



Department of Forestry & Fire Protection
Office of the State Fire Marshal

WILDLAND-URBAN INTERFACE BUILDING STANDARDS INFORMATION BULLETIN

October 1, 2007

LOCAL AGENCY ADOPTION OF VERY HIGH FIRE HAZARD SEVERITY ZONES

The purpose of this Information Bulletin is to provide clarification regarding the adoption of the Very High Fire Hazard Severity Zones in those areas where local government has responsibility for wildland fire protection (Local Responsibility Area or LRA).

California Department of Forestry and Fire Protection (CAL FIRE), is conducting a review and update of fire hazard severity zones pursuant to Public Resources Code Sections 4201 – 4204 and Government Code Sections 51175 – 51189. CAL FIRE has completed the initial public hearings for the adoption of Fire Hazard Severity Zones (FHSZ) for those areas of California where the state has fiscal responsibility for wildland fire protection, known as State Responsibility Areas (SRA). CAL FIRE's intent is to complete the SRA FHSZ adoption by December, 2007. CAL FIRE is also preparing recommendations for Very High Fire Hazard Severity Zones (VHFHSZ) in those areas where local government has the responsibility for wildland fire protection (LRA) and to transmit those recommendations to local agencies in early 2008.

Basic authorities and responsibilities for the LRA VHFHSZ are found in Government Code Sections 51175 – 51189. The purpose of this Government Code chapter is to “classify lands in accordance with whether a very high fire hazard severity is present so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken”.

The Government Code Section 51178 and 51181 defines the CAL FIRE Director's responsibility to identify very high fire hazard severity zones, transmit this information to local agencies, and to periodically review the recommendations. Government Code Sections 51178.5 and 51179 define the local agency's responsibilities to make the recommendation available for public review and to designate, by ordinance, very high fire hazard severity zones in its jurisdiction.

Specific questions have been raised concerning the GC Section 51179 (a) language that “A local agency shall designate, by ordinance, very high fire hazard severity zones ...”. Several local agencies have asked if the CAL FIRE Director's recommendation can be modified by the local agency. The Legislature did not include language giving the local agency the authority to decrease the Director's recommendation. However, GC Section 51179 (c) does give the local agency authority to “include areas within the jurisdiction of the local agency not identified as very high fire hazard severity zones by the Director...” and Section 51179 (d) restricted the authority of the Director to rebut the local agency decision. Local agencies can use this authority to adopt high and/or moderate fire hazard severity areas or other wildland urban interface areas within the local jurisdiction. CAL FIRE mapped fire hazards for all lands in California to maintain a consistent science based model. The information on high and moderate fire hazard severity in LRA is available to local agencies as part of the draft data. Local agencies may request that this additional information be included as part of the Director's final recommendation.

CAL FIRE is taking additional steps to ensure that the very high fire hazard severity zones are as accurate as possible. Draft copies of the proposed VH FHSZ have been under field review and validation since January, 2007. Updated draft LRA maps are available at <http://www.fire.ca.gov/wildland.php>. These updated draft LRA maps reflect the comments received and updates made during the SRA FHSZ

public hearings as some of the changes made to the SRA impact LRA zones. CAL FIRE unit level staffs are available to assist local agencies in the review of the draft recommendations.

CAL FIRE is also developing CCR Title 14 regulations to clarify an update and maintenance process for the fire hazard maps, both in the SRA and in the LRA. CAL FIRE is including a model ordinance as a component of a proposed Title 14 regulation. It is anticipated that this regulation will include update “triggers” that can be initiated by local agencies or by CAL FIRE. Such triggers may be based on changes in land use of significant size to influence fire hazard, improvements in hazard mapping data or associated fire science, changes in land ownership (specifically conversions of federal land to private ownership), or other significant factors.

The VHFHSZ maps define where to implement ignition resistant building standards, maintain defensible space, and disclose natural hazard at the time of sale. Health and Safety Code 13108.5 (c) and GC 51179 (b) provide insight on flexibility local agencies have to exclude the fire protection building standards and defensible space requirements once VHFHSZs are adopted. While these sections of law do not provide exemptions for adopting the maps, they may provide authority to exclude fire protection requirements otherwise triggered by the map designations.

Questions and information regarding this Information Bulletin should be directed to the local Unit Chief. Please visit the CAL FIRE web site at www.fire.ca.gov for contact information.