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STATE OF CALIFORNIA
GOVERNOR'S BLUE RIBBON FIRE COMMISSION

BEFORE THE GOVERNOR'S BLUE)	
RIBBON FIRE COMMISSION,)	TRANSCRIPT OF PROCEEDINGS
)	February 19, 2004
Senator William Campbell, Chair)	Costa Mesa, California
)	

CHAIR CAMPBELL: Good morning, Ladies and Gentlemen, we'd like to begin this meeting this morning by self-introductions of the members of the commission. We'll start down on our left with Mr. Peter Verga, from the Department of Defense. Mr. Secretary?

MR. VERGA: Thank you very much. I'm the Principal Deputy Assistant Secretary of Defense for Homeland Defense with the Department of Defense.

CHIEF COLEMAN: Ron Coleman, Fire Chief in Santa Rosa.

MR. SEDIVIC: Jeff Sedivic, President of the California State Firefighters Association.

MS. STEFFEN: Debbie Steffen, Director of Emergency Services for San Diego County, and I'm sitting in for the Chair, Board of Supervisors, Greg Cox.

MS. BARNETT: I'm Karen Barnett, Deputy State Director for BLM in California, I'm sitting in for Larry Hamilton, National Fire Director.

MR. WILLIAMS: Morning. Jerry Williams, National Director of Fire and Aviation Management, U.S. Forest Service.

CHIEF MCCAMMON: Morning. Bill McCammon, Fire Chief Alameda County Fire Department and President of California Fire Chiefs Association.

CHIEF FREEMAN: Michael Freeman, Fire Chief Los Angeles County Fire Department, representing FIRESCOPE.

MR. BAMATTRE: Bill Bamattre, Fire Chief, City of Los Angeles, representing California Metropolitan Fire Chiefs.

MR. HANSBERGER: Good morning. Dennis Hansberger, Chairman San Bernardino County Board of Supervisors.

1 MR. LASUER: Good morning, Jay LaSuer, member of the State Assembly, 77th District.

2 SENATOR SOTO: Good morning. I'm Nell Soto, 32nd Senate District.

3 MR. HOLLINGSWORTH: I'm Dennis Hollingsworth, in the State Senate representing portions of
4 San Diego and Riverside counties.

5 ASSEMBLYWOMAN KEHOE: Good morning. Chris Kehoe, Assembly Member from San
6 Diego representing coastal San Diego neighborhoods.

7 ASSEMBLYMAN DUTTON: Bob Dutton, member of the California State Assembly, 63rd
8 District, representing San Bernardino and Riverside counties.

9 CONGRESSMAN LEWIS: Jerry Lewis, member of Congress.

10 MR. HALEVA: Jerry Haleva, President (UNINTELLIGIBLE), chief counsel's for the
11 commission.

12 MR. GERBER: Robert Gerber, I'm the executive secretary for the commission.

13 MS. DAVIS: Susan Davis, Congressional Member from the 53rd District, largely the city of San
14 Diego.

15 SENATOR ALPERT: Dede Alpert, State Senator, 39th District, San Diego.

16 MR. VENABLE: Jim Venable, member of the Riverside County Board of Supervisors.

17 MR. GIBSON: I'm Dennis Gibson, representing Mayor Dick Murphy from the City of San Diego.

18 MS. TUTTLE: Andrea Tuttle, Director of the California Department of Forestry and Fire
19 Protection.

20 CHIEF ZAGARIS: Jim Zagaris, Fire Chief, Governor's Office of Emergency Services.

21 CHIEF PITZER: Larry Pitzer, Fire Chief, City of San Bernardino, sitting in for Mayor Valles
22 today.

23 CHIEF BOWMAN: Jeff Bowman, Chief of the San Diego Fire Department.

24 CHIEF PRATHER: Chip Prather, Orange County Fire, representing the Emergency Counsel.

25 MS. TAHARA: Randi Tahara, representing L.A. County Supervisor Yvonne Brathwaite Burke.

26 MR. FUKUTOMI: David Fukutomi, Federal Coordinating Officer, representing Department of
27 Homeland Security and the Federal Emergency Management Agency.

28 MR. CAINE: David Caine, representing Senator Brulte, 31st Senate District.

1 MR. MCORMOND: Ed McOrmond, Pechanga Fire Chief, representing the Native American Fire
2 Chief Association.

3 CHAIR CAMPBELL: Thank you very much. We'd now like to have the pledge of the flag of this
4 great nation, lead by Assemblyman Bob Dutton.

5 [Pledge of Allegiance is recited.]

6 CHAIR CAMPBELL: I want to thank you all for being in attendance today. I want to say a couple
7 words about the young gentleman sitting to my left here. Congressman Lewis has done wonders for the
8 state of California and he came back from Washington, D.C. with a check for \$115 million, which was, uh,
9 kinda nice. What? \$150 million. Did I say \$115? Well that means we have more coming! [Laughter.]
10 But, uh, and he also the one who put the \$500 million in the (UNINTELLIGIBLE) appropriation bill, so
11 Jerry we appreciate all your effort and all your help assistance in that manner.

12 CONGRESSMAN LEWIS: It's all your money.

13 CHAIR CAMPBELL: I remember a great line by Governor Reagan, before he became President,
14 said, "Sending money to Washington and hoping to get all of it back is like giving yourself a blood
15 transfusion by taking a pint of blood our of your right arm and putting it in your left arm, only spilling half
16 of it on the way through." [Laughter.] We're still not even! But thank you for your efforts.

17 Good morning, Ladies and Gentlemen, my name is Senator Bill Campbell. I'm retired from the
18 California State Senate, and it's my privilege to serve as Chair of the Governor's Blue Ribbon Fire
19 Commission, and it has been my honor to serve with a distinguished group of fellow commission members.
20 Welcome to the 6th meeting of the Blue Ribbon Fire Commission, and it's series of hearings to review our
21 response to the series of destructive fires that swept through southern California last October and
22 November. This will be our final hearing for prepared testimony. Our last commission meeting will be on
23 March 18. We don't have a facility yet, but somewhere in the Los Angeles, hopefully near the LAX, where
24 we will develop final recommendations to include in our report to the Governor and the Legislator. The
25 agenda and process for that final meeting will be included in memorandum to each member to be received
26 the first week in March. In the past five hearings, we have heard presentations covering virtually every
27 aspect of our overall response to the disaster, as well as those actions that we taken, or should have been
28 taken, to reduce the loss of life and property to wildland fires. The commission has also heard many

1 comments regarding obstacles that impede or bar the adoption or implementation of critical fire prevention
2 and public safety policies. The purpose of the commission is to determine how we can best mitigate the
3 ravages of wildland fires. We have the responsibility to clearly state our findings, and to firmly identify
4 those actions that must be taken to not only improve our wildland firefighting capability, but to reduce the
5 threat of wildland fires. The success of our effort not only depends on the level of the state's firefighting
6 resources, and their capabilities, but on the commitment of California's public policy makers to implement
7 the necessary changes at the various levels of governmental responsibility.

8 Today we will be hearing presentations on insurance issues relative to wildland fire threats and
9 hazards, revisiting the role of the rotary aircraft technology in firefighting, and considering the potential of
10 building design codes and incentives for encouraging residents and communities to practice and implement
11 fire safety and prevention practices. We will also discuss the essential roles, scope and importance of
12 emergency medical services in wildland fire disasters, as well as the critical role of training to support
13 effective and safe firefighting skills. While California has one of the best trained, best equipped and most
14 experienced fire service communities in the world, and ongoing, constantly updated and comprehensive
15 training is absolutely critical to maintaining that high level. Unfortunately, training, drills and exercises are
16 one of the first areas the fire service must cut back when budget reductions are forced upon it. The lives of
17 our brave firefighters and those they protect depend upon quality and accessible training programs. I have
18 also allowed time for public comments following the formal presentations. I would encourage members of
19 the public to submit written testimony, if possible, and in consideration of their fellow citizens, to limit
20 their remarks to no more than five minutes. All submitted testimony will be part of our official record.
21 Please note that if you have testimony for the commission, please see at the end of the day Mr. Blair
22 Springer and present that information to him. Again, thank you for your attendance, and uh, does any
23 commission member wish to have an opening statement. If not, let's begin – oh, excuse. Mr. Gerber has
24 some housekeeping items.

25 MR. GERBER: Thank you, Senator. Couple things, just outside this room we have a stamp. If you
26 have valet parking or self-parking, if you'll take your ticket you can stamp it and receive a discount on your
27 parking. Also there's a coupon out there, if you plan to eat here in the hotel, there's a discount, also, a
28 coupon on the table. Also, I'd appreciate it if you could put your cell phones and your pagers on silent.

1 Also, if you ask a question or make a statement, if you could up front, please identify yourself cause we are
2 taping the hearings and it helps with the transcripts.

3 At this time also, you'll notice that you have a video in front of you, and I'd like to ask Mr. Sedivec
4 to kind of provide some information about that video at this time.

5 MR.SEDIVEC: Thank you. Jeff Sedivec with the California State Firefighters Association. This
6 video that I've had copied, thanks to OES, and distributed to each one of the commissioners, I feel is
7 important in light of testimony, particularly in San Diego by Director Tuttle when she pointed out the
8 media and how much media criticism upon the actions of the firefighters and fire administration on how the
9 fires were handled. There's no getting away from the fact that it is out there. What this is is a compilation
10 of reports by at least one of the reporters in the San Diego region named Turko. I met with him and had
11 him condense his reports into one 15- to 20-minute video, and it highlights mostly the questions that are out
12 there with the public as far as how the fires were handled, and I think an important aspect of this
13 commission's responsibility is to address those questions in our final report. Otherwise I fear that the
14 public perception of our findings and our report will be somewhat of a smoke screen. Whether they're valid
15 or not, they need to be addressed, so I encourage each and everyone of you to please look at that and when
16 we have our final report meeting, consider some of the questions. Thanks.

17 CHAIR CAMPBELL: Jeff, thank you very much. We'd like to start off, uh, commissioner

18 ASSEMBLYMAN LASUER: Mr. Chairman?

19 CHAIR CAMPBELL: I'm sorry. Yes?

20 ASSEMBLYMAN LASUER: Quick question. Is there a way that we could view this during the
21 lunch break?

22 MR.SEDIVEC: We don't have a – unless we can get a video player to plug into our projector.

23 **UNIDENTIFIED FEMALE SPEAKER:** Well, Mr. Chairman, if you could do that, we'd be
24 happy to host that.

25 CHAIR CAMPBELL: Thank you. Uh, Commissioner, the insurance commissioner, John
26 Garamendi, was unable to be here. He was to be our first witness, and when I talked to John about
27 appearing, I know the commissioner's office has held hearings around southern California as it relates to the
28 relationship between the insurance programs and the fire damage, and he was unable to be here this

1 morning, but his Chief of the Consumer Services Division, Tony Cignarale. Is that right, Tony? I
2 apologize. And we'll ask Tony to make comments and then be prepared to answer questions from the
3 committee.

4 MR. CIGNARALE: Thank you, Mr. Chair, and members. My name is Tony Cignarale, Chief of
5 the Consumer Services Division of Department of Insurance. Commissioner Garamendi expresses his
6 regrets for his inability to be here today. I'm just going to give you a brief summary on what the
7 department has done, is doing, and will be doing in relation to the wild fires, and I'll be happy to answer
8 any questions at the end.

9 When the fires were still in progress, the Commissioner set up a wild fire response team,
10 essentially, of all the various program areas of the department. We then went into action in setting up
11 workshops in the various areas. Altogether we held six workshops in the various fire areas with the victims
12 of the fires and in association with the various state and local agencies, the OES, FEMA, SBA, and others,
13 and providing a seminar so to speak for the victims of the fire, setting them on the right road to getting
14 proper recovery and fair recovery and not only in the insurance context but in the various public programs
15 that were available. Since then, we've do plan on holding future workshops in the next 30 to 60 days in
16 those same areas, as a follow up. In addition, we have a number of information guides that we provided to
17 these consumers and to others. We also have these guides on our website and we are intaking consumer
18 complaints and questions at our toll free hotline to monitor the situation and take any action and mediate
19 any issues that do arise. To give you an update on the complaints that the department is currently
20 receiving, we don't expect, based on our past experience with other events, to receive the great number of
21 these complaints for probably a few more months. That's when impasses start to occur in the claims
22 process. But thus far we've received about 100 consumer complaints and we're still investigating many of
23 those, and we don't have any – we do not draw any conclusions at this time as to any trends or patterns that
24 are developing, but I can give you an idea of what some of those allegations are. The most predominant
25 one is the under insurance issue, where the consumers believe that the insurance that they purchased, the
26 amount of that insurance, is not enough to put them, make them whole, to get their house rebuilt. That's
27 one of the major issues. Another issue is the additional living expense issue, which is, you receive hotel,
28 food, other additional living expenses for a given period of time, and there are certain time limits to those

1 expenses. A lot of those will be running up – usually it's a six-month limit, some have a 12-month limit,
2 and some have a 24-month limit. A lot of those will be running up six months past October, coming up at
3 the end of April of this year, so we will see consumers starting to run out of the ability to obtain those
4 expense reimbursements, and we will probably be receiving additional complaints in that regard.

5 CHAIR CAMPBELL: Normally in policies, what amount of time is set aside for - -

6 MR. CIGNARALE: It varies company by company. It's not a statutory-driven time limit. The
7 minimum we're seeing is six months, the maximum being 12 months, there are a few with 24 months. But
8 the great majority are six months additional living expense coverages. And then we also have a number of
9 complaints regarding arguments over determining the scope or the amount of damages and delay in
10 payment and the amount of the overall settlement.

11 CHAIR CAMPBELL: Do you have any idea of the total amount of claims filed?]

12 MR. CIGNARALE: When we last checked in early January, we were estimating a number of
13 about 15,000 to 20,000 claims. Now, the majority of those are. Approximately 3,600 of those based on the
14 number of total losses that were out there are total loss claims. There are a smaller number of partial loss
15 claims, where there was partial damage. The great majority, however, are smoke damage claims and/or
16 additional living expense claims for the time that they were evacuated from their homes even though they
17 did not suffer damage to their home.

18 CHAIR CAMPBELL: Do you have any idea the total number of dollars you're talking about?

19 MR. CIGNARALE: At this point, we don't. We're looking at the now. We're waiting for data
20 back from the insurance companies as to, now that they've had a little bit more time to quantify a lot of
21 these claims, what those values are going to be, and we will be getting that information.

22 CHAIR CAMPBELL: Not approaching the national debt yet?

23 MR. CIGNARALE: No.

24 CHAIR CAMPBELL: Good.

25 MR. CIGNARALE: And, just lastly I'd like to say, you know, based on some of the past events
26 that have occurred, and some complaints that we have been getting over the last couple of years on other
27 homeowners issues, the Commissioner has put together a package of legislative proposals that he hopes
28 will address many of the issues that have arisen in the past, and that conceivably could arise from this

1 event, and he's calling that the Homeowners' Bill of Rights, and he hopes that this year a number, or all, of
2 those proposals will be looked at by the legislature.

3 CHAIR CAMPBELL: Okay.

4 MR. CIGNARALE: That concludes my summary. If you have any questions.

5 CHAIR CAMPBELL: Any questions by members of the commission? Yes, sir?

6 MR. HANSBERGER: Couple of issues that you may be able to address. Well, I'm Dennis
7 Hansberger, Chairman San Bernardino County Board of Supervisors. Let me just pose two questions and
8 see if you can be of assistance. Would you help me understand the problem or task of under insurance in
9 the sense that, what provisions are made to assist homeowners, property owners, in assuring that they
10 remain current. Is it the responsibility of the property owner or is their insurance agent obligated, their
11 insurance company, obligated to notify them of increasing values? Help me understand that they should be
12 doing, because that's probably one of the more common complaints we're getting, I'm just under insured.
13 Realizing they haven't paid for higher insurance, but nonetheless feeling at this point
14 **(UNINTELLIGIBLE)**.

15 My second questions would be, what can you tell us about bundling of reconstruction efforts? For
16 example, taking whole areas and bundling that together for clean up or for reconstruction of an entire
17 neighborhood, as opposed to having each homeowner need to execute separate contracts for each activity.
18 Any advise or guidance you can give us in that regard?

19 MR. CIGNARALE: Okay. In relation to the under insurance issue, that really is a difficult issue
20 for us to get our arms around. Essentially when a consumer goes into the agent or broker to obtain the
21 coverage, a lot of this is driven by the lenders, as a lot of these insurance policies are initially purchased
22 when the consumer purchases that home, and the lender essentially may set the amount of replacement cost
23 for that house. From that point on, once the application is turned in, the insurance company will do a
24 computerized calculation through a couple of different vendors that they may use, to determine what
25 construction cost, and to determine the overall replacement cost of that to make sure that what the lender is
26 asking for is reasonably appropriate. From that point on, there is what's called an inflation guard, which
27 every year conceivably could increase your replacement cost coverage, thereby increasing your premium,
28 based on what's occurred in the construction market over that prior year. In theory, those two things should

1 take care of the ultimate replacement cost the consumer may need. We're finding that, at least allegation-
2 wise, that's not the case. We haven't concluded that that is the case in all of the circumstances that we're
3 getting in-house yet. But it is one of the issues – what we're looking at really is, who set the value, did the
4 consumer have any say in it, did they try to change the value and were told no? And those were the kinds
5 of issues that we'll look at. We have a couple of issues where the consumer actually went a month before
6 this particular event and asked to increase their coverage. And some of them were told no, for various
7 reasons. And now, their allegation is that the replacement cost is now higher, and it would have covered it
8 had they have gotten the coverage that they asked for a month earlier. So we are still in the process of
9 investigating that. It is also addressed in the Commissioner's proposal for legislation to either provide some
10 kind of very clear disclosure as to what that replacement cost is, and what it means whose responsibility it
11 is to in fact make sure that they're properly insured.

12 MR. HANSBERGER: Okay, thank you.

13 MR. CIGNARALE: In relation to the bundling issue of reconstruction and debris removal, those
14 kinds of efforts, I'm not really prepared to speak out it. If we're talking about whether by doing that the
15 insurance industry, or the insurance companies, should still be required to participate in those expenses on
16 behalf of their insureds, then I would just suggest that yes, they should. The question is, by what
17 mechanism are you able to allocate those expenses so that each insurer is paying the fair amount based on
18 the number of insurers or the amount of replacement cost that might be in a particular area.

19 MR. HANSBERGER: Excuse me, Mr. Chairman, if I may. I'm aware that insurance companies
20 are attempting to do just that, and I'm just wondering if your offices can help to create, with all of us, a
21 model by which it can be executed in other areas. I think the industry is attempting such efforts, but I'm not
22 sure how much of it has been done before.

23 MR. CIGNARALE: We'd be glad to look into that and get back to the commission.

24 CHIEF COLEMAN: Mr. Chairman?

25 CHAIR CAMPBELL: Yes?

26 CHIEF COLEMAN: Chief Ron Coleman from Santa Rosa. In the state of California, we have
27 certain specific areas in which it's very clear that people are very cognizant of the fact that they're in an
28 urban wildland area, protected by what they call the Fair Plan. There are certain parts of the state that are

1 in the fair plan. My impression is that very few of the areas impacted by these fires were in the Fair Plan.
2 Is that a correct assumption?

3 MR. CIGNARALE: Yes, based on our discussions with the Fair Plan and our data from them, very
4 few of the losses or the total losses involve Fair Plan.

5 MR. COLEMAN: Okay. That's what I want to know.

6 CHAIR CAMPBELL: Assemblywoman Kehoe.

7 ASSEMBLYWOMAN KEHOE: Thank you, Mr. Chairman. My question was about how the
8 department – what is the department's oversight on the Fair Plan? And, just give me that please.

9 MR. CIGNARALE: Well, we have general and specific oversight over the Fair Plan in relation to
10 the rate that they charge and the practices in relation to the rating, underwriting and claims practices, and
11 then examining their financial stability.

12 ASSEMBLYWOMAN KEHOE: And their purpose is to make sure that homeowners in high risk
13 fire areas have homeowners insurance?

14 MR. CIGNARALE: Correct. In situations where there are designated fire zone areas, the
15 Commissioner can designate them as such, in which case the consumer would automatically be allowed to
16 purchase Fair Plan coverage. The Commissioner, I believe it was Commissioner Lowe in 2000, expanded
17 the area statewide, even though you're not in a designated fire area, you're still able to obtain Fair Plan
18 coverage as long as you obtained three declinations from the traditional market. So everyone is allowed to
19 participate and procure Fair Plan coverage. Some of them can do it immediately without a declination,
20 others would need to obtain three declinations.

21 ASSEMBLYWOMAN KEHOE: Then when you say that most of the areas Fair Plan homeowners'
22 insurance did not cover much of the area that was burned. Is that because the homeowners were able to
23 find other insurance? Is it the homeowner's option?

24 MR. CIGNARALE: Certainly, what we're finding is that, as an example, the San Bernardino-Lake
25 Arrowhead area, some of those homes were second homes, so if the consumer owned a home in let's say
26 the L.A. basin, in the city of L.A., and they had primary coverage with a traditional insurance company, the
27 traditional insurance company, although they might not typically over that area because it's a second home,
28

1 as a courtesy to the insured, they may cover that home. So the second homes we're finding have typically
2 been covered by the insurance company that covered the primary residence of the insured.

3 ASSEMBLYWOMAN KEHOE: So the homeowner wasn't declined even if their in a high fire
4 area, they're able to kind of ride along on their primary residence?

5 MR. CIGNARALE: Correct.

6 ASSEMBLYWOMAN KEHOE: Were there any, as far as the Fair coverage goes, then were there
7 any areas that, you know, had a higher amount of Fair coverage than of the areas that were burned?

8 MR. CIGNARALE: It's really hard to say –

9 ASSEMBLYWOMAN KEHOE: Is it more remote areas, or -- ?

10 MR. CIGNARALE: I don't have a geographic knowledge of that, but there've been so few, I
11 believe there were only 25 of the 3,600 total losses were Fair Plan, and I believe they were scattered –

12 ASSEMBLYWOMAN KEHOE: And is Fair a pool?

13 MR. CIGNARALE: Yes, it's a risk pool of the traditional insurance.

14 ASSEMBLYWOMAN KEHOE: Thank you.

15 ASSEMBLYMAN LASUER: Mr. Chair?

16 CHAIR CAMPBELL: Yes.

17 ASSEMBLYMAN LASUER: Quick question, here. How do people find out there such a thing as
18 a Fair Plan?

19 MR. CIGNARALE: The simplest way they find out is when they go to procure traditional
20 coverage and are turned down because they're in a fire zone. At that point the agent or broker or the
21 insurance company will even advise them of the opportunity to purchase Fair Plan coverage as an
22 alternative to the traditional market.

23 ASSEMBLYMAN LASUER Well the reason I ask you, I have had complaints from a number of
24 people in my district they had their insurance cancelled because they were in a fire –prone area and you end
25 up losing your home (UNINTELLIGIBLE) they had no coverage and they're unaware of anything like
26 this. I was just curious, is there a way, or do they notify people, say if they receive a notification by mail
27 that their insurance is being cancelled, are the insurance companies required to advise them of this
28 coverage?

1 MR. CIGNARALE: I don't know if it's statutorily required or by regulation, that's something that I
2 would have to look up.

3 ASSEMBLYMEN LASUER: It might be a good idea, cause I've had numerous complaints by
4 people who've had their homeowner's insurance cancelled just months before the fire and lost their homes,
5 they have nothing now.

6 MR. CIGNARALE: If it's not a requirement, it probably very well should be.

7 ASSEMBLYMEN LASUER: You might tell the Commission it might be a real good idea to put
8 that in his package.

9 CHAIR CAMPBELL: Director Tuttle.

10 MS. TUTTLE: Thank you. One of – here I am – when we're speaking of fuels management in the
11 urban interface, one of the suggestions that is often made is to have a sliding insurance rate structure to
12 reward those homeowners who have provided more fire safe clearance or more fire safe building standards,
13 and this idea often comes up in the context of our fire safe counsels and in various groups that are looking
14 for incentives for fuels management. I wonder, like a good driver rate, does the Department of Insurance
15 have any policies or involvement in these conversations?

16 MR. CIGNARALE: Not specific to that, but many companies do offer credits or discounts for
17 insureds that do have a 200' clearance, let's say, around their property, or do have sprinkler systems, or do
18 have other fire prevention things put into their property.

19 MS. TUTTLE: So you do see it in some of the policies?

20 MR. CIGNARALE: Correct, we do see it in a lot of the rating packages that we review that there
21 are rating differences, and some insurance companies use that also as a determining factor as to whether
22 they would even cover you or not.

23 MS. TUTTLE: Thank you.

24 CHAIR CAMPBELL: Chief McCammon.

25 CHIEF MCCAMMON: Yes, regarding – over here. As far as the clearances, I know that some of
26 the insurance companies have cancelled homeowners because of clearances. They meet the local ordinances,
27 but they don't meet the insurance industries' clearance. Is there a standard in the insurance industry for
28 clearance in the urban interface areas?

1 MR. CIGNARALE: No, there is not. There's no statutory or regulatory requirement that would
2 allow at least the Commissioner to only approve, let's say, rating or underwriting packages that, you know,
3 held to, let's say state or local –

4 CHIEF MCCAMMON: I mean, cause there's been, I've heard some homeowners say required
5 from their insurance companies to up 500' of clearance, or they may get dropped.

6 MR. CIGNARALE: I would suggest that if a particular consumer found themselves in that
7 situation, that it would be good if they could contact us because the first thing we would want to make sure
8 is, is that 500' in the rating and rating package? In some cases we may find that the action taken by the
9 company may not have been the action that has been approved by the Commissioner. So that would be our
10 first step. If it has been, there is no requirement whether it be 200, 500 or 1,000 that we enforce.

11 CHAIR CAMPBELL: I apologize, I have difficulty seeing over there because of the light behind
12 all of you there, and I wonder if – yeah, we're gonna get those closed. Thank you. Mr. Caine.

13 MR. CAINE: My name is David Caine. My question is on behalf of Senator Brulte. Do you have
14 any figures on the number of policies that have been cancelled by traditional insurance companies where
15 they have referred their consumer or client to the Fair Plan, and the second part of my question is, are there
16 any areas where the Fair Plan coverage is not available to these consumers?

17 MR. CIGNARALE: The answer to the second question is, there are no areas where the coverage is
18 not available. It may be cost prohibitive in certain areas, but it is available statewide. In some areas it is
19 available without a declination from the traditional market, and other areas it is available only if there are
20 three declinations from the insurance market. In answer to the first question, I'd be glad to give you that
21 answer if you could repeat it? [Laughter.]

22 MR. CAINE: Certainly. The first question is, do you have any figures on the number of policies
23 cancelled by traditional insurance companies and referred to the Fair Plan? And I'm speaking of the fire
24 areas, of course.

25 MR. CIGNARALE: The simple answer is, no. All we're getting in now are complaints, of which
26 we receive a very small fraction where events have occurred. So, if there have been many, many
27 cancellations regarding a particular event, we will only hear first hand from the people that do complain,
28 we're not getting very many complaints on that issue at this point.

1 CHIEF BAMATTRE: Senator, question over here.

2 CHAIR CAMPBELL: Oh, yes sir.

3 CHIEF BAMATTRE: To the right. Uh, Chief Bamattre, Los Angeles City Fire Department.

4 CHAIR CAMPBELL: Yes, Chief, go ahead.

5 CHIEF BAMATTRE: Just maybe kind of a comment, I don't expect an answer here, but it would
6 be helpful to this commission that as we are formulating our recommendations, I know there's a great deal
7 of confusion around standards out of the insurance commissioner's office as they relate to brush clearance,
8 for example. But more important, state legislation, for example, designating very high hazard severity
9 zone, fire hazard severity zones. Now the experience in Los Angeles, when we were at hearing to state
10 regulations to designate those areas, immediately the insurance companies would then drop insurance
11 coverage in those areas that we would designate as very high fire hazard severity zones, and it's kind of
12 counter productive and there needs to be better coordination between the standards that the insurance
13 commissioner's imposing and what the insurance companies use them for, initially. And the second part of
14 that is the follow up to that. I know specifically in the case of the Fair Plan, areas are designated after an
15 event, whether it's a brush fire in the case of city of Los Angeles, or the civil disturbance in 1992, where
16 large portions of the city were designated Fair Plan coverage. That has not been reviewed and doesn't seem
17 to be reviewed unless the individual homeowner petitions or asks for a review when they seek to get
18 insurance. That's something I'm not very – I don't understand the process. It would be helpful for the
19 commission if we could get some information back from your office to help us in our recommendations.
20 The last thing I think we want to do is come out with broad state recommendations that would have a
21 tremendous adverse impact on the ability of homeowners to obtain fire protection in the future.

22 MR. CIGNARALE: I understand and agree. I'm not prepared to get into the detail – I don't have
23 the knowledge of it but I will impart the information.

24 CHAIR CAMPBELL: Chief Coleman.

25 MR. COLEMAN: Mr. Chairman, kind of a follow-on question to that. I'm familiar with the fact
26 that the insurance industry has a rating schedule, which they apply when it comes to establishing rates, and
27 that those rates must be evaluated by the insurance commissioner before they're adopted and brought into
28 place. I'm also familiar with the fact that the ISO runs an operation called fire-line, which has to do with

1 identifying specific, some of the specific areas we're talking about. Does the insurance commissioner have
2 oversight over the determination of fire-line?

3 MR. CIGNARALE: No we do not, we only have jurisdiction over the insurance companies and
4 the rating plans, but not over the ISO and the fire-line.

5 MR. COLEMAN: Right. And, uh, kind of follow-on to that, as I understand it right now, there is
6 no attribute in the ISO rating schedule that talks about the urban wildland interface. There's no rating
7 schedule for the urban interface. I'm just asking if that's correct.

8 MR. CIGNARALE: I don't know firsthand. That's something I would have to look into.

9 MR. COLEMAN: Okay.

10 CHAIR CAMPBELL: Tony, earlier you said that you have a series of recommendations going to
11 the legislature. Have they already gone and would you summarize those for us?

12 MR. CIGNARALE: Um, yes, we're currently in discussions with the legislature, various members,
13 and I believe the language has been submitted to the legislative counsel. They will deal with a number of
14 issues. One issue is the underinsurance issue, um, we're hoping that at a minimum some type of clearer
15 disclosure can be provided to the consumer during the course of that transaction as to what replacement
16 cost means and what it may mean down the road, and that both parties really need to get together and make
17 sure that everybody's got proper coverage.

18 CHAIR CAMPBELL: Thank you. Any further questions? Congresswoman Davis.

19 CONGRESSWOMAN DAVIS: Thank you, Mr. Chairman, Senator. It appears to me that as you
20 made that comment that, what kinds of changes have occurred over the last number of years. We obviously
21 have, uh, this is the first fire of this sort and I was just wondering, have there been major changes, major
22 reforms, that should have addressed these issues that, or, perhaps you can tell us why they – did it move
23 forward?

