



The Honorable Scott D. Wiener
Chair, Housing Committee
California Senate
State Capitol, Room 2209
Sacramento, CA 95814

The Honorable Patricia C. Bates
Vice-Chair, Housing Committee
California Senate
State Capitol, Room 2209
Sacramento, CA 95814

April 23, 2021

Dear Chair Wiener and Vice-Chair Bates:

Thank you for the opportunity to provide testimony on two bills before your Committee today, SB 12 and SB 63. Both of these bills contain provisions in line with the National Fire Protection Association's (NFPA) recently launched [Outthink Wildfire](#) initiative. Efforts to improve land use planning, enforce existing hazard mitigation measures, and educate property owners on their role in reducing wildfire risk will be an integral part of addressing California's worsening wildfire crisis. As discussed below, NFPA supports these provisions and urges your committee to act upon them.

SB 12

Increasing the use of current codes and standards and applying best land use practices are a key component of Outthink Wildfire. Especially as California continues to confront a housing shortage, using land use planning tools to lower risk for new and existing development is critical. SB 12 builds on the state's existing land use planning requirements and aligns with the State Forestry and Fire Protection Board's 2018 strategic goal to "promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities."

NFPA supports SB 12's proposed "wildfire risk reduction standards" for new development. With Chapter 7A of the state's building code, California leads the country in wildfire-ignition-resistant requirements for new construction. The bill's proposed standards though recognize that ideally risk reduction for both lives and property is a layered approach, from the placement of homes and the provision of fire and emergency response infrastructure to establishing a plan and means to ensure ongoing adherence to fire safety standards over time.¹ The direction to the State Fire Marshal to consider the relevant voluntary standards in fulfilling their mandate under § 65013 will further ensure state requirements are in line with the most current consensus understanding on community risk reduction for wildfires. And,

¹ Sec 3 § 65012(a)(2)(C) states that, among the wildfire standards for developments of nine or more units, there must be "A condition on the development that all parcels within the development containing structures are subject to an ongoing, permanent fee . . . to ensure that defensible space and vegetation management maintenance is funded . . ." Suggest striking "containing structures" in the event a developer retained control over unimproved parcels for a lengthy period of time.

enabling the State Fire Marshal to create standards for third-party inspections will promote flexibility and limit additional burden on state and local resources. Strictly requiring new developments to adhere to these standards presents the best available option for balancing housing needs with the high risk inherent in building on some California landscapes.

In addition, NFPA supports the holistic approach of SB 12 that would require local jurisdictions to include wildfire hazard areas within the land use element of their General plans and to make changes to zoning ordinances/overlays that accounts for these hazards with mitigation measures.

Finally, SB 12 also champions another key tenet of the Outthink Wildfire: all homes must be retrofitted to resist ignition. Requiring the safety elements of local General plans to include a comprehensive retrofit strategy to reduce risk of property loss will create a path and accountability for local jurisdictions to increase the level of wildfire resilience for their existing built environment. Developing the information identified in the bill—identifying and prioritizing retrofit needs, funding opportunities and financing options, and goals and milestones for securing progress—is the first step toward promoting widespread, whole-community scale hazard mitigation.

SB 63

NFPA supports this responsive bill that offers a practical solution to educating homeowners and assessing property in wildfire prone areas and optimizing the use of Cal Fire enforcement resources. California is a leader among western states for its defensible space requirements and proactively pursuing mitigation measures for homes at risk from wildfire. Maintaining the area around the home to prevent ignition and flame spread is critical to reducing the risk of loss in a wildfire. However, with insufficient personnel to reach the hundreds of thousands of homes within Cal Fire’s jurisdiction, as noted by several recent reports,² most properties go uninspected. Cal Fire greatly needs a force multiplier. SB 63’s provision to develop a cadre of well-trained volunteers to assist in the non-regulatory work of assessments and education would be an effective way to reach more property owners who may be unaware of the requirements, unsure about how to bring their homes into compliance, or what additional steps to take to reduce the risk of loss in a wildfire. With the efforts of these volunteers, Cal Fire will better be able to target the agency’s limited enforcement resources toward those areas that present the greatest challenge.

In addition, SB 63’s direction to Cal Fire to recognize both high and moderate, as well as very high fire hazard severity zones is a step in the right direction to better understanding wildfire risk to communities in the state. Recent fires, like the one that burned the Santa Rosa community of Coffey Park, show that the very high fire hazard severity zones are not the only places at risk. NFPA supports identifying all areas of risk and expanding mitigation measures like Chapter 7A of the California Building Code accordingly.

² See, for instance: Sommer, Lauren. KQED, *Who’s Checking your Neighborhood for Flammable Brush? Maybe No One*, June 10, 2019 (<https://www.kqed.org/science/1943058/whos-checking-homes-for-flammable-brush-in-some-high-risk-areas-maybe-no-one>); and Smith, Joshua Emerson. San Diego Union-Tribune, *California’s not enforcing wildfire-prevention rules for homeowners, leaving tens of thousands of properties vulnerable to big blazes*, July 7, 2019 (<https://www.sandiegouniontribune.com/news/environment/story/2019-06-11/californias-not-enforcing-wildfire-prevention-rules-for-homeowners-leaving-tens-of-thousands-of-properties-vulnerable-to-big-blazes>).

California faces a deep wildfire crisis. However, building a policy framework that will: accelerate the retrofit of all homes and businesses to resist ignition; promote the application of current codes, standards and land use practice; provide fire departments with sufficient resources to protect their communities; prioritize fuel management; and create a well-informed and motivated public that embraces its role in reducing risk will enable the state to turn the tide against wildfire destruction. The bills before your Committee today support that framework.

NFPA is a global, self-funded, non-profit organization dedicated to ending the loss from fire, electrical, and related hazards. Since 1896, NFPA has developed codes, standards, information, and knowledge to advance this mission. Please feel free to reach out to me or NFPA Regional Operations Director Ray Bizal (rbizal@nfpa.org) if NFPA can be of assistance as you consider legislation to protect people and communities from wildfire and all other fire and life safety hazards.

Sincerely,



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