

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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November 28, 2012

Doreen Farr, Chair
Santa Barbara County Board of Supervisors
County Administration Building
105 East Anapamu Street
Santa Barbara, California 93101

Dear Chairperson Farr:

Thank you for your letter of November 8, 2012, detailing questions about the State Responsibility Area (SRA) Fire Prevention Fee. My response corresponds to each of the bullets in your letter. Two of the bullets contain multiple questions, so we have answered each question raised in the bullets individually.

By way of introduction, the fee became law in July 2011. It applies to all habitable structures within the boundaries of State Responsibility Areas (SRA). As such it is being implemented in all of the CAL FIRE units and also in counties where CAL FIRE contracts with the county to provide fire prevention, fire suppression, and related services for SRA. In the case of Santa Barbara County, CAL FIRE contracts with the Santa Barbara County Fire Department to provide these services in SRA.

Bullet One:**What new fire prevention programs or projects are being funded with the SRA benefit fee?**

For the moment, funds are being used to pay for CAL FIRE's Fire Prevention Programs that were formerly funded from the General Fund.

The programs covered by this funding include:

- Fire Prevention programs which include development and implementation of the statewide Strategic Fire Plan, fire engineering, law enforcement, and fire prevention education - typical examples of these types of activities include, but are not limited to, arson investigation, public education and inspections related to defensible space and ignition resistant buildings.
- Vegetation Management where the program is focused on the use of prescribed fire and mechanical means to address wildland fuel hazards and other resource management issues on SRA lands.

- Fire hazard and fire severity mapping where data collection and mapping are done of assets at risk from wildfire, fuel hazards, fire history and other factors that contribute to wildfire hazard and risk.
- Contract County Fire Prevention where CAL FIRE pays the Counties of Marin, Kern, Santa Barbara, Ventura, Los Angeles and Orange for fire prevention activities on SRA.
- Defensible space inspections performed by engine companies.
- Public education activities performed by engine companies.
- Defense improvement projects (e.g. fire and fuel break construction) done by CAL FIRE Conservation Camp inmates.
- Forest Practice inspection and enforcement elements related to Timber Harvest Plans that have a fire prevention benefit by improving forest health to better withstand wildfire and also to minimize the impacts of fires that start on harvesting sites. This benefit is only provided for the first six months of FY 2012-13, because the SRA Fire Protection Fund will no longer fund these activities starting on January 1, 2013.
- Lake Tahoe Fire prevention activities which are aimed at reducing the impacts of wildfire within the Tahoe Basin.
- Administrative activities that are related to the above programs.

How much is expected to be raised in the Fire Prevention Fund?

Estimates of revenues are approximately \$88.9 million in Fiscal Year 2011-12.

Who will make the decisions about grants from the Fire Prevention Fund?

The Budget Act of 2012 does not appropriate funding for a grant program. However, the funds are subject to appropriation by the Legislature and as such there is the potential for an increase on the number of projects that could be funded (depending upon the priorities of the Legislature and the Administration).

State law authorizes the SRA fee establishment through emergency regulations adopted by the State Board of Forestry and Fire Protection (Board). A grant program must be authorized through non-emergency or "permanent" regulations.

Bullet Two:

The SRA Benefit Fee is assessed on property owners per habitable structure. How is the information concerning habitable structures per property collected and verified?

The owners of SRA habitable structures were identified by a joint effort between CAL FIRE and the Designated Fee Administrator (DFA) under contract to CAL FIRE. The DFA is a firm that specializes in the administration of benefit fees and other levies for governmental agencies throughout California. Determination of habitable structures as required by state law is technical and use of the DFA gains accuracy and efficiency. In addition, use of the DFA maintains uniform application of the Fire Prevention fee statewide.

CAL FIRE maintains boundaries of State Responsibility Areas (SRA) in a spatial database and has worked with the DFA to locate parcels and habitable structures that are within SRA boundaries. As part of its ongoing business, the DFA has statewide property data that comes from a variety of sources, including electronic parcel and mapping information. All of this information was used to identify habitable structures.

Is a second unit attached to a main residence considered a separate habitable structure for purpose of assessing the SRA Benefit Fee?

No, it is treated as a multi-dwelling structure, such as a duplex or triplex, and is not subject to a separate fee.

A second residence on the same parcel?

A second residence on the same parcel is treated as a separate habitable structure and is subject to the fee.

Were non-permitted habitable structures included in assessing the SRA Benefit Fee?

If a non-permitted structure was captured in the assessment rolls of the local assessor or other sources of information available, then it should be subject to the fee and the owner should have received the bill.

What SRA Benefit Fee assessment is applied to agricultural, commercial or manufacturing structures?

None. The SRA fee law does not spell out authority for the Board to extend the fees to such structures.

Bullet Three:

What is the purpose of assessing a flat SRA Benefit Fee on all habitable structures without regard to relative risks? For example, the same fee is assessed for suburban density residential properties miles from wildland-urban interface as on large acre property directly adjacent to the wildland-urban interface.

The SRA fee addresses cumulative risk across all of SRA and fire prevention services provided or funded by CAL FIRE associated with reducing this risk. The reasoning for the fee is found in ABX1 29, which provides the following legislative findings:

- The presence of structures within SRA can pose an increased risk of fire ignition and an increased potential for fire damage within the state's wildlands and watersheds.
- The presence of structures within SRA can also impair wildland firefighting techniques and could result in greater damage to state resources caused by wildfires.

- The costs of fire prevention activities aimed at reducing the effects of structures upon State fire protection responsibilities in SRA should be borne by the owners of these structures.
- Individual owners of structures within SRA receive a disproportionately larger benefit from fire prevention activities than that realized by the State's citizens generally.

As requested, Robert Lewin, CAL FIRE Unit and County Fire Chief, San Luis Obispo, and other staff will be present at your meeting to make a presentation and to answer questions.

Sincerely,



KEN PIMLOTT
Director

cc: Michael Dyer, Chief, Santa Barbara County Fire Department
Dale Hutchinson, Region Chief, CAL FIRE-Southern Region
Stan Craig, Assistant Region Chief, CAL FIRE-Southern Region
Robert Lewin, CAL FIRE Unit and County Fire Chief, San Luis Obispo
Stan L. Dixon, Chair, State Board of Forestry and Fire Protection