24 MR. CIGNARALE: Sure. Briefly after Northridge, these issues did arise, after the Northridge
25 earthquake, and there was what was called the Petris Disclosure that is now in statute, which is a disclosure
26 as to the types of various coverages, the levels, the actual cash value replacement cost, extended
27 replacement cost, and guarantee replacement cost so that the consumer can decide which one they should
28 purchase. Obviously the guarantee replacement cost is more expensive. So the disclosure is a new thing

1 that was done by statute from that point forward. It did provide some good, but it didn't go all the way
2 there. And that is actually the area of the statute that we're looking to modify to make it clearer and to also
3 provide premium amounts attached to those four different options so that the consumers can then say, can I
4 pay a couple \$100 extra to get the better coverage? Right now they're only given the premium amount for
5 the coverage they do purchase. So they're not informed enough to make that decision.

6 CONGRESSWOMAN DAVIS: Thank you.

7 CHAIR CAMPBELL: Any further questions? Thank you very much. Appreciate you being here
8 this morning. And thank also John for sending you down. Uh, Jerry Davies, from the Personal Insurance
9 Federation of California. I apologize today. There is a, uh, either my hearing is, the glare over there and
10 then the hearing, I'm not sure where the voices are coming from sometimes, so if I don't hear you, stand up
11 and wave and do jumping jacks, or something.

12 MR. DAVIES: Okay. Good morning.

13 CHAIR CAMPBELL: Good morning.

14 MR. DAVIES: Members of the Blue Ribbon Commission. I'm Jerry Davies of the Personal
15 Insurance Federation of California. We're a trade association of insurance companies that write
16 approximately 46% of all the property and casualty insurance in the state. In addition, our companies write
17 about 53% of the insurance of the California Earthquake Authority. So what we are trying to say, our
18 members, you'll see on the slide. We represent State Farm Insurance Companies, the Farmers' Insurance
19 Group, Safeco Insurance Company, 21st Insurance Companies, and Progressive Insurance Companies.
20 Insurance companies throughout California are extremely interested in all aspects of fire safety. Educating
21 policyholders about fire safety, prevention and fire loss mitigation programs, are routinely incorporated in
22 the day-to-day operations of our companies throughout the state. Yearly brochures, pamphlets, booklets,
23 videos, to teach fire safety and prevention procedures are distributed in the schools throughout the state,
24 and also the personnel from the companies and many of the agents volunteer their time, go into the schools
25 and teach these programs. Also, fire loss and loss mitigation safety programs are conducted yearly on the
26 commercial side of our business with the businesses in the state. You'll have safety inspectors going into
27 the medium size, large, even small business and helping them with their fire safety prevention programs.
28 It's a never-ending responsibility, it's taken by insurance companies very seriously because when a fire

1 strikes, obviously they are on the front line when it comes to their policyholders and doing what they're
2 supposed to do, and that is paying claims. There were many lessons learned by the insurance industry in
3 1991 in the Oakland Hills Fire. There we saw 3,000 homes burn and a cost of claims to the insurance
4 industry of over \$1.7 billion. That is huge for the insurance industry at that point of time because up to then
5 most catastrophes would average around, major catastrophes would not exceed a billion dollars. But the
6 main lessons that we learned was the need for continuous communications with the policyholders,
7 especially in the Oakland Hills area, during and after the firestorm. In addition, we learned a very good
8 lesson about brush clearing, defensible space, and that is critical to fire prevention and loss mitigation. We
9 learned the need for roads to be wide enough to get equipment in and equipment out, ample water supply
10 and pressure, that's critical, and last but not least, many of the fire safety features that people put in their
11 homes, either in retrofitting or in construction. These lessons, again from the Oakland Hills Fire, were put
12 into affect during the southern California fires in 1993, and I'd like to say there was a shining example that
13 came out of those fires, and that had to do with the policyholders and the insurance companies working
14 together in the Laguna Beach area. Laguna Beach was one of 26 major fires that burned that October, and
15 the result was 441 homes either destroyed or practically damaged, or severely damaged, and over 16.6
16 thousand acres of land destroyed. This arson-set fire changed the way communities and insurance
17 companies outline steps after the fire for recovery and future emergency preparation. There was a
18 catastrophe team in Laguna Beach that was set up just after the firestorms, and what they did was, they
19 collected data, every piece of data they could get to be able to put into long-term studies of the fire. They
20 worked with the OES, the California Department of Forestry and Fire Protection, and the entire city was
21 mapped for mitigation activity in areas subject to flooding, erosion, and mudslides because this is what
22 happened after the fires, then came the winter rains. They studied vegetation loss, so that when they
23 rebuilt, they would make sure that there was fire-retardant vegetation. They mapped the roads, the water,
24 the fire department capability, and provided customized maps, not only for use in their local government
25 areas and firefighting areas, but they also gave them to the insurance companies. Then they called together
26 the citizens of that area, along with the businesses, the homeowners, the service groups, the housing, the
27 financial mortgage companies and insurance companies, and churches, and social organizations, and they
28 sat down together and they began to talk about rebuilding. The insurance companies engaged in a

1 collective discussion and really became active participants in a community-based strategy to lower the
2 perceived overall risk of future large-scale fires in Laguna Beach. And it worked. And together the
3 insurance industry and all of the stakeholders in Laguna Beach continued meeting, planning, and working
4 together to make sure that there would be rebuilding in Laguna Beach, and that the insurance industry after
5 rebuilding would be there and be strong with the coverage needed to continue to grow. Through the hard
6 work of all involved there, Laguna Beach is a great example of success in peak groups. The fire department
7 there, the OES, the CDF, our insurance companies, we today continue to work with Laguna Beach officials
8 and firefighters there on a fire-safe community effort.

9 The lessons of Oakland Hills then, and the lessons that we learned in Laguna Beach, were also put
10 into affect in the fires that occurred last October and November here in southern California. Unfortunately,
11 there were 25 deaths and 750,000 acres of land were lost, but 3,600 insured homes, as Mr. Cignarale
12 pointed out, were lost, and countless out structures that were insured burned, were partially burned, or
13 severely damaged. So how did the insurance industry do? And this takes me back to the lessons we
14 learned from Laguna, the lessons we learned from Oakland Hills. In a February 13 article, which I passed
15 out just before the meeting, L.A. Times writer Ken Ridge points out that the insurance commissioner,
16 saying that the victims of October's wildfires have filed relatively few complaints about their insurance
17 companies. And the complaints that were filed, I believe 100, we are working with the insurance
18 department and those policyholders to resolve those issues as well. In addition, we did a survey. It was
19 issued this week by the Insurance Information Network of California in Los Angeles. And it found that $\frac{3}{4}$
20 of the claims stemming from the fires last October and November have been resolved. This poll represents
21 65% of the homeowner's market in the San Bernardino area, going down to San Diego. More than 8,955 of
22 the 11,841 residential fire claims have been paid, and we paid out over \$1 billion dollars there. On the auto
23 side, we've paid 860 of the 928 auto claims for an additional \$5 million dollars, and we expect, as Mr.
24 Cignarale said, we have estimated through IINC, the Insurance Information Network, that there will be
25 around 1,900,000 claims from these fires, and it will probably reach an estimated total of over \$2.03 billion
26 dollars. That's where it stands today, and it could go higher as we resolve all of the issues in the near
27 future.

1 Insurers and communities in San Bernardino and San Diego are working together today to keep the
2 line of communications open between the policyholders and their company claims personnel. Many fire
3 survivors down there have already begun rebuilding. They're putting together the lives by replacing the lost
4 possessions that they had, and they're planning the rebuilding process with the insurance dollars and
5 working side-by-side with local officials. It's our hope that fire safety measures will be a high priority in
6 the rebuilding process. The insurance industry also works closely with more 120 fire-safe councils in this
7 state. Insurance industry personnel, agents and company people, they volunteer their time. Many
8 companies and many agents and many others actually contribute dollars to some of the functions of the
9 local fire-safe councils in the fire prevention area, and they work together to implement safe programs, fire-
10 safe programs, on a year-round basis. I serve as the insurance industry member of the statewide Fire Safe
11 Council Board. And the Board, of course, works closely with the Bureau of Land Management, United
12 States Fire Service, the OES, the CDF, the Fish and Wildlife, and many, many other local as well as state
13 firefighting organizations. And many of these organizations work together for one common goal, and that's
14 fire prevention and fire loss mitigation. The Board, the California Fire Safe Council Board, serves as a
15 one-stop shopping clearinghouse, sponsored by the California Fire Alliance, and it issues grant monies each
16 year to these local fire safe councils, and others, through out the state to perform the fire prevention
17 mitigation activities like defensible space, clearing, chipping, improving watersheds and a number of other
18 fire programs. Bruce Turbeville, I believe, the Chair of the Fire Safe Counsel Board addressed this
19 commission earlier in your meetings, and he pointed out that in recent years the dollars that come from the
20 national fire plan have basically dwindled somewhat in terms of the fire prevent efforts and the grants
21 issued by the Fire Safe Council Board to the local fire safe councils and the others that I spoke of. In 2001,
22 there were 288 applications for these types of programs, which they requested 15,000,000. 196 were
23 granted and it amount to \$8.7 million. In 2002, they received 346 grant applications for a total \$19.6
24 million, 206 were granted, and it equaled \$9.6 million. In 2003, the grants were 17.2 million, 264 grants
25 applied, and 163 were granted for a total of \$8.2 million. In 2004, and you'll be hearing more about this
26 from the Board, we're expecting over 300-plus grant applications and it will total quite a few millions of
27 dollars and we're looking at distributing about \$2.4 million this year from the National Fire Plan. So, what
28 I'm saying is, that the Fire Safe Councils and the Fire Safe Board, and the insurance companies working

1 together, since 2001 there have been 304 projects worth more than \$13 million targeting 18,000 acres in
2 wildland urban interface areas. Projects have been completed. The annual operating costs of these 120
3 councils around the state is about \$3.8 billion, and the results for every 10¢ prevent fires, \$1.00 is saved in
4 costs of suppression and damages to homes, businesses, communities, and natural resources. The insurance
5 industry is very, very interested in that.

6 The insurance industry also supports – now I'm going to go into an area where we have done a lot
7 of research in our resources, with the insurance industry Institute for Building and Home Safety – IBHS –
8 promotes fire hazard safety and community planning and better ways to design homes, and how and where
9 they should be built. The Insurer Building Code Coalition is another group that we help sponsor. It's
10 IBCC, it supports public policies that strengthen building codes and encourages fire hazard assessment in
11 land use decisions. I now call your attention to the booklet. I'm sorry I didn't get 40 of them, I called and
12 asked for 50 and they sent me 30, but I know the book is up there and it's called *Is Your Home Protected*
13 *from Wildfire Disaster?* This booklet lists the research conducted by many IBSH wildfire committee
14 members, including insurance companies, National Fire Protection Association, National Institute of
15 Standards and Technology, U.S. Geological Survey, and the California Fire Fair Plan. The book that lists
16 the research findings from the studies dealing with wild fires and homes, and the number one issue that
17 you'll find in the book in Fire Loss Mitigation, is to defensible space. No question. It also tells you how to
18 work with your local fire department, how a home catches fire, inventory for your home, how at risk is it?
19 And next, the insurance industry supports home building materials and design discussions that I will talk
20 about in just a few minutes. There's also a fire safety project list there with costs and projection checklist of
21 things to do before a wild fire strikes. What is listed there is not new, and I'm sure a lot of this has been
22 presented to the commission, but as I mentioned earlier, the need for strong education and fire mitigation
23 programs in California to reach homeowners is very, very critical. The Personal Insurance Federation is in
24 the process of putting that material on our website. We're at www.pifs.org. The insurance industry is also
25 involved with the Firewise community workshops that have been conducted in California. The
26 Communities USA is a unique opportunity available to America's fire-prone communities, it's goal is to
27 encourage and acknowledge action that minimized home loss to wildfire, it teaches you how to prepare for
28 a fire before it occurs, the program adapts especially well to small communities, and also developments and

1 residential associations of all types. Firewise Communities USA is a simple three-legged template that's
2 easy to adapt to different locals. It works this way. Wildland fire staff from federal, state and local
3 agencies provide a community with information about co-existing with wild fire, along with mitigation
4 information tailored to specific areas. The community assesses its risks, creates its own network of
5 cooperating homeowners, agencies, insurance organizations, and others. The Firewise website is at
6 www.firewise.org. Great stuff there. I understand they have their last two workshops coming up in March,
7 and that is on their website. The Insurance Industry Building Code Coalition recommends fire safe
8 construction in wildland urban interface areas, and first I'd like to just give you a couple of estimates before
9 I close. The California Department of Forestry and Fire Protection has told us, the insurance industry, that
10 one million people moved into the fire prone wildland urban interface areas since 1990, and 20% growth of
11 population is estimated over the next 10 years. That is huge, that's awesome, to the insurance industry. We
12 now know that 7 million homes, approximately one-half of the state's housing inventory, and millions of
13 acres are now located in high fire risk areas. And to the insurance industry, that represents more than \$94
14 billion dollars in insured dollars for rebuilding and content replacement costs for all wildland urban
15 interface homes. How should homes in the wildland urban interface areas be built in the future? You've
16 heard these, the IBHS recommends, and the IBCC recommends, looking at roofing first. Research based
17 says that the best recommending for a roof is a Class A roofing material for urban interface areas. Siding --
18 vinyl or wood siding is not recommended. Eaves and vents -- eaves should be boxed in and vents covered
19 with metal wire mesh, not vinyl, which melts.

20 CHAIR CAMPBELL: And even the metal wire mesh is not sufficient, because the embers blew in
21 through mesh, so now I think they're recommending the vents, the uh, what do you call them --

22 **UNIDENTIFIED MALE SPEAKER:** Shutters?

23 CHAIR CAMPBELL: Thank you. It's such a difficult word. [Laughter.]

24 MR. DAVIES: Windows and skylights should be double paned. Spark arresters and chimneys and
25 wood fences should not be in the homes that are in the wildland areas. The insurance industry is focused
26 on fire prevention and fire loss mitigation, and the future of California is depending on it's economic
27 growth, and fire safety and prevention must be a major component of the future planning. The Personal
28 Insurance Federation and its members would like very much to be a part of the planning and

1 implementation of fire safe programs, prevention methods, loss mitigation programs. Personal Insurance
2 Federation will be available to work with the Blue Ribbon Commission and the firefighters in the future,
3 and would like very much to work on recommendations dealing with everything that can make a home
4 safer, that can provide fire loss mitigation, and especially save lives. Again, I'd like to thank you very
5 much, commission and Chairman Campbell, for allowing the Personal Insurance Federation to present our
6 concerns today.

7 CHAIR CAMPBELL: Thank you very much, Mr. Davies. First question from the chairman of the
8 committee, on the Defense Appropriation Budget Committee, Congressman Lewis.

9 CONGRESSMAN LEWIS: Thank you, Mr. Davies, for being with us. Your chart and comments
10 regarding lessons learned is most impressive and important. We've had a series of fires like the one
11 experienced recently, going back, I can remember the 1983 fire in a similar area in the San Bernardino
12 Mountains, and lessons learned and applied are very, very important. One piece of this, I'm not sure it's
13 exactly a part of our responsibility in this commission, if not it probably should be, is the reflection about
14 the lesson learned in my own territory recently. We lost very few lives as a result of the fires. San Diego
15 had a different kind of experience. A couple of people unfortunately died from a heart attack in our own
16 region, but only that. But shortly after the fires the rain came along and erosion took out almost as many
17 lives as were lost by the fire. So the question of erosion and what the interplay is there to this overall
18 effort, emergency effort, to try to learn from these lessons and at the same time connect fires with things
19 like erosion would be significant to me. Would you respond, or perhaps comments about that, and I have
20 another thought.

21 MR. DAVIES: Well, if you're looking at the erosion or the mudslide situation, that doesn't really
22 speak to the homeowner's insurance policy. But the Federal Flood Plan that is available to homeowners, I
23 went to all of the insurance commissioner's hearing and community town hall meetings after the fires, and
24 in particular the San Bernardino area, where the commissioner talked about the federal flood insurance that
25 is available, and he encouraged every homeowner that had a home left to get into that program right away,
26 because the rains were coming. And I believe there was like a 30-day waiting period, but they could apply
27 right and away and get it and in 30 days it would be enforced. And this is what addresses the erosion, the
28 mudslides and such.

1 CONGRESSMAN LEWIS: So you're suggesting to me that if I had a home in Waterman Canyon
2 that happened to not be taken up by the fire, that under normal homeowners coverage circumstance, when
3 soil was moved as a result of the fire and there was erosion that took my house out, that it would not be
4 covered un this tradition –

5 MR. DAVIES: If it is a mudslide caused by water onto the soil, meaning the rains had moved the
6 soil, that would not be covered by your homeowners insurance. However, if the fire cleared the brush, and
7 the brush [END TAPE 1, SIDE A; BEGIN TAPE 1, SIDE B]

8 CONGRESSMAN LEWIS: [mid-sentence] Insurance Federation. The second part of my interest
9 here is an extension of the same thing. In order for your association of insurance providers to be available
10 to us, you've got to make a profit, I presume. If you don't, then probably you won't be around very long.

11 MR. DAVIES: I won't be here, that's true. [Laughter.]

12 CONGRESSMAN LEWIS: With that in mind, a lot of people are not aware of the fact that our
13 initial concerns about fire possibility in our region were a result of the impact of the bark beetle upon our
14 forest. As a matter of fact, once the fire's taken place we quickly learned that because of wind and
15 otherwise, the fire really didn't touch the bark beetle problem there, like 95% plus of those trees still
16 standing, so there's – it's not a matter of if, but when, we have another fire. But also with that, if or when
17 we have that fire there's going to be a major, major erosion problem that could undermine even the very
18 existence of the forest in the future. So, two points. The first is, what is your association doing relative to
19 trying to help us educate people about the potential of that fire, and I'd too the potential of that erosion, by
20 the way. And then secondly, because you've got to stay in business, you lost \$2 billion in this recent fire,
21 it's going to be a lot greater than that when lightning strikes, when it strikes. So is there within our
22 association discussion about how many of your members should be getting out of that fire zone, and indeed
23 is there a problem with people who are now, you know, exchanging homes, buying and selling, with the
24 placement of insurance?

25 MR. DAVIES: No, sir, I don't believe we're discussing, you know, getting out of that area. I know
26 that the homes where you're speaking are insured. I do know that the companies are very well aware of the
27 beetle infestation. We've had discussions at the Fire Safe Councils, as well as the Board, and working with
28 the CDF, as well as the local firefighters. We've gotten reports on it. We've encourage homeowners to take

1 a look, if it's on their property, to see how some way they could get the trees removed that are dead, that are
2 sitting there very dry. We've also encouraged working with the local communities to see, and I think
3 Insurance Commission Garamendi mentioned this in San Diego, to see if there were some federal funds hat
4 might be available, as well as some state funds that could be used to help the homeowners get those trees
5 out of there, if it's in their community, and not sitting on their property.

6 CONGRESSMAN LEWIS: Well that's part of the \$150 million was about. But let me go after the
7 point of, you've got to make a profit in order to be available for insurance in the future. I hope that you're
8 encouraging your members by way of Board of Directors at least to create extra reserves because of this
9 potential if indeed they have all that insurance on the hillsides. So tell me about that.

10 MR. DAVIES: Yes, sir, that is built into the rates that are paid by the homeowners in those areas.
11 And the companies are very cognizant of the trees. They do go in and each year they will inspect, they will
12 look, and they will accordingly work with the insurance department. If they feel there is a need for rate
13 increases, that could happen. And that's an individual company decision.

14 CONGRESSMAN LEWIS: But is that going with most companies? That's the point I'm getting
15 at.

16 MR. DAVIES: I'm not aware. I'm not aware (UNINTELLIGIBLE).

17 CONGRESSMAN LEWIS: Well why aren't you aware? You'd think you go to your companies
18 and say, hey –

19 MR. DAVIES: Oh, no, sir. When you look at your insurance companies individually and you say
20 to them, hey, are you raising the rates here or there, we're not allowed to really discuss that in our room
21 where a number of companies come together because of anti-trust reasons. It's proprietary information.
22 And obviously they think, uh, hey, if I didn't raise my rates, you know, I've got a better rate than XYZ over
23 here, so why should I tell them? No, no sir, they don't discuss whether they're going to raise it or not. But
24 it is public information if they do file for a rate increase. That is in the insurance department.

25 CONGRESSMAN LEWIS: Thank you, Mr. Chairman.

26 CHAIR CAMPBELL: Listen, I apologize for that introduction. When you chair a subcommittee
27 of appropriations, you have so much power they call you a Cardinal. And uh, Chairman Lewis chairs a
28

1 subcommittee of Defense, which is the largest portion of the appropriations budget and when he offered
2 me his ring this morning, I did kiss it. [Laughter.]

3 CONGRESSMAN LEWIS: My wife refers to me as a sparrow. [Laughter.]

4 CHAIR CAMPBELL: Chief McCammon.

5 CHIEF MCCAMMON: Thank you. I first want to start by saying that I appreciate your comments
6 and understanding of the insurance industry's role that it can play in preventing fires. And I think we've
7 thought in the fire service community for a long time that the insurance industry could play a significant
8 role so both and directly funding prevention programs, or providing incentives to their insurers that would
9 help us in terms of the prevention programs. And I liked your comment about 10¢ of prevention represents
10 a dollar in savings. And then additionally, you said that there's \$94 billion dollars of additional risk that's
11 out there, that's occurred in the last few years. And we found in the fire service community I think that
12 funding fire safe councils and supporting Firewise programs provides a significant benefit to those
13 communities where they've been successful. But I am concern, and I don't know if this is your funding or
14 where this came from, but the funding to those councils went from \$8.7 million in 2001 down to \$2.4
15 million in 2004, and to me that seems to be counter to what you were saying before about trying to support
16 these types of programs.

17 MR. DAVIES: Well, what we're talking about are federal grant dollars. These are grants that are
18 given for absolute projects that are conducted in communities around the state. And the Fire Safe Council
19 Board receives the applications for the grants. And the dollars that come in are designated for the projects.
20 It could be a Fire Safe Council, it could be other types of organizations in a community, a firefighting
21 organization through the fire safe council of that community, asking for monies to complete a project, say
22 in a homeowners association or something to do with the land that is there, a watershed or something to
23 that affect. The insurance industry, on the other hand, its activity in the local fire safe councils runs the
24 gamut of volunteer work, meaning volunteers from the companies, as well as the agents who are very
25 active, as well as supporting the fire safe councils with education programs that deal with perhaps the
26 printing and distribution of information. It could be the funding of videos. It could run the gamut of the
27 booklets that they print within the companies themselves, making them available to the fire safe councils
28 for distribution through the firefighting organizations in the local communities, and you'll find this in all 58

1 counties, you'll find companies very much involved in that. And they, at the local level, will accept
2 invitations to the insurance companies that volunteer and work in the councils to take on some of these
3 projects, information projects or actual projects.

4 CHIEF MCCAMMON: So that funding was federal government funding, not from the insurance
5 industry.

6 MR. DAVIES: No, it's not from the insurance industry.

7 CHIEF MCCAMMON: Could you tell us what federal agency administers that funding?

8 MR. DAVIES: I believe it's under the National Fire Plan, USDA, that provides and –

9 CHIEF MCCAMMON: Thank you.

10 CHAIR CAMPBELL: Chief Prather is representing the Emergency Council, but he's also our, the
11 Chief of Orange County, our host chief today. Thank you very much, Chief.

12 CHIEF PRATHER: Thank you, Mr. Chairman. Thank you sir for being here. I think we enjoy a
13 good partnership with the insurance company and with all the lessons learned from Oakland and the
14 Laguna Beach Fire, outreach to your clients to educate, support for the fire safe councils and things, I'd like
15 to know, how would you characterize the present insurance risk in the City of Laguna Beach? And also,
16 with all those lessons learned and interventions that you've put forth and changes over the last couple of
17 decades, does the industry consider the losses of 2003 to be acceptable?

18 MR. DAVIES: Okay, going to the first. The presence of the insurance industry in Laguna Beach?
19 Was that the question?

20 CHIEF PRATHER: How do you characterize the risk? You mentioned in your remarks that a
21 coalition was put together with all kinds of stakeholders and help guide the rebuilding of 441 homes that
22 were destroyed there and I got through that that there was a safer community because of that.

23 MR. DAVIES: Yes.

24 CHIEF PRATHER: And so my question is, how do you characterize the present insurance risk in
25 Laguna Beach?

26 MR. DAVIES: I would say it's very good. I think that the insurance companies, after working
27 with – I don't know if you know Dr. David Horne of Laguna Beach who basically headed up the committee
28 work there and brought the insurance companies in? His main concern was rebuilding and rebuilding it fire

1 safe and making sure that the insurance industry was involved from the get-go, so that when the time came,
2 once the homes were rebuilt and others wanted to move there, insurance would be available. And I would
3 say, if you've taken – I took a tour there with Dr. Horne and others, and it's kind of unique cause you're
4 driving over the hills there, looking at the homes that were built, then you look down the slopes, you see the
5 vegetation all over the slopes, and then at the bottom you see the goats working. They bring in goats three
6 or four times a year and turn them loose, and they keep the grass pretty short. So I'd say the presence of
7 insurance there is very good.

8 CHIEF PRATHER: What I'm told is that there are a number of companies that are declining to
9 insure the residents. And so I'm curious from your perspective, why that would be.

10 MR. DAVIES: I have not heard that. I know that our companies are there, and they are insuring. I
11 don't know what the other companies that are not insuring, what their motives are or why they or not. I can
12 look into that, though, and find out. And I'm sorry, your second question?

13 CHIEF PRATHER: The second question was, with all the Outreach, really what it goes to is what
14 changes do you see, maybe that you can recommend to this commission, uh, you do so many things with
15 Outreach, public education, and the like, you have the list of building construction recommendations and
16 things. Yet still 3,000 houses were destroyed, and I would imagine you don't consider that, an industry
17 doesn't consider that an acceptable loss.

18 MR. DAVIES: That is not acceptable.

19 CHIEF PRATHER: So with all that work that's going on, presently, what's next? What do we do
20 as partners with building officials, fire officials, this commission and the industry, to prevent that from
21 happening?

22 MR. DAVIES: I think I mentioned early on that the number 1 on the list in the booklet and in the
23 communities, especially those abutting and involved in the wildland fire area, urban interface area, was
24 defensible space and clearing. I don't know if the commission members or any of you have gone up into
25 the Oakland Hills recently and taken a look at that is there 13 – how many years – later? Twelve, 13 years
26 later. You're going to find that there is a lot of brush. You're going to find that there are a lot of eucalyptus

27 –

28 CHIEF PRATHER: It's almost like it was prior to '91.

1 MR. DAVIES: Yes, sir. And that's disappointing to the insurance industry, but we are not
2 enforcers, we are not local government, and we of course are not state. All we can do is, as an insurance
3 industry, we there insuring, but we're also saying, my gosh, this is almost ready to happen again. And we're
4 very disappointed in that. We haven't seen that as much in the Laguna Beach area, or I haven't. And I'm
5 hoping that out of the fires and the lessons of the 3,600 homes that just burned, that we'll have a lot of fire
6 prevention and a lot of fire safety construction going on when they do rebuild in San Bernardino down to
7 San Diego. But how do we address that? I don't know where we go. I would just ask the commission, it's
8 not in the realm of insurance, but you would hope that the commission might look at that as
9 recommendations for the future, to get that brush cleared.

10 CHAIR CAMPBELL: Next we have Chief Bowman from San Diego City. Chief Bowman.

11 CHIEF BOWMAN: Thank you, sir. I think our fire chiefs are hanging around too much together
12 cause we're all focusing on the same thing and that's this prevention piece that you discussed. I need to
13 share a little bit of frustration on the local level. I'm speaking in reference to the City of San Diego. We
14 just went through the worst of the fires in California and as the chief of the department, we tried to
15 implement several building code changes, local building code changes, and brush management changes in
16 San Diego. If you can imagine the very people that came forward to fight us on those proposed changes
17 were the ones that lost their homes, almost to a person. Marched into the city council chambers and said,
18 Do not do this to us because it's going to cost us more money. So I have two questions for you. Relay it to
19 the partnership that Chief Prather mentioned about what we're going to do together. The first one, are there
20 ways that the insurance industry incentivise homeowners to make the appropriate building code changes
21 that you just so eloquently identified. They're the same ones that we recommended, and yet in fact, the city
22 counsel in San Diego rejected all of them, with the exception of the wood shake shingle ban. So all of the
23 homes that were lost in San Diego are being rebuilt exactly like they were before they burned down. And
24 to me, you mentioned that these were unacceptable losses, I'd like to know why the insurance industry
25 wasn't there. That's question number one. And what can you do to incentivise homeowners to help offset
26 the cost of making those changes. And secondly, why is it the insurance industry doesn't send to local city
27 counsels and local fire chiefs who have experienced large-scale losses, the likes of which we had last year,
28 the same information you just presented to this commission so that the local city counsels or county Boards

1 of Supervisors has that information at their fingertips as a recommendation from the insurance industry, not
2 just from the local fire department?

3 MR. DAVIES: I'll address the second question first. I think there's a lesson learned right there. I
4 think that we need to be more visible at the local level. As far as addressing the first question, our
5 companies, and I know a lot of other companies, and the insurance department knows all of the companies,
6 do provide incentives for people who will do the fire safety things. Obviously, the most obvious is the
7 smoke detector. We're looking at defensible space. We're looking at things like sprinklers. There are
8 incentives there. If people will do these things, there are incentives built in to the rate that will give them
9 discounts, that will give them relief if they will do.

10 CHIEF BOWMAN: Here's my concern. The homeowners don't know that, number one. They're
11 the same people who came forward and pleaded with the city council not to implement changes, so they
12 obviously have no clue about any incentives that are being offered. Nor do the local politicians. So when
13 the homeowners come forward to complain about building code changes – and I'm not talking about smoke
14 detectors, I'm talking about boxed eaves, the vent issues that were already well discussed earlier, we
15 actually recommended putting sprinklers in the facilities, and to a person they came forward and said do
16 not do this to us and they had no information whatsoever from the insurance industry, so I think I would
17 add to my second comment earlier, don't just notify the local government officials and the local politicians,
18 but notify your homeowners of the incentives that are available to them as they make claims for
19 reimbursement for losses and as they go forward and try and rebuild. Cause all we're doing is recreating
20 the same mess that we just got ourselves out of.

21 MR. DAVIES: I agree with you. We do need to do a better job of that and it may be, too, like one
22 hearing that I attended that, a homeowner would say don't do this to me because it will raise the cost of my
23 building home. That's one of the issues that's very, I guess, prevalent in the minds of homeowners. I don't
24 know what they are thinking, but I know that if they'll work with the agents or their companies they'll find,
25 as you do in automobile insurance, that there are discounts for certain things that you do and here again it's
26 a matter of communications between the agent, the company and the policyholder. Thank you and I will
27 take that under advisement and send that around.

