

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): Board of Forestry and Fire Protection

P.O. Box 944246

Sacramento, CA 94244-2460

(Address)

Project Title: VHFHSZ Non-Substantive Amendments to 14 CCR § 1270.00 et seq.

Project Applicant: _____

Project Location - Specific:

14 CCR § 1270.00 et seq. regulations apply statewide. See attached.

Project Location - City: Cities with VHFHSZ Project Location - County: Counties with VHFHSZ

Description of Nature, Purpose and Beneficiaries of Project:

The Board of Forestry and Fire Protection adopted non-substantive revisions to 14 CCR § 1270.00 et seq. pursuant to 1 CCR § 100 to conform the regulations to statutory requirements under PRC § 4290, over which the Board lacks discretion and which is a ministerial act. See attached.

Name of Public Agency Approving Project: Board of Forestry and Fire Protection

Name of Person or Agency Carrying Out Project: Board of Forestry and Fire Protection

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The revisions to the regulations in accordance with PRC § 4290 are ministerial under PRC § 21080(b)(1) and 14 CCR § 15268. The regulations are inconsistent with and superseded by statute, and the Board lacks discretion to adopt a substantially different change with respect to these revisions. These changes are thus ministerial.

Lead Agency

Contact Person: Jeff Slaton Area Code/Telephone/Extension: (916) 215-4419

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Matt Dias Date: 02/17/2021 Title: Executive Officer

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

**State of California
Office of Administrative Law**

In re:
Board of Forestry and Fire Protection

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 1270.00, 1270.01, 1270.02,
1270.03

Repeal sections:

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,
Section 100**

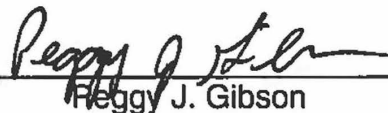
OAL Matter Number: 2020-1221-02

OAL Matter Type: Nonsubstantive (N)

The Board of Forestry and Fire Protection (Board), adopts regulations which implement minimum fire safety standards related to defensible space and which apply to the perimeters and access to all residential, commercial, and industrial building construction within a certain geographic scope. In 2018, Senate Bill 901 (Chapter 626) (SB 901) mandated the expansion of the scope of these regulations to include those lands classified and designated as Very High Fire Hazard Severity Zones (VHFHSZ), as defined in subdivision (i) of Government Code § 51177, after July 1, 2021. In this action without regulator effect the Board is adding VHFHSZ to existing regulations implementing minimum fire safety standards.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: February 1, 2021



Peggy J. Gibson
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Matt Dias, Executive Officer
Copy: Eric Hedge