



SAFRR

State Alliance for
Firesafe Road Regulations



GREENBELT ALLIANCE

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SONOMA COUNTY**



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sustainable
humboldt**



www.forestunlimited.org



Bennett Valley Residents for
Safe Development



RE: Board of Forestry 2021 Proposal Weakens State Minimum Fire Safe Road Regulations – Oppose and Demand an Environmental Impact Report

We, the undersigned organizations and individuals, ask the Board of Forestry and Fire Protection (BOF) to restore and strengthen the Minimum Fire Safe Road Regulations (2020). We support a continued focus on public safety as was the original intent of the legislation that enacted these fire safe regulations in 1991. The 2021 Proposal drastically weakens road safety regulations for new development in fire-prone communities. The BOF must conduct robust and data-supported analyses of road and infrastructure capacity to assess potential impacts to wildfire emergency response and evacuation plans, and the increase in ignition sources by unlocking thousands of parcels to development. Moreover, the BOF must undertake an Environmental Impact Report (EIR) that analyzes all potential significant impacts from these weaker regulations.

BACKGROUND: For 30 years, the BOF’s minimum fire safe standards have applied to all *new residential, commercial, and industrial development* in the State Responsibility Area (SRA). Recent legislation (SB 901) requires the BOF to extend the fire safe regulations to include Very High Fire Hazard Severity Zone within the Local Responsibility Area (LRA). (See Links to LRA and SRA Maps¹).

Since 1993, the Office of the Attorney General and the BOF have confirmed that the *regulations apply to existing roads*, precisely where most new development occurs. The only exemptions from these standards are for rebuilding after a fire, adding accessory dwelling units, and for roads used exclusively for agriculture, timber harvesting, or mining.

PROBLEM: The December 2020 draft regulations included the recommendations from a Fire Chiefs Working Group to maintain the current 20-foot road width standard and reduce the maximum permitted length of all dead-end roads to one-half mile. Political pressure influenced the BOF to rewrite and weaken the current standards contrary to the mandate of SB901² by reducing the 20-foot road width to 14 feet, and eliminating dead end road standard for existing roads.

The new Proposal undermines the existing regulations, largely ignoring public safety in order to promote new development. The 2021 Proposal does not meet science-based objectives. Instead the 2021 Proposal:

- Removes the minimum standards that apply to existing roads and recommended by fire experts for concurrent safe ingress of firefighting personnel and equipment, while at same time allowing for civilian evacuation, thereby endangering both the public and firefighters; and
- Increases the risk for devastating wildfires. (See Comparison in Addendum).

UNSTUDIED IMPACTS AND UNINTENDED CONSEQUENCES: The 2021 Proposal fails to provide for safe concurrent ingress and egress. Firefighting equipment 9 feet wide cannot possibly pass 6-foot-wide passenger vehicles on a 14-foot-wide road. Firefighting equipment and fleeing civilians will no longer be able to simultaneously negotiate roads during a wildfire. The Proposal unequivocally lacks an adequate analysis of impacts relating to wildfire emergency response or evacuation plans.

Equally important, by gutting the current road standards, the 2021 Proposal encourages development projects to be built on unsafe substandard roads that were formerly banned in the SRA. This opens up a vast number of parcels to new residential, commercial, and industrial development in severe fire-prone areas.

¹ LOCAL RESPONSIBILITY AREA (LRA) FIRE HAZARD SEVERITY ZONE:

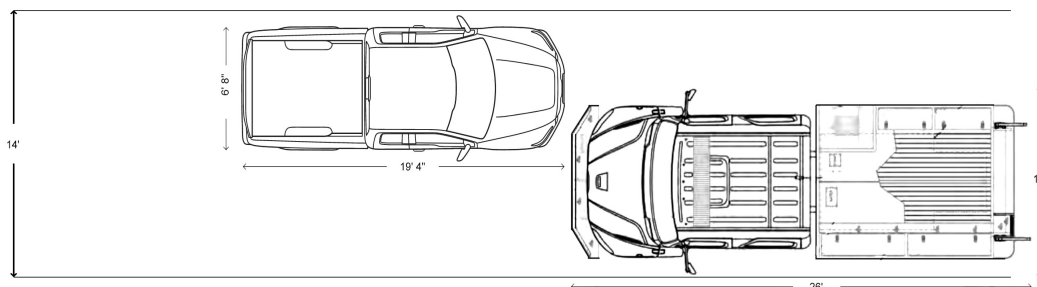
[HTTPS://OSFM.FIRE.CA.GOV/MEDIA/6621/FHSZL06_1_MAP.JPG](https://osfm.fire.ca.gov/media/6621/fhszl06_1_map.jpg)

