

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

June 21, 2021

Chair J. Keith Gilles, Chair
Vice Chair Darcy Wheelles
Member Mike Jani
Member Rich Wade
Member Susan Husari
Member Marc Los Huertos
Member Katie Delbar
Member Christopher Chase

State Board of Forestry and Fire Protection
Post Office Box 944246
Sacramento, CA 94244-2460

Dear Chair Gilles and Board Members:

First off, thank you for taking on the issue of development in high fire regions.

We are deeply concerned that the proposed State Fire Safe Regulations, currently under consideration by the Board of Forestry, may threaten the state's recovery from the COVID-19 pandemic and obstruct our continued efforts to ensure that every Californian has a place to call home.

California is facing dueling unprecedented crises. Before the COVID-19 pandemic, California ranked 49th in the country in housing units per resident, and suffered the third highest per capita rate of homelessness in the nation. The global pandemic has only increased the pressure on an already tenuous structure that lacked enough resources for individuals struggling to maintain housing. Over the last several years, we have enacted numerous policies to remove barriers to residential development, increase home affordability, and expand housing stock. Simultaneously, the size and scope of wildfires in this state have changed; they're larger, more destructive, and deadlier now than at any other time in modern history. We can no longer afford to focus solely on what materials we build with; the state must also evaluate where we build, especially in high fire areas.

The Board's draft proposal places substantial new restrictions on home construction in all "state responsibility areas" and all "very high fire hazard severity zones" – areas that presently contain

approximately one-quarter of California's housing stock. These regulations would prohibit any future building construction on property served by a road that does not meet current standards, potentially putting large swaths of the state off limits to development. This one-size-fits-all approach does not take into consideration whether new construction is a single home or an entire subdivision. The Board should be looking at models that account for the different risks posed by different sized developments, such as the stringent fire safety standards contained in SB 12, currently being considered by the Legislature.

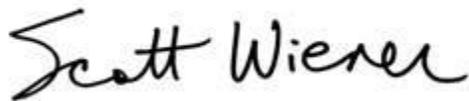
SB 12 sets up a transformational process for the State Fire Marshal to establish bold new standards that ensure developments as a whole are designed to withstand wildfire, not just buildings within these developments. Crucially, these standards are tiered so that the standards get increasingly stronger as developments get larger. This legislation recognizes that larger developments put more people in the WUI and so they must meet higher standards than smaller developments. And if developers cannot meet those standards, they can't build.

We vigorously support the Board's goal of innovating fire safety and fire planning in California's highest wildfire risk areas; however, these improvements must be balanced with the need for strategic housing development and account for the differences in the size of developments. Cataclysmic fire seasons, sea-level rise and looming earthquake devastation are part of the new fabric of California, and cannot be siloed or conflict with our governmental responsibilities to meet the most basic needs of our constituents.

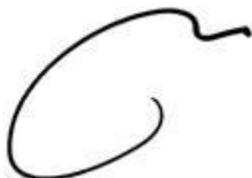
We understand that the Board plans to hear final comments at its meeting on June 22, 2021. We strongly urge you to consider delaying this action, and to instead continue to work with local government and housing stakeholders to develop a balanced regulatory package that takes a holistic approach to housing development and wildfire safety, similar to efforts currently working through the Legislature.

Thank you for your consideration.

Sincerely,



SENATOR SCOTT WIENER
CHAIR, SENATE HOUSING COMMITTEE



SENATOR MIKE MCGUIRE
CHAIR, GOVERNANCE AND FINANCE COMMITTEE



ASSEMBLYMEMBER DAVID CHIU
CHAIR, ASSEMBLY HOUSING COMMITTEE



SENATOR BILL DODD
DISTRICT 3

CC: Matt Dias, Executive Director, Board of Forestry
Wade Crowfoot, Secretary, Natural Resources Agency