

Multiple New California Laws Aimed at Extinguishing Wildfires

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California's fire-protection agency will have dedicated crews to thin forests and to conduct intentional burns to reduce the state's wildfires for the first time in the agency's more than 130-year history.

The state has had an active fire season in 2018. That comes in wake of more than 1 million acres burning in 2017, destroying thousands of structures, causing widespread evacuations and the deaths of approximately 40 people.

The burn crews are just one way the deadly lessons of the 2017 wildfire season prompted Gov. Jerry Brown (D) and the state Legislature to act during the recently concluded session.

Laws were also enacted to give new power to the fire marshal to enforce fire-safe zoning measures; require insurers to report on rate increases, surcharges, and denials in high-risk fire areas; and mandate battery backups in garage door openers. They had mostly bipartisan support.

The Department of Forestry and Fire Protection—or Cal Fire, as the agency is commonly called—has already posted openings for six 10-person teams to concentrate solely on reducing fires.

“Frankly, we haven’t been able to do much, due to staffing and support,” Cal Fire Information Officer Scott McLean told Bloomberg Environment Oct. 2. “Our resources would get pulled away for fighting fires.”

“It gives us a chance to get a foothold established,” he added.

Prescribed Burns Supported

The Rural County Representatives of California supports prescribed burns, saying it was how native populations managed the forests. The group represents 36 of the state's counties.

“Prescribed burning is a very important part of fire prevention,” said Staci Heaton, the group's regulatory affairs advocate. “We haven’t had the controlled burns like we should have.”

Some of that has been due in part to air quality concerns.

“If you can get people to accept a little smoke now, you will avoid bigger fires,” Heaton told Bloomberg Environment.

Another bill, authored by Assemblymember Laura Friedman (D), requires the state fire marshal by Jan. 31, 2020, to develop updated building standards and develop a list of low-cost retrofits or modifications that would reduce fire risk and increase safety. Communities will also have to file local zoning rules in high fire zones to the state State Board of Forestry.

“We had situations where subdivisions in high fire zones had only one road in and out,” Friedman told Bloomberg Environment. “It’s time to be more serious about it, given the lessons we’ve learned in the past few years.”

And while the Department of Forestry and Fire Protection has long been required to develop guidance on managing vegetation, this bill limits the document to including only native species that are fire resistant, drought tolerant, or both. Utilities will also have more leeway to cut away dead, dying or dangerous trees or brush near lines.

‘Right Tree, Right Place’

The concept of “right tree, right place” is also encouraged. In some cases it may mean removal of established trees, said Pete Smith, an urban forestry program manager for the Arbor Day Foundation in Lincoln, Neb.

“The right tree in the right place in California has just as much to do with how wildfire spreads as how it relates to utilities,” Smith told Bloomberg Environment. “It’s a landscape scale problem. We love trees. We want people to plant trees. Start looking for the right tree. “

A third bill bars insurance companies from canceling or not renewing homeowners’ policies in and near declared emergency areas for one year. It also requires insurers to report wildfire risk data, including availability and cost of policies, to the state Department of Insurance.

A December 2017 report issued by the Department of Insurance said more than 1 million homes in California were in areas of high fire risk, and after the fires, insurers were leaving the market, increasing premiums, and adding surcharges. They also were not giving credit for any work done by homeowners or communities to reduce risk, according to the report.

The bill, authored by Sen. Ricardo Lara (D), “gives disaster survivors time to rebuild their lives without the unnecessary stress of losing their home insurance and putting their life’s investment at risk,” he said in a news release.

A fourth bill was personal for Sen. Bill Dodd (D), who found himself unable to open the garage door at his Napa home because power was out and he needed to evacuate in the dark of night.

Some people were not strong enough to manually open the doors and “people died in their garages,” McLean said.

Starting in July, all garage doors openers sold or installed must have a battery backup in case of power failure.

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