



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

March 26, 2024

The Honorable Bill Dodd
Member, California State Senate
1021 O Street, Room 7610
Sacramento, CA 95814

**RE: Senate Bill 1159 – SUPPORT
As Amended March 20, 2024**

Dear Senator Dodd:

On behalf of the Rural County Representatives of California (RCRC), we are pleased to support your Senate Bill 1159 regarding the California Environmental Quality Act (CEQA). RCRC is an association of forty rural California counties; the RCRC Board of Directors is comprised of elected supervisors from each of those member counties.

Senate Bill 1159 seeks to create a new CEQA categorical exemption for roadside wildfire risk reduction projects. SB 1159 also clarifies that it does not limit any other statutory or categorical exemption that may also apply to those projects.

Mitigation of wildfire risk is of paramount importance to communities in the wildland-urban interface. Beyond the immediate benefits to those communities, benefits from fuels management accrue statewide through reducing fire intensity, mitigating emissions, and avoiding smoke exposure over broad swaths of the state. CalFire's new Fire Hazard Severity Zone maps present a sobering view of how dramatically the state's wildfire patterns and potential impacts have been exacerbated by climate change and inattention to fuels treatment. Those trends continue to highlight the urgent need to expedite wildfire risk mitigation at the community and parcel level.

CalFire, the Department of Parks and Recreation, and many counties, cities, and special districts have used existing categorical exemptions for roadside fuel reduction work. These exemptions include the Class 1 (Existing Facility) and Class 4 (Minor Alterations to Land) categorical exemptions. We appreciate that proposed Public Resources Code Section 21084.4(b) clarifies that this new exemption is additive to and shall not limit the use of any other statutory or categorical exemption that may apply for roadside wildfire risk reduction projects. This change was in recognition of RCRC's concern that the previous version of SB 1159 would have supplanted state and local

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government authority to use those existing exemptions, which was neither the author nor the sponsor's intent.

As the bill moves forward, we strongly suggest refinements to ensure the utility of this exemption, including:

- Striking "solely" from PRC 21084.4(a)(1) – inclusion of the term solely creates uncertainty with respect to whether this exemption could be used for larger, multi-benefit projects of which roadside fuel reduction is one of several components.
- Eliminating the five-mile limit contained in PRC 21084.4(a)(1) – roadside fuel reduction projects are vital and their need is not limited to areas within five mile of a city or census designated place – this could lead to fuel hazard bottlenecks that inhibit emergency egress.
- Clarifying the scope of roads for which the exemption can be used – as currently drafted, the exemption only applies to "improved roads or surfaces;" however, it is not clear what this means. We suggest the following modifications to PRC 21084.4(a)(2): "the distance from the edge of a an improved road or surface,...".
- Clarifying PRC 21084.4(b) as follows: "An exemption for projects described in this section **class** shall not limit..."

RCRC appreciates your leadership on wildfire risk reduction efforts and your interest in ensuring that CEQA does not compromise roadside wildfire risk reduction efforts.

For these reasons, RCRC supports SB 1159, and we look forward to working together to address the issues articulated above. If you should have any questions, please do not hesitate to contact me at jkennedy@rcrcnet.org.

Sincerely,



JOHN KENNEDY
Senior Policy Advocate

cc: The Honorable Benjamin Allen, Chair, Senate Environmental Quality Committee
Members of the Senate Environmental Quality Committee
Brynn Cook, Consultant, Senate Environmental Quality Committee
Scott Seekatz, Consultant, Senate Republican Caucus