28 CHAIR CAMPBELL: Senator Alpert.

1 SENATOR ALPERT: Thank you. I want to kind of follow up on what Chief Bowman was talking
2 about, but move it to the state level. Again, I would appreciate it if you would actually give us some very
3 specific recommendations of what kind of statutory changes we might make. Sometimes after a tragedy
4 like this, it may be a little easier to actually make some of these changes at the state level, because it's not –
5 I mean, because it happened this time in San Diego or San Bernardino or Riverside, it can happen anyplace
6 in the state and we've seen it happened any place in the state. But if you'll give us specific things that we
7 could perhaps look at, as the commission makes its recommendations for possible legislative change. And
8 then I think the other thing that I think maybe – and this is not directed specifically to you, but maybe it's
9 for all of us – that somehow we have to educate the homeowner that if they choose to live in an urban
10 interface area, it is going to cost more to build their home and potentially to insure their home and that they
11 are going to have to do some things differently because they have made, because that's, you know, it's a
12 choice. But that's a reality and as I say, so maybe some of the things that the chief is suggesting,
13 information for locals, would also be made available at the state level and as I say, look at possible changes
14 statewide and at least, or let us know if it's not a good idea to do it that direction.

15 MR. DAVIES: Thank you.

16 CHAIR CAMPBELL: Supervisor Venable.

17 MR. VENABLE: Yes, thank you. Very quickly. In our Idyllwild area, we have a tremendous
18 problem up there with dead trees, and the drought, the bark beetle, and so forth. We are getting a lot of
19 complaints in our office from constituents up there that have approached their insurance company to help
20 defray the cost of cutting trees around their property, cut them down. And have been turned down. They
21 basically said that the insurance companies are telling them, well, when the tree falls on your house, then
22 you can turn it in and we'll address it. Or once it starts a fire, or whatever. Is there anything being done in
23 your industry to start working along those lines to defray these costs that may be better in the long run than
24 looking at the short run?

25 MR. DAVIES: Well, we've discussed that very issue, sir, and basically the homeowner's insurance
26 policy in that issue, you'll hear a company say, you're homeowner's insurance policy is not a home
27 maintenance type of policy. There are other types of, I guess, contracts that you can purchase from home
28

1 maintenance-type companies where that would be included, should a tree die, we will remove it. The
2 homeowner's policy –

3 MR. VENABLE: Excuse me. You can buy insurance that will handle what I just said?

4 MR. DAVIES: Well, I'm thinking of, I believe they call them home warranty policies? I don't
5 know who sells them but I'd be glad to find out. You may be able to buy something like that that would
6 take care of maintenance-type issues. They're the kinds of things you buy when you get a maintenance on
7 your washer, dryer, and things like that. You can get them on your home, and perhaps your property. And
8 then if something happens outside your home, a maintenance policy –

9 MR. VENABLE: I'm sure you're correct with some of that, but to actually help defray the cost of
10 cutting trees down, I'm not so sure that you can purchase anything that can actually do that.

11 MR. DAVIES: Yeah, I don't think there would be. And I'm not aware of what – no, sir, okay – the
12 dollars that would be available and where they would come from.

13 MR. VENABLE: We're getting an awful lot of help up there right now from Edison Company and
14 (UNINTELLIGIBLE) and some new dollars, the grand dollars, have been a tremendous help, but it's a
15 long way from solving the problem we have up there.

16 MR. DAVIES: I'll make a note of that. Thank you.

17 SENATOR SOTO: May I say something, Bill?

18 CHAIR CAMPBELL: Uh, there's Assemblyman LaSuer and then Senator Soto.

19 ASSEMBLYMAN LASUER: Just real quick. We've been talking about everybody's
20 responsibility. We need to also consider the responsibility of the state. And uh, the reason I bring this up is
21 that, unless we want to turn California into Hong Kong where nobody can have a backyard or a front yard
22 and the kids can't play outside, we have to realize that houses are going to move out. And a number of
23 people in my district have complained to me, and my district was pretty well devastated by the Cedar Fire,
24 they told me, I mentioned this one other time here, that California used to build freeways. We quit building
25 freeways when we started building fire ways because you can't clear anything, you can't – they don't fire
26 breaks being maintained, and there's no way according to them that they could have escaped from the fire
27 once it got going during those winds, there was nothing there to stop it, no fire breaks at all, there were no
28 roads that were maintained for firefighters to get to them. And they're not allowed to cut or maintain any

1 defensible around them with people being fined by the local jurisdiction of state (UNINTELLIBLE) for
2 cutting weeds because they refer to it as a (UNINTELLIGIBLE) area when in fact it was urban property
3 and no way was it a (UNINTELLIGIBLE) area. So, we sit here and talk about what everybody has to do.
4 Let's look in the mirror at what the state has to do. They have to quit being so inflexible and realizing, you
5 know, that the human being is also an endangered species and they're going to take some responsibility for
6 allowing people to defend themselves, where as right now we do not allow that. The question I have for
7 you, is what legislation (UNINTELLIGIBLE) comes up, who's the insurance company going to be, are
8 they going to support legislation that allows this?

9 MR. DAVIES: Well, sir, I can say one thing. We certainly will talk about it and look at it very
10 hard now. Uh, I have just a quick story. This is kind of a wild story, but it's very true that in 1998, I think,
11 I formed a little task group, a little volunteer group and went over to Oakland and worked with the city and
12 the firefighters and the city maintenance crews, and we cleared about 60 tons of eucalyptus trees off of the
13 hills, there, the insurance industry volunteers. The put them on trucks and hauled them away. And I got
14 the worse case of oak poisoning I've ever had in my life, but we felt very good because we did clear some
15 brush. And then in 2001, I was sitting at a Fire Safe Council meeting and we were talking about the
16 commemoration – excuse me, 2000 – we were talking about the 10-year commemoration, anniversary, of
17 the fire in Oakland Hills and I was sitting in the Fire Safe Council meeting and I just happen to say, you
18 know a few years ago we cleared some brush, maybe in this commemoration, the three-day
19 commemoration, we can go up to the hills and do it again. And wham, there was a gentleman there from
20 UC Davis, a professor, and he said, you go near those trees today and I will sue you.

21 ASSEMBLYMAN LASUER: Well, therein lies on of the problems. That's why I asking where
22 the insurance company would be. I mean, you know, discussing that, taking a hard look at real good stuff,
23 but you know, we're at a point quite frankly we have to either fish or cut bait.

24 MR. DAVIES: Yes, sir.

25 ASSEMBLYMAN LASUER: So you might want to go with a message to them that what I hear on
26 this panel legislation will be introduced. I know we're working on legislation right now because of what's
27 occurring in my district. So you can contact me office and we'd most happy to work with you on it.

28 MR. DAVIES: Thank you, sir.

1 CHAIR CAMPBELL: Senator Soto.

2 SENATOR SOTO: Thank you, Mr. Chairman. Senator Alpert referred to something about this a
3 minute ago, and I thought I'd just expand on it. I think the responsibility lies with the legislature on
4 insuring that the insurance companies provide the protection, and we set the standards to which we want
5 the insurance companies to provide the protection for. I think that the responsibility lies a lot with us in the
6 legislature in asking for those standards, and then the responsibility will lie with you, as an insurance
7 company, to be able to provide that protection so that we can once and for all be able to insure the fact that
8 at least our homeowners are partially protected, at least for the most part, all of them are protected in some
9 way or another, toward any outbreak in the future, because I think that if we don't start to do that now, it'll
10 never happen. So I for one have thought of a lot of things. I have a bill that will provide the money to
11 clean up. And perhaps we can come up with some legislation that will provide the incentives also to have
12 the insurance companies work with us so that we can also improve the protection for our homeowners, and
13 hopefully that the cost won't rise as much as it could and keeping it down so that the homeowner can
14 provide the insurance for themselves. So I think the responsibility lies with us, and hopefully, I guess all of
15 us up here are thinking what are we going to do next, because I can think of some things that we do as
16 legislators to help this along.

17 MR. DAVIES: Thank you. We'd be glad to work with you.

18 CHAIR CAMPBELL: Thank you. Mr. Caine. We're going to have to speed this up a little bit
19 folks, we're getting a little bit behind. Go ahead, David.

20 MR. CAINE: Sorry about that. Senator Campbell, I'll pass. Ms. Soto and Ms. Alpert already
21 asked the question.

22 CHAIR CAMPBELL: Okay, thank you. Mr. Davies, thank you –

23 CHIEF COLEMAN: May I ask one question?

24 CHAIR CAMPBELL: Uh, yes, sir.

25 CHIEF COLEMAN: I have a letter, which I posted on your desk, which I didn't intend to introduce
26 as a personal testimony, but I have a comment I'd like to make.

27 CHAIR CAMPBELL: Okay.

28

1 CHIEF COLEMAN: Events are overtaking an awful lot of things that have occurred in these fires,
2 and all the fires we've had in the past. One of the things that has gone on in the aftermath of this fire is
3 what I think has not been brought before our Board, is the actual damage assessment evaluations that have
4 been done by local government and been done by various agencies. The reason I would like to bring that
5 up is that contained within those damage assessment information is the specifics that we're often talking
6 about, about what works and what doesn't work. You have an institution that does research. I think it's
7 extremely critical that in the aftermath of all of this other studying and so forth that we continue to go back
8 and look at that date, and talk about really worked. You made the statement that defensible space is really
9 critical. How does defensible space relate to houses burning down three blocks inside of an area? We talk
10 about things that are anecdotal, like we ought to fix certain kinds of things like screens. Well, somebody
11 needs to evaluate that that screen configuration is. And I think that what's really important is that the
12 damage assessment piece of all this work not fall by the wayside as we proceed forward. Because that's
13 where the specifics are that help support the standards that we're trying to get people to adopt.

14 CHAIR CAMPBELL: Thanks, Chief Coleman. Our next witness is going to be Brad Remp from
15 the – he's Vice President of the California Building Officials, and he's going to talk to us about codes and
16 things of that nature. Then we're going to hear from Larry Roberts, talk about aircraft, mostly helicopters,
17 and then we're going to break for lunch.

18 MR. REMP: Thank you, Mr. Chairman. Several of the things that the previous talked about I'll try
19 and cover very quickly here. Again I would like to thank you for the opportunity. Not only am I the Vice
20 President of the California Building Officials, I am the building official for the city of Chula Vista, which
21 was very nearly hit by the recent fires, as well.

22 The organization itself, you may not be familiar with it, so if you don't mind, I'd like to take just a
23 moment to describe it. The organization has existed for 42 years, representing most of the cities and
24 counties within the state. Something you may not be aware of is, for the most part, local building officials
25 enforce those mandated codes that have come down from the state. So as a result, our organization's
26 primary responsibility is providing that conduit between the local building official and the state to make
27 sure that we provide our input as to what is in fact enforceable at the local level. Also, if it's going to get
28 done, for the most part it's going to get done at the local level. We estimate 95% of all the building

1 inspections that take place in this state is done at the local level. So it's absolutely imperative that the local
2 building official be involved in that process, be familiar with what the requirements are, and be able to
3 exercise them, because no program is going to be effective unless we at the local level had had the
4 opportunity to fully understand it.

5 You may not also be aware that we do have a mutual aid program specifically designed for safety
6 assessment. Most of it has been designed for post-damage assessment related to earthquakes. However,
7 our training also provides us the opportunity to send qualified, certified inspectors and plans examiners
8 throughout the state to be able to do the kinds of assessments that typically need to take place. Let me
9 focus for a second – that's a safety assessment that is to determine to what extent the building has been
10 damaged, and to what extent it can be re-occupied. Unfortunately at this time it does not include a cause of
11 origin or a great deal of the information that I believe Chief Coleman was referring to. So it's quite clear
12 again that while a great deal of this discussion has been about the smoke and the fire and the response to
13 that, much of what helped contribute occurred over years and years prior to the fire, and the rebuilding
14 process is going to take years and years. The building officials are going to be the people who are going to
15 be key to try and facilitate that and unfortunately, if that's done poorly, they're probably also going to be
16 blamed for the bureaucracy associated with not getting it done quickly.

17 Benefits regarding why are building code requirements in this case. Well, one they're there all the
18 time, 24 hours a day, 7 days a week, 365 days a year. You initially place them; the owner or the builder
19 typically pays them for. It's normally a conscience decision that you go forward and you decide you want
20 to build something and you know there's risks associated with it and you come up with the appropriate
21 money to incorporate the requirements. They're not dependent upon the wind conditions or speed. They're
22 not temperature or drought controlled. They're not dependent upon the state or local budget climate at the
23 time, and they're not dependent upon whether or not there is mutual aid available. There do exist code
24 requirements, specifically Class C is a minimum in this state, Class B in several other areas. The energy
25 standards already require new construction to have minimum double paned windows. There are screening
26 requirements for ventilation openings, chimney spark arresters, and visible addresses. But that's really only
27 the beginning. One of the things, as you're dealing with today is, your trying to describe well what
28 additional requirements do you need to take place. There are a lot of different resources. One of the

1 resources, and frankly this is a resource, this particular organization, the building officials are most familiar
2 with, is the International Urban Wildland Interface Code. There are several other codes as well that are
3 being proposed. The NFPA publishes a code, as well as existing requirements elsewhere in our, in state
4 statute, including the public resources code, and the government. But I would point out that I believe a
5 copy of this code has been provided to each of the members previously. What's the – well, let me give you
6 an analogy – this code, or frankly any code that we're going to be dealing with is just a framework. A great
7 deal needs to go into it. I would use the analogy that I can give my son several thousand dollars worth of
8 tools, but that doesn't make him a mechanic. This provides a framework, it's necessary, but without proper
9 judgment or proper training or proper understanding, then it does little to really affect the problem.

10 What I'd like to talk about now is again, using this as a framework, what we need to establish is a
11 graduated scale of hazard severity. And the requirements are going to be based on where it fits in that
12 scale. There's two ways to go about it in this particular book. Table 502 identifies first
13 **(UNINTELLIGIBLE)** in the fuel load, whether it's light, medium or heavy, the frequency of the critical
14 weather, our particular case is the Santa Ana conditions are quite prevalent and they occur a number of
15 times a year that causes that severity to go up, and the slope of the particular area in question. Another way
16 of determining that is under Appendix C again in the same code, talks about fire access roads, their width,
17 their number, the turnaround available, the street signage, again the fuel types, and defensible space and
18 topography. That's been discussed quite a bit here. Simple example, in our particular jurisdiction we're
19 building 3,000 houses a year, many of them are on these ridgelines. We're putting in specific requirements
20 that provide for defensible space. However, that wasn't always the case. In one case you'll clearly see that
21 you've got a fighting chance of fighting a fire there because you have well irrigated vegetation that's
22 partially planted. And the others, the situation doesn't bode as well. And this is not in the middle of the
23 forest. This is the kind of situation that is currently going on in many of our communities as we reach into
24 the adjacent spaces. The wildlife agencies and such have told us we cannot build in the bottom of the
25 canyons, we've got to build on the top. And when you have on the top you're making them that much more
26 susceptible cause now it's the top of the slope. Again, using that same appendix, the roofing material has a
27 big indication as to what fire severity rating it should have, the availability of water supply, not only the
28

1 quantity but the availability of -- from the standpoint of hydrant spacing. The exterior construction
2 materials and whether the utilities are above ground or under ground.

3 With that information, next you go to the next step. You've determined what that basic
4 requirement is. Now you can modify it as to whether or not you have that defensible space. If it's
5 nonconforming, you have to make a little higher score, if it's conforming, then it pretty much stays the
6 same but if in some cases, you actually have an even higher defensible space, you get even better credit.
7 What this results in is something that you can apply as to whether or not it should be in a Class 1, Class 2,
8 or Class 3 ignition resistant construction. Class 3 in this particular case is the least restrictive. Class C
9 roofing, enclosing the under floor areas with one-hour construction, maximum size on the vents, again re-
10 roofing, and re-roofing must meet new code requirements if its being replaced over 25%. Again, this is the
11 least restrictive. Class 2 ignition resistant construction. In this case a minimum Class B roofing or
12 assembly, again at this point you enclose the soffits and the eaves, you provide non-combustible gutters and
13 rain spouts, non-combustible construction, or heavy timber exterior walls and you enclose the under floor
14 areas with a minimum of one-hour heavy timber. In addition, attached decks need to be one hour or heavy
15 timber construction, exterior doors now need to be either solid core or have some minimal fire resistant
16 rating. Again, vents, as in under the previous one, a maximum of 144 square inches. And, this is a new
17 requirement under this classification, any attached accessory structures that are less than 50' away and can
18 contribute to the fire, they need to be a minimum one hour construction, heavy timber or non-combustible
19 construction. The most severe -- that is the Class 1 ignition resistance. Here's a Class A minimum
20 requirements, again the soffits needs to be enclosed, non combustible rain gutters and downspouts, non
21 combustible exterior walls, the areas underneath the decks and such need to be enclosed. Similar to
22 exterior doors also, the vents, the detached structures, and the most significant impact here is at this point
23 you impose a requirement for automatic fire sprinklers. Those are the three basic ignition resistant
24 construction cases, and you can see, again, it's a sliding scale. You have some control based on the
25 defensible space, how you lay out your communities, where the roads are, how dense some of these
26 communities are. There's a lot of challenges. As you've seen before, this isn't the first report that's been
27 written on this subject. A jurisdiction needs to establish what level of risk it's willing to accept. Are they
28 willing to enforce new code requirements once a fire such as this has occurred? What level of justification

1 are you going to require to establish new requirements? Will it be based on anecdotal information, or will
2 it be based on thorough analysis, or are you going to require analysis paralysis – so much data that you get
3 buried and you can't move at all? The lack of knowledge of techniques of mapping hazard areas – what
4 we're dealing with here is an area that frankly most building officials are unfamiliar with and I would dare
5 to say in many cases a lot of fire officials are not aware of the technical requirements necessary to do the
6 kind of technical mapping that would be required. We need the ability to maintain defensible space over
7 time. We can set up a perfect scenario, decide which classification we want to put it in, only to find out
8 that the defensible space has not been maintained over time and now we're in a situation that was not
9 specifically designed. We need to balance the environmental protection and the brush management
10 policies. We talked a little bit about this before. I've mentioned where we can build and where we can't
11 build. Establishing stable funding sources, again for the special assessment districts. Most of the time
12 when we we've established a special inspection district it's been to establish a manager to make sure that the
13 environmental aspects are addressed. There has been little or no consideration as to what would be
14 necessary to maintain it from a brush management standpoint. In most cases these are either grossly under
15 funded or not funded at all.

16 The lack of wildland based fire testing on building materials – most of the requirements that we see
17 in the building code are based on an internal fire. They don't deal with the fast fire, the intense fire, that
18 typically only lasts in these buildings – again, I'm referring primarily to information that I have gleaned
19 through my reading and specifically through my interface with the State Fire Marshall's office, the fire
20 doesn't last very long. It blows through. If you can get the building to survive during that fairly short
21 period time, then that building will survive. We talk in terms of one-hour wall construction. You don't
22 need a one-hour wall construction, but you do need is a window that will withstand the fire pressures and
23 typically the testing that's been doing on so far would indicate those windows last about 2 to 8 minutes. So
24 going from a one-hour wall to a two-hour wall isn't going to make any difference unless you find
25 something that's going to impact how that opening is protected.

26 Balancing prescriptive requirements against maintaining architectural freedom – this is one of the
27 concerns that was certainly mentioned several times in the hearings that took place down in San Diego –
28 the issue of wood shake roofs. It's a very popular design. Whether or not you can achieve the same kind of

1 performance standards with a wood product, I think is in some cases debatable, but what we see is fire tests
2 that would suggest that they are capable of maintaining those kinds of standards. I think it's important for
3 us to reach out some way and not be so inflexible that we completely eliminate the architect's opportunity
4 to participate in this program.

5 Coordinating between fire officials, building officials and planners – this is an area that frankly
6 always needs help. What ends up happening is after the fact, unfortunately, fingers get pointed in various
7 directions as to why you didn't do your job when in fact it's all of our jobs, and we need to do it early on in
8 the process. One of the things that we, as an organization (**UNINTELLIGIBLE**) recently done is co-
9 sponsor a fire advisory group with Cal Chiefs and helped identified that as a good place to bring these kinds
10 of subjects and ultimately down to our membership.

11 Recommendations – building official involvement – they need to be involved in this. I think it's
12 going to be critical when it actually get done within the individual local jurisdiction, they need to be part of
13 that solution. We would recommend utilization of the international urban wildlife interface code as a
14 framework, a place to start. Recognize the need for flexibility and enforcement at the local level.
15 Everyone's conditions are going to be slightly different. You need to assess what your level of risk is, and
16 then appropriately fund it. Provide training for local building and fire authorities, hopefully in the same
17 room at the same time hearing the same thing. Because in many cases this is new information for both of
18 us. Establish long-term financial commitments to implementation. As we talked about before, a lot occurs
19 before the fire and a lot occurs after the fire, and if you don't adequately fund all three of those phases, then
20 you're going to be very disappointed with the results. Reconcile conflicts between environmental and brush
21 management agendas before the next major fire. I know there's been testimony on this already. I know in
22 our particular jurisdiction between the requirements we have for our wildlife agencies and our fire
23 department and our storm drain management people, we don't know what to tell people that they can do in
24 our jurisdiction at this time. And I suspect that's a situation that may not be uncommon for a lot of
25 jurisdictions right now in the state. Stress performance criteria over prescriptive requirements where
26 possible to allow for architectural freedom. Promote strong working relationships between fire building
27 planning and environmental groups to enhance the communication. Make it a normal part of business to
28 bring all of those parties together at the same time in the same room to talk about these difficult subjects.

1 Don't force someone who's not invited to go to court as their only alternative to participate. Support state
2 fire marshall's office in their fire testing efforts through the FEMA grants. We're now doing the kinds of
3 things that will help identify how buildings will respond to an exterior fire, to a wildland fire. And I think
4 there's some very interesting information that is coming out of there. It's quite revealing. But at some point
5 we going to have to decide, based on that information, what are we going to make the rules? When it will
6 be acceptable? There are some products that do not perform very well, that they're being installed out there
7 right now in the form of decks, a lot of plastic component-type decks that frankly the testing would suggest
8 that there should be some regulations at this point.

9 And last, develop a model plan for post-disaster rebuilding. One of my initiatives as an incoming
10 president for that organization is to learn from what has occurred here and to share that with our other local
11 building officials throughout the state. There are some things that are going very smoothly. On the other
12 hand, there are a lot of areas for improvement in that portion of the project, subsequent to the fire, and into
13 the rebuilding. In the county of San Diego I believe there was 1,950 houses that were lost, approximately
14 that many. They've only submitted the first 40 permits. So we're a long way from seeing how this is going
15 to come out. Some of the feed back I get from building officials is avoid that tendency to set up a special
16 program to treat everyone real special and by doing so, pull your frontline people off and put them in a
17 room only to do that. That may or may not be the best thing in the long run, because effectively those are
18 the best people. They can help the operation go. This isn't the kind of thing where you can shut down your
19 building departments. There continues to need be – the rest of the community that wasn't damaged, that
20 operation needs to take place. Again, I just – frankly I'm here to encourage you take advantage of a
21 resource that hasn't been talked about much so far, and that is the local building official, because we're
22 going to be in it for the long haul, we're there to help you, and our association is certainly available to help
23 you as well. Thank you.

24 CONGRESSMAN DAVIS: Thank you very much. Appreciate your being here. Questions?
25 Senator Hollingsworth?

26 SENATOR HOLLINGSWORTH: Thank you, Congresswoman Davis. I certainly appreciate your
27 comments about figuring out and making sense of the morass of the environmental regulations when it
28 comes to brush management and defensible space. You summed it up well by saying that it ends up in

1 confusion. Building officials don't know what to tell homeowners and homeowners associations what to
2 do, based on wildlife regulations, endangered species act, and **NVPES (??)** and, the same goes for local fire
3 chiefs. They send out notices to abate and U.S. Fish and Wildlife Service sends them a notice that they're
4 going to through them in jail if they send out notices to abate. And so, that is definitely has been talked
5 about quite a bit previously on this panel, and it's something that we have to deal with and we have to set
6 the priorities there for public safety while maintaining some semblance of rationality when it comes to
7 these environmental regulations. The time has come forth. Supervisor Venable and I dealt with this issue
8 10 years ago in Riverside County with the same issue, with endangered species. But comment being made,
9 I was particularly interested and wanted to question you regarding, what it sounded like was under the area
10 of the urban wildland interface and the standards and the products that are recommended, and the
11 technologies that are recommended or required, you said that many of those don't seem to recognize the
12 different type of fire that you have with urban wildland interface versus an interior fire. The particular
13 example I am wondering about is the requirement of interior automatic sprinklers. Very costly, no question
14 that they save lives in an interior residential fire. But just what is the efficacy when you're talking about a
15 wildland fire when the people in the home by and large have evacuated and the home is basically left there
16 either to stand on its own or with an engine company protecting it. Right now many of my constituents in
17 San Diego County are being told that that's the requirement. They have to rebuild and add interior fire
18 sprinklers. Just what is the reasoning behind that and how do we get to that point where we're talking about
19 standards for wildland interface and products and technologies that really make sense. The interior fire
20 sprinklers may not be the best thing. Maybe we're talking about an attic sprinkler instead. Your comments
21 please.

22 MR REMP: Let me start by saying that that decision won't be made exclusively by building
23 officials. That is where we work closely with fire officials and the testing that is going on at the state level.
24 With that said, it's my understanding in what've read is that a lot of what occurred were fire brands that got
25 in through the attic, space through the vent, started a fire in the attic. Had there been a fire sprinkler or
26 several fire sprinklers in that area, that very well may have contained it. One. And two, for the most part,
27 these wildland fires start some place and a very good place, a very frequent start place where they start is a
28 house, because there's just more opportunity. And if the fire can be extinguished or detained long enough

1 to allow firefighters to arrive to the site and ultimately put it out, then that is one fire that you've kept from
2 getting to the wildland. Again, a lot of research can or should be done. I think there's been a lot of
3 technology advancements that reduces the cost of the fire sprinkler systems. Clearly, it is much cheaper to
4 put them in when it's part of new construction than it would be retrofit. But again, with that, what I can tell
5 you is exterior systems, based on everything I've read, have very little value, or their value has yet to be
6 proved.

7 SENATOR HOLLINGSWORTH: But would you not agree with the assessment that we're trying
8 to put a square peg in a round hole when we talk about many other products and recommendations right
9 now, have been designed to an interior residential fire and we're trying to utilize those when we're talking
10 about urban and wildland interface, and they may not be either the best product available or they may not
11 reflect research that would show that a new product or a simple change of some of the products available
12 would be more effective in dealing with the urban wildland interface. Rather than just trying to say well,
13 we know fire sprinklers are a good thing and let's require them in these outlying areas, wouldn't it be better
14 to have something that actually shows the most effective, also the most effective for the dollar, is a set of
15 sprinklers in an attic rather than through the entire rest of the house. Or so on and so forth, that's just an
16 example. Would you agree with that?

17 MR. REMP: Perhaps I overstated the importance of that particular requirement. I was specifically
18 alluding to what we typically refer to as one-hour walls or two-hour walls, and in this particular case they
19 have very little meaning based on the actual scenarios you see in, you know, my understanding of what
20 you're seeing in that wildland zone. Uh, you raised some excellent points, and I think that's the areas where
21 we go in and we identify the research. There's got to be some cost benefit analysis associated with it.
22 Again, I have a little bit of previous experience in the fire prevention rule, and what we found often was the
23 reason the sprinklers were there was because it was way off the road. The fire engines simply could not get
24 there in a reasonable period of time, and while in many cases, or most cases, it may not fully extinguish the
25 fire, but it buys the time necessary for the engine companies to get there and finish the job. So almost
26 independent of whether or not it was in a wildland interface zone or not, when structures are that far off the
27 road or down long skinny roads that you don't want to commit a fire truck to because you would potentially
28

1 jeopardize the equipment and the people, there's a lot of other good reasons to require a fire sprinkler
2 system.

3 CHAIR CAMPBELL: Any other questions? Supervisor.

4 MR. HANSBERGER: Thank you. Dennis Hansberger, San Bernardino County. Let me echo the
5 concerns of Senator Hollingsworth and with respect to the value of fire sprinklers as it relates to wildland
6 fire. It may have other values, but I don't want to give people the thought that by having that, somehow
7 their house is protected from wildland fire. But a concern I have long had is that we've done nothing really
8 to make the attic less vulnerable. Why not put fire walls inside of attics with simply access to some
9 firewalls. There're very cheap. It's a little bit of drywall to simply break up the area to expose the entire
10 upper portion of the house to something that is totally combustible. The minute it gets in the attic, it's got
11 the whole house. Can we not take a look at making the attic a less vulnerable spot on the house? I think
12 that's probably the most common place for a wildland fire to enter a home.

13 MR. REMP: Certainly that's a potential. Probably the more economical way to do that would be
14 put in the fire shutters that we referred to earlier. The vents at that location and making sure that the roof
15 itself meets a minimum Class A requirement. The draft stops or fire stops in the attic will really just
16 ultimately burn down the unit and go underneath the draft stop, unless those walls go all the way through
17 the structure. The long term liability of that as a fire break is probably not as useful again as the fire shutter
18 issues that we talked about before.

19 MR. HANSBERGER: I'm not asking in exchange for the fire shutters. I absolutely agree with the
20 fire shutter idea. I just think that once it enters the attic, it has the entire home exposed in most incidents,
21 and if you can break that up and give yourself a few minutes to get to it – I mean I've actually watched a
22 whole house get consumed simply because they couldn't quite into that portion of the attic fast enough to
23 break off the fire.

24 MR. REMP: Again, I think one of the big concepts here is do you expect to have the fire
25 department there at that time? Much of what we're talking about here is the anticipation of the fire getting
26 there before the fire department arrives, or they may not get there at all. In the case of Chula Vista, by the
27 time the fire got to us we were told there was nothing left. There were no resources left.

28 MR. HANSBERGER: Thank you.

1 CHAIR CAMPBELL: Thank you very much, we appreciate your being here. We may be
2 contacting you later

3 [TAPE ONE, SIDE B STOPS MID-SENTENCE. There was more tape but I listened all the
4 way through and there was nothing on it.]

5 [TAPE 2, SIDE A BEGINS MID-SENTENCE]

6 MR. ROBERTS: pleasure to be here with you. When I was asked to attend, I was asked to
7 present. Then I later found out that I was asked to testify. So pardon my elevated state of nervousness.

