

# INITIAL STATEMENT OF REASONS

## SRA Classification System, 2010

[Published May 21, 2010]

Title 14 of the California Code of Regulations (14 CCR),

Division 1.5, Chapter 7 Fire Protection, Article 1.

### Amend:

#### **Presently Classified and Recorded Boundaries. § 1220**

State Responsibility Area (SRA), pursuant to Public Resources Code §4125-4128, constitutes all lands in the state where the financial responsibility of preventing and suppressing wildfire is primarily the responsibility of the State. By law, SRA lands generally include timbered, watershed, and adjacent range lands. They do not include lands in federal ownership or lands within incorporated cities.

SRA lands and their boundaries are determined by procedures and classification criteria by the State Board of Forestry and Fire Protection (Board) which are referenced in 14 CCR 1220. These procedures and classification criteria for SRA, explicitly referenced in 14 CCR 1220, are contained in a document entitled *State Responsibility Area Classification System - March 8, 2006* (referred to in this proposal as the *SRA Classification System document*).

The Board proposes to amend the *SRA Classification System document* to update the procedures used to document and process proposed changes in SRA status. No changes are proposed to the classification criteria which govern the determination of which lands are considered to be SRA. The proposed changes to the *SRA Classification System document* result in an amendment 14 CCR 1220 to accurately reference the new date of the *SRA Classification System document*.

### *State Responsibility Area Classification System*



STATE OF CALIFORNIA  
RESOURCES AGENCY  
BOARD OF FORESTRY  
CALIFORNIA DEPARTMENT OF FORESTRY  
AND FIRE PROTECTION  
REVISED ~~March 8, 2006~~ May 5, 2010

The proposed amendments to the *SRA Classification System document* relate to the following:

- Update documentation requirements, terminology and index numbering;
- Provide that automatic changes to the SRA map be made by the State SRA Map Coordinator when land is exchanged between the federal government and private owners. Currently these automatic changes are made by the CAL FIRE Unit and Region Mapping Coordinators.
- Guide automatic inclusions or exclusions to the SRA spatial, or Geographic Information Systems (GIS), layer that are the result of inconsistencies due to error fixes and boundary issues. The intent of this amendment is to provide a process for the State SRA Mapping Coordinator to correct inconsistencies in the SRA GIS layer.

The proposed amendment to the existing regulation itself, 14 CCR § 1220, "Presently Classified and Recorded Boundaries", changes the calendar date of the adopted revision to reflect the date of the updated *SRA Classification System document*.

#### **PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS**

Current procedural instructions in the *SRA Classification System document* for classifying State Responsibility Areas (SRA) are outdated and provide limited flexibility to adjust for changes in how information is collected and processed. For example, many of the terms used to reference government entity names have changed. Also, technical Geographic Information System (GIS) and photo-based information approaches have become outdated as new information systems, data, and mapping frameworks evolve.

Another illustration is that tracking exclusions and inclusions in SRA due to changes in federal ownership has proven difficult and time consuming. Recently, data and parcel boundaries that display this kind of information have become available in the public domain. CAL FIRE has automated the process of capturing this information and can do the process electronically. These changes are not reflected in the *SRA Classification System document*.

In addition, for a number of reasons, the level of resolution of SRA land and boundary designations must occur, as much as possible, at the parcel level. For example, parcel boundaries are needed to make determinations of applicable building standards for new structures and real estate disclosure of fire hazard.

Continued use of procedures in the existing *SRA Classification System document* do not facilitate use of improvements of data, mapping techniques, and information systems that render information that is useful for decision making requirements, such as resolution of SRA boundaries at the parcel level.

## **SPECIFIC PURPOSE OF THE REGULATION**

The overall purpose is to amend the existing regulation to reflect the new date of the *SRA Classification System document*. The new document provides for increased flexibility to use information as it changes and to take advantages of advances in mapping or GIS technology and transfer. This includes improving the accuracy of information used and simplifying the staff work involved in the SRA boundary review process. Specific purposes and necessities of each subsection of the regulation are described below:

Section 1220 of the existing regulation is amended to change the calendar date used to reference the date of the publication titled “*State Responsibility Area Classification System*.” This is necessary to make sure that the document referenced in the actual regulation language as adopted and filed with the Office of Administrative Law is the one that reflects procedural changes that are being made in the document itself as part of this proposed rulemaking

**Non-substantive changes:** Many non-substantive changes are proposed throughout the *SRA Classification System document*. Changes replace outdated terminology, government agency official names, page numbering, and record forms. Other non-substantial changes are related to clarification of the Regional Review of the proposed SRA changes. (CAL FIRE is organized in Units that are grouped within two administrative Regions.) These changes clarify information review and routing mechanisms currently being used in the Department. .

A briefing procedure is added on page 3 lines 30-32, because automatic exclusion and inclusion will be updated as needed by the State SRA Mapping Coordinator. The State SRA Coordinator will prepare an update and summary for the Board as needed and at a minimum annually.

