

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

---

DATE: April 14, 2025

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No.: 25-0002-S17  
Assignment No.: 25-04-0279

SUBJECT: Support and/or Sponsorship of legislation amending the Public Resources and Government Code relative to brush clearance on Mountains and Recreation Conservation Authority (MRCA) lands.

CLA RECOMMENDATION: Adopt Resolution (Lee - Park) to include in the City's 2025-2026 State Legislative Program SUPPORT for and/or SPONSORSHIP of legislation which would amend Public Resources Code Section 4291 and Government Code Section 51182 to require that the Mountains and Recreation Conservation Authority (MRCA) clear brush, flammable vegetation, or other combustible material within 700 feet of structures or buildings within the City's Moderate, High, and Very High Fire Hazard Severity Zones, whether those structures are on MRCA land or adjoining properties, unless the Fire Chief has determined this level of clearance is not required in a particular area.

SUMMARY

On March 25, 2025, a Resolution (Lee - Park) was introduced in support for and/or sponsorship of Legislation which would amend Public Resources Code Section 4291 and Government Code Section 51182 to require that the Mountains and Recreation Conservation Authority (MRCA) clear brush, flammable vegetation, or other combustible material within 700 feet of structures or buildings within the City's Moderate, High, and Very High Fire Hazard Severity Zones, whether those structures are on MRCA land or adjoining properties, unless the Fire Chief has determined this level of clearance is not required in a particular area.

The Resolution states that private property owners in the City's Moderate, High, and Very High Fire Hazard Severity Zones are required to clear brush, flammable vegetation, or other combustible material within 200 feet of structures or buildings, irrespective of whether those structures are on the owner's property or adjoining properties. The Resolution adds that the brush clearance requirements established in California Public Resources Code Section 4291 and Government Code Section 51182 were added in 2008 with the adoption of SB 1595 (Kehoe) because of lessons learned from large wildfires in 2003 and 2007.

The Resolution further states that although property owned by the MRCA contains large amounts of brush and combustible materials, MRCA is not subject to brush clearance requirements under current State law. The Resolution adds that recent events show that increased brush clearance requirements are needed to ensure wildfires do not spread uncontrollably from wildlands into inhabited areas. The Resolution, therefore, seeks an official position of the City of Los Angeles to

support and/or sponsor the amendment of Public Resources Code Section 4291 and Government Code Section 51182, in order to require MRCA to clear brush on its properties.

## BACKGROUND

The MRCA is a local government public entity established in 1985 dedicated to the preservation and management of local open space and parkland, wildlife habitat, trails, coastal access, and watershed lands in wilderness and urban settings. Among other services, the MRCA provides fire prevention and protection services. The MRCA is a partnership between the Santa Monica Mountain Conservancy (SMMC), a state agency established by the Legislature, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District, the latter two of which are local park agencies established by the voters in those communities. The MRCA manages over 75,000 acres of parkland owned by MRCA itself or through the SMMC, and works with the SMMC and other local government partners to acquire parkland, work towards wildfire resilience, participate in vital planning processes, connect wildlife habitat, and complete major park improvement projects.

With the recent Los Angeles wildfires, there has been an increase in concerns relative to the potential destruction and impact that these events can have. In March 2025, Cal Fire released new wildfire hazard maps which broaden the enforcement of brush clearance requirements. Previously, the maps only included “Very High Fire Hazard Severity Zones” but are now expanded to include “Moderate” and “High” hazard zones.

Public Resources Code Section 4291 requires any person who owns, leases, controls, operates, or maintains a *building or structure* in California to maintain a defensible space of 100 feet from each side of the structure. “Person” within this section refers to a private individual, organization, partnership, limited liability company, or corporation. Similarly, Government Code Section 51182 mandates the same 100-foot clearance requirement in regard to persons who own, lease, control, operate, or maintain *occupied dwelling or occupied structures* that fall within a very high fire hazard severity zone designated by the local agency.

Unlike private owners of property that fall within the Very High Fire Hazard Severity Zone, as a public government entity, the MRCA is not subject to the 100-foot brush clearance requirement, or the City’s more robust 200-foot level requirement per L.A.M.C. Section 57.4906.5.1.1.7, even for property that falls within the highest severity zone. MRCA maintains that under state law, brush clearance responsibility falls on the property owner whose property falls adjacent to land managed by MRCA.

To further prevent wildfires from spreading uncontrollably from wildlands into inhabited areas, brush clearance requirements should be applied to private property and public property owners alike. Because the MRCA is not subject to the brush clearance requirements, legislation to amend Public Resources Code Section 4291 and Government Code Section 51182 to require the MRCA to clear brush on its land, as well as increase clearance distance requirements to 700 feet from buildings or structures on properties adjacent to the MRCA, unless the Fire Chief determines otherwise, would benefit public safety. The Fire Department (LAFD) is in support of this proposal, as it believes it would reduce the risks to infrastructure associated with wildfires.

DEPARTMENTS NOTIFIED

Fire Department



---

Monét A. Padilla  
Analyst

Attachments: 1. Resolution

RESOLUTION

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, private property owners in the City’s Moderate, High, and Very High Fire Hazard Severity Zones are required to clear brush, flammable vegetation or other combustible material within 200 feet of structures or buildings, whether those structures are on the owner’s property or adjoining properties, and within 10 feet of any combustible fence or roadway/driveway used for vehicular travel; and

WHEREAS, brush clearance requirements are established in California Public Resources Code Section 4291 and Government Code Section 51182, and were put into place in 2008 with the adoption of SB 1595 (Kehoe) as a result of lessons learned from large wildfires in 2003 and 2007; and

WHEREAS, under current State law, the Mountains and Recreation Conservation Authority (MRCA) is not subject to brush clearance requirements; and

WHEREAS, MRCA property contains large amounts of brush and combustible materials, and current brush clearance requirements do not significantly address the threat posed by wildfires originating on their lands; and

WHEREAS, as recent events have shown, increased brush clearance requirements are needed to ensure wildfires do not have the fuel available to spread uncontrollably from wildlands into inhabited areas; and

WHEREAS, State law should be amended to require MRCA to clear brush on their lands, and increase the brush clearance distance requirements to 700 feet from buildings or structures on properties adjacent to MRCA land, unless the Fire Chief has determined that level of clearance is not required in a particular area.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2025 - 2026 State Legislative Program SUPPORT for and/or SPONSORSHIP of Legislation which would amend Public Resources Code Section 4291 and Government Code Section 51182 to require that the Mountains and Recreation Conservation Authority (MRCA) clear brush, flammable vegetation or other combustible material within 700 feet of structures or buildings within the City’s Moderate, High, and Very High Fire Hazard Severity Zones, whether those structures are on MRCA land or adjoining properties, unless the Fire Chief has determined this level of clearance is not required in a particular area.

PRESENTED BY:

  
JOHN S. LEE  
Councilmember, 12<sup>th</sup> District

SECONDED BY:



jwd



MAR 25 2025

ORIGINAL