8 CHAIR CAMPBELL: There's not too much difference between testifying and presenting.

9 MR. ROBERTS: Well let me tell you, my name is Larry Roberts. I am the Senior Director with
10 American Eurocopter. We are the American subsidiary for Eurocopter, which is the helicopter side of the
11 house for Air Bus and (**unintelligible**) Chrysler EADS, EADS North America. I have been asked to
12 provide additional testimony to enhance previous testimony on the use of roto wing technology and
13 firefighting. I'll talk to you about commercial roto craft, fire application and fleece energies. I'd like to
14 discuss surplus versus commercially certified roto craft, commercial roto craft, fleece energy and
15 equipment and technology. The advantages of operating commercial helicopters or commercial roto craft.
16 Commercially certified FA roto craft are not restricted to operating with mission essential personnel only.
17 Commercially certified roto crafts are not required to adhere to stricter guidelines, with respect to
18 developing technology such as reduced operating noise levels and energy attenuating crash worthiness..
19 Non-certified military surplus roto craft are not considered roto craft by the FAA. Therefore maintenance
20 and training records may not be subject to FAA guidelines with respect to maintenance logs and pilot
21 training records. Military surplus does not necessarily translate it to less expensive. Military development is
22 not primarily focused on cost-effective, but I'm mainly meeting mission requirements. Direct operating
23 costs, DOC's, for surplus helicopters can be expected to significantly exceed DOC's for commercial roto
24 craft. Commercial roto craft's energy in the fleet. The existing commercial para-public, meaning law
25 enforcement helicopter fleets are for the state in ready force multiplier to repair and quickly deploy against
26 fire threats. Many agencies already own and utilize firefighting equipment in their overall plan to serve and
27 protect their communities. Significant advantages came to realize from a commonality of training,
28 operability, equipment, maintenance and reduction of direct operating costs. Existing mutual aid

1 agreements can be structured to create a pool of roto craft resources to target volatile fire threats as critical
2 stages and at critical stages in order to prevent major escalations. This separate is not in lieu of commercial
3 or state assets, but can be put into place when commercial or state assets have been exhausted and/or the
4 fire threat calls for a massive attack. The best value for the state can be achieved by enhancing existing roto
5 craft fleets that can serve the dual roles of public safety and fire protection. Examples of existing roto craft
6 assets, there are just a sample of four in Southern California and around the state, Ontario Police, L.A.
7 County Sheriff, Los Angeles Police Department, California Highway Patrol. Talking about equipment –
8 water tanks can be fitted to roto craft to allow the flexibility of obtaining water from nearby sources to
9 focus on specific threats with minimal risk to property and the use of foaming agents. An example of an
10 isolator system roughly capacity of 197 gallons and these systems can be readily put on existing aircraft to
11 expand their mission radius and mission capability. An example of a helicopter operating – a commercial
12 helicopter operating in a confined area to extract water from a nearby and reachable water source to fight a
13 fire.

14 CHAIR CAMPBELL: That's a swimming pool I take it.

15 MR. ROBERTS: Yes sir it is. Even faster roto craft can easily be equipped and fitted with bambi
16 buckets with capabilities in excess of 100 gallons to fight fires, and this is a process that can be done very
17 quickly to existing fleets.

18 CHAIR CAMPBELL: And the pilot can be trained to do this?

19 MR. ROBERTS: Yes sir, absolutely. Trained in a relatively short time.

20 CHAIR CAMPBELL: You've talked about – you've talked about the public owned copters. How
21 about privately owned?

22 MR. ROBERTS: Likewise. The capability of the aircraft is the capability of the aircraft. The use
23 of strategically placed bladders can also be – can also enhance the use of commercial helicopters. Locating
24 the bladders close to potential fire areas to expedite the fire attack. And just another example of another
25 system that can be used on commercial helicopters can be very quickly adapted to enhance the fire role, or
26 the fire attack role.

27 CHAIR CAMPBELL: Any questions from the members of the committee – or the commission,
28 excuse me. If not, I'm going to make a wonderful announcement. Thank you very much for here Larry, we

1 appreciate it. We're now going to recess for lunch. We will show the video here in this room during lunch
2 hour if anyone is interested. I don't know how there going to do it. Is there a video set up somewhere? Oh,
3 there's a TV somewhere. For the commission members, they can take it home.

4 (UNIDENTIFIED MALE SPEAKER): Mr. Chairman, what time would you like us back.

5 CHAIR CAMPBELL: Oh, I'm sorry. That's a good question. We will reconvene here about 1:30.
6 We'll give ourselves a little extra10 minutes today. I'm going to say 1:25, which means you'll get here at
7 1:30.

8 [Adjourned to lunch]

9 CHAIR CAMPBELL: -- go on first right after lunch.

10 DIRECTOR JONES: Well thank you Mr. Chairman. I was very, very happy to yield
11 understanding the timelines. In addition to that, understanding that you have a fairly full agenda, I'll have a
12 very short presentation today. What I would like to do is update you on our efforts for obtaining additional
13 information for the after-action reporting process and also to discuss the broad based stakeholders group
14 who have had an opportunity for input into that report, which ultimately then will be given to the Blue
15 Ribbon Commission.

16 Based upon California Code of Regulations, our office is required to complete an After Action
17 Report within 120 days after the close of an incident where the Governor has declared a State of
18 Emergency. The report at a minimum should be a review of the response actions taken, application of the
19 Standardized Emergency Management System and suggested modifications, if any to SEMS and also
20 modifications to any plans and procedures if we see are in error. The recovery activities will be listed also
21 today.

22 Our efforts so far in our goal has to provide the broadest and the most inclusive process for input
23 into the process that we could bring about. Therefore, we're using multiple methods for information
24 gathering. The intent is to provide those areas directly involved in the fires an opportunity to assemble the
25 necessary stake holders, emergency managers, fire, law, community grounds, EMS, etc., to provide
26 additional comments to your body. The findings and recommendations of the stake holders will give us an
27 understanding of additional success and hopefully improvements that are needed at all levels in order to
28 better prepare, respond and recover from future events. In addition to the SEMS process, the input focuses

1 on all the aspects of the response, recovery and training. OES has concluded co-hosting County meetings to
2 obtain input from multi-discipline audiences based upon the numerous After Action Reports in San Diego,
3 we'll also be receiving a comprehensive executive summary from the San Diego After Action Report for
4 input and information. We're also obtaining input on issues and recommendations from all of the
5 responding state agencies through our OES automated Resource Information Management System, which
6 will provide one-on-one contacts and internal issues and recommendations will also be included in that
7 report.

8 Our external activities since the fire siege of 2003 had national implication. We also participated in
9 another fact-finding mission in San Diego to examine fire policy issues. The National Wildland Summit
10 Workshop was held this last January and it brought together fire service stake holders from throughout the
11 Western United States and additionally with land use planning experts, building regulations and vegetation
12 management folks and that information will additionally be inputted to your deliberations. In order to
13 ensure the broadest possible support for the Commission, we've chaired a meeting this last February, early
14 this February, when the external group of stakeholders to obtain additional input on the issues gleaned from
15 OES After Action process. Now this may have been groups that didn't necessarily participate in the
16 response or the recovery, but may have direct input into deliberations. At this meeting, the group reviewed
17 the Fire Scope information, Wildland Summit information; all the existing After Action Reports that were
18 provided at that time, along with the findings from previous fires were inputted at that forum. The external
19 stakeholder group, I would like to list them because I think it's going to be very important to the after
20 action of your report, because this is a group that I believe can be utilized very effectively to create a
21 marketing plan for your recommendations because we believe in our agency that your recommendations
22 will be very critical to stopping these kinds of activities from happening again and the more that we can get
23 that out to the communities, the better off we all are and will have better acceptance, I believe, of your
24 report. So that group included the California Association of Counties, League of Cities, Fire District's
25 Association, California State Fireman's Association, California Professional Firefighters, the Fire Safe
26 Councils, The Fire Alliance, Division of Forestry and Fire Protection, Cal Chiefs, Cal Metro Chiefs, the
27 California Police Chiefs, the California Sheriff's, the California Building Operation, NFPA (National Fire
28 Protection Association), Fire Scope, Firewise Community and a host of city and county planners, in

1 addition to insurance professionals who I believe need to work harder at selling mitigation measures
2 because, quite frankly, they are one of the biggest benefactors of mitigation measures in California and
3 although there was somewhat short-notice on the original meeting, it was very well attended. We have also
4 had an additional group of individuals helping us to make sure that we keep this group intact. They are
5 eagerly waiting your recommendations and will be working with you and them to make sure that this gets
6 wide dissemination.

7 To your commission, we'll be submitting two different reports by your March 19th date. First we'll
8 complete our After Action Report and we'll be getting the findings and recommendations to you, but we'll
9 also be committing and compiling a summary of the key findings and recommendations from all of these
10 different stakeholder groups that we've had meetings and had input from. We believe this will provide you
11 with a broad range of additional information outside of the great range of information that you already
12 brought together at your public meetings and others.

13 With that, I want to thank you again for having me here. I promised it would be brief and I hope I
14 did that and it's been a great opportunity for me to attend these meetings and to have input. Thank you.

15 CHAIR CAMPBELL: Thank you very much Dallas. Questions? Well, you summarized it well.
16 Thank you.

17 DIRECTOR JONES: Thank you.

18 CHAIR CAMPBELL: Next we have the Deputy Director of CDF, Jim Wright. Dave Elbert the
19 Chief Training Officer in – I better put my glasses on – John Tennant from the Fire Marshall. John is not
20 here.

21 MR. EBERT: Yeah John – Chief Tennant was unable to attend with us today.

22 CHAIR CAMPBELL: Okay.

23 CHIEF WRIGHT: Good afternoon Honorable Chair and distinguished members of the Fire
24 Commission. Again, I'm Jim Wright. I'm Deputy Director Chief of Fire Protection for the California
25 Department of Forestry and Fire Protection. And our presentation today will provide the commission an
26 overview of the California Fire Service Training System. CDF is involved with this training by virtue of
27 our merger with the State Fire Marshall's office who has a statutory responsibility for State Fire Service
28 Training. Within CDF, State Fire Training was merged internally with Fire Protection's internal training.

1 So within CDF's training program, we operate two functions; an internal training program to CDF specific
2 training; and also through the State Fire Training Program, external training for the outside of CDF for the
3 Fire Service in general and the State of California.

4 CHAIR CAMPBELL: Are those mostly volunteers? Or are they a mixture?

5 CHIEF WRIGHT: It's mixed. From paid to volunteers across the state. The -- where internal
6 specific to CDF training is conducted throughout our organization from the unit to the regional levels and
7 headquarters, and CDF operates a Fire Academy located in Ione, about 35 miles southeast of Sacramento,
8 and that's where our more formalized basic training is conducted for our employees.

9 CHAIR CAMPBELL: Is that inside or outside the prison?

10 CHIEF WRIGHT: It's just outside Mule Creek Prison.

11 [Laughter]

12 CHIEF WRIGHT: -- just adjacent to. The external training, like I said, is operated by our staff and
13 that is presented statewide through local fire agencies and community colleges throughout the state. With
14 me today is Chief Dave Ebert. Chief Ebert works on my staff and he is the Chief of CDF's Training and
15 Education Program and Chief Ebert has an extensive training background and what Chief Ebert's going to
16 do is give you a crash course in the State Fire Training System. Dave.

17 CHIEF EBERT: Thank you. Honorable Chairman, members of the commission. It's indeed my
18 please to be here today. I feel that to give you a true perspective of the way state fire training operates, I'd
19 like to go back to 1996 and refer to the Calabasas Fire and as a result of that fire, state fire training was
20 given a series of mandates and recommendations to complete and deliver to the California Fire Service.
21 Those recommendations included ICS or Incident Command System prerequisites for certification in the
22 State Certification System. The need to modify Firefighter One curriculum and examination process to
23 include more wildland information; develop a wildland interface course for company officers through the
24 certification process and establish an incident management certification and qualification program, which
25 I'll refer to as CICCS.

26 From 1996 through today, we have developed an ICS prerequisite for certification; and I'll need
27 the next slide please. With I-200 being required for all certification process at basic Firefighter One, I-300
28

1 Intermediate ICS required for Fire Officer categories and above and I-400 Advanced ICS required for all
2 Chief Officers. Next slide please.

3 CHAIR CAMPBELL: Chief, where does most of the fire training take place? Does it take place at
4 the department level, at the community colleges or a combination of factors, or at the state level, or where?

5 CHIEF EBERT: It's a combination of all three. Both at the local level, at the community college
6 level and many of the classes are given at the state level. The people responsible for the delivery of those
7 classes are selected from various fire service agencies throughout the state and through their means of
8 qualifications as an instructor, their background and their own education are deemed qualified to teach
9 those Incident Command System classes. Thank you.

10 We proceeded to start a project to upgrade the Firefighter One curriculum changes and as of a
11 result of a process that started in about 1998 and culminated in 2001, we've added 19 hours of wildland
12 interface elements to the Firefighter One certification. It now gives us a total of 40 hours of wildland
13 interface training before any firefighter in the state can be certified as a Firefighter One. Those elements
14 include safety and survival, personal protective equipment and hand line construction and the various tools
15 and appliances that are used on wildland fire control. There is approximately a thousand plus Firefighter
16 One certifications issues each year in the State of California. I think it's important at this time to say that
17 we have actually two systems within the State Fire Training Regimen. One system is the Certification and
18 Education System and that is a process whereby Firefighters, Engineers, Company Officers, Chief Officers,
19 all the way up to Certified Fire Chief can either take a series of classes and demonstrate their efficiency and
20 their proficiency in the categories that they are asking to be certified for. Most of those certification classes
21 are a combination of anywhere between three and nine classes and then at that point those people can apply
22 to the State Fire Training Program for certification. Their certification is reviewed by a peer review board
23 and they are either certified at that point or told that their certification needs to have more work to bring
24 them up to certification standards.

25 The other phase of State Fire Training is what we call F-Step and it's a Fire Service Training
26 Education Program and that is designed predominantly for the hands-on shorter classes, manipulative-type
27 classes. Those classes are given throughout the state throughout the year. Next slide please.

28

1 CHAIR CAMPBELL: Are all people trained in both wildland fire techniques and urban
2 techniques?

3 CHIEF EBERT: They will be after the conclusion of the next program that I'm going to talk about.
4 The new Fire Command 1-C Class. To this point, Company Officers are not trained across the board to the
5 wildland standards. All –

6 CHAIR CAMPBELL: You put a firefighter on a strike team. Is that firefighter coming down from
7 north to south or vice versa? Is that person trained in wildland fire?

8 CHIEF EBERT: Not necessarily.

9 CHAIR CAMPBELL: So we can send strike teams in to a wildland fire and the person, one of the
10 people fighting the fire is not trained in that area.

11 CHIEF EBERT: That's very conceivable.

12 **(UNIDENTIFIED FEMALE SPEAKER)**: Can you incorporate that into the training of a
13 firefighter? Both things? Can't you –

14 CHAIR CAMPBELL: He's going to get to that next.

15 CHIEF EBERT: That has been done at this point, yes.

16 CHAIR CAMPBELL: That's what you're going to come up with now.

17 CHIEF EBERT: Yes. We started that with the Firefighter One certification by adding those 19
18 hours to bring the Firefighter One certification standards up to an acceptable level and the recommended
19 level by the Fire Scope Committee and we're ready to deliver a pilot class on the incident, not incident
20 commander, but Fire Command Company Officer level in wildland fire control. And that's what I'd like to
21 talk about next.

22 The Fire Command 1-C is a new Fire Officer course designed predominantly to teach a Company
23 Officer the necessary tools and techniques to use in wildland fire control as in able to supervise an engine
24 company or a specified assignment that they have. That course includes 40 hours of studying the fire
25 environment, fire behavior, weather, prediction systems, the advanced incident command system, interface
26 and zone operations and principals, strategy tactics and size-up of fire control, firefighter safety and
27 survival, including risk management, making decisions under stress and the I-zone are interface zone,
28 incident operations.

1 CHAIR CAMPBELL: This is avail – you're making this available to what level B, C or lower?

2 CHIEF EBERT: This will be at the Company Officer Captain level and above.

3 CHAIR CAMPBELL: Captain level, okay.

4 CHIEF EBERT: Yes sir.

5 CHAIR CAMPBELL: And below it or above.

6 CHIEF EBERT: That's above. Captain level and above.

7 CHAIR CAMPBELL: Now what do we do for the firefighter who is sent into a wildland area? Do
8 we have training scheduled for him also in fighting – if he's an urban firefighter into a wildland firefighter?

9 CHIEF EBERT: The – it's incorporated into the Firefighter One standards and the new standards
10 of 40 hours of training in Firefighter One.

11 CHAIR CAMPBELL: Then my previous question is – was that if a firefighter is – every
12 firefighter that's going to be on a strike team now has wildland, some wildland training.

13 CHIEF EBERT: That is correct.

14 CHAIR CAMPBELL: Okay. But the officer does not necessarily have the skills for leadership in
15 that area until he does this course.

16 CHIEF EBERT: That is also correct.

17 CHAIR CAMPBELL: And this course – by what time will every Captain and above have this
18 course according to current schedule?

19 CHIEF EBERT: Well unfortunately under the California Certification System, there's no
20 requirement for people who have already been certified to require them to go back and take that class.

21 CHAIR CAMPBELL: So that's a good point. I think that the commission ought to – that's why we
22 have legislators on the commission.

23 CHIEF EBERT: And I totally agree. Under the California system, once you're trained and
24 certified and future training at the certification level is required unless you want to go on to the next level
25 of certification; Chief Officer certification; Fire Chief certification.

26 ASSEMBLYMAN LASUER: Mr. Chairman. The question.

27 CHAIR CAMPBELL: I'm sorry. Oh Jay, go ahead.
28

1 ASSEMBLYMAN LASUER: I have a couple of questions and I spent some time in my career
2 working in a law enforcement academy for quite some time and I want to get some things clear. You're
3 saying that the company grade officers, the Captains above, not all of them are trained in wild fires.

4 CHIEF EBERT: That's correct.

5 ASSEMBLYMAN LASUER: Do you know just a ballpark number off the top of your head how
6 many people are sent to fight the Cedar Fire or Captains or above that were not trained in wild fire?

7 CHIEF EBERT: No sir, I don't.

8 ASSEMBLYMAN LASUER: Who establishes the certification levels that you spoke of a moment
9 ago?

10 CHIEF EBERT: State Board of Fire Services.

11 ASSEMBLYMAN LASUER: And who sits on that board?

12 CHIEF EBERT: It's a Governor appointed board that – and I cannot recall the current members of
13 the board.

14 ASSEMBLYMAN LASUER: The CDF ever a presentation on that?

15 CHIEF EBERT: Yes.

16 ASSEMBLYMAN LASUER: And how long has CDF had seats on that board?

17 CHIEF EBERT: The Board of Fire Services just reconfigured, I believe two years ago and there
18 was one membership position dropped I believe from representation. But CDF has had a seat on that and
19 currently the Chief Deputy position is a CDF representative on the Board of Fire Services.

20 ASSEMBLYMAN LASUER: I have a couple more questions if I might. I've been writing them
21 down as you've going on and I don't want to have them stack up too –

22 CHAIR CAMPBELL: Go ahead.

23 ASSEMBLYMAN LASUER: You talked about the Incident Command System.

24 CHIEF EBERT: Yes sir.

25 ASSEMBLYMAN LASUER: And you trained on that. Do you train on that also in different
26 regional areas?

27 Do you incorporate your Incident Command Training System with local authorities?

28 CHIEF EBERT: Yes we do.

1 ASSEMBLYMAN LASUER: And how often do you do that?

2 CHIEF EBERT: As the requests come in for course delivery. It's on an as-requested basis.

3 ASSEMBLYMAN LASUER: You have no – I mean if you're all working together on a regular
4 basis, we have wild fires in California almost every year, is there no recommended number of times -- as
5 an example, when's the last time regionally there was one held in San Diego County?

6 CHIEF EBERT: The Incident Command System classes are normally taught by the local units or
7 the local departments. I can't tell you exactly when the last ICS classes were given there.

8 ASSEMBLYMAN LASUER: Do you have – okay, the major counties were affected was the wild
9 fires, do you recall when the Incident Command System training was given in any of those? Bakersfield,
10 Riverside,

11 CHIEF EBERT: I know for a fact sir that Riverside and San Bernardino teaches Incident
12 Command System classes annually.

13 ASSEMBLYMAN LASUER: But you have no idea when it occurred in San Diego County.

14 CHIEF EBERT: I don't recall.

15 CHIEF WRIGHT: Sir, we'll look at that. We'll ask our unit to provide us information on what
16 type of ICS courses –

17 ASSEMBLYMAN LASUER: Would you also do a little research on your records and tell me
18 when it was the last time that you remember on the board recommended that all of your officers have wild
19 fire training? It is a surprise to me because of all the wild fires that we have had, I'm wondering how many
20 people were down there directing wild fires that weren't qualified in the worst fire in the State of
21 California's history.

22 CHIEF EBERT: Well I may be able to answer a portion of that now. Contrary to the issues that I
23 was dealing with, the certification classes for local government Fire Protection employees all CDF Captains
24 are trained in wildland fire management.

25 ASSEMBLYMAN LASUER: Okay, but you're still not finished training the other Captains?

26 CHIEF EBERT: That is correct.

27 ASSEMBLYMAN LASUER: Can you tell me how long our Mutual Aid System has been in effect
28 in California with the Fire Department.

1 CHIEF ZAGARIS: Since 1950 officially. Actually it was started in the early '40's at that time.
2 **(Unintelligible)** from OES.

3 ASSEMBLYMAN LASUER: I appreciate that answer very much. Do we know about when that
4 training – my last question is do we know about when that training is going to be completed, so whenever
5 mutual aid is requested and is responded that the person that goes down there to fight the fires is qualified
6 and trained?

7 CHIEF WRIGHT: Our anticipation is that that Fire Command 1-C or the company officer
8 wildland class will receive three pilot deliveries in the state within the next 30 to 45 days. Our plans are to
9 offer one in the southern portion of the state, one at the CDF Academy in Ione and one in the Redding area.

10 ASSEMBLYMAN LASUER: Thank you very much.

11 **(UNIDENTIFIED MALE SPEAKER)**: ASSEMBLYMAN LASUER, that when we go back to
12 the '50's, those are the days that you and I remember well.

13 ASSEMBLYMAN LASUER: I was in high school.

14 **(UNIDENTIFIED MALE SPEAKER)**: I was in grade school.

15 [Laughter]

16 CHAIR CAMPBELL: Well the first liar never has a chance.

17 **(UNIDENTIFIED MALE SPEAKER)**: You're absolutely right Chief.

18 **(UNIDENTIFIED MALE SPEAKER)**: ASSEMBLYMAN LASUER, my answer was going to
19 be, it was before my time and that was 1961 when I entered the fire service.

20 ASSEMBLYMAN LASUER: Thank you for making my day **(unintelligible)** was discharged from
21 the Army.

22 CHAIR CAMPBELL: Chief McCammon.

23 CHIEF McCAMMON: Excuse me. Maybe I could just clarify one point because I wouldn't want a
24 misimpression to be left. Chief Ebert, you're responsible for curriculum development and seeing that the
25 training programs get approved, but it's up to local jurisdictions to seek out that training and get it; it's not
26 your responsibility as a state agency to provide that training to local government.

27 CHIEF EBERT: That is correct.

28 CHIEF McCAMMON: We just need to be clear.

1 CHIEF EBERT: That is very true.

2 CHAIR CAMPBELL: Next, we'll call on Carroll Wells from the Professional Firefighters, and our
3 most clean-shaven man at the table today.

4 MR. WELLS: That's right. You caught me in the restroom shaving up. Actually Chief
5 McCammon sort of raised the point that I wanted to. A lot of – is it fair to say that a lot of the issue with
6 respect to the lack of specific mandatory training in wildland procedures for local government firefighters
7 is the general discomfort with imposing an unfounded state mandate on local governments and that that is
8 the primary reason why these are offered as guidelines rather than absolute mandates.

9 CHIEF EBERT: Well, they're not absolute mandates to do the job. The certificate system is
10 absolute mandates by the state to become certified as a Company Officer or as a Firefighter.

11 MR. WELLS: But there are no specific training mandates in terms of the type of training that you
12 have to have, is that correct?

13 CHIEF EBERT: I'm sorry, could you repeat the question.

14 MR. WELLS: There is no specific mandate in terms of the specific type of training of Firefighter
15 One is obliged to have beyond the minimum standards in the courses that you outline.

16 CHIEF EBERT: The minimum standards are not even required by state law.

17 CHAIR CAMPBELL: Supervisor Venable.

18 MR. VENABLE: Very quickly. Do you provide contract services to any other agency for any of
19 this training at all; whether it's at Ione or Redding, or –

20 CHIEF EBERT: Do we provide contract services?

21 MR. VENABLE: Yes. Do you contract to any other agency, any other fire agency for this type of
22 training?

23 CHIEF EBERT: We will make this training available to anyone who requests it, yes.

24 MR. VENABLE: Do you do that?

25 CHIEF EBERT: Yes we do.

26 MR. VENABLE: But not under contract. You provide the services.
27
28

1 CHIEF EBERT: We provide the services through our series of instructors that – and I’m speaking
2 from the State Fire Training side, not from the CDF side. We have a cad ray of instructors located
3 throughout the state that are available to teach those classes upon request and it’s for free to any agency.

4 MR. VENABLE: Does any agency?

5 CHIEF EBERT: Not necessarily. It depends on –

6 MR. VENABLE: So you contract to them.

7 CHIEF EBERT: We don’t contract, no. The instructors will possibly run those classes through
8 community colleges or teach the classes through another jurisdiction and there is a cost associated with
9 that. A delivery cost, a material cost.

10 MR. VENABLE: So local government, cities, or whoever, wanted to use these services will pay
11 for them.

12 CHIEF EBERT: Yes.

13 MR. VENABLE: One way or the other.

14 CHIEF EBERT: Yes.

15 CHAIR CAMPBELL: Mr. Caine.

16 MR. CAINE: I have one question if you don’t mind. In your earlier comment, do you –

17 CHAIR CAMPBELL: Would you move closer to the microphone please David.

18 MR. CAINE: Yes. Your slide indicates approximately 1,000 individuals go through certification
19 per year. In your organization being CDF, what is the attrition rate of certified individuals through either
20 retirement or disability that fall out of the qualified grouping?

21 CHIEF EBERT: It’s been, in some cases staggering over the last couple of years, and later in the
22 presentation I’ll hit on a subject matter that we have suffered some difficulties with in dealing with that
23 matter and we call it basically a work force continuity issue that we have with due to retirements within our
24 organization, we are losing a lot of our experienced-based folks and the trouble is is getting the younger
25 employees trained and exposed to experience to get them up to fill those leadership roles and I think it’s
26 pretty common throughout the state fire services today, not only within CDF and it’s a tremendous issue for
27 all of us and, you know, you can send that firefighter to school, but you shouldn’t necessarily let him run
28 out there with a notebook, with just that schooling and take on a wild fire. We incorporate also a trainee

1 program after this course is taught to that firefighter to where they team up with an experienced person and
2 they prove that they can fulfill a certain task on the fire line before they get that final certification, before
3 we send them as a qualified individual and this is some of the areas that we – that I know of in the past
4 couple years dealing with filling resource needs for incidents is running out of qualified persons to do the
5 job. We have had to reach down and take trainees and utilize those in those positions. We provide
6 supervision for them, so they're not out there by themselves, but it's difficult. We haven't been able to pair
7 one-to-one in essence, in a perfect learning environment. We haven't been able to do that because of the
8 attrition that we're having with this, so it is a struggle and again, I'll touch on this at the end of the
9 presentation of how CDF is affected by this and some of the things that we would like to see as far as
10 recommendation to help us get back on track with this issue.

11 CHAIR CAMPBELL: Thank you. Congresswoman Davis.

12 Ms. DAVIS: Thank you Mr. Chairman. I just wanted to follow up. Perhaps you're going to
13 address this, but I am thinking about the call for emergencies, such as the Cedar Fires that went out. Would
14 somebody know how many people who are being – that are being sent actually are certified or not. Is that a
15 question that's asked? It goes to the heart of how many people perhaps are on the line that weren't trained.
16 How do we define that and is there – have we learned something from this experience that perhaps hadn't
17 been applied before about how we know.

18 CHIEF WRIGHT: A couple things, and I'll call upon Chief Zagaris to help out here. A couple
19 things you can envision a response to a wild fire. That fire engine company that's coming had a leader, you
20 know, and we hope for the future that that engine company leader will have a certification in this wildland
21 command role setting, so that that leader of that crew will have that overall training for that. We hope that
22 the firefighters that are on that engine through this enhancement of their basic firefighter training, has had
23 that wildland exposure training. You know, I think we're well on the way to that. There could still be some,
24 you know, out there that may not have that true basic, but we're on a good road to fix that. So, at some
25 level on that engine company, they'll be some experience and things there and they'll have to work and
26 take care of each other as a crew to deal with the environment they're sending it. More so, where we have
27 difficulties with the certification issue, is more so in the support and management roles of the incident to
28 where an Operations Section Chief, you know, you want a qualified experienced person doing that and if

1 there's a trainee available, we'll marry that trainee with that experienced person to help bring that trainee
2 along, but it's more in those positions where when you're trying to fill that job and you're searching the
3 system for that, is that you really want to get a trained person for that and where they are certified to fulfill
4 that job, that job specific that we're trying to fill. That's where my experience in dealing with deficiencies
5 in the system because of retirements losing experience where we're having trouble throughout the fire
6 service and filling with qualified folks. Kim, do you have anything to add to that?

7 CHIEF ZAGARIS: I think when we make a request for mutual aid through the state, it goes down
8 to any fire agency and we ask for an engine. It is the responsibility of the local agency sending those folks –
9 they're responsible for that training and to send what we expect are the best qualified individuals out the
10 door, and that can vary from whether we're dealing with a strictly all metropolitan and all rural fire
11 (**unintelligible**) out there. There are some 62,000, 63,000 paid and volunteer firefighters in the State of
12 California and I think what you're hearing right now is that we do not have a mandated certification
13 program that is required, such as law enforcement has with post. Not only do we not have a totally required
14 program such as post, I think Chief Ebert and Chief Wright will go on, you'll find that we're greatly under
15 funded in this particular area. So, while we are actually one of the best trained, best equipped and best
16 abled to do this job, room for improvement is absolutely one of the things I think that they're going to get
17 to telling you, but we rely upon the local agencies and the folks that you represent that when Department X
18 sends an individual out the door, we hope we're getting the best qualified individual out there and we've
19 done better and we have a California Fire Assistance Agreement that we use that CDF and the federal
20 agencies pay for reimburse these local government agencies and one of the requirements in there is to either
21 meet the National Wild Fire Coordinating Standards 310-1 or what Chief Ebert is already talking about,
22 CICCS, the California Incident Certification System, we're fairly new into that and we're light years ahead
23 of most other states, but once again, we're getting there, but I think as Senator Campbell has indicated,
24 that's why legislators on here to maybe give us some help as well down the road.

25 ASSEMBLYMAN LASUER: Okay, let me ask this question of you. You say there's 60 some
26 thousand paid firefighters in the State of California.

