.



State Minimum Fire Safe Regulations – Update & LRA Expansion (*Board of Forestry and Fire Protection*)
Public Review Draft – Spring 2021, this draft is under internal review and editing and IS NOT final.
Final Draft – To be determined.

The regulations set certain minimum standards for structures, subdivisions, and developments in State Responsibility Area (SRA) and Local Responsibility Area (LRA) Very High Fire Hazard Severity Zones (VHFHSZ). This update amends the existing regulations for the purposes of addressing the general applicability of these standards, improving regulatory clarity, and ensuring the uniform implementation of wildfire protection standards association with residential, commercial, and industrial building construction. For local agencies, the Regulations outline wildfire apparatus circulation standards, setback standards and corresponding mitigation approaches and other requirements.

Background: Pursuant to Public Resources Code (PRC) 4290, the Board is required to “...adopt regulations implementing minimum fire safety standards related to defensible space” applicable to “the perimeters and access to all residential, commercial, and industrial building construction.” ***In 2018, the Legislature passed and the Governor signed SB 901 (Dodd), which expanded the applicability of the regulations promulgated under PRC 4290 to land in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone (VHFHSZ).*** SB 901 also revised PRC 4290 to require the Board to more frequently update regulations relating to fuel breaks and greenbelts near communities, and to preserve undeveloped ridgelines to reduce fire risk and improve fire protection.

California Building Code Chapter 7A Code Update (*CAL FIRE / CA Building Standards Commission*)
Code Updates – Effective July 1, 2021

Chapter 7A applies to building materials, systems, and assemblies used in the exterior design and construction of new buildings located in any FHSZ within the SRA, the VHFHSZs in the LRA, and on land designated as a Wildland Interface Fire Area by a local agency. **Effective January 1, 2022, Senate Bill 63 (2021) will require high FHSZs in the LRA to comply with the code, with a state-led process to determine appropriate standards for the moderate FHSZ.**

Background: Chapter 7A establishes minimum standards for the protection of life and property by increasing the ability of a building using fire-resistant materials to resist the intrusion of flames or burning embers projected by a vegetation fire and contributing to a greater fire spread. It is required to be updated every three years, but is generally updated every 18 months during the intervening code cycle.

HOME HARDENING / DEFENSIBLE SPACE PROGRAMS

Community Home Hardening Model Program (*Cal OES / CAL FIRE*)

Demonstration communities to implement home hardening programs -- 2021/22.

Expand program statewide; help agencies leverage FEMA Hazard Mitigation Grant Program -- 2023/24.

The model program will support existing homeowners retrofit, harden, and create defensible space in areas with high risk. The model program will focus on communities with high social-vulnerability, providing financial assistance for low- and moderate-income households. The goal of the model program is to create a framework that can be replicated statewide and help local communities leverage funding opportunities. The following communities have been selected to pilot the model program, (1) San Diego County, Community of Dulzura, (2) Shasta County, Community of Whitmore, with the final pilot community to be announced.

Background: AB 38 (2019) established a comprehensive wildfire mitigation financial assistance program to, among other things, encourage cost-effective structure hardening and retrofitting to create fire-resistant homes, businesses, and public buildings. The bill requires the State Fire Marshal, in consultation with specified State officials, to identify building retrofits and structure hardening measures, and CAL FIRE to identify defensible space, vegetation management, and fuel modification activities, that are eligible for financial assistance under the program.



Defensible Space Assistance Program (CAL FIRE | California Fire Safe Council)

Pilot project in 3 counties – 2021 In Process

Expand to additional counties (working with California Fire Safe Council) -- 2022

A pilot project in three counties (Butte, Napa, Los Angeles) to help elderly, low-income, or people with disabilities protect their homes with improved defensible space compliance by creating a Defensible Space Assistance Program.

Background: On June 27, 2019, Governor Newsom signed the Budget Act of 2019 (AB 74, Statutes of 2019, Chapter 23), which provided state budget appropriations for fiscal year 2019–20. CAL FIRE received \$5 million to provide funding for defensible space financial assistance grants to assist the elderly, low-income, or people with disabilities to improve defensible space compliance.

Fire Prevention Grant Program (CAL FIRE)

December 8, 2021 – Grant period open

February 9, 2022 – Grant period closes

<https://www.fire.ca.gov/grants/fire-prevention-grants/>

Through the California Climate Investments (CCI), CAL FIRE's Fire Prevention Grants Program provides funding for fire prevention projects and activities in and near fire threatened communities that focus on increasing the protection of people, structures, and communities. Funded activities include hazardous fuel reduction, wildfire prevention planning, and wildfire prevention education with an emphasis on improving public health and safety while reducing greenhouse gas emissions. Significant funding is available through this grant program over the next few years.

- For FY 2020/21, \$138 million awarded by CAL FIRE in 105 grants.
- For FY 2021/22, \$120 million available to be awarded by CAL FIRE.
- For each year through 2028, \$200 million available per year.

Background: California's Strategic Fire Plan serves as a roadmap for project development. Projects are evaluated based on the overall benefit to reduce the threat of wildfires to people, structures, and communities. CAL FIRE considers the wildfire hazards and risk of an area, the geographic balance of projects, and whether the project is complementary to other fire prevention or forest health activities when awarding grants. Disadvantaged and low-income communities as defined by Assembly Bill 1550 (Gomez) (Statutes of 2016, Chapter 369), and projects that demonstrate a carbon benefit by reducing greenhouse gas emissions and contain matching funds will receive additional priority. Projects are selected on a competitive basis and consecutive awards are not guaranteed.

Association of Bay Area Governments: December 2021

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