STATE RESPONSIBILITY AREA (SRA) FIRE HAZARD SEVERITY ZONE:

[HTTPS://OSFM.FIRE.CA.GOV/MEDIA/6557/FHSZS_MAP.JPG](https://osfm.fire.ca.gov/media/6557/fhszs_map.jpg)

² SB 901: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB901

Ford 150 Pickup Truck meeting CalFire Type 3
Fire Apparatus on a 14ft road



BOTTOM LINE: THE BOF is not doing its job to follow the mandate of the legislation to protect public safety and is in fact putting people in harm's way. The BOF, which is obligated to provide adequate public safety regulations, is abdicating its important oversight role with this weakened 2021 Proposal that:

- Increases development and population density – the primary sources of fire ignitions – in high fire-prone communities and wildlands, and
- Significantly and negatively impacts public safety and the environment.

Climate change, with an increasingly dry landscape exacerbated by on-going drought conditions and longer fire seasons, should now be the primary driver of policy in high fire severity zones, and not the short-term financial interests of industrial, commercial and residential developers.

When development metastasizes into fire prone communities and landscapes, the probability of a large fire dramatically increases. Human sources, including power lines, car sparks, cigarettes, and electrical equipment, have caused nearly all contemporary wildfires in California. Building new developments in high fire-risk areas increases these ignitions, thereby placing more people and the environment in great danger.

Since 2015, wildfires have killed almost 200 people in California, burned more than 50,000 structures, resulted in hundreds of thousands of residents evacuating their homes, while millions more endured power outages, and tens of millions were exposed to unhealthy levels of air pollution.

In the process of amending the current regulations, the BOF acquiesced to pressure from industry and local jurisdictions that prioritize development rights over public safety. We strongly oppose the new 2021 Proposal for State Minimum Fire Safe Regulations and request a full Environmental Impact Report and revised Fire Safe Regulations that meet public safety objectives.

ENVIRONMENTAL IMPACT REPORT IS REQUIRED: The BOF must address the underlying changes to our natural systems by implementing regulations for fire safe roads. The undersigned hereby request that the BOF prepare an Environmental Impact Report that analyzes the effects of the new 2021 Proposal relative to increased wildfire risks and reduced abilities of firefighters to access fire sites and for civilians to concurrently evacuate. In reviewing the changes to baseline conditions and the cumulative detrimental effects of the 2021 proposed regulations, the BOF must analyze alternatives in order to fulfill the original objectives of ensuring the safety of firefighters and the public through adequate emergency access routes with concurrent evacuation. An EIR must also assess impacts to biological resources, vulnerable populations, and greenhouse gas emissions.

ADDENDUM: The table below, with footnotes, demonstrates how both public evacuations and firefighter equipment access have been compromised. This comparison of 1990’s regulations to present day requirements (again, for *new development*) against certain elements of the BOF 2021 Proposal shows the extent to which the changes impede firefighting ability and public safety.

1990s to Present-day 2020 Regulations versus	The BOF 2021 Proposal (except for large developments)
All roads must be at least 20-foot wide, with adequate surfaces for firefighting equipment, to provide for safe evacuation.	Allows existing roads to be only 14 feet wide, rather than 20 feet wide ³ . Only requires half of a road be improved, even if only gravel.
Road to avoid steep grades over 16%, up to 20% for short distances.	Allows grades up to 25% on unpaved roads.
Dead-end roads limited to one-mile.	Removes limits on the length of dead-end roads for all existing roads, despite Fire Chiefs Working Group recommendations ⁴ .
Standards for turnarounds and curve radius.	Removes requirements for turnarounds and eliminates regulations for road curves impeding firefighting equipment’s ability to negotiate roads for most existing roads.



³ The 2021 Proposal allows “exceptions,” where local jurisdictions can approve roads only 8 feet wide as concurrent evacuation and ingress are no longer required.

⁴ In November 2020, a Fire Chiefs Working Group suggested shortening the maximum length for dead-end roads to one-half mile to “provide for greater fire safety than the current standards.” (BOF Initial Statement of Reasons, p. 28). In the 2021 Proposal, all dead-end road limits on existing roads were eliminated.

Sincerely,

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