27 CHIEF ZAGARIS: Paid and volunteer.

28 ASSEMBLYMAN LASUER: Oh, I was going to ask you, what's the split in –

1 CHIEF ZAGARIS: It used to be 60/40 Senator and we're probably getting closer to a 50/50.
2 We're still heavily rural in the more rural areas of the state, but I think you're seeing as I'm noticing
3 statewide we're seeing less and less volunteers because of the time it takes and the multiple requirements in
4 any community and several other issues, but we're constantly seeing less and less volunteers out there and
5 great reliance upon a paid professional system.

6 ASSEMBLYMAN LASUER: Do the volunteers have the kind of training that you can send them
7 on strike teams?

8 MR. SEDIVÉC: Actually, yes we do. A lot of them very aggressively meet a lot of the same
9 standards some of the paid professionals do, and some don't. It just kind of depends, but a lot of our areas,
10 and we'll just take any of our rural areas, they're one of the greater areas in which we have wildland related
11 incidences year in and year out.

12 ASSEMBLYMAN LASUER: Is it time for me to tell my story about when I was a member of the
13 Moon Township Volunteer Fire Department?

14 CHAIR CAMPBELL: I guess not. Secretary Gerber.

15 MR. GERBER: Thank you Mr. Chairman. Is training time built into the annual duty schedule for a
16 typical professional firefighter? So many hours a year of training, or something like that?

17 CHIEF EBERT: Yes it is.

18 MR. GERBER: About approximately how much?

19 CHIEF EBERT: That varies from department to department. It depends upon the local mandates,
20 the Fire Chief's requirements, the local jurisdiction requirements.

21 MR. GERBER: But the state doesn't set a minimum number of hours per year or anything like
22 that?

23 CHIEF EBERT: No.

24 CHAIR CAMPBELL: Go ahead.

25 CHIEF EBERT: Can I have the next slide please. This takes us into the California Incident
26 Command Certification System or CICC and again I'll go back in the history mode, OES Fire & Rescue
27 Service Advisory Committee, Fire Scope Board of Directors were presented with the findings of the
28 Calabasas Fire Report that was authored and chaired by Chief P. Michael Freeman and three of the

1 recommendations involved development of qualifications and experience requirements for all firefighters
2 responding in a mutual aid wildland urban interface incidents. And that is the reason that we have
3 developed the increased trainings for the Firefighter One certification process and it also relates to the
4 needs for the Fire Command 1-C or the Company Officer training in wildland fire control. Next slide
5 please.

6 Calabasas After Action Report findings included the development of qualifications and experience
7 requirements for personnel assigned to wildland urban interface incidents and demanded a developed
8 minimum training standards and a standard should be developed in defining the qualifications and
9 experience requirements for personnel and key field positions and those things have been accomplished.

10 CICCIS Task Force recommendations, if I could have the next slide please, include the historical
11 recognition of training and experience of the existing personnel for a two-year period of time from the
12 inception of CICCIS starting May 1, 2002, and we're rapidly approaching the end of that historical
13 recognition period. And what that refers to is the people who had already proven through performance
14 standards and demonstrated their proficiency in wildland fire control could apply to for the CICCIS
15 certification. The system components for new employees and new people coming up through the system
16 include a peer review committee, a position task book that each candidate has to have filled as they receive
17 the training and as they perform and these are all done as Chief Zagaris said through the end to be a CG
18 course or approved equivalencies and the use of the National Wildfire Coordinating Group or NWCG
19 310-1 format or it's equivalencies, that's the January 2000 edition. Next slide please.

20 Those CICCIS components include the establish training standards, experience standards as defined
21 by the position task books, recognition of prior experience, physical fitness standards currency
22 requirements and available computer tracking systems or an IQS, Incident Qualification System whereby
23 an Incident Commander or Commander General staff on an incident would look through a computer query
24 and affirm that the people that were responding on that incident were qualified and trained. Next slide
25 please.

26 Through CICCIS we've established the ICF's level positions and where those will be certified and
27 attested to. The 100 and 200 series is done at the local level by the local Fire Chief. The 300 series is done
28 through the Operational Area through the corporation of the various elements of the Mutual Aid System.

1 The 400 series is done at the regional level and the 500 and 600 series, the Advanced Incident Command
2 Area, and the various categories that fall there are done through the qualifications appraisal of a peer
3 assessment committee review and that's done through the Office of the State Fire Marshall, State Fire
4 Training in Sacramento. Next slide please.

5 This will give you a graphic view of where a person starts through the entry point of the CICCS,
6 100 and 200 level, single resource and company level. The entry point through their coursework that is
7 required, the experience level and then down to the approval levels and certification. Next slide please.

8 And this is the demonstration of the ICS 300 through the 600 level from entry point through
9 certification. Next slide please.

10 After the October 1996 Calabasas Fire, task force comprised of Los Angeles County Fire
11 Department, Glendale and Los Angeles City Fire Department developed a Calabasas Fire Report and a total
12 of 56 recommendations were developed to enhance fire agencies capabilities to combat wildland fire
13 incidents and provide for safety of personnel. The highest priority recommendations were forwarded to Fire
14 Scope for review and implementation on a statewide basis and we're in the process of completing that now.
15 Next slide please.

16 State Fire Training System is a self-supporting system. There's no general fund money in the State
17 Fire Training System. It's designed as a special fund and the revenues are garnered through certification
18 costs and the costs that individuals would pay to receive that certification either individuals or their
19 departments would pay. Next slide please.

20 This is a breakdown of what my staff is comprised of on the state fire training side, not on the CDF
21 side. There are currently 13 budgeted positions. Twelve are full-time and one-half time and the one full-
22 time employee is an Assistant Chief that works for me at the Academy in Ione and his responsibilities
23 include supervising the two people who are involved in curriculum development. It also reflects that I have
24 two current vacancies in the program. Next slide please.

25 California Fire Service Training and Educational System has developed and delivered certified
26 courses over the past three years. I'll give you a summary of the amount of students and the number of
27 classes that have been generated through my office in 2000 and 2001 fiscal year was 541 classes involving
28 14,167 students. 2001 and 2002 were 688 classes involving 14,605 students. In the fiscal year 2002 through

1 2003, and these are estimated, because all of the class material and the closures are not in yet, 927 classes
2 with 25,535 students.

3 MR. CAINE: Mr. Chairman, may I ask a question on that.

4 CHAIR CAMPBELL: Who's speaking.

5 MR. CAINE: David Caine.

6 CHAIR CAMPBELL: Oh okay.

7 MR. CAINE: If you could please tell me, how many of the student, or percentage, are non-CDF
8 personnel taking training?

9 CHIEF EBERT: Most of them.

10 MR. CAINE: Most of them are non-CDF personnel?

11 CHIEF EBERT: That is correct.

12 MR. CAINE: Okay, thank you.

13 ASSEMBLYMAN LASUER: Chief, could I ask a question? This is Jay LaSuer.

14 CHAIR CAMPBELL: Yes, Assemblyman LaSuer.

15 ASSEMBLYMAN LASUER: I basically have two questions and one of things I am going to say,
16 we kind of gone over. When I was asking a series of questions a while ago I was kind of surprised with
17 regards to the training and speaking with one of Chiefs down here because my background was in law
18 enforcement. I find that you have nothing along the lines of POST.

19 CHIEF EBERT: That is correct.

20 ASSEMBLYMAN LASUER: And you have no funding stream for any such as that, whereas the
21 Fire Service had something along the lines of POST and a funding stream, then the training would be there.
22 I believe easier. Would you agree or disagree?

23 CHIEF EBERT: I totally agree with you.

24 CHAIR CAMPBELL: Thank you. Good. One second here. Assemblyman LaSuer, go ahead.

25 ASSEMBLYMAN LASUER: And I'm sorry Senator, because I think this is an extremely
26 important point because I was asking about the training, I was a little bit amazed that the training wasn't
27 there, but then I find out there is no formalized system and no formalized funding for the training, maybe
28 this committee ought to serious do some thinking about the fact that we ought to start doing some searching

1 to find something like that, so then you have all the training and it's there and you can do it, because if you
2 start shipping firefighters around the state different places to send them to school and putting them it, it gets
3 kind of expensive, but in the long run it pays off.

4 CHIEF EBERT: Most assuredly in the long run it does pay off and you are absolutely correct in
5 stating that we don't have a revenue stream there. My state fire training revenue stream averages 1.5
6 million dollars a year, which is sorely under-funded. If I may have the next slide please.

7 In contrast to the fire service training and education system that I just talked about, I'd like to talk
8 for a minute about the F-Step or the Fire Service Training and Education Program and these are the hands-
9 on or manipulative type classes that are given, non-certification classes and this slide will show you the
10 amount of classes that were generated and processed through my office, also in the years 2000 and 2001,
11 2001, 2002 and finally in 2002 and 2003, and –

12 **(UNIDENTIFIED MALE SPEAKER):** I want to make one recommendation, that when you do
13 slides, black on blue is tough to read. I can't read it in all candor. But that's just for future reference. I'm
14 not blaming Denise.

15 CHIEF EBERT: I was going to.

16 CHAIR CAMPBELL: You have to remember, she's one of my favorite people.

17 CHIEF EBERT: I understand.

18 **(UNIDENTIFIED MALE SPEAKER):** You're in trouble.

19 CHIEF EBERT: Culminating in 2002 and 2003, and I won't bore you with the numbers – the
20 previous numbers but they are in front of you in your handout, but again, these are estimated for the last
21 fiscal year, it's 941 classes statewide with 24,994 students. May I have the next slide please.

22 This is the ICS training that was given in 2002, or 2001/2002 and in it I have included on the
23 bottom of this Fire Command 2E, which is a Chief Officer certification class. That's the wildland command
24 level class in the California Fire Service Training and Educational System. In 2001 and 2002, we delivered
25 15 classes with 434 students and in fiscal year 2002/2003, there were five classes with 102 students in the
26 Command 2E. In addition, you'll see the figures for the various Incident Command System classes and if I
27 may have the next slide please. Gives the number of ICS training that are relevant to wildland firefighting
28 requirements and then the next slide will show a pie chart of a variety of colors.

1 (UNIDENTIFIED MALE SPEAKER): Yes it is.

2 CHAIR CAMPBELL: Very patriotic, red, white and blue.

3 CHIEF EBERT: It will indicate the comparisons of the total student to load for 2002/2003, 50,533
4 total students. May I have the next slide please.

5 This is a depiction of the amount of time that is required from inception to course delivery when
6 we develop a new course and we're all along in about that same 28-month ballpark for the development of
7 the Fire Command IC class that I referred to. In many cases, we're asked constantly why it takes so long to
8 develop a course and if I could go through that for just a moment here, the course development team and
9 the team development takes about four months and we have to verify the instructor's qualifications,
10 develop a course outline, an initial course outline, develop the type of textbooks and reference material that
11 are going to be used and set a timeline and a schedule and then that process has to go to the state training,
12 education and advisory committee. The next 16 to 20 months is a development of student manuals,
13 supplements and text. The activities, or the manipulative activities that go along with the class developing
14 comprehensive lesson plans, glossaries, also an evaluation system has to be developed, testing both written
15 and practical evaluations, followed up by audio-visual support and various other necessary elements that go
16 into a class development and that has to go to the State Board of Fire Services for final approval. The next
17 four months are involved in pilot course delivery, editing the course material after the pilot course to assure
18 that we have a viable content going to the Fire Service in general and then final adoption by the State Board
19 of Fire Services and implementation and placing into the catalog. Next slide please.

20 I'd like to talk for a moment about curriculum development challenges. State Fire training has, as I
21 indicated before, two full-time staff members. One Training Specialist Level 2 and one Clerical Support
22 and then our curriculum development team and we're very proud of the development teams that are
23 comprised in the state, those are sent to us by the various Fire Chiefs from over 900 Fire Departments in the
24 State

25 **[End of Tape 2, Side A]**

26 Certification training standards sometimes get overlooked for revision or are never developed. Next
27 slide please. Student material, research and review available textbooks for use sometimes becomes
28 extremely cumbersome and expensive. We've had a problem with some Fire Service agencies not wanting

1 to accept outside textbooks. The outside material review for subject matter and experts in accuracy and for
2 grammar and continuity have to be checked. Next slide please.

3 Some of our other challenges are the training programs are not readily available in all areas of the
4 state and that is as a result of instructors not wanting to teach in certain parts of the state. People in certain
5 parts of the state not wanting to become certified as instructors. Categories are limited in some geographic
6 areas for position specific training and we currently have no statewide needs assessment that is formalized
7 and as we discussed earlier, the training standardization is not there. Next slide please.

8 Quite frequently training programs may not be accessible because of costs to attend, very costly for
9 departments to send their employees. It's costly when they send an employee to pay the overtime to cover
10 in behind them and travel costs have become insurmountable for many departments. Next slide please.

11 CHAIR CAMPBELL: If you could speed it up just a little, we're running into time problems.

12 MR. CAINE: Mr. Chairman, may I ask a question if we could backtrack just one moment. It's
13 David Caine. Earlier Jim Wright, your comment was that attrition rate and disability rates were staggering
14 and you're losing experienced-based roles, yet you have 25,000 people being trained and the percentage
15 Chief Ebert, and you indicated I believe that a majority was – are individuals from non-CDF sources. Am I
16 to conclude that the CDF staffing is not taking the training because the budget would not provide for
17 sufficient funding for CDF personnel to be trained?

18 CHIEF EBERT: No, the CDF employees would take those classes on their own volition, the
19 classes that aren't certified when they go through the CDF Academy. They would take those classes
20 independently and most probably as representatives of local government through a Schedule A agreement.

21 MR. CAINE: Is there – excuse me, are they included in the 25,000 total that you've indicated, or is
22 that a separate category.

23 CHIEF EBERT: No, they would be included in that category, but I very sincerely believe that the
24 majority of those particularly at the Firefighter One and Two levels and the – some of the Incident
25 Command Level classes are local government employees.

26 MR. CAINE: Thank you.

27 CHAIR CAMPBELL: Thank you for helping us speed it up Mr. Caine.

1 CHIEF WRIGHT: Senator Campbell, we'll conclude. We know we've gone lengthy with this, but
2 this is an important matter to us and again, we tried to give a crash course in all this, but I'd like to leave
3 you with just with some quick recommendations on this, some of which the members have talked about on
4 there. One, you need to conduct a statewide needs assessment. What training needs to we actually need out
5 there statewide relative to wildland firefighting; identify and mandate core wildland interface training as
6 part of developing that, adopt and mandate statewide minimum training education standards, develop a
7 funding source much like POST for this training, require recertification on an ongoing basis, one you're
8 certified you should be recertified sometime to make sure you're still there. Help develop trainees. We need
9 to have funding sources to get trainees out and get experience and then develop further fire company officer
10 training and drills that they can go through. And the one point I wanted to leave the commission with, I've
11 mentioned to you an example of CDF's deficiencies we've had, we were very fortunate to receive through
12 a budget change proposal for a three-year period, funding for our academy for increased training to deliver
13 training courses to fill our backfill with retirees. That funding ended this past June. During that three-year
14 period, we were able to process 300 employees through basic fire control courses at our academy. Right
15 now, we're only funded for 96. So, it's been a tremendous impact on us. We have people backlogged and
16 trying to get through and get that certification within our department and that's one of the struggles today.
17 And this came to mind with a comment in Senator Campbell's opening statement, through tough budget
18 times, typically in the Fire Services training takes the cut along with other programs like that. I'd like to
19 leave you with that and we hope at sometime we'll be able to achieve funding to get that back for CDF.

20 CHAIR CAMPBELL: Chief, thank you very much. I appreciate your testimony here today.
21 Ronnie, do you want to – you have a letter before us. Do you want to come up and summarize that for us
22 please. I'm sorry, did you want to say something? Senator Soto, I'm sorry.

23 SENATOR SOTO: Thank you Mr. Chairman. I have to leave, but I would – I'm going to repeat
24 what I said the last time. I would hope that after all this and after we have our last meeting whenever it is
25 next month, that this report doesn't lay on some shelf somewhere or the recommendations without ever us
26 coming together to really decide what it is we want to recommend. I really feel strongly about that and I
27 have this horrible feeling that after sitting through so many meetings, and so many other times with other
28 topics, that we do the recommendations, we do the reports and never see anything after that. I do not want

1 that to happen with this and I hope that everybody on this dais up here feels the same way because this is
2 really a very, very serious problem as everyone knows and I think we really have to take some action to do
3 something about it. So, I'd like to see us do something after this.

4 CHAIR CAMPBELL: Before you leave Senator Soto, I'm going to make my closing comments
5 and maybe I should do it now, is that we're going to request from the – commission member – this is
6 directed to the commission members. We're going to request from you recommendations to Bob Gerber on
7 what you think ought to be in the final report by March 1st, and then at our meeting on the 18th, which is a
8 Wednesday, we are going to take all those recommendations and summarize them and some will be
9 duplicate obviously and we will try and get the report out to you the Friday before the 18th, so you'll – this
10 will be the initial draft of our report, with your recommendations, as many individual recommendations as
11 you want that we've heard testimony on and then by the Friday before the 18th, we have to have, we want to
12 have out to you a copy of the draft report, so that when we come in on the 18th, you all have had the
13 opportunity to go over the report, look at the recommendations, see which ones you like and you don't like,
14 etc, and then that debate will occur on the 18th and the 18th will probably be a long meeting.

15 SENATOR SOTO: So you want the recommendations –

16 CHAIR CAMPBELL: Recommendations to Bob Gerber at OES, our Executive Director of the
17 Board, there by March 1st, so we have time to look at the recommendations, put them together, and then do
18 the report, the draft report and then so we can finalize that report at the March 18th meeting.

19 SENATOR SOTO: Thank you.

20 CHAIR CAMPBELL: Okay, Ronnie. Chief Coleman.

21 CHIEF COLEMAN: Thank you very much.

22 CHAIR CAMPBELL: The man who talked me into going into a house and then set it on fire.

23 CHIEF COLEMAN: Which I don't think I'll ever be able to live down.

24 CHAIR CAMPBELL: No you won't. But you did put it out.

25 CHIEF COLEMAN: Yes, I did, along with Chief Simpson from Anaheim.

26 CHIEF CAMPBELL: Don't try and get anybody else in here. Chief Simpson, it was you who
27 talked me into going into that building.

28

1 CHIEF COLEMAN: Okay, well today I'm here as the Interim Chief of the City of Santa Rosa and
2 accompanying me today is Engineer Dennis March of the Laguna Beach Fire Department. He's the chair of
3 the California State Firefighters Association Training and Education Committee. I'm here for one very
4 specific reason today, and that is to support the idea that training and education in California is every bit as
5 important an element in assuring the success of all of our recommendations that are going to come out of
6 this particular report today. One of the things I'd like to do is to reset the clock, because the past is
7 prolonged to everything that's brought us here today. Several of the questions were posed here a few
8 moments ago have answers in the past. I had provided a series of documents to your staff Senator that are
9 essentially two documents that are too lengthy to reproduce for the committee. What they are, is one of
10 them called *The Current Proposed Master Plan for Training and Education for California*, the other one's
11 called *The California Fire Service Training and Education Needs Assessment* done by the California
12 Chancellors office. Much of the detail of what I'm going to try to cover is actually in those documents and
13 we don't have the time to go over them. However, I would like to express the fact that I had two Fire
14 Chiefs that submitted the information to our committee in evaluating that, and that was Fire Chief Jeff
15 Meston of Novato, who some of you may know as one of the gentleman that lost a firefighter in the event,
16 and Fire Chief Mark Rivera of Mountain View. I'd like to share some other information with him, but I'm
17 not going to spend a lot of time with the detail. Everybody in this room probably also knows that the
18 California Fire Service owes you, Senator, a great deal of gratitude, going back about 25 years in
19 California. Beginning in your days in the legislature up to and including your chairing this commission,
20 you've made numerous contributions to this process, but there also includes sponsoring some landmark
21 legislation and we've heard some of that landmark legislation talked about today. For example, there is a
22 group called the State Board of Fire Services. There is a function in California called the Fire Service
23 Training and Education System. And for many years the CSFA and it's members and many other fire
24 service organizations have been supporting the need for training and education to assure a high level of
25 standard. Now this Blue Ribbon Commission over the last couple of months has heard a lot of testimony
26 regarding multiple improvements that have to be incorporated in the future, if and when these events
27 reoccur. This testimony has also identified the fact that we have need for additional firefighters. We have
28 needs for improvements in technology and there have to be significant changes in both the regulatory and

1 the policy processes at the state and local government level. One process that's been implied but has not
2 been addressed really directly so far is the need for developing a plan to make sure there's adequate support
3 for training and education of all of the parties that are going to be involved in creating that operational
4 readiness. For surely as we're reviewing the lessons of the past and looking at these details, it can be
5 predicted that we're going to be given a chance to have this stuff revisited once again. Now the foundation
6 of fire protection is training and education of the individuals who are going to be involved in implementing
7 that new technology and utilizing all of those new methods that we're suggesting. The most defining
8 difference between those people who adversely are affected by future events and those who were sent to do
9 something about it, is the training and education of those individual responders. The ability to do an
10 effective job and mitigation is not based upon commitment. It's based upon core competencies of the
11 individuals that you send to do the job. It's their training. It's their education. It's their development that
12 makes a difference. For example, those are charged with code enforcement have every bit a need to be
13 adequately trained as people run the fire suppression forces do. If we're going to ask people to go out and
14 do prescribed fire, they have to be trained to do prescribed fire. Things such as vegetation management
15 require high levels of expertise in their implementation. Moreover, when you send crews into a threatened
16 neighborhood when everybody else is trying to get out of that neighborhood, the ability for them to do their
17 job is not based on the fire truck they're on, its based on the background, education and experience that
18 allows them to function safely in that kind of environment. But it has to be noted that there are many areas
19 of specialization in the fire community. For example, there are structural firefighters, there are airport
20 firefighters, there are wildland firefighters, and at times, every firefighter in the State of California is
21 expected to respond to catastrophic events. The public doesn't care. The public looks at a fire truck when it
22 rolls up in front of their burning building; they want somebody to do something. In reality, each individual
23 firefighter in California has a specific level of training and it's all based upon two things; 1) their one
24 voluntary contributions to become trained; and secondly, the minimum standards imposed by local
25 government over the agency that they work for. Now firefighters when they're called upon, they all
26 respond and they are going to do their best job. The public expects us to perform our jobs without excuse.
27 Training is the key to their performance. Now you've heard some members being tossed around today. We
28 have 58 counties, 950 fire agencies, 30,000 full-time firefighters and about 35,000 volunteer firefighters.

1 It's not uncommon on major events to call in firefighters from any type of agency ranging from local, state
2 and federal agencies and in some cases; they even come from out of state. Each and every one of those
3 components of the emergency response has to be at the same level of readiness for us to do our jobs. What
4 most people don't realize is there is absolutely no standard for how they are trained to that level of
5 readiness. An airport firefighter might have spent his entire career leaning how to fight crash fire car fires
6 and then be assigned on a mutual aid company to respond in as part of an engine company. Now this
7 commission has heard many recommendations about new technology. We've talked about new methods.
8 We've talked about new resources. Emphasis must also be placed on the need to have a comprehensive and
9 a well-funded training and education delivery system. I've heard people say here today, we have the best-
10 trained firefighters in the United States. I agree with that. I was the former Fire Marshall for the state and
11 was involved in setting up many of the programs that we're talking about. But that doesn't necessarily
12 mean they are as well trained as they ought to be. There is a difference between what they know versus
13 what the need to know, because training is the key to effective use of all that technology. All competencies
14 come from the training program and it needs to be recognized that the Fire Service is not a static entity. If
15 we went back to the days of the Bel Air Fire, which occurred in Los Angeles and proceeded along a time
16 continuum to 2004, there's 50 years of experience. I've included in this packet a series of documents that I
17 would like to ask the staff to look at because each and every one of these documents tells us that we've
18 been climbing a ladder, but we're not at the top of that ladder by any stretch of the imagination. Our
19 training system must continually evolve because training is the lynch bin between adaptation of any new
20 technology and any new methodology and the ability to do it effectively on the fire ground. It's no secret in
21 the Fire Service and you've heard some numbers here and I want to share some more with you. The
22 succession planning, and training are strongly correlated. Fire Chief Mark Rivere for example, come up
23 with a statement that said that everything is going to be replaced in the very near future. And as a matter of
24 fact, I can give you a couple of numbers. It is estimated right now that something in the neighborhood of
25 30% of the top level command officers in the Fire Service will not be here five years from today. That's
26 because of retirement opportunities, etc. Secondly, there's the issue of growth. If we're going to keep
27 adding new firefighters and if you'll look at his survey on page 26 to 30, they demonstrate that there are
28 two very serious problems. The growth rate of new people and I'll answer a question that was asked earlier.

1 Of those 25,000 people who were getting all that training, a significant number of them are members of a
2 community college taking firefighter One training programs. They are people not even in the Fire Service
3 yet. If you took a universal look at all of the firefighters in California, you will find that there is various
4 levels of participation in that program because each cycle of training has a different group of people
5 participating in it. Now collectively, the need for training and education is we need to replace about a third
6 of the Fire Service every five years at the bottom level to be able to replace the top five group about every
7 five years. Chief Mestan and Chief Bisbee recently chaired a committee that took a look about just
8 personnel qualifications and here's some numbers that they came up with. These documents by the way did
9 not appear out of a vacuum, they were done with constant surveys of Fire Departments running training
10 programs, regional fire academies and so forth. And it also didn't just start out, this by the way is the
11 original professional qualification book for a firefighter in 1928. The word grass and brush appears one
12 time. Today, the standards for firefighter today to reach different levels of certification fill volumes. About
13 40 years later in 1971, this document was printed, which is called a Master Plan. It was initiated by the
14 California Fire Service in cooperation with UCLA to start setting some of that standards and you have a
15 State Board of Fire Service. Chief Mestan's efforts, which you'll read about in this document basically
16 state that right now we lack a comprehensive statewide, top to bottom, side to side, adequately funded, state
17 fire training and education program to meet all the needs of the Fire Service. Now this report identifies that
18 there are problems with governments, there are problems with funding, there are problems with curriculum
19 development, there's problems with currency, availability, transportability. I can go on and on. I'm not
20 going to. Dennis Marsh here has also conducted similar research among his membership and has
21 determined that the number of individuals they are calling CSFA has increased significantly in the last
22 three or four years, just to have access training. You want to reinforce that Dennis?

23 MR. MARSH: Yeah. When I took over the chair about two years ago, my call level is in the last
24 two years has increased by 60% of people calling CSFA to get basic training because their budgets have
25 been cut at their departments where they have to go out and the firefighters have to put out their own
26 money out of their own pocket to take the classes so that they feel comfortable doing their job, and the
27 reason they're doing that is because a lot of departments as soon as you get a budget cut, the first thing to
28 cut out, hey let's cut out training, you know, we can save some of that money and put it into something

1 else. So people are still getting it and doing it on their own, but I don't think you're getting as much, as
2 many people qualified as we should if we had more of a statewide mandate to do some of this training.

3 MR. COLEMAN: Which is exactly the point we'd go to is the first fact is that budget limitations
4 are much more severe than people acknowledge. Most of the training that is in the certification system is
5 paid for out of the pockets of firefighters. They send individual checks in saying I'm paying my \$35.00 for
6 a class, etc. There is no parallel system to POST, which peace officers standards and training has had for
7 many years. There's no adequate sustained funding source to provide firefighters. Now the first thing that
8 happens in budget reductions is the first guy that goes is the training chief and the second guy that goes is
9 the fire prevention officer. Both of those are very critical to the kinds of topics that we're sitting here
10 talking about today. Now I'm not saying that we don't have adequate standards, because we do. Our system
11 has got standards. We've got reams of standards that they've been developed and many of the people
12 sitting in this room today helped create those standards. The question is, how many people comply with
13 them. The question is, how many people have access to them. We have accredited delivery systems, we've
14 got individuals who have been certified, but the real question is, what part of that training system is actually
15 a commitment by the government to make sure that firefighters are as well trained as law enforcement
16 officers. The Fire Service has never benefited from the same level of commitment that has gone into other
17 forms of public safety. Now based upon the works of Chief Mestan, Chief Rivere, Mark Bisbee, etc., the
18 training and education processes here, basically they came up with a series of problems. This is what that
19 Chiefs Group cites as being the problems with the system. They say they're out there. That table basically
20 as you look through the tables is lack of transportability, currency curricula, lack of unit and cohesiveness,
21 lack of quality insurance and I'll answer a question that was also posed earlier. There is absolutely no
22 guarantee that a fire company activated to go into an urban interface situation that the people on that
23 apparatus are totally qualified to operate in that environment. That doesn't mean they won't do it. It doesn't
24 mean they won't try. But you can have companies come out of urban communities, going into urban
25 wildland interface that have not been given that kind of exposure. As you look over that table that talks
26 about our problems. What they said, was what's the criteria for the future? Now I'm going to a high level
27 because this is a commission looking at policy, not specifics. What this table says, is that we have to have
28 an integrated system from top to bottom. We need a currently adopted master plan for fire training and

1 education that pulls all those pieces together. I'll give you another example because I've heard you mention
2 it before, there are all the state mandates in the State of California. They're all on a CD rom. You are
3 required to comply with these. Unfortunately, SB 90 has declared themselves exempt from reimbursing
4 anybody for complying with them. There's not one single mention in this document of wildland fires.
5 There is no requirement in here that an individual receive any specific training. Here's what we are
6 recommending, and that is that essentially there are only four things that we think this commission should
7 address. Number one is we should address the concept of getting a statewide master plan of fire training
8 and education that the State Board of Fire Services adopts and implements. Number two, is we should do
9 anything we possibly can to start addressing the issue of funding. I've studied training systems all across
10 the United States and many states have employed the use of what they call foreign insurance tax to put a
11 certain amount of money in the fire training. The State of Louisiana does that, Texas does that, several
12 other places. We believe that there has to be a very strong administrative oversight from state government
13 and what I mean by that is to make sure that more and more training falls into the category of being
14 mandatory training instead of voluntary training.

15 And last, but not least, is for this Blue Ribbon Commission to continue to put behind all of the
16 efforts of all of the other people, a commitment that training and education is what is going to make the
17 difference with new communications, new ICS, new resources, new aviation assets that without training,
18 many of the other investments will be as effective as they could be. And that sir is my presentation in a
19 nutshell.

20 CHAIR CAMPBELL: Thank you very much Ronnie. Beg your pardon? Okay, Dennis thank you
21 too. Carol do you want to make some comments.

