

**Board of Forestry Minimum Fire Safe Regulations August 2022
Requirements for EXISTING ROADS**

PRC 4290, the legislation authorizing the Board of Forestry (BOF) to adopt State Minimum Fire Safe Regulations for the SRA, and as of July 2021 for VHFHSZ in the LRA (mandated by SB 901), makes no distinction between Existing and New Roads. A state Attorney General’s Opinion in 1993 confirmed that Existing Roads are included in PRC 4290, and subsequent letters from the Attorney General’s office likewise confirmed that Existing Roads are covered which includes Existing Roads providing access to a development parcel(s), and that Dead-end Roads could not be mitigated with an Exception. BOF’s senior legal counsel Jeff Slaton confirmed the Board’s acceptance of that Opinion, the subsequent Attorney General letters, that roads providing access to a parcel were under PRC 4290, and the need to enable concurrent ingress and egress in letter of October 23, 2020, to Sonoma County ⁱ.

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Requirements for EXISTING ROADS**

Standards for Existing Road Infrastructure	January 2020 and August 2022 Fire Safe Regulations approved by Board of Forestry
Thresholds	No thresholds. All Existing Roads are treated identically with New Roads
Access	Not defined, therefore as in CFC, from fire station to structure
Road width	20 ft (not including striping and shoulders) to provide safe concurrent ingress and egress
Dead-end road limitation	½ mile for parcels 5-19.99 acres (less if any smaller parcels) 1 mile if all parcels 20 acres or more
Turnarounds	At terminus, and every 1320 ft on dead-end roads
Grade	16%, up to 20% with mitigations
Bridge weight limits	AASHTO HB-17 specifications
One-Way Roads	½ mile maximum with turnout in middle, serving no more than 10 parcels, and connecting to 20 ft wide road at each end
Road curve radius	Inside curve radius 50 ft
Road surface	Support 75,000 lbs., aggregate base
Gates	2 ft wider than road
Driveways	10 ft wide, turnouts in middle or every 400 ft, turnaround at end if over 300 ft. Driveways cannot access any commercial structure, only 20 ft wide Roads can do so
Exceptions	Need to provide same practical effect as regulations with supporting material facts, includes safe concurrent ingress and egress. No oversight.
Concurrent safe access and egress, and unobstructed traffic circulation	Required, and is enabled by 20 ft wide roads and 1 mile or less dead-end length limit

ⁱ Letter from Jeff Slaton, senior counsel BOF to Sonoma County, October 23, 2020.

Page 6: "Throughout the certification process, Sonoma County has repeatedly maintained that Public Resources Code section 4290 and the Fire Safe Regulations do not apply to existing roads. Sonoma County's position is incompatible with the plain language of PRC § 4290,⁵ the Fire Safe Regulations,⁶ and opinions and letters issued by the Attorney General of California.⁷ More importantly, the Fire Safe Regulations themselves - which constitute the basis for the certification determination - clearly provide no exemption for existing roads, and it is these regulations that the Sonoma County ordinance must equal or exceed. This represents a fundamental and intractable disagreement between the Board and Sonoma County. Sonoma County's position on existing roads, standing alone, is a legitimate basis for determining that the ordinance does not equal or exceed the Fire Safe Regulations."