



June 30, 2020

The Honorable Henry Stern  
Member, California State Senate  
State Capitol, Room 5080  
Sacramento, CA 95814

**RE: Senate Bill 474 – OPPOSE  
As Amended June 19, 2020**

Dear Senator Stern:

On behalf of the Rural County Representatives of California (RCRC), we wish to respectfully share our opposition to your Senate Bill 474, which will prohibit all retail, commercial, industrial, or residential development in specified fire-prone areas of the state. RCRC is an association of thirty-seven rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

Recent wildfires in California have been increasingly catastrophic, with the most destructive and deadly wildfires outpacing the previous year's statistics. The increased loss of life and structural damage has intensified the focus on fire-safe policies, including mitigating risk in existing communities and reconsidering housing development in fire-prone areas of the state. However, California continues to struggle with a housing shortage, especially homes affordable to low and very-low income families. These seemingly opposing challenges, lack of affordable housing and the further winnowing of available lands for development, requires a holistic, equitable, and reasonable policy solution. Unfortunately, SB 474 not only fails to accomplish this balance, but implements draconian and undoubtedly litigious policies that will have far-reaching consequences to residents throughout the state.

SB 474 prohibits all commercial and residential development in Very High Fire Hazards Severity Zones (VHFHSZ) and State Responsibility Areas (SRA), including mobile homes, accessory dwelling units, and any industrial/retail/commercial project. SRA land, ranging in wildfire risk from moderate to very high, encompasses, in part, fifty-six California counties. The VHFHSZ incorporates areas for which local agencies have fire protection responsibility, which are often already significantly developed, and not suitable for other economically viable uses if further development is wholly prohibited. While RCRC strongly supports the underlying goal of mitigating the loss of life and

1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

property in high fire prone areas, SB 474 will be devastating to families and businesses that have called those communities home for generations. By prohibiting any retail project or even placing a mobile home on family land, this bill would ban anything from a simple Christmas tree farm in the Sierra foothills to a new restaurant in Calabasas. The broad and overreaching nature of this bill will destroy the economic viability of a large swath of the state. Furthermore, depriving individual property owners of the ability to utilize land or engage in legitimate business presents potential “takings” challenges, adding associated costs, not only for the affected individual, but to taxpayers of the state.

California must take a holistic approach to housing development, incorporating housing production goals in a manner that mitigates wildfire risk to individual households as well as whole communities. Senate Bill 182 (Jackson) is a comprehensive measure that RCRC has helped to craft which recognizes the continued need to build in fire-prone areas, and therefore, the obligation of the state and local governments to ensure new communities are planned and built to best mitigate for uncontrollable fire. Specifically, SB 182 prohibits local governments from approving permits for housing developments unless the project is in compliance with the increased wildfire risk reduction standards outlined in the bill. Additionally, in order to reduce development pressures in the fire prone areas, SB 182 requires a lower proportion of state housing allocation to jurisdictions that meet specified conditions. Although the wildfire risk reduction standards in SB 182 are expansive, RCRC supports this measure as it is a balanced and reasonable solution to allowing much-needed housing production to continue in the most fire-prone areas of the state in a manner that aids future developments withstand devastating wildfires.

As catastrophic wildfires become the new normal, it is imperative that California enacts policies that plan and develop communities to best mitigate fire risk. However, with a continuing housing shortage, fire-safe policies must not exacerbate the affordable housing crisis and disenfranchise families that call this state home. For these reasons, we must respectfully oppose SB 474.

If you should have any questions or concerns, please contact me at [trhine@rcrcnet.org](mailto:trhine@rcrcnet.org) or (916) 447-4806.

Sincerely,



TRACY RHINE  
Legislative Advocate

cc: Members of the Assembly Local Government Committee  
Angela Mapp, Chief Consultant, Assembly Local Government Committee  
William Weber, Consultant, Assembly Republican Caucus