22 MR. WELLS: Yes. I'm going to be continuing the notion that firefighters are a popular profession.
23 I'm going to be very brief since the –

24 CHAIR CAMPBELL: Thank you.

25 MR. WELLS: -- our testifier for California Professional Firefighters today was to have been
26 actually Fire Chief Mel Enslow, who is the Chief of Redlands Firefighters. He unfortunately was not –
27 Redlands Fire Department – unfortunately he was not able to be here because of a prior commitment. His
28 testimony is in this folder that you have, along with his contact information and some materials and I just

1 wanted to briefly touch on these just to sort of give you a sense as to why you're seeing something called
2 terrorism consequence management in your folder. Basically as you've heard from Chief Coleman and
3 Chief Wright, there is a lot of training out there. There's a lot of wisdom, there's a lot of knowledge, there's
4 a lot of understanding. The issue is accessibility. Through the joint apprenticeship committee, the
5 California Firefighter Joint Apprenticeship Committee, which Chief Coleman actually co-chaired when he
6 was State Fire Marshall, training is provided to apprentice firefighters roughly 8,000 now in more than 100
7 departments. However, the real issue is how in an era of tight budgets as you've suggested Chairman
8 Campbell, do we make this type of sophisticated training available? The material in here offers a model
9 that might suggest a way, a cost effective way of doing this. Last year with a one million dollar workforce
10 investment grant, the Joint Apprenticeship Committee with the buy-in of the Fire Chiefs, the Metro Chiefs,
11 all of the management and labor organizations associated with the Fire Service developed a terrorism
12 consequence management course. A 16-hour concentrated protocol that individual firefighters could be
13 trained in to address immediate response to terrorism. This material was developed after pulling together all
14 of the information on terrorism training and consolidated and then it was disseminated via a train the trainer
15 system. Basically what happened was we held roughly 30 regional training sessions around the state,
16 individual fire departments sent their members – sent individuals to come take the training on how to train
17 it, then they turned around and took this material back to their local fire departments and trained their
18 members. In all, 30,000 of these training kits were distributed to local governments, free of charge to those
19 governments, to volunteer and professional fire departments, union and non-union fire departments, the
20 average cost per firefighter for this program wound up being \$33.00 per firefighter. Now, obviously urban
21 wildland interface training is much more sophisticated than this was. It requires much more time, much
22 more intensity, much more hands-on training. However, Chief Enslow believes as a member of the Board
23 of Directors and we believe in conjunction with our management members of the Jack Committee that this
24 model is something that offers an opportunity again, with appropriate funding as Chief Coleman suggested
25 for local governments to provide this kind of training effectively in a modular way so that their duty
26 schedules aren't unduly inconvenienced. They could do it in their community so they don't have to spend
27 weeks at a time somewhere else and quite frankly, it can be done without the construction of a massive new
28 training facility, which would be a tremendous expense both to state and/or federal government and to the

1 departments themselves and sending people off to receive that kind of training. So basically we submit this
2 as something to consider on the crucial issue of accessibility, because that's the real key. How do we get
3 this training in the hands of local governments in a period when there is not a lot of money to spend on
4 training.

5 CHAIR CAMPBELL: Thank you very much Carol, we appreciate that. The next witness will be
6 Ron Raley. Deputy Director of Fire and Aviation Management, the USDA. We want to thank you by the
7 way for Raley Field in Sacramento and for the Raley and Bel Air Markets, with which I'm sure you are
8 familiar.

9 MR. RALEY: My pleasure.

10 CHAIR CAMPBELL: You own them you know.

11 MR. RALEY: I don't get any benefit of that. A distant relative. Well I was going to make this
12 presentation short, but since it's so hot and I've waited so long, I'll go with the lengthy version. My name's
13 Ron Raley and I'm the Deputy Director of Fire and Aviation Management for the Forest Service here in
14 Pacific Southwest Region. It's a pleasure to be here again Mr. Chairman and Honored Members of the
15 Commission. If you please Mr. Chairman, I'd like to give testimony and then defer questions at the end.

16 CHAIR CAMPBELL: Alright.

17 MR. RALEY: You've invited our testimony here regarding three specific issues. The three issues
18 being building and insurance industry, Fire Service training, Emergency Medical Services and I'll speak
19 this afternoon in depth to the first issues. However, with regards to the first two issues. However, with
20 regards to Emergency Medical Services, we do train our people as medical first responders and indeed
21 some are EMT's. However, we have no statutory responsibility for those services to others, nor do we have
22 any agreements to do so, so in the spirit of brevity, which I hope you all will appreciate, I won't be
23 focusing on that particular issue.

24 CHAIR CAMPBELL: Do you do life flight with the –

25 MR. RALEY: We will partner with folks and if we have to pick up citizens in need, we will
26 certainly do that. But for the most part, we use the commercial services that are available to us. So, let's
27 talk about what role does the Forest Service play in the building and insurance industry. And of course we
28 have to go back to some of the presentations that were made earlier and our Fire Wise Program is probably

1 our most prevalent dominant program that we have with regards to the insurance and building industry.
2 Now we have over the course of the years since the development of the Fire Wise Program, put on about 32
3 of these workshops nationally. Nine of those have been in California. Now this is all about as you've heard
4 before, a variety of disciplines coming together in the state, including developers and the insurance
5 company, realtors and the like to learn how to live in our wildland areas without losing homes when these
6 wildland areas burn. Now the end of the program is near. You can see the community workshops we've put
7 on in California. Our last scheduled workshop is for the San Diego area: February 24th and 25th. Some of
8 the other current initiatives that we have ongoing is that we've been working very closely with the
9 International Association of Fire Chiefs and help them take the lead on some current resolutions and
10 initiatives. There is a joint resolution of the California League of Cities and the California State Association
11 of Counties in support of local fire safe planning and local fire safe building codes and so forth. Another
12 initiative that we've been involved with the State Insurance industry and the National Association of
13 Insurance Commissioners is supporting fire safe principals with another initiative that the I-Chiefs have
14 developed. And I wanted to note that a very large insurance company, USAA, stated that this fire siege in
15 Southern California was their fifth largest claim in the history of their company; Building and Insurance
16 industry issues. Some of the issues that we see with this is that even though we have heard testimony
17 regarding some good programs that are in place. And example, few people know about the international
18 urban wildland interface code. We see this as an issue. There still overall is a general lack of understanding
19 of what constitutes fire safe construction and defensible space. We feel there is a general lack of
20 understanding on what incentives can be developed to encourage a fire safe plan.

21 Now I want to focus a little bit on our fire-training program here in California with the Forest
22 Service. Talking about our ground training for our firefighters and also our aviation training. We currently
23 have six centers in California that provide training to both Forest Service State and Local government. Fire
24 Service employees, however, Forest Level Training does take place all over the state at 18 different
25 facilities across the state. Our planned interagency training – all of our cad rays are interagency. We
26 currently have scheduled for 2004, 143 classes are – these classes will be provided to both federal, state and
27 local fire service employees. Over the course of a year, we train approximately 5,000 firefighters. In our
28 northern region, about 50% -- or in our Southern region about 50% of those firefighters are local

1 government, or state government fire service employees. In the north, it's a little bit less, it's about 40%. So
2 let's talk a little bit about what is it – what kind of training is necessary for a wildland firefighter? We have
3 a national standard that's called *The National Wildland Coordinating Group Standards*. It's a document
4 that specifies what training is required for firefighters that's called 310-1. You've heard about it here
5 before. It requires one 40hour class, basic fire suppression, the basic fire behavior class, an introduction to
6 incident command and of course on an annual basis, we require a 40-hour refresher for our folks to be
7 prepared to go on the fire line. It also has a component of physical fitness standard called the work capacity
8 test.

9 I'd like to talk a little bit about our National Wildland Fire Training Center. This is a new facility
10 that's just been developed at the McClellan facility. It houses our national apprenticeship program. As a
11 result of the national fire plan, it's resulted in emphasis on the development of this training center. We train
12 up to 600 entry-level apprentice firefighters a year at this facility.

13 CHAIR CAMPBELL: This is at McClellan Air Force Base?

14 MR. RALEY: Yes. This is a state-of-the-art facility with over 77,000 square feet of conference
15 rooms, classrooms and cad ray breakout rooms. It's really a top-notch facility and we're very, very proud
16 of it. That 600 figure that we talked about for training apprentices, we feel that somewhere between 600
17 and 800 entry-level firefighters is what we need to replace the attrition we see. Some of things that the
18 student at the academy become involved in, is learning basic firefighter skills, such as mapping, strategy
19 and tactics, fire behavior, fuels management and leadership training. And of course, physical fitness is a
20 key element of all of our training. As a result of last year's fatalities on the Cramer Fire in Idaho, all of our
21 Type III Incident Commanders nationwide will be participating in a new simulation training in which their
22 skills will be tested on the fire ground and decision-making and strategy and tactics. Currently we are
23 training cad rays from across the nation to be able to deliver the simulation training and test our Type III
24 Incident Commanders.

25 Some of the issues that we see with regards to training for local government are the qualifications
26 and certifications programs. We are always concerned about this, especially as it relates to firefighter safety
27 and we want to ensure that people that come to the fire ground are qualified and certified to do the jobs
28 they've been ordered for. Fire Departments, especially the volunteers, find it very difficult to participate

1 and attend training. Long travel times for local government to get to training for a number of different
2 reasons precludes getting local government to those training programs.

3 I'll talk a little bit more about our military training. Our military training programs have been in
4 place for many years and have become institutionalized. I think the best example of this institutionalization
5 of the training is on our interagency operating plan and agreement with the guard. They are a turnkey
6 operation in terms of being well trained. They're ready to do. They're well trained in bucket operations,
7 they've got good communications and they are a very effective resource and I wanted to offer for the
8 record the California Interagency Military Operations Program Guide that talks about the training that we
9 do with the guard.

10 CHAIR CAMPBELL: Okay. Thank you.

11 MR. RALEY: -- consideration the National Interagency Wild Fire Apprenticeship Program. So,
12 continuing with the military training, some of the issues that we have while training for the guard is
13 institutionalized. The training for the active military is based on an as-need basis. One of the issues is that
14 once our fire situation has escalated and it's very difficult to find the unassigned skills in the fire service to
15 be able to coordinate the necessary training for the military, especially when there's needs for more than
16 one battalion.

17 I'd like to go on with a few recommendations. Our recommendations go back to what we have said
18 all along at this commission. Increasing our firefighter effectiveness may not be where we should focus our
19 efforts. However, land use planning and fuels management, forest health restoration should be our focus.
20 That being said, we need to continue the Fire Wise Program. We need to work hard that this national
21 program gets continued and offered to local communities and local government. We need to encourage Fire
22 Safe land use and zoning high hazard in the woody environments by supporting such efforts as
23 International Association of Fire Chiefs and this International Urban Wildland Interface Code. We need to
24 encourage the insurance industry to provide premium incentives for fire safe construction and fire wise
25 landscaping. We need to encourage the rapid adoption of this California Incident Command System
26 Certification CICCIS that you heard about earlier, utilizing standards similar to the National Wildland
27 Coordinating Group standards 310-1 and we are confident that this is on a road of success. We simply need
28 to increase our efforts in providing training for local fire departments through grant programs we need to

1 expand our volunteer fire assistance grant program and we need to look at innovative ways to bring this
2 training to our volunteer fire departments. We need to increase training for military assets prior to
3 incidents, by pre-designating military units and we are doing some of this. We need to partner with state
4 and local government to determine just where it is, where we feel that military assets perhaps not on an
5 initial attack, but very close extended attack, could be a valuable asset. We also need to encourage tabletop
6 exercises with the military, similar to what FEMA does with the Federal Response Plan. The military can
7 provided intelligence, communications platforms and crew transportation. We need to tap into these
8 capabilities also, as well as their water dropping capability. Thank you Mr. Chairman, I'm available for
9 questions.

10 CHAIR CAMPBELL: Thank you very much. Senator Elbert has a question.

11 SENATOR ELBERT: Thank you. Can we go back to this international code that you were
12 speaking about. The fire safety – the wildland

13 MR. RALEY: Urban wildland fire code?

14 SENATOR ELBERT: Yeah. Do you have a copy of that?

15 MR. RALEY: I do not, but I believe that the person who presented that would have that.

16 SENATOR ELBERT: Okay, we have a copy of that. And do you feel that that could be adapted to
17 California, or just adopted for California?

18 MR. RALEY: I believe we would probably have to modify that and adopt it. I think we need to
19 take a look at it and see what the applicability is, but from what I heard about the premise of that program,
20 it sounds like a pretty good way to go.

21 SENATORY ELBERT: Thank you.

22 CHAIR CAMPBELL: Senator Hollingsworth.

23 SENATOR HOLLINGSWORTH: Thank you Senator. Obviously an important aspect of what you
24 just talked about is the – for San Diego County and Assemblyman LaSuer and I had direct experience with
25 at the bringing in of active duty military assets and you mentioned expanding the program similar to the
26 program already in existence on national guard units and pre-designated military units and I think that's
27 very valuable for San Diego County considering the location of many helicopter units and so on, nearby to
28 San Diego County; and for all of Southern California. My question is, there's already been some approach

1 between CDF and a couple of the military units in the area to begin moving that forward. Does that require
2 a buy-in by U.S. Forest Service and USDA? Or is that something that can be done bilaterally between the
3 Department of Defense and those units and CDF? Or, does there have to be Forest Service involvement?

4 MR. RALEY: The buy-in comes from our partnership with CDF BLM and the park service and
5 that cooperation and agreement is already in place that we will partner with each other on the certifications,
6 the training qualifications and so forth, so that's already in place. When CDF moves, we move along with
7 them.

8 SENATOR HOLLINGSWORTH: So once an active duty military unit is pre-designated, its got
9 pilots and aircraft that are pre-designated, pre-certified, they would be able to fight a fire whether it's a
10 completely forest service command fire, they'd be able to fight a fire that was joint command or a fire that
11 was an SRA fire.

12 MR. RALEY: That's correct. There will always be operating qualifiers. There will always be
13 conditions for the operation of those resources. But they would be able to work in any jurisdiction in which
14 CDF and the Forest Service are a part of that.

15 SENATOR HOLLINGSWORTH: This may be beyond the extent of your knowledge on this
16 particular situation, but are you familiar with the approach that has been made in San Diego County and
17 how far along that's going in particularly a timeline when those might be brought into certification and pre-
18 designation.

19 MR. RALEY: Our regional aviation officer, Dennis Holbert, presented testimony at the last
20 hearing and he has been working with the folks in San Diego County at one of the naval air stations and I
21 do not know how far that is progressing, but he feels pretty satisfied that they're going to have something in
22 place for the next season.

23 SENATOR HOLLINGSWORTH: Thank you.

24 CHIEF ZAGARIS: Senator?

25 CHAIR CAMPBELL: Chief, go ahead.

26 CHIEF ZAGARIS: I thank we probably need to clarify I think what we're really working on is for
27 in that local area because we are still dealing with the authority at the base commander to be able to assist
28 local agencies in and around that base and immediate threat to life and property. I'm still not aware that the

1 agreement we can still get passed are the economy act issues yet. I think we're talking about using the
2 regular DOD resources and immediately threat to life and property and close proximity of those base
3 commanders. After that, I think Ron, you probably need to explain the other process that we have to go
4 through to get to access those DOD assets.

5 MR. RALEY: Kim's absolutely right. The agreement comes from the authority that the base
6 managers have to be able to take action in and around their local community in an emergency situation and
7 they can be used for urgent situations. We still have to meet the test of the economy act in terms of the
8 utilization of private asset – commercial assets. We still fall under the economy act.

9 CHAIR CAMPBELL: Assemblyman LaSuer.

10 ASSEMBLYMAN LASUER: I have a couple of questions if I might. So maybe you can clarify in
11 my mind; your helicopter pilots. Most of their training is trained civilians, or they get their training from
12 the military and then when they get out they work for you or.

13 MR. RALEY: Most of our pilots are commercial pilots in the private industry. So they are required
14 to have 1,500 hours of stick time and 500 hours of mountain flying time.

15 ASSEMBLYMAN LASUER: Okay, so they are basically trained in the civilian world.

16 MR. RALEY: Most of those folks have their 1,500 hours of experience has come from the
17 beginning in the military.

18 ASSEMBLYMAN LASUER: I see, because I'm really curious about something. Shortly before
19 the Cedar Fire, there was a fire at Camp Pendleton. Marine helicopter units put out, or assisted in putting
20 out. The bambi bucket that we saw on a film earlier today during lunch I believe it was, I think holds a
21 hundred gallons, theirs holds three times that. The Cedar Fire burned across the Miramar Marine Corp Air
22 Station and their ground firefighters fought that, yet there was tremendous resistance to allow any military
23 aircraft to fly and fight that fire. Now, what comes to mind is the fact that the Department of Defense in
24 fact has as an example C130's that are trained and equipped and do drop retardant on fires and they have
25 helicopters that are trained and equipped and do drop on fires in their areas, but then we hear the story
26 about, well they have to be qualified. These same pilots are the ones that went in at night and took the
27 troops in to rescue Private Jessica Lynch in Iraq. They pick up a marine off the bouncing deck the
28 Destroyer (**unintelligible**) in the Atlantic and they're not allowed to drop water on a fire, when they already

1 have the experience, already have the equipment, already have the training in the military. So, I'm
2 wondering if you can explain to me why or what it is that makes your pilot that's dropping water on a fire
3 superior to a United States Marine Corp pilot that's dropping water on a fire.

4 MR. RALEY: Well it would be tough for me to explain that. I can tell you that those pilots are
5 critically skilled in the maneuvers that they do and helicopter pilots working in the wildland fire
6 environment are also critically skilled in the maneuvers that they have to make. Does this mean that those
7 military pilots can't be trained to do that mission? Certainly not.

8 ASSEMBLYMAN LASUER: Well this is why I brought up the fact that at Camp Pendleton that
9 they had just recently put out a fire in the wildlands, Camp Pendleton is much a wildland and mountainous
10 areas and things such as that, and that is where I had a hard time understanding the rigidity of not allowing
11 these people to participate and save structures and possibly lives.

12 MR. RALEY: I believe the issue in that case is two-fold. Number one, is they need to receive
13 about 40 hours of training in bucket work and so forth, target identification, air operations. I have a pretty
14 lengthy list of the training requirements that are required for bucket drops with the military and I can
15 submit that for the commission. Does it mean that they can't – that they cannot do that, absolutely not.

16 ASSEMBLYMAN LASUER: Maybe one of the recommendations this commission ought to have
17 is the fact that we give due credit to the training that the military does on bucket drops and I'm sure that
18 their buckets hold the same kind of water that your buckets hold, and put out the same kind of fire that your
19 buckets put out and it almost appears, I'm not saying this that it does, it almost appears like there is a little
20 bit of a turf problem here and when there's a fire going, we're talking about earlier today, we don't care
21 what color the fire engine is or where the firefighter is from, and I don't care who drops the water, it saves
22 my grandkids home, or saves my grandkids life, or the people in my district's life. I don't care. And as far
23 as I'm concerned, I'll get up and fly in a helicopter with a Marine pilot as fast as anybody else and I would
24 have as much confidence in a Marine pilot that's a combat pilot and has the training for firefighting as they
25 do anybody else. So I think maybe there ought to be a little meeting of the minds. Maybe their training's
26 every bit of good. You might even learn something from the military. I don't know. But I don't see by
27 getting together and saying, you know what, if I transfer from San Diego State University, UCLA, there's a
28

1 whole lot of courses that they would accept. Maybe you all ought to take a look at that and say, gee whiz,
2 they're as good as we are. We ought to let them get out there and fight the fires with us.

3 CHAIR CAMPBELL: You have to understand, Assembly LaSuer and I both used to jump out of
4 C130's. So you have to forgive us if we're partial to water drops.

5 MR. RALEY: Why didn't you guys jump on the Cedar Fire then.

6 CHAIR CAMPBELL: Director Williams.

7 MR. WILLIAMS: I used to jump too, but it wasn't out of C130's. Just a clarification I think might
8 be helpful for the commission. The national interagency fire center works jointly with the military and the
9 development of this military use handbook and the qualifications and the standards for use are developed
10 jointly, so it's not always the wildland agencies saying these are our standards. It goes both ways where the
11 military is insisting that their pilots have some kinds of training particularly in mountain flying. The other
12 point was, even with all the problems we've heard about the economy act and so forth, the fact is, I think
13 that the height of activity we had, like eight maps units, is that correct – were engaged and I'm not sure
14 how many military helicopters but at least –

15 **(UNIDENTIFIED MALE SPEAKER):** At least a dozen.

16 MR. WILLIAMS: Clearly, we've got some things that we need to improve on, but I sure wouldn't
17 want the commission (**unintelligible**) thinking that we're starting from zero.

18 ASSEMBLYMAN LASUER: The military C130's that were shipped to California from around
19 the nation were specifically requested by the local congressman down there, as were the military
20 helicopters and they were – let me finish. They were denied for several days during this fire. We were
21 denied the ability to use military helicopters to fight the fire. I'm not going to name names, but I also
22 mentioned in my comments a moment ago that these Marine helicopter pilots put out a fire just a few
23 weeks prior to this on a military base, so if you all work together on that, then they're getting training for
24 the same thing. That's why I say maybe you ought to take a look. Maybe you can learn something from
25 them, or maybe there's a problem with turf, but I don't care if it's the Coast Guard dropping water on my
26 house during a fire. And we need to understand that. I lost 2,000 homes in my district. Thirteen people
27 killed. When I've got planes that people will not allow to be used. I'm a little bitter about that. And you just
28 said that the military worked together on that. Well then somebody better get off their duff and say, gee we

1 have a lot of things in common, we ought to be out there working together putting these fires out together,
2 because you're just as qualified. If they can go in the middle of the night and fight a fire in Pendleton or
3 rescue a hostage in Iraq, they're certainly competent pilots.

4 MR. WILLIAMS: I'm not arguing the competency of the pilots at all, all I want them to do is
5 make clear to the commission that there's something more than nothing happening in terms of use of
6 military assets and with all due respect, that's --

7 ASSEMBLYMAN LASUER: I understand that and I'm just saying to you that there should have
8 been a major lesson learned during the Cedar Fire and I still hear some hesitation to really work with the
9 military. The military units do their training and they transfer in and out all the time. We just lost a unit
10 going back to Iraq and there are other pilots training, so they'd be available for that. Miramar Marine Air
11 Station is in fact a training squadron there. It also has combat units there. So they're there and they're ready
12 and they had the equipment. 300 gallon bambi buckets that lay on the ground during the worst fire in the
13 history of this state. That's what bothers me.

14 CHAIR CAMPBELL: And Assemblyman LaSuer, you have every right to be bothered by that and
15 I think it's something that we're going to take into consideration as we make our recommendations on how
16 to solve that problem. One of the nice things you have is that the congressman who made that call is
17 Chairman of the Armed Services Committee, so he very quickly gets the attention of all the major military
18 departments. So, I think we're going to take a good hard look and our report will contain some significant
19 recommendations in that area. Thank you. Any other questions? Thank you very much.

20 We're going to jump now to emergency medical services.

21 **[End of Tape 2]**

22 MR. RUBEN: Good afternoon Mr. Chairman, members of the committee. Thank you for the
23 invitation to join you today on behalf of Richard Watson our Director. We want to let you know our
24 appreciation for including the issues of emergency medical services and disaster medical response in your
25 commission agenda. If I could in the interests of time, I would like to summarize the written testimony that
26 we provided to you in the areas that you requested of us.

27 First let me start off by very quickly telling you about the Emergency Medical Services Authority.
28 EMS Authority is the state agency charged with developing standardized local and regional EMS systems

1 here in California and to prepare and manage the state's medical response to a disaster. We accomplish this
2 through statewide leadership and policy and regulation development and standards guidance and that
3 covers areas such as EMS personnel, public safety and other personnel involving providing life saving
4 services, development of regulations for trauma centers, poison control centers, and we fund the poison
5 control center system in the state. We developed EMS disaster medical standards guidelines for the disaster
6 medical response and we're involved in many different facets of delivery of emergency medical services
7 through the local EMS agencies.

8 CHAIR CAMPBELL: Chief, as I recall this was set up by the Woodworth Townsend Act.

9 MR. RUBEN: Right. The initial –

10 CHAIR CAMPBELL: I've been around long enough to have voted for that act.

11 MR. RUBEN: That's what started the paramedic program, right, the pilot program. It's not Chief
12 Ruben by the way in respect to all the chiefs sitting up here today. It's just Mr. Ruben, thank you. The
13 actual implementation and the statewide approach to emergency medical services development
14 implementation in California is under the medical and administrative coordination of 32 local EMS
15 agencies, both single county and multi-county agencies servicing the 58 counties. Emergency medical
16 services infrastructure is really three parts. One is dispatch, the dispatch centers that provide the response to
17 the 911 calls and medical direction. The second is the first response and ambulance transportation. And the
18 third is the receiving end at the hospital emergency departments. In a disaster that day-to-day emergency
19 medical services system is augmented by many different entities, both public and private, working within
20 the standardized emergency management system. We've developed like fire service and law enforcement,
21 and medical and health mutual aid system here in California. It starts with the operational area level with
22 the medical health operational area coordinator. It then goes to a regional disaster medical and health
23 specialist in each of the six regions. And on up to the state level where the EMS authority our department,
24 along with our partners, the Department of Health Services who are responsible for public environmental
25 health response, together respond to the needs of a disaster stricken community. We in the EMS
26 community and the Disaster Medical Services community have worked together to develop many different
27 initiatives prepare for a response to a disaster. Throughout this process, we've tried to take a standardized
28 statewide approach and many of the different agencies represented by your commission here today have

1 participated in that process. In response to the fires back in October the EMS authority, as it is done in
2 many different disasters in the past 20 years, floods, fires, earthquakes, worked to manage the state and
3 coordinate the state response to the disaster. We staff the Emergency Operations Centers in concert with the
4 Governor's Office of Emergency Services and other state agencies. We coordinate a response with local,
5 state and federal agencies with twice a day conference calls, we've brought almost 40 people together to try
6 and look at the issues in the response. We focused on several issues, including the disaster Medical
7 Assistance Team, Wildland Fire Medical Strike Teams. This is kind of a subset of our State Disaster
8 Medical Assistant Team Program, which is part of the National Disaster Medical System and what we've
9 done there is working with California Department of Forestry over the past couple fire seasons, we've
10 developed small six-person wildland fire medical strike teams and they're under contract to CDF to provide
11 services at the fire-based camps and close to the fire lines. In the October fires, they saw almost 3,000 to
12 4,000 patients and had almost 8,000 patient contacts. That's a lot of medical services, and I think that put a
13 lot of fire service personnel back on the lines very quickly and kept the fire response going.

14 CHAIR CAMPBELL: Most of the contacts, were they civilians, or fire personnel.

15 MR. RUBEN: They were both. They were both fire service personnel, civilians re-entering the
16 area, law enforcement personnel, the whole gamut of personnel responding to the events.

17 CHAIR CAMPBELL: Eight thousand, that's an unbelievable number.

18 MR. RUBEN: Yes sir it is. Yes sir it is.

19 CHAIR CAMPBELL: You did well.

20 MR. RUBEN: Some of the other areas we've concentrated on were some of the air quality and
21 respiratory issues in concert with our partner's Department of Health Services, looking at public
22 information messages. One of the issues I think we've all seen in past disasters is different agencies giving
23 different guidance on public information messages. We want to make sure for the OES, Public Information
24 System, that the medical and health community give out one standardized message. We looked at some of
25 the issues regarding maintaining ambulance coverage and 91 response activities and the shifting of
26 ambulance resources into the affected area. Based on our experiences, we'd like to give you just a few of
27 the recommendations that we consider some of the most important and we've detailed them for you in our
28 written testimony.

1 First of all, we want to talk about enhancing the integration of the medical and health disciplines
2 into the Office of Emergency Services, Emergency Disaster Management process. Through earlier
3 identification of the need for representation at local, regional and state emergency operation centers, and
4 ensuring that the trained representation that is provided there also includes medical and health high level
5 participation in the emergency operation center policy group because those efforts, the EOC's are the most
6 critical in managing a response and again, we also need to have representation within the medical health
7 branch, so we need both the workers and the policy level folks there. And we think it's important because
8 what it does is it works to establish emergency medical services response both at the state, regional and
9 local levels, as full partners, as full response partners, so that future funding and other support issues for
10 disaster response are in par with the fire and law disciplines and we think that this involves the awareness
11 and acceptance that medical and health issues are equally critical to the successful response and recovery
12 from disasters.

13 Another area we'd like to see worked on, is the continued development of the ambulance strike
14 team concept that was developed by our office in conjunction with California State Fire Chief's
15 Association, OES Fire and Rescue, both those organizations provided tremendous assistance to us in that
16 process. Working through Fire Scope, local EMS agencies and our private partners in the California
17 Ambulance Association, and we want to fully integrate those ambulance strike teams into SEMS under the
18 existing Medical and Health Mutual Aid System and in concert with the Fire and Rescue System. We'd
19 also like to recommend the design of a statewide communications system to include all strategic and
20 tactical medical providers that offers urban and rural coverage, wireless voice and data transmission and
21 full interoperability with all disciplines and investigate funding to purchase and implement such a system.
22 And finally, one of the more important issues for us is to address the question of reimbursement for state-
23 activated medical resources, particularly private sector resources by reconvening the SEMS technical
24 committee and a subcommittee on mutual aid. I want to thank the committee for this opportunity and I
25 assure you of our continued commitment to work closely with our key partners to enhance emergency
26 preparedness in response to wildland fires, as well as other disasters and hazards that face our state.

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28

1 CHAIR CAMPBELL: Thank you very much. We appreciate your testimony. Are there any
2 questions from the committee members? Thank you. It's a tremendous service you provide. I find
3 remarkable the number of people you treated during those fires. I also understand it.

4 DIRECTOR TUTTLE: Mr. Chairman. At the risk of taking a little bit of time
5 here.

6 CHAIR CAMPBELL: Director, go ahead.

7 DIRECTOR TUTTLE: Yes, I would just like to emphasize the importance of these
8 **(unintelligible)** centers that they go out on many of our events and incidents and they save a lot of time.
9 Otherwise, we would have to transport firefighters into some rural community hospital. There they are out
10 on the scene, and they've been extremely useful and successful for us.

11 CHAIR CAMPBELL: One of the best votes I ever made. I'm probably the only one in the room
12 who knows both – or knew both, Townsend and **(unintelligible)**. Anyway, thanks very much.

13 MR. RUBEN: Thank you.

14 CHAIR CAMPBELL: That's a good response. Okay, we're going to go next to Keith Till and the
15 City Manager of **(unintelligible)** and Russ Tingly the Fire Chief of Hermosa Beach and they're
16 representing the League of California Cities. Last meeting we had CSAC, the County Supervisors and so
17 we want to get – we want to make sure we have the participation of the county association and the league
18 here. So, who's going to start off?

19 CHIEF TINGLY: Well thank you Honorable Chair and distinguished members of this commission
20 for inviting us here today. I'm Russell Tingly. I'm the Fire Chief City of Hermosa Beach and also the
21 second Vice-President League of California Cities Fire Chiefs Department and seated to my left is Keith
22 Till, City Manager City of San Te. Mr. Dill.

