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CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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Tree Mortality Task Force Regulations Working Group Minutes

April 6, 2016

Estimate of Affected Homeowners:

The group has been discussing the potential to estimate the number of homeowners being affected by the drought related tree mortality within the counties. Mariposa County has completed an initial preliminary GIS analysis. Rosemarie will confirm a few of the assumptions and then circulate the information to other Counties and the TF for review. The RWG discussed the ability and challenges to use CFIP for hazard tree removal. The California Forest Improvement Program is a CAL FIRE program geared toward forest management to improve forest health and not specifically as a tool to facilitate hazard tree removal on multiple small parcels. Should funding become available it will likely be directed to the Counties and local cooperators to implement tree removal projects.

Heather will work on developing a one page FAQ document for homeowners that explains hazard tree conditions and liabilities as well as landowner roles and responsibilities.

Insurance and Hazard tree Removal: Christy Carol (Dept. of Insurance Rep.) completed the "Home/Residential Insurance and Wildfire FAQs" document to provide information for homeowners experiencing cancellations or non-renewals, Fair Plan information and other pertinent homeowner insurance information. The RWG discussed dead tree removal requirements to obtain insurance coverage under the Fair Plan. During the call the following questions were discussed regarding Insurance and dead trees:

- 1) Are homeowners required to remove dead trees from around their homes prior to qualifying for Fair Plan coverage? We had a discussion about some brokers indicating "yes", trees were required to be removed prior to qualifying for coverage but apparently the president of Fair Plan recently indicated they would insure properties with dead trees prior to removal. Will the trees need to be removed?

Christy's Response: According to the FAIR Plan's president, homeowners are not required to cut down dead trees before the FAIR Plan will issue a residential property policy. Unfortunately, I have only heard anecdotes that the FAIR Plan is requiring tree removal prior to policy issuance. Through discussion with Rosemarie Smallcombe and a Mariposa County agent a couple of weeks ago. The agent said that the FAIR Plan was declining coverage if the inspection report showed less than 200 feet brush clearance around a residential structure, which is contrary to the FAIR Plan guidelines. The agent is going to gather specifics and documentation and send it to me so I can contact the FAIR Plan to inquire.

- 2) It was discussed that insurers generally charge more for tree coverage and that coverage generally does not pay for tree removal. Will homeowners with dead or dying trees on their



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property pay more for insurance if they choose not to remove the trees? Would this be covered in a "Difference of Conditions" policy?

Christy's Response: As far as insurers charging more for tree coverage, it would depend on the individual insurer. You are correct that coverage generally does not pay for tree removal – I am not aware of any insurer that offers this coverage. I am not sure if other insurers charge more if dead or dying trees are not removed – it would depend on their individual rate filings – it is likely that those insurers may simply opt not to write the business. However, the FAIR Plan does not surcharge for dead or dying trees on the property. I am not aware of any Difference in Conditions policy that covers tree removal.

Regulations Guidance Workshops:

The Regulations Guidance Workshop is being scheduled for April 25, 2016 at the Mariposa County Board Room. Matthew will develop a one page notification document for circulation. Each Agency can contribute to the presentation and there is interest to have individuals from the contacts list available at the workshop to help answer questions.

Meeting Location:

Mariposa County Board of Supervisors Chambers
5100 Bullion Street
Mariposa, CA 95338

Storage Sites:

The RWG decided to make the log storage site sub-group part of the normal RWG call. The Counties were asked to provide regulatory or legal issues involved with any current storage sites being developed or asked to identify a storage site location and begin the establishment process. The RWG will then be able to better support the Counties on any issues they are experiencing.

Storage Site Case Study: Rosemarie is working on storage site development in Mariposa County and will keep the group posted on any issues. They are likely interested in using Cal Trans property. Rosemarie will reach out to Madera County regarding any requirements discussed for the North Fork site. Rosemarie believes the document was discussed at the Yosemite Sierra RC&DC Executive Committee meeting in December.

Tuolumne County will research any criteria or requirements they may have for the slash disposal and curtain burner sites they currently have and share the information with the RWG.

Air Quality Update (provided by Alan): Air districts will be receiving an official FAQ soon from USEPA describing the current regulatory status of air