All of these changes have no effect on the regulated public, or any economic or fiscal effect

### **Substantive Change – Appendix IX – Recording Automation Exclusions and Inclusions: There are three substantive changes proposed on pages 20 and 26-27.**

1. A substantive change is proposed in the field evaluation documentation form, page 20, line 41; a signature line has been added for the Local Fire Jurisdiction when a change is from SRA to LRA. CAL FIRE now shares results with local agencies, but this will require that local agencies indicate that they have reviewed the proposed changes. This additional documentation will give the Board assurance the local government entity has reviewed changes that affect fire protection responsibility.
2. A change in the process for automatic exclusion of lands of SRA resulting from city incorporation/annexation or transfer of private ownership to federal ownership is proposed. The change would designate the State SRA Mapping Coordinator as the one who updates the SRA GIS layer after consultation with the Unit SRA Coordinator for Automatic Exclusions. Currently the Unit reports the changes by updating the map layer, requesting Region approval and then sending to the State SRA Mapping Coordinator. The proposed changes streamline the

3. The process for automatic inclusion of land into SRA when ownership transfers from federal to non-federal status is also streamlined, this is delineated on pages 26, lines 37-50 and page 27, lines 1-10. Changes in parcel ownership and boundaries are now captured centrally and the determination must be made if they are SRA. The Board delegates this determination to CAL FIRE based on the application of PRC 4126-4128. The Unit SRA Coordinator shall make the final determination as to whether the land meets the requirements of becoming SRA and shall notify the State SRA Mapping Coordinator. The State SRA Mapping Coordinator will then make the changes to the SRA GIS layer.
4. A procedure for Automatic Inclusion or Exclusions is identified on page 27 lines 23-43, that identifies the process for correcting error fixes or boundary issues related to inconsistencies in the underlying SRA GIS data layer. These types of errors cause inaccurate SRA boundaries that can create difficulties when determining primary financial responsibility for protecting natural resources from wildfire (PRC 4125-4128). The same processes for automatic exclusions and inclusions described above are to be followed to make the appropriate determination of change, and document the change. The State SRA Map Coordinator, after consultation with the Unit SRA Coordinator would update the State GIS SRA layer. This will often result in an automatic change, but in some cases may require going through the full Board approval process (as identified on page 3, lines 36-43). All four of these changes will result in a streamlined process saving time for the Units, Regions, Sacramento staff and the Board of Forestry. Ultimately, the result should be a more accurate SRA GIS layer

#### **ALTERNATIVES TO THE REGULATION CONSIDERED BY THE BOARD AND THE BOARD'S REASONS FOR REJECTING THOSE ALTERNATIVES**

The Board has considered alternatives to the regulation proposed. The alternatives primarily relate to not taking any actions to update the procedural publication and various time frames for the date under which the effective date of SRA changes may be implemented. The following alternatives were considered:

##### **Alternative #1: No Changes to Existing Procedural Document**

This alternative would have resulted in no regulatory or procedural changes in the *SRA Classification System document*. Procedures for classifying SRA would be based on existing documents. This alternative was rejected as the Board determined that greater flexibility is needed in establishing SRA boundaries to more accurately reflect current land use circumstances and thus appropriate fire protection services.

**Alternative #2: Establish no process for Recording Automation Exclusions and Inclusions.**

Tracking exclusions and inclusions in SRA due to changes in federal ownership, has proven difficult and time consuming. Recently, data and parcel boundaries that display this kind of information have become available in the public domain. CAL FIRE has automated the process of capturing this information and can do the process electronically. Alternative 2 is not consistent with changes in CAL FIRE's SRA business process which reflects changes in available information and its electronic capture. Following the approach in the current *SRA Classification System document* is neither cost-effective nor efficient, hence this alternative was rejected.

**POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS AND MITIGATIONS**

The California Environmental Quality Act (CEQA) requires review, evaluation and environmental documentation of potential significant environmental impacts from a qualified project. The Board's rulemaking process for this type of proposed action was determined to be categorically exempt from environmental documentation in accordance with 14 CCR 1153(b)(4), Declaration of Categorical Exemptions, and Adoption of rules for the fire protective system in accordance with PRC 4111. Landowner implementation of the regulation is not a CEQA project because there is no government permit or funding associated with the activity.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS**

No economic impacts to the regulated public will occur from implementation of this regulation as no changes are made to the existing criteria used to evaluate inclusion or exclusion of SRA and the resultant level of fire protection services.

**ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The Board has considered several alternatives to improve the economic efficiency of the regulation to make it more cost effective for small business to use.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS**

The Board consulted the following listed information and/or publications as referenced in this *Initial Statement of Reasons*. Unless otherwise noted in this *Initial Statement of Reasons*, the Board did not rely on any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation: none

**Pursuant to Government Code 11346.2(b)(6)**: In order to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues as those addressed under the proposed regulation revisions listed in this *Statement of Reasons*; the Board has directed staff to review the Code of Federal Regulations. The Board staff determined that no unnecessary duplication or conflict exists.

## **PROPOSED TEXT**

The proposed revisions or additions to the existing rule language are represented in the following manner:

UNDERLINE indicates an addition to the California Code of Regulations, and

~~STRIKETHROUGH~~ indicates a deletion from the California Code of Regulations.

All other text is existing rule language.