23 MR. TILL: Thanks. Over 27,000 acres in the City of Santee burned in the Cedar Fire, that's almost
24 one-third of the land area within our corporate limits. Four hundred seventy-eight (478) homes were
25 directly threatened by this fire and a number of those with the fire actually burned the backyard fences. The
26 good news is that not a single one of those houses burned and I think that's for three basic reasons. One is
27 that the Santee compliment of firefighters are all cross-trained in both structural firefighting, as well as
28 wildland fire fighting. Second, we have a Mutual Aid System in San Diego County that works. And it

1 worked as planned. And thirdly, we got real lucky that the wind shifted just in time. I'm here to talk just a
2 couple of minutes about what the League of California Cities has to offer in this effort. The League
3 represents all 478 incorporated cities in California and that's in addition to the Fire Chiefs of all those cities
4 and the Police Chiefs. It includes the Mayors, City Council Members, City Managers, people involved in
5 land use planning, building code enforcement, Fire Code enforcement, brush clearing. All of the elements
6 that need to go into this effort and in coming up with a better plan for next time. The league began working
7 on the wildland urban interface issue about a year ago, obviously well before the big fires hit because we
8 realized there is a need to work with multiple agencies on preventing catastrophic events such as these and
9 what we'd like to do is be a resource in any way we can to this commission. We respect and appreciate
10 what it is you're doing and would like to be involved. Thanks.

11 CHIEF TINGLY: Thank you very much. Thank you. The League of California Cities in
12 conjunction with the California State Association of Counties, CSAC has developed a policy statement that
13 is a call to action for creating a stronger defensive strategy in dealing with wildland fire threat, specifically
14 through developing better land use, building construction and fuels management options for City, County
15 and State adoption. That particular policy statement is included within your packet today and I'm not going
16 to read it to you. We have spent countless hours working on this policy statement since July of 2003 after
17 co-hosting a forum of over 200 California Fire Professionals who spoke solidly in favor of improving the
18 defensive strategies highlighted in the policy statement. The policy statement has received the unanimous
19 support of several of the League of California Cities Policy Committees including housing, economic and
20 community development, environmental quality and public safety. The League Fire Chief's Department
21 has unanimously endorsed this statement and most recently the League Board of Directors approved
22 adoption of the statement. CSAC's agricultural and natural resources committee worked on the policy
23 statement on several occasions before passing it unanimously and sending it to their executive board for the
24 same unanimous final approval. We are now forming a task force of leaders from the League, CSAC and
25 appropriate state agencies to begin working on addressing the issue and problems identified in the policy
26 statement. The solution to the wildland fire problem requires feedback from fire professionals, city and
27 county planners, the community and many other stakeholders from environment management to private
28 industry and we intend to go deep into the problem and support sustainable and realistic solutions that will

1 work for rural and urban settings. For example, we are looking for ways to sustain the cost of fuels
2 management by creating new jobs in industry from the harvesting and use of biowaste in a productive and
3 environmental friendly way. The wildland fire problem is an issue of statewide importance and
4 significance. What happened in Southern California will happen again unless we make some significant
5 improvements to address fuel management, land use policies and fire safe building standards that are vital
6 to protecting lives, structures, infrastructure, water shed, community park lands and other community assets
7 at risk to wildland fire in the state. We request that this effort be recognized by the Blue Ribbon
8 Commission and supported as a method of implementing a solid defensive strategy for dealing with
9 wildland fire in California. Again, thank you for the opportunity to speak to you today.

10 CHAIR CAMPBELL: Listen, I appreciate both of you being here and I want you to know that we
11 have five chairs of Boards of Supervisors. We have a few mayors, and we have a lot of fire, city and county
12 fire chiefs on this commission. Many of the recommendations that are going to be made will impact upon
13 you dramatically in the form of building code changes on vegetation management and maybe on your
14 budget as you look at how we provide some of the training and other things that we're requesting, so we
15 appreciate your being here today and we look forward to the support of both the league and CSAC as we
16 move forward with the finalization of the Blue Ribbon Commission recommendations. Thank you very
17 much. We appreciate it. Excuse me, any questions? Thank you.

18 CHAIR CAMPBELL: Supervisor Hansberger, would you like to – do you – oh, he's coming up
19 from the back. There he is. Has a statement that he wants to summarize to us.

20 MR. HANSBERGER: Thank you Mr. Chairman. I've submitted a letter in behalf of the County of
21 San Bernardino and many of our local fire agencies with some comments I'd like the commission to take
22 into consideration as we deliberate in our next meeting and I'm sorry there's not a great deal of time
23 available to discuss this at this time because these are issues of that which we think – well I think in San
24 Bernardino County we had a much more positive experience in our effort to detour the file than some areas
25 did. I think we learned some things in a very positive sense. We learned some things we can prove upon.
26 And we think it might be useful to share that, unfortunately those experiences are not scheduled as part of
27 the overall presentation, so I'm going to try to quickly summarize some of that and indicate both things we
28

1 think we can improve upon in a couple of areas I'd like us to work on, or areas that I think we've done very
2 well.

3 First of all, the incident management of the fires themselves was transitioned a number of times
4 and let me just read one piece of a paragraph that I've written to you just to give you an indication of some
5 of the problem. The old fire was under initial attack incident command on Saturday, October 25th, and it
6 transitioned by the U.S. Forest Service a Type II Team on Sunday morning, the 26th, and transitioned again
7 on Monday the 27th to a Type I Team and subsequently an Area Command Team was put into place on
8 Wednesday, October 29th. Concern expressed by local fire agencies that the rapid transition from initial
9 attack command to Type II to Type I and Incident Command Teams resulted in a loss of command control,
10 logistical support and during some very critical periods of the fire activity we felt that some very important
11 delays occurred that could have been prevented if local incident command and control had been in place
12 and there are a number – there are many people in the local area who are part of the local firefighting
13 agencies, including the U.S. Forest Service, who are trained to do that work and it isn't always necessary to
14 bring someone from great distances, some of them from San Diego by the way who then were hopefully
15 returned to San Diego. Indeed I think the – we had a loss of continuity because of the way in which
16 incident command control occurred. There was also a certain loss of geographic and topographic
17 understanding. There was not a clear understanding of resources and the promptness that could have been
18 achieved, was not achieved. We'd like to explore that for the future to be able to do a better job. I want to
19 indicate they did a good job. We honestly believe, and I think all of our local agencies including the U.S.
20 Forest Service personnel have shared with me the ability to do a better job in that regard.

21 We also feel that all agencies should take a look at the mass concept that existed in our area, the
22 Mountain Areas Task Force, which safety task force, which was used to preplan for these incidents helped
23 us a great deal to be able to do the fine job we did and that included all of the fire agencies, including local
24 cities, county, CDF, districts, U.S. Forest Service, all were a part of that planning effort and it enhanced
25 significantly our ability to respond. Additionally, many other entities, such as public utilities, law
26 enforcement and others were all a part of that. We believe that the way in which that came together and
27 worked well is a model, which should be looked at for implementation in most areas.

28

1 The wildland urban interface issue is a significant issue in our area and I think in many areas in
2 California. One of the issue is that we've given a great deal of attention in recent decades to the
3 construction of new residences – new structures. I believe, and I think many believe, that we've not given
4 enough attention to the old structures, the old neighborhoods and bringing them up to a standard, which
5 makes them more resistant to the fires. In San Bernardino County, if you were to see the fires that occurred
6 around the homes largely in the Fontana and Rancho Cucamonga areas, you would see that they survived
7 extremely well because they are largely modern homes using very, very modern techniques and we
8 survived very well. North San Bernardino, where the homes are 40, 50, 60, 70 years old did not fair so well
9 because they were not hardened against fire in the same fashion as the new homes. We need to find a way
10 to get back to the existing neighborhoods and assist them. Some of the discussion is before us about
11 incentives that may be offered to folks. We believe we should explore that at some length and make some
12 suggestions of our own, including that we believe that expenses to harden home against a violent fire
13 should not be reassessed at a higher value when you spent \$20,000.00 to protect yourself and then have the
14 County reassess you. We need to have that go into the law. We also think that some of those expenses
15 probably should qualify for certain kinds of tax deductions.

16 Further, the Joint Information Center, which was a great idea that we attempted to explore and use
17 in this fire, simply didn't live up to our hopes and dreams. The Joint Information Center took several days
18 to get set up and consequently we were two-thirds of the way through the entire incident before any
19 information came out of the Joint Information Center. We need to improve upon the ability to go into the
20 information business immediately with locally available resources. One of the problems we had was that
21 some of the really highly qualified people that were brought in from this, were brought in from all around
22 the country and it took two or three days to get them there in spite of their knowledge. They can't do the
23 job until they are on scene and secondly, they didn't have local knowledge to bring to it, it took a while –
24 their learning curve was significant and we've got to do a better job with that and I believe that Joint
25 Information Centers should be not located with Fire Incident Command, but with the Emergency
26 Operations Center, because at the Emergency Operations Center, all of the support activities such as the
27 public utilities, the opening and closing of roads, the deployment of emergency medical services, and the
28

1 opening and closing of schools, that's where that's taking place. That's where that information is needed
2 and there needs to be a liaison back to the Incident Command Center.

3 And finally, our remaining recommendation is in the field of Forest Management, and it's a brief
4 recommendation and I'd love to spend an entire month on this subject, and that is we seriously believe that
5 Forest Managers have been impeded in their ability to manage their forest by excessive regulation,
6 excessive environmental controls, and excessive review and second-guessing of their activities. We've
7 written some recommendations, which were included. I would hope you take them seriously and bring
8 them with you to the next meeting. I do hope that we'll explore some of these ideas. I would say that my
9 comment about Forest Managers has been this: These are professionals. They know what they're doing,
10 and yet we second-guess them over and over and over again. We make them restudy everything they've
11 ever learned to go out and do their job. They see a forest that's dying in front of them and want to take
12 action and we ask them to spend years studying it while the rest of the forest dies. It is simply unacceptable
13 and it's our responsibility to communicate that to policy-makers and to relieve them of this. We criticize
14 them for their inaction, but we tie their hands behind their back and tell them they can't act. We can't do
15 both – we can't have it both ways. It is imperative that we act to assist them in doing their job. Thank you
16 Mr. Chairman.

17 CHAIR CAMPBELL: Dennis, thank you very much. I appreciate the time and effort you've put
18 into this. Those are excellent recommendations, but I have one question. Did we not at some time ago
19 during the Malibu Fires I think, wasn't there a bill in place afterwards that said when you rebuild the house
20 it would be assessed at the same value it was prior to the fire. Was there a bill of that nature?

21 MR. HANSBERGER: I can't tell you to that. I wasn't thinking so much of the rebuilt fire. I was
22 thinking of existing homes, Senator, that need to be – that haven't yet burned but are exposed that need to
23 be protected, and if we say to people, please put in a block wall and –

24 CHAIR CHAMPBELL: You're talking about retrofitting now.

25 MR. HANSBERGER: I'm talking about retro-fitting homes and then reassessing people for
26 spending \$50,000.00 to protect themselves and then taxing them on it. We shouldn't – if indeed it is
27 pursuant to that objective, they need some relief for a reasonable period of time.

1 CHAIR CAMPBELL: We've got some fine, fine members of the legislature who I'm sure can
2 resolve that problem for you.

3 MR. HANSBERGER: That's why I brought it up.

4 CHAIR CAMPBELL: Thank you. Alright, our next witness we're going – oh, I'm sorry, were
5 there any other questions?

6 CHIEF PITZER: Mr. Chairman, just a **(unintelligible)**. This is Larry Pitzer, the Fire Chief of City
7 of San Bernardino. Mayor asked that I would relay to the commission that we support the recommendations
8 and the comments that Supervisor Hansberger has just made. The Mayor, and the staff and the City of San
9 Bernardino. Thank you.

10 CHAIR CAMPBELL: Thank you very much. Any other witnesses? Or any other questions from
11 the members. Okay, our final witness whose scheduled is **Proschant Doshie** and he's going to give us
12 some information on training and how we can maybe do training unlike what we've done in the past. It's
13 going to be a high-tech presentation. And would you kind of wear a hat so we can have the reflection from
14 your head not blinding us.

15 MR. DOSHIE: Thank you very much. I'm going to ask Honorable Chairman, distinguished
16 members of the panel. I'm going to ask for a little bit of leeway in the presentation I'm about to give. Last
17 night I was prepared to give a professional presentation involving all sorts of Power Point slides, and this
18 morning I woke up with this feeling in the bottom of my stomach that I didn't want to bore you at about
19 4:00 in the afternoon. So, I thought I'd –

20 CHAIR CAMPBELL: Knowing that the King's Minnesota game started at 4:30 on
21 **(unintelligible)**.

22 MR. DOSHIE: There you go, it's going to be very quick. So I figured that I would – I threw away
23 my presentation and I thought I'd take a different take in an angle based on my personal experience to
24 relate to you some of the points that I'm going to be making about using technology and human
25 collaboration in improving our overall preparedness level. So again, please do afford me some unorthodox
26 behavior. I have shaved my head for this. I would ask everyone, members of the panel and everyone in the
27 audience to please close your eyes. There's security around, don't worry. I'd like you to take a deep breath.
28 Exhale. I'm going to take you back to the morning of September 11th of 2001. Imagine yourself sitting in an

1 office building. You've just walked into an office building on Water Street, a couple blocks away from the
2 World Trade Center. You've gone to your office on the 26th floor. Sat down. You're opening up your
3 email, having your cup of coffee and you're thinking about the day's events and the work that you have to
4 do. Someone runs into your office and there was a loud boom. It's a beautiful sunny day, you can't figure
5 out whether – you think it's a thunder or lightening, but you look outside and it doesn't look like there's
6 any clouds in the sky. Another person runs into your office and tells you that a plane has just crashed into
7 one of the towers. People are starting to mobilize. The radios are on, of course, working in a city building,
8 it's not like people were particular productive at this hour anyway, and then there's another loud boom
9 about 15 or 20 minutes later. Now things are getting very serious. Panic starts to set in. And all those fire
10 drills and emergency procedures that you generally ignored because they were so irrelevant suddenly start
11 to become relevant. You're on the 26th floor, there are four floors above you, thousands of people in that
12 building. In a calm manner, as calm as people can possibly be not knowing what the heck is going on, you
13 start making your way down the building and you come downstairs. You find the members of your team.
14 You collect them all, the people that you're responsible for, and you send them and ship them away off the
15 Brooklyn Bridge, the best way you know to get off the island. You don't really know what's going on but
16 intuition tells you to do so. You have another office located on Wall Street and something inside of you
17 tells you to go over to that office, and so you do. You walk inside the office and people are all glued to the
18 television. The primary source of information at this time is CNN. No ones working of course, this is again,
19 like I said, it's early morning. People are wondering what's going on CNN is providing the information.
20 Now you hear another boom. Someone yells in the office, they just bombed the Stock Exchange. Now
21 panic sets in, the tears start to pour, people that you thought were solid as rocks crumble, people were on
22 the land lines, cell phones aren't working, they're trying to call their parents or whoever else at the last
23 minute and maybe perhaps uttering words that if I don't talk to you again, I love you. Your in this situation
24 and you now look outside of the building, outside of the glass and you hear another boom and you start to
25 see a cloud of ash that comes down Wall Street that if one could picture Armageddon, certainly it would
26 look like this. People are rushing in a panic down the street and now you have everyone in the office, half
27 the people were thinking they need to run out there in a wild frenzy and the other half thinking that they
28 should stay inside because the H-vac systems will keep the dust out. Absolute pandemonium breaks out,

1 and again the only source of information that you have is CNN. You can all open your eyes if you still have
2 them closed.

3 A little bit of my background. I was there, I was that person. At the time I was working for Mr.
4 Mayor Gullioni. I was consulting to him in the Human Services area. The building that I was working in
5 there was the Human Services Headquarters. I'm not going to – there's quite a few interesting details after
6 that, but the point that I wanted to make is that is about the source of information that was present. It was
7 CNN. Now of course there's the bat phone. There's a little red phone in all the commissioner's office. They
8 had their little red phone that goes off and the Mayor speaks to them or the Deputy Mayor or whoever is in
9 charge and tells them what's going on, but the rest of the people are relying on rumor, CNN and whatever
10 else comes from inside of them. This problem has been plaguing me for some time. Last year I spent a lot
11 of time over the Defense Department asking about and talking to them about, you know, the issue of
12 communication and training and preparedness and I understand that some of the issues that were discussed
13 before have to do with the accessibility, the deliverability and the certification of training. This issue –
14 these set of issues and the issue of using assets that you would implement and activate during the time of a
15 crisis could also be the same assets that you use and implement during preparedness and training. So there
16 are three – the real answer is not in any one technology. Any technology provider that comes up here and
17 tells you that we have the answer, I believe is disserving the public at large. The real answer I believe is in
18 what the Defense Department calls the Defense In-depth Strategy. And I'm sure many of you folks in law
19 enforcement and other areas know about this. It's basically have a layered approach to defense. No one
20 channel or network is going to serve you at the time of a crisis. If someone comes up and says, yes the
21 cellular is the answer, it's not the answer. The only answer, it's one in a set of solutions. And so I'm going
22 to talk to you very briefly about three technologies that I believe any one of them by themselves won't
23 serve you completely, but these three together provide networks that have redundancy and are used in ways
24 that supplement and compliment one another.

25 The first is the use of satellite and video on-demand. Many of you might have heard of networks
26 such as the Fire Law Enforcement Training Network or other delivery systems. California has some
27 incredible assets, I've been very, very impressed here. The San Diego State University serves over 125
28 health organizations. The Community Colleges Satellite Network serves over whatever number, you know,

1 thousands of community colleges and all the people that attend them. Fabulous, fabulous resources here in
2 the State of California. There has been in the State of New Hampshire, the Federal Department of
3 Homeland Security awarded a grant to the Department of Justice that allowed for the implementation of a
4 statewide satellite network that connects and gives information, training information to the hundred – sorry
5 the 607 police departments, fire departments, and large health organizations in the state. The real exciting
6 thing about this example is not only can it be used for training and preparedness 24 by 7, but it is something
7 that also can be used in emergency times. So what happens is the Department of Justice, kind of the sitting
8 at the top of the hierarchy in a time of crisis can use this to get secure information to all their sites. And that
9 to me is a really exciting thing that you can use the same vehicle for one or the other. One or the other
10 purpose.

11 The next technology I want to talk about is digital data casting. A very new technology. It really
12 stems from the use of digital TV. As many of you probably know, is the FCC starts to release more and
13 more of it's band with inspectrum, digital TV is taking over. Last week, a number of private sector
14 organizations came together, along with the California Public Television Network and participated in a
15 demonstration whereby using the digital TV spectrum they were able to provide very low cost training and
16 information to first responders. This was done in Sonoma County. Again, another technology that's very
17 existing and it uses – we talked about satellite. Okay? Those are birds in the air. Now we're talking about
18 digital TV, a terrestrial network – terrestrial and aerial network, but a totally different channel.

19 The third technology I want to talk to you about is the use of the Internet. One of my former
20 colleagues was the head of Global Operations at the CIA, and when we were talking about – I asked him
21 the question, what is the thing that concerns you the most? He said, Proschant, it's not classified
22 information the sharing of that that's the big problem. We use closed networks to do that. The big problem
23 is the SBU category. The sensitive, but unclassified information sharing. That's all the information that
24 needs to get to the rural police department or fire department when things go arye, but you can't share that
25 information publicly over the Internet or over digital TV or what have you. Well, the technology that's
26 being used there, interestingly enough, comes from the digital music industry. Now Napster really kind of
27 messed everything up in that whole sharing business, but this technology is a group of gentleman that had
28 developed this, said we could use the same technology for the sharing of sensitive but unclassified

1 information. Right now in the City of Portland and the surrounding area, there's an organization called
2 Connect and Protect. And this is one of the most fantastic organizations. It is a cross-sector between public
3 and private sector organizations, fire, law, City of Portland, the Port of Portland, health, big banks, health
4 organizations, people from Washington State because it's a bordering community. They're all able to, over
5 the Internet, share information in a two-way fashion, incident information, that allows them – and actually
6 also connects to the federal level. The U.S. Northern Command is involved and they're going to have a big
7 exercise in June to simulate a terrorist attack. Again, the use of the Internet, a technology that came out of
8 the digital music industry that can be applied to the sharing of sensitive but unclassified information and
9 that same network can also be used to do training and – to do simulation exercises. I think the National
10 Guard is probably one of the foremost agencies that I've worked with throughout the states and really have
11 a great handle on the whole preparedness posture and how to implement that kind of model across federal,
12 state and local organizations.

13 The last thing I want to talk to you about is the framework. All these technologies are great, but if
14 they are implemented one off, they're not going to serve the needs of California in my opinion. You have to
15 have a framework in which you implement this and the framework that I'm going to recommend is one
16 that, again, close to my heart, was used in New York City. Mayor Gullioni used this framework to reduce
17 crime and to reduce the welfare of roles. I was on the welfare role side, we used this model. So anyone who
18 thinks that this can't be applied to Homeland Security, I think would be mistaken because this has been
19 applied from everything from crime to payment services and in between. The model is basically – in the
20 crime world is called Copstat and in the human services world it's called Jobstat. But here's what it is.
21 Essentially it's an index. You create a bunch of indicators that tell you how things are performing in
22 various regards. So in our world in the training and preparedness world, let's say you want to for each of
23 the 58 counties measure how many people were trained. What percentage of people that are trained? To
24 what level are they certified? How much ongoing training do they receive? Basically what you're doing is
25 creating a set of minimum standards and an indicator what I might call a preparedness posture indicator that
26 is like a report card. And that report card is then used to measure the various counties, or you can divide it
27 and split it up in any way. We did it, you know, across the various offices in New York City and we used it
28 to not only measure their performance, but then to reward them with extra dollars, you know, if they did the

1 right thing and they were high on the index, or to sanction them if they were low on the index. The reason
2 why I mention this is I think it's only a short period of time where this federal windfall of dollars continues
3 and I think given the administration, given their push on performance management, it would really behoove
4 the State of California that has so many great assets to create a model that the rest of the country could use.
5 A model that would fit in with the administration and would be forward thinking and say, look federal
6 dollars are flowing today to kind of fix the patches and to get us to where we need to get to. But if we think
7 about – how does a small county – the other week, my father-in-law's church group, I met the guy who
8 heads up Tulare County, and he says to me, I can't get any money. How does he make an argument relative
9 to an L.A. County? How does that happen? The small counties often – I know their formulas, I'm not
10 trying to in any way make negative comments towards whatever processes exist, but I believe that if there's
11 not a process that's tied to performance in the long run, it's very difficult for anyone to make a justification
12 to receive funds and to adequately spend them.

13 And the final point that I want to make is that these funds that need to be spent are not only for
14 terrorism or anti-terrorism preparedness. California I think is fantastic in that in the sense that they've had
15 to be prepared for many disasters all along. Whether forest fires, or earthquakes or what have you, you have
16 a lot of assets in place. I don't think it's a shortage of assets. I think it's a shortage of collaboration. And
17 this is the issue. I've written about this a lot. I mean, let's just put the cards out on the table, the issue is not
18 about technology in California. The issue is not about maybe, you know, obviously, but somewhat about
19 funds, but it's really about putting egos aside, putting traditional stovepipes aside and working together. I
20 have first-hand experience in doing this because New York City was one of the – I ran a lot of the disaster
21 relief efforts there and I saw FEMA and the State Emergency Management Organization, police, health,
22 employment offices, welfare divisions, all coming together in one center, and it was amazing and fantastic
23 and an experience that I will never forget in my life, but the problem is that our spirit starts to decline over
24 time. It was wonder for all of us that banded together in 911 and kind of raised the bar of the country and
25 help us get out of it. The real question that I leave the commission and everyone here with, is can we do
26 that in times where things are not bad. Thank you very much Mr. Chairman.

27 CHAIR CAMPBELL: Thank you very much Proschant. Are there any questions. Thank you.
28 You're going to hear more from us Proschant. Thank you. We have four members of the public who want

1 to testify and they are – what? The first one is Tony Morris, and then if we could have Don Oaks come up
2 when Tony comes up also. We'll start with Tony. Gentleman, we suggest three to five minutes if you can
3 do it within that timeframe. After that Don Oaks and then Amy **Baulk** and then Rob Clark and then Paul
4 **Vanderventer** and then Steven **Berwick**. If I have mispronounced your names, you may shout at me.
5 Thank you. Who's going to go first. Tony Morris.

6 MR. MORRIS: Thank you Senator Campbell. I'd like to introduce the President of our
7 organization, Aerial Fire Protection Associates, Bob **Cavage** and he can basically tell you our story.

8 CHAIR CAMPBELL: Would you get – both of you move closer to the mic. Pull the mic a little
9 closer. I have a hearing problem.

10 MR. CAVAGE: Everybody in this room knows we have a serious problem. Basically that we
11 know that something different has to be done. We noticed that during these huge fires, 50% of the time
12 during the night, all of the air tankers are not working. And also because all these major fires occur during
13 major Santa Ana events, it seems that almost 50% of the daylight time, that's where they're also at. So we
14 think that in your deliberations of what we should do next, one thing you don't want to do is buy more of
15 the same, because what you're going to wind up with is more expensive assets sitting on the runway –

16 CHAIR CAMPBELL: Excuse me. Would you identify the organization that you're representing
17 sir.

18 MR. CAVAGE: It's the Aerial Fire Protection Associates. We are a grassroots group of people
19 very deep in aviation who have all –

20 CHAIR CAMPBELL: I'm familiar with your group.

21 MR. CAVAGE: -- suffered the experience of almost having our houses wiped out. Okay. So that's
22 why we're focusing on the aviation aspects mainly. We think there are several things that you can take
23 advantage of that would help. Basically if you also noticed all big fires start as small ones and all of this
24 huge expense that you have of suppressing the big fire would be gone if you knocked it off when it was
25 small and weak. We think that there's – every penny you spend on initial attack, improving that, is the way
26 – the only way you're going to really reduce the major costs of fighting big fires. Let's put them out when
27 they're small. We don't have that kind of emphasis around here yet.

28

1 The other part, is instead of trying to get bigger and so on, tankers or more of them, we need to take
2 some of the military technology that's been around for years to fly at night and to work in dusty conditions.
3 I think the other part that we need here is a lot more cooperation as other speakers have said to you, that the
4 only way to get the costs down is to have more multi-layer consortiums, where instead of individual fire
5 departments scrounging around trying to get enough money for one fire truck or one helicopter, that we
6 buy, we escalate the buying power up to the state, national or international level, because there's a lot of
7 commonality between our interests at those levels, and we're all struggling with budgets at that level.
8 Whereas if we pooled our efforts, it would cost us individually less to get a lot more done. We think that –
9 has merit in that.

10 And the other part is most of our agencies don't have real dedicated research arms. We think a
11 national institute, something like, you know, what was introduced to do the space program, etc., is really
12 worth while in this area where we can pool a little bit of our individual efforts in a central place where it
13 can be done well by people that have dedicated their lifetimes to that activity rather than just a part-time
14 job. So, try to keep it close and tight. I really think we can do more to fight wild fires and that means that
15 we're going to have to spend a little bit of money up front. It's like spending insurance money. Five percent
16 every year will reduce those great big spikes that hit us every 10 years and they become billions of dollars
17 of damage in terms of fire suppression and property loss. If we put enough – I don't know from the
18 Secretary of Defense, what percent of the military budget is RND compared to our fire departments?

19 **(UNIDENTIFIED MALE SPEAKER):** It's about three percent.

20 MR. CAVAGE: There's a number for you. What it might cost to do something well, instead of
21 what we're doing today.

22 CHAIR CAMPBELL: Thank you. Questions? Yes sir, did you have anything further to add?

23 **(UNIDENTIFIED MALE SPEAKER):** No Senator.

24 CHAIR CAMPBELL: Assemblywoman Kehoe.

25 ASSEMBLYWOMAN KEHOE: Just a brief comment. I found your booklet very helpful. I think
26 as you know, all these – many of these proposals are a function of money and funding and we need to work
27 hard on that, but your plan is very well put together, very well thought out and straight from the heart, and I
28 appreciate that. And I also appreciate the reproduction of the Cedar Fire –

1 MR. CAVAGE: You learned a lot by looking at that one

2 ASSEMBLYWOMAN KEHOE: Yes, it's a very good graphic –

3 MR. CAVAGE: One of the interesting ideas was that if that helicopter pilot, the Sheriff's
4 helicopter pilot had had a twenty dollar GPS receiver, he could have given the coordinates of that fire
5 directly to CDF and it's 7-1/2 minutes flight time from (**unintelligible**) that was. It's also a half a mile from
6 the road, it's only eight road miles from the nearest forest – fire station. If they knew navigationally exactly
7 where it was, there would have been a terrifically different result than the Cedar Fire. It probably never
8 would have made the newspapers instead of causing billions of dollars and thousands of houses being lost.

9 ASSEMBLYWOMAN KEHOE: You compiled some good information. Thank you.

10 CHAIR CAMPBELL: And we appreciate that very much too. We appreciate your dedication and
11 your public service. Thank you. Don Oaks from the Land Use and Building Standards. Don, thanks for
12 being here.

13 MR. OAKS: Thank you Senator Campbell and members of the commission. I have 40 years in the
14 Fire Service, most of that in urban wildland interface and a good portion of that in the drafting, adopting,
15 interpreting and enforcing codes and standards. I wrote an article for the Fire Chief Magazine four years
16 ago. It was aimed at Fire Chiefs and Fire Marshall's and was critical of the failure of the Fire Service to be
17 effective in creating a fire safe environment in the urban wildland interface areas. The article was called
18 *Fight or Flight* and it was essentially an argument for greater regulatory effort in support of sheltering and
19 place for residential safety in the UWI. What distinguishes my comments from some of those that you've
20 heard earlier today is the level of protection necessary to allow people to stay in their homes, rather than
21 evacuate. But, since it's a shorter timeframe than I was anticipating, I'm going to do something a little bit
22 different. You've heard the introduction. Rather than read the excerpts that I'd planned, I'm going to give
23 you my comments, conclusion and recommendations right now. Then comment on an issue that came up
24 earlier with one of the other speakers from the California Building Officials and then go back and simply
25 read excerpts until I run out of time and you can give me 15 seconds warning and that'll allow me to bring
26 my mouth to a full and complete stop.

27 The conclusions, you know, final comments if you will, fires of the kind we experienced last year
28 have happened in the past and they will happen in the future. Whether lightening, avoidable accident,

1 carelessness or arson caused, they will occur. The size of the fire is more a product of whether ground
2 cover and (**unintelligible**) than anything else. Doubling the staffing on engines, doubling the number of
3 engines, getting every one of the incident radios that will talk to everyone imaginable and having automatic
4 aid agreements with – between very local, state and federal organization will not guarantee a substantial
5 reduction of the overall size of the fire. Employing land use and development tools that presently exist, we
6 can have the same size fire, but effectively limit the life loss and structural loss that we now see. Some
7 local government fire organizations have been reasonably effective in this effort. Evidence of this success
8 is found throughout the recent Southern California Fires where a fire protection planned communities were
9 in the path of the fires and these communities effectively stopped that fire or it went around them. These
10 communities are few and resistance to this approach is formidable. Environmentalists don't want the trees
11 and brush removed, developers don't want to increase building costs, architects and landscapers don't want
12 limitations on the design freedom. Almost everyone wants government to fix it by throwing large amounts
13 of taxpayer money at the problem. It takes political will to do the right thing. It isn't easy, but it can be
14 done. You folks have the best shot at accomplishing something important in a long time. Listen to building
15 department and fire prevention professionals that are specialist in urban wildland interface planning. Get
16 input from committees, from organizations like California Fire Chiefs, California League of Cities,
17 International Code Conference, NFPA, others that have analyzed aggregately hundreds of similar fires over
18 decades. Draft, adopt and apply regulation of the urban wild interface at all levels of government that will
19 allow the people and their homes to survive the next big one. The comment that I wanted to bring back to
20 reprise that came up earlier, had to do with sprinklers. In my own jurisdiction, probably the best thing that
21 we ever did was require interior automatic fire protection sprinklers for everything outside the urban limit
22 line. We had 1,700 miles essentially of urban wildland interface and a number of jurisdictions within our
23 broad jurisdiction within the county to be concerned with. The result was a few years ago, so let's say 20 to
24 30 years ago roofs were the primary entry port of fire into a home. With changes made at the State level,
25 that's no longer the case. The issue now is vents and windows in terms of a primary source. Embers go
26 through the vents. We haven't designed a vent yet that'll keep that from occurring. Sprinklers in the attic
27 will help there. The fire brands that blow around the kind of fire that we've experienced here last year are

28

1 the size of your leg, they will certainly go through windows, break windows and start interior fires with the
2 furniture or the carpeting and drapes and the sprinklers take care of that. The single most important thing
3 to –

4 **(UNIDENTIFIED FEMALE SPEAKER):** Can I ask you to just briefly summarize the rest of
5 your remarks so we have the benefit of your expertise.

6 MR. OAKS: I think I just have. Thank you.

7 **(UNIDENTIFIED FEMALE SPEAKER):** Okay, thank you very much. Okay. Mr. Rob Clark
8 and then Mr. Paul Vanderverter.

9 MR. CLARK: I'm with Thermagel and for those of you that haven't heard of us, it is a Class A
10 fire retardant gel that was used on three of the major fires in California this last year. We saved hundreds of
11 structures and basically it's just another tool that the firefighters have specifically an initial attack and in
12 structural protection if they need extended periods of time the gel actually acts as a layer, like a blanket of
13 water over whatever you're intending to protect and extends the protection time of the water. And I don't
14 want to take up a whole bunch of time, but that's pretty much what I have to say.

15 **(UNIDENTIFIED FEMALE SPEAKER):** Do I understand that regular people can get
16 Thermagel too.

17 MR. CLARK: Absolutely.

18 **(UNIDENTIFIED FEMALE SPEAKER):** And is it dreadfully expensive? I mean what kind of
19 cost would let's say if you wanted to have it for your own home.

20 MR. CLARK: We do have homeowners kits that you can operate right off of a garden hose, as
21 long as you have a normal 5 gpm flow rate, which is what you'd normally would have in a residential
22 environment. It's about \$300.00 for a homeowners kit that will do roughly 2,000 square feet. Now that's
23 board feet, not – everybody thinks of square footage as internal footage of their home, but that's external
24 feet, so – and we've also been working very closely with the CDF, the California Department of Forestry
25 the last few years. They've been doing kind of an informal test on our product and we've had great success
26 in any of the times that we've, you know, a lot of it things that you guys have talked about today on the
27 structure protection, we've had a lot of success in that area.

28

1 **(UNIDENTIFIED FEMALE SPEAKER):** Thank you. Mr. Paul Vanderverter. Did I get your
2 name right?

3 MR.. VANDERVENTER: Yes you did, thank you. Thank you very much commissioners for
4 having a public comment session today. All of us who have waited appreciate it. My name is Paul
5 Vanderverter. I run an organization called Community Partners in Los Angeles. We're a community
6 building intermediary organization that serves as an incubator for all kinds of civic initiatives. Ten years
7 ago in October of 1993, I had a conversation with a woman known to some of you names Ursula Hyman.
8 Ursula is a Senior Partner at Latham & Watkins who went home to her home that evening in Altadina,
9 Canaloa area, found it was the only house standing left on the block and she formed a group along with
10 members of nine other citizen associate – homeowner associations from the area called the Eaton Canyon
11 Recovery Alliance. The Eaton Canyon Recovery Alliance essentially existed for three years as a group of
12 both burn survivors who had lost homes, as well as neighbors who cared about the recovery of the entire
13 neighborhood. In October of 2003, I had another conversation with Ursula to resurrect the corp group of
14 volunteers from the Eaton Canyon Recovery Alliance and we have now taken that group, called it the 2003
15 Fire Recovery Initiative and we've gone to six different communities of taking fire survivors into those
16 communities to bring the know-how of how a citizen-led group put itself together for the benefit of the
17 entire community and we've shared that know-how in six areas, as I've said, in half-day workshops
18 throughout. The volunteers have generated a lot of interest. There are groups that are already forming as
19 you know in the wake of any disaster like this, citizen groups do form. The Crest Coordinating Committee
20 has formed. The Del Rosa Neighborhood Action Group, which is a homeowners association from that area
21 is now forming a citizen-led group. The Mountain Hearts and Lives up in Lake Arrowhead has formed. All
22 of this is to say that what we would like to recommend to the commission is that you take into
23 consideration in your recommendations the encouragement of the development of citizen-led, not agency-
24 led, not government-led, but citizen-led voluntary groups, which are very low cost to run, which are driven
25 by the energy of people who have survived profound disaster, and by the energy of people not who have
26 just lost homes, they're frequently too busy trying to get their homes rebuilt, but of people who are
27 neighbors who care about the community as a whole and who care about helping their neighbors who have
28 suffered loss to get started. We would like you to –

1 CHAIR CAMPBELL: Excuse me just a second. I like that point – and can we remind me of that
2 on our meeting on Monday. Thank you. Go ahead.

3 MR. VANDERVENTER: Yes sir. So, I have seven specific recommendations. I'll be very quick
4 with them if you permit Mr. Chair. First off all, encourage the development of these citizen-led groups to
5 comprised of residents who have suffered loss, but more so of residents who care about the community as a
6 whole who didn't necessarily suffer loss, but who want to volunteer their time to help. Encourage – FEMA
7 and OES have a long-term recovery committee that they create and the protocol of that is fairly clearly set
8 out. But one of the things that it doesn't include is citizen-led groups as a component. So as soon as these
9 citizen-led groups form, we would like to encourage as part of your recommendations that they be invited
10 to become part of the long-term recovery committee in all of these communities. You can, through
11 government offices, facilitate outreach through mailings, to fire victims who disburse rapidly in these kinds
12 of disasters, so that they can be informed of meetings of citizen volunteers in their local communities and
13 church basements and elsewhere and they can become involved in their citizen-led group locally. One of
14 the things that we find would be very helpful would be for supervisors offices, for city offices, for agencies
15 to designate in advance a citizen –

16 **[End Side A, Tape 3]**

17 -- to the extent that it's possible and legal, make city, county or state or federally owned space
18 available where people can create local centers, recovery centers, where they can archive materials, hold
19 meetings and bring local citizens to a central place that becomes the focus of recovery and rebuilding in the
20 community and that might, if there is money available, and private money (**unintelligible**) money is
21 available now, I know in some instances, it might also be a place where staff to these local citizen groups
22 coordinating, facilitating staff can be housed for the two or three years that it often takes for this kind of
23 recovery to take place. Make a recommendation to OES if you would, that they document these citizen-led
24 efforts along with all of the other things that they document in their After Action Reports to show the
25 relative efficacy of citizen groups like this. What we have found after ECRA formed in 1993, was that it
26 was quicker to recover in the neighborhood and cheaper to recovery in the neighborhood, because there
27 was citizen effort from the grassroots up.

28 CHAIR CAMPBELL: We're running out of time, so if you can speed this up.

1 MR. VANDERVENTER: Yes. And finally Mr. Commissioner, I think these groups might make a
2 good membership to bodies like this from their know-how and experience and would be terrific sources of
3 input for you in the future. These kinds of disasters affect whole communities and we often take the
4 segments that are most affected and forget that all citizens are affected when they come home to a
5 destroyed neighborhood day after day after day. It cuts their morale to the quick. And I've had the pleasure
6 of working with survivors who would attest to this and I appreciate the opportunity to make –

7 CHAIR CAMPBELL: Thank you. Are there any questions from committee members.

8 **(UNIDENTIFIED MALE SPEAKER)**: Thank you Mr. Chairman. To the extent that this
9 commission does look at the recovery aspect of these disasters, I hope that we would take these
10 recommendations and act on them because they are very good recommendations and it is interesting to
11 know many of my constituents have, as you are going through them, I'm going through my mind how
12 whether they've had support of some of your people or not, they have developed these types of procedures
13 and these types of citizen committees and have either needed or have demanded and gotten the type of help
14 from government and from others in the community that you've outlined in your recommendation, so I
15 thank you for your testimony.

16 MR. VANDERVENTER: We'll put them in writing too.

17 CHAIR CAMPBELL: I appreciate that. The next witness is Steven Berwick. Going to talk
18 **(unintelligible)**.

19 MR. BERWICK: Thanks. I thought the panel would be interested in some lessons learned from a
20 training effort we did about two years ago in Region 3 of the Forest Service. At the request of the Forest
21 Service, Bureau Line Management and Fish & Wildlife Service, that Arizona and New Mexico. They were
22 concerned about the loss of over half of the 300 tribal crews in the southwest, which were the backbone of
23 their suppression resources and they wanted us to begin a program to reinvigorate the training, not only
24 because they were losing fire suppression capability, but because the fire plan, which had just kicked in,
25 had allocated a lot of money and effort into pre-fire prophylaxis, that is fuels management, and post-fire
26 burned area emergency rehab called BAER, and so we cooked up a one-month training program, which
27 gave me two insights and I thought you might be interested.

28

1 First, the pre-fire and the post-fire are not trained for it very well. We do, as you've heard a lot
2 today, have a lot of tools for training fire suppression and we did give the guard school and the usual, the
3 rookie firefighting to certification. The National Wild Fire Coordinating Group does not have silibly, for
4 example, in burn area emergency rehab, and you can actually destabilize the slope even worse afterwards if
5 you don't do it correctly. So, training is very important. I would recommend that your group looks at
6 thinning prescribed fire and then post-fire BAER.

7 The second thing which surprised me, I was a professor at forestry schools for 10 years, and then
8 have taught informally to study professional development and training folks and I came to this training
9 basically looking at the technology of it, the curriculum development, the usual things, and figured it would
10 be very similar to boot camp. And I couldn't have been more in error. To deal with this particular
11 population there were some training slights of hands, different attitude that my normal teaching did not
12 prepare me for. And I should say that we had an unusually successful, I guess training experience. We had
13 a matriculation to graduation ratio of about .88 and everybody thought we'd have about a .2, because that's
14 usual. So what did it take to train these at-risk populations? There were seven tribal groups and twelve of
15 these traditional Hispanic villages, communities in Northern New Mexico (**unintelligible**) been there since
16 the 17th Century, and that's what our target was. Although we took gringos and anybody who came along,
17 we were looking at these at-risk groups, which were the ones that had dropped out of their previous
18 resource set. So, I have left with you a list of 15, among many insights that I had about how you train
19 differently if you came like I did, just either out of the university or military or normal training paths to
20 train folks, which I called here at-risk. And they – it worked. It seemed to work, so I'm going to share them
21 with you.

22 The last point I wanted to make before – I guess we wrap this whole thing up is that I went with a
23 friend to visit a juvenile probation facility called Camp Gonzalez in Malibu in Los Angeles County. I guess
24 these things are county-by-county. She wanted me to talk about what jobs these young men and women
25 could have as they left this place because they were flat out of work and there was an enormous interest in
26 this and they're all, I'm assured, legally able to do this work. They're 18 years old and it – and they were –
27 see as to how to access this. There's a huge resource. There's 18 of these camps with 4,600 people in them
28 in L.A. County alone, so and then I was contacted by somebody from the prison system to see if they

1 couldn't – if I couldn't do with them what I did with the tribal folks and villages up in Northern New
2 Mexico. So I think that there's a large resource, we get a two-for. You get people at-risk that otherwise will
3 have a (**unintelligible**) and go back to doing what they did before, but could benefit by being incorporated
4 into your firefighting and actually year-round resources. And that's basically it.

5 CHAIR CAMPBELL: Thank you very much. Yes, we have a copy of that too. Thank you. The
6 next testimony will come from Peter Romero.

7 MR. ROMERO: Thank you Mr. Chairman. Thank you committee. I come here as a – my name is
8 Peter Romero. I live in Hacienda Heights, California.

9 CHAIR CAMPBELL: By the way, a wonderful, absolutely wonderful community.

10 MR. ROMERO: I just thought you might think so, sir.

11 CHAIR CAMPBELL: -- representative for 22 years.

12 MR. ROMERO: So is Pointe Hills and the old office over there. I've been there since '79. I'm a
13 multi-state licensed public insurance adjuster including in California and seven other states. I'm also an
14 NFIP FEMA National Flood Certified Adjuster. I do this as a profession. I'm not here to solicit business.
15 I'm here to share some information and make some comments regarding some things I heard today and
16 some information you may or may not have already received. I'll be brief. I appreciate your time. I didn't
17 come prepared. I flew over from Arizona just to attend, so I've made some notes and if you don't mind I'd
18 rather read them because I don't want to miss anything.

19 CHAIR CAMPBELL: Go right ahead.

20 MR. ROMERO: I'll stay within my timeframe.

21 CHAIR CAMPBELL: We appreciate that because we know the drive between here and Hacienda
22 Heights at this hour of night is a long, long drive.

23 MR. ROMERO: I've got to get to LAX to fly back to Tucson tonight, a 7:00 flight.

24 CHAIR CAMPBELL: Oh, that's worse.

25 MR. ROMERO: So that's even worse. Pardon me, my wife broke my glasses. So, you know. No,
26 she didn't really. Okay look, I lost my home to fire on November 10, 1984, as just a normal homeowner in
27 a single family fire in Hacienda Heights, so I'm (**unintelligible**) Avenue in Los Altos. I lost my home to an
28 earthquake in 1990 for again in Hacienda Heights another home on Trumble Canyon Road. I have worked

1 21 federally declared national disasters throughout the United States, predominantly California and the
2 coastal states, Arizona and New Mexico. Most recently Tucson, Arizona and the Mt. Lemon Fires currently
3 involved in that and I'm currently involved in Los Alamos in the 2000 fires. Saragundy Fires. I do pro bono
4 work for communities and for individual policyholders throughout the United States, wherever I'm
5 requested to go. There is no solicitation. There's no business cards handed out. There's no marketing.
6 There's no phone calls. There's no fliers on cars outside. And I will meet with people and review their
7 policies, their claims and assist them in how to go and obtain their money on their own. My business comes
8 later when they can't get any more money and some of them come back and ask us to work for them, but
9 we don't market.

10 Some of the comments that were made today, a California Department of Insurance representative
11 for Mr. **Giramendi** said, and I quote, basically the predominant number one issue for the insurance
12 department through the complaints, the 100 plus complaints they've received so far is under insurance. The
13 second is additional living expenses or loss of use. Money to pay for housing, additional expenses while
14 people are out of their homes because of the timeframes involved. The Personal Insurance Federation of
15 California stated lessons have been learned and they refer back to 1991 in Oakland, Berkeley Firestorm
16 which I was very deeply involved in for a couple of years. They also stated that 65% of the claims that
17 you're referring to in North San Diego County, Riverside and San Bernardino have now been settled. Well
18 let me be the first to explain to you what settled means to the insurance industry. They have written a
19 check. It has no bearing on whether or not they paid policy limits. It has no bearing on whether the amount
20 of money paid relates to the full value of the loss that the people bought insurance to cover. It just means a
21 check's been written. Most people do not have enough insurance to replace the home that they've lost, let
22 along the other items. In my experience in Tucson, Arizona with Mt. Lemon, over 90% of the people and
23 Amy Baulk who had to leave from United Policy Holders will confirm the same thing, over 90% of the
24 homeowners are under-insured by over \$50,000.00 per building home. And another \$50,000.00 or more for
25 the balance. With 324 homes total lost over there, that's over 30 plus million dollars that's not going to go
26 back in that community because of under-insurance. These people did not buy insurance with the intention
27 of only insuring part of their home.

1 In 1991, the number one issue out of the Oakland-Berkley Firestorm was under-insurance. Another
2 lesson learned by the insurance department and more importantly, by the insurance industry in 1991. But
3 here we are in 2004 and the lesson really may not have been learned as well as it should have been. There
4 used to be four types of policies and occasionally there's still one of those available, almost never though.
5 Actual cash value, which is depreciated value. Replacement cost up to the limit of the policy.. Extended
6 replacement cost, which gives you 20% or 25% above the limit of the policy on certain portions like your
7 home only. And then there's the old guaranteed replacement costs, which the sky was the limit. You paid a
8 premium, you paid an extra premium for guaranteed replacement costs that if your loss exceeded the limit,
9 they would pay whatever it was that was documented as additional loss. They talk about that being
10 available today. Let me assure you there's only one or two companies that I'm aware of in California that
11 sell guaranteed replacement costs and they don't sell it in most areas that are forest interfaced, wildland
12 interfaced. The typical determination of policy limits when we talk about under-insurance is made when
13 you apply for a policy and I'll bet everyone here when they bought a home applied for an insurance policy
14 for that home. You called or met with an agent. He asked you information. He asked how much you paid
15 for your home. Where it was. How many bedrooms. How much do you figure was your land value. Do you
16 have any custom features and so forth. In the end, that agent gave you a dollar amount of insurance and told
17 you it would cover your home. He then may have suggested that he would give you an inflation rider to
18 keep it up-to-date with inflation during the course of time between now and whenever you may have some
19 future loss and if you were really fortunate, he may have – he or she may have suggested that you buy code
20 upgrade coverage, but it's almost never suggested, and that pay's the cost to build that 1968 home back in
21 2004 and not have you have to pay the code improvement changes that are – and the expenses associated
22 with them, which can be as much as 10% or 20% of the home. Replacement costs. Well, the agent informed
23 you of the amount of money that you needed to have covered and sold you the policy and told you would
24 be covered and unfortunately, my experience in Mt. Lemon is over 90% of the people are under-insured by
25 \$50,000.00 on their homes. I am finding the same situation is here, but I have a much more limited
26 experience in terms of the number of people I've met with to confirm that, but I'm trying my best to meet
27 with them.
28

1 Flood insurance was touched on. Let me suggest to you something. I live on a hill in Hacienda
2 Heights. Sorry, I've got a motor home over in Tucson, so I'm over there a lot too. I bought flood insurance
3 starting 15 years ago and my neighbors' dirt started coming down over my house. Why? Because my
4 homeowner policy didn't cover it. If his house had gotten – (**unintelligible**) wet on a hill side and a house
5 slide into my home, I wasn't covered, he wasn't covered. The only coverage was flood insurance. Once I
6 told my broker and insisted he sell me the policy, I turned around and he went out and sold another 50
7 some policies on Trumble Canyon alone in Hacienda Heights and thanked me for it.

8 Fair plan is referred to today. Let me explain to you about fair plan briefly. It's a very strict limited
9 coverage policy. If you could recommend that they improve the coverage amounts available and what is
10 actually covered and what is not excluded and should not be excluded, that would help make fair plan a
11 more reasonable policy for the people in those areas to buy.

12 CHAIR CAMPBELL: Or a fairer plan.

13 MR. ROMERO: Pardon me?

14 CHAIR CAMPBELL: Or a fairer plan.

15 MR. ROMERO: A fairer plan. Yes, a – fair plan. Yes. You're from Hacienda Heights, you come
16 up with good ideas. Homeowner policies. We talked about tree debris removal today. It's excluded in every
17 homeowner policy in the United States, unless it's by a covered loss from a neighbors tree coming into
18 your house or the wind blows it in your house and they'll pay to remove that one tree up to \$500.00 or
19 several trees up to \$500.00 total cost. Why not let the – suggest to the insurance industry to add tree debris
20 removal expense to their policy and charge accordingly for an additional coverage? For example, code
21 upgrade coverage is like \$15.00 a year. Ten percent of your limit of your home in tree debris removal
22 expense is additional insurance, not part of your home insurance, but additional insurance to that policy
23 might cost \$10.00 or \$15.00 a year. I'll bet most homeowners who live in wildland interfaces would
24 probably pay that \$10.00 or \$15.00 a year. Suggest that – you're in a position to recommend things. And
25 it's very important that I hope that you make some recommendations I'd like to suggest to you besides
26 those. Suggest that the insurance company be responsible since they talked about, I'm your agent, and their
27 not, they're the agent of the company. If that person represents to be your agent, let them suggest all the
28 possible additions, optional coverage's to the policies that are available. We bought homeowners insurance

1 less than a month ago for a new home in Hacienda Heights. After 20 minutes of discussion with that agent
2 on the phone from Tucson, I had to ask him to fax me a list of all the optional additional coverage's I could
3 buy and then I chose almost all of them. And he says it's so rare people buy that. I would like to offer my
4 services to the committee or to any parties that you may recommend as strictly assisting in terms of being a
5 policy expert. I testify in federal court, state court, county as an expert witness in policies, insurance claims.
6 I've been a professional 19 years. We've handled over 6,000 single-family total loss residences. I am a very
7 capable person to answer questions without any solicitation, no attempt to do business. I get my business
8 anyway.

9 CHAIR CAMPBELL: Thank you very much. I want to say this. I appreciate – you've covered
10 issues that we have not covered before. I would – although we record this, and we will transcribe it, I would
11 appreciate it if you would give us a written list of your recommendations and submit that to Mr. Gerber and
12 then we can carry on some dialogue as we put our report together.

13 MR. ROMERO: Thank you very kindly and I'll do that and I'll submit a CV to him so you guys
14 have some background on me.

15 CHAIR CAMPBELL: Thanks very much. Appreciate your time. Oh, I'm sorry, Senator, go ahead.

16 SENATOR HOLLINGSWORTH: I just wanted to remark that based on conversations that I've
17 had with the victims in my district and I'm sure Assemblyman LaSuer would probably confirm this, that
18 your estimation of the number, or the percentage of total loss homes that are under-insured is probably
19 going to bare out similar to your experiences in this fire in the Cedar and Paradise Mountain as well.

20 ASSEMBLYMAN LASUER: It has. Every single disaster I've been to for the last – since 1989.

21 CHAIR CAMPBELL: Our next testimony will come from Janna Miller. Janna. And unfortunately,
22 Janna has written here that she lost her home in the recent fire and I extend to you my sympathy Janna.

23 Ms. MILLER: My name is Janna Miller and thank you Honorable Chairman and distinguished
24 members of this committee.

25 CHAIR CAMPBELL: And where do you live Janna. Or where did you live?

26 Ms. MILLER: Where did I live – I didn't lose my house. I know exactly where it is, it's just not
27 livable anymore. It's at 2670 North Mountain Avenue in San Antonio Heights, the historical district. My
28 property had and does have a fire hydrant on there. It was weed abated and it was a tractor three bucket

1 wide cleared the day before the fire. I had a 9-month old roof that the insurance company referring to what
2 the gentleman just said, 9-month old roof they just gave me a check for \$258.00 for a 9-month old roof, and
3 they said well maybe they made a mistake. So, I'm having a lot of problems –

4 CHAIR CAMPBELL: They probably missed it by a couple of zeros.

5 Ms. MILLER: Yeah, sure. And the insurance company, I'm 14-1/2 weeks now in a hotel and I
6 have – my mother's nearly 80 years old. She's down to 90 pounds. My brother's severely disabled. Legally
7 blind and it's a difficult situation. And I've been trying to rise to the occasion of taking care of everything
8 and I just, I can't tell you how much I appreciate that this isn't just being swept away and that we're all
9 being forgotten because it's just not for me. I have a lot of friends in Palmer Canyon that were wiped out
10 and the reason why I'm here is that this committee needs to know the chain of events of what happened in
11 our area so that it can be corrected, and I would like to be of service to be a party of that and what happened
12 was that when I made that 911 call at 10:00 October 25th, at ten p.m., prior to that Frankie's Peak, which is
13 just north of my house, I was there with the hose until my clothing started catching fire. I never thought in a
14 million years that the Fire Department would not come. They always had prior and our Fire Department
15 changed from CDF to San Bernardino County a few years ago and we never had a problem up until this
16 time. All I can tell you is that when I called 911 at 10:00, I drove into my neighbors yard and my neighbor,
17 as some of you might know, he died. He was caught in his car and he died after 11 weeks in the burn unit,
18 and I drove down to the Fire Station and the first – and the fireman, he didn't know. He was from San
19 Diego. He said I don't know where that address is, I'll have to get someone to tell me where it is. I drove
20 back up and they were still up at their house and I drove back down again and I saw the trucks leave and I
21 thought, thank God, they're going up to our houses. And then I drove over to the L.A. County side. I was
22 told at that fire station to calm down, that it wasn't going to jump the San Antonio Dam. That dam is owned
23 by the Federal Corp of Army Engineers, it wasn't protected. No one ever came and it wasn't evacuated of
24 its trucks or anything so during the course of the fire, it looked like a huge pit, a huge fire pit. I drove back
25 over to the San Bernardino County line and – excuse me, and for many years now I've asked the utility
26 company, and this is very important, we lost over 600 telephone poles, wooden telephone poles. This is the
27 most insane thing that we have roman candles planted on the sides of our roads. When they had the

28

1 opportunity a few years ago when the cables were being laid for TV, they rejected a letter that I sent that
2 the roads should be laid for utilities and that was ignored.

3 CHAIR CAMPBELL: You mean underground utilities.

4 Ms. MILLER: Pardon.

5 CHAIR CAMPBELL: Underground utilities.

6 Ms. MILLER: Yes sir. And so when I drove back up to my house that night I saw that I could still
7 save a lot of my property. I made a u-turn in front of my house and there was no police, no fire at that time
8 except that on the way up 6/10 of a mile below my house there was several fire trucks sitting. They sat
9 there for 12 hours that night to the following morning. They were told – anyway, I don't want to get ahead
10 of myself, but I made a u-turn, something hit the back of my car, I now know that it was a line and a pole
11 and I drove past the fire trucks that were sitting on the side of the road and I drove back down and luckily I
12 found three fire trucks from Newport Beach and I said, thank God, can you guys help me, and they said
13 yeah sure honey, where's your house, and I followed – they followed me up there but they couldn't get to
14 my house, they could get to the first house on the right, my neighbors house, but they couldn't get past
15 because the line and the pole that hit the back of my car was blocking and the utility companies, the power
16 companies didn't turn off the power. So, the power was on. So you had hot wires all over the place. The
17 trucks couldn't get past, San Antonio Water Company had cut my water. That was one of the reasons why I
18 left because I had no water pressure up at my house. I couldn't get back up to my house because the lines
19 and poles prevented me from getting up to my house. There was just, it was just – I couldn't – you just
20 couldn't get anywhere. And then the next morning when I drove back up to my house and those trucks
21 were still there, that was 6/10 of a mile below my house, Captain Don **B. Seaton** said that he was waiting
22 for – he was waiting for Battalion Chief Stucker to get permission from the Federal Fire Marshall to go
23 ahead and I told him, I said, that's not true what you've just told me because Newport Beach trucks didn't
24 get any permission, they went right up to the houses, but they just couldn't get back to my house because
25 the poles and the lines were down in front. And then after that Sunday morning, we couldn't get back up to
26 our houses until the following Thursday and between the CHP and the Sheriff's Department, they wouldn't
27 let us back up to our houses, but I know that I had like a doghouse and some things left and during those
28 next few days those things were still not off of my property and they were looted, so we couldn't get back

1 to our property, we couldn't protect our property, we couldn't get someone to protect our property. What
2 do you, you know, where do you go with that? So I know you guys all want to go to dinner and I know
3 there's a lot of traffic and I really do appreciate everything and I wish that you would understand that those
4 lines and poles are very dangerous and those poles they may think that it's cheap today, but it costs lives
5 because one of them went through my house and I had fire damage that's why I can't breath very deeply, so
6 I appreciate all your time and everything. I really appreciate that you're not just forgetting about us,
7 because it's a really bad thing that happened.

8 CHAIR CAMPBELL: Ms. Miller, no I want to thank you for your testimony. The impact of
9 personal testimony has a great affect on this committee and we need to hear more of it and we appreciate
10 your testimony and it will become part of the official record of this commission and I think we will take –
11 the commission will take action on some of the things that you've pointed out. So we appreciate your being
12 here today and we wish you very good health.

13 Ms. MILLER: Thank you.

14 CHAIR CAMPBELL: Thank you. Well members of the commission and members of the
15 audience, I want to thank everyone for your participation today. I believe the presentations and the
16 subsequent discussions have been most helpful to the commission. Again, our next meeting will be on
17 March 18th, in the Los Angeles area. We will not be taking any testimony at that hearing. But we will hear a
18 presentation by the firm drafting our report. They will outline for our consideration and discussion,
19 highlights of the testimony and information received by the commission. A list of the recommendations
20 made during our hearings and analysis of past recommendations made in response to previous fire disasters
21 and possible formats for our report to the Governor and the legislature. In preparation for the staff
22 presentation at the March 18th hearing, I invite and I ask and I would certainly ask each individual member
23 of this commission to submit any specific recommendations that they would like to be – the commission to
24 consider to our Executive Director Bob Gerber by March 1st. The recommendations will be listed and
25 categorized along with recommendations made during our hearings. Duplicate recommendations will be
26 combined as one in the staff's presentation. Again, please submit your recommendations to Bob Gerber by
27 March 1st. During – then – during the October – March 18th hearing, we will also determine a process for
28 the commission to review the final report prior to the submission. As I stated earlier, we will receive a

1 memorandum on the scope and process of the March 18th meeting. We want to get that draft report of the
2 commission report to you on the Friday before March 18th, that way, and that's why we need your
3 recommendations by March 1st, so we can get the report, the draft report settled, and then we will have your
4 recommendations in there and we will try and then discuss the format for the final draft and the
5 recommendations for the final draft. So it's important that we ask you all to please be in attendance at that
6 meeting and it may be a long meeting as we go over the report and as you know, these recordings, all of our
7 meetings have been recorded and all that testimony will be part of the official – of the official report on
8 this, it will not necessarily be the summary of what we do that we were going to give to the Governor, but
9 all the data will be available for inclusion in the overall report. So, as I say, that may be a – we may run into
10 a little late in the evening at that meeting.

11 Does any commission member have anything they'd like to talk about? Make a closing statement?
12 If not, I want to thank you all very much. I appreciate your dedication and your time in staying through
13 these hearings. And thank you all very much and as soon as I find it, the gavel. This meeting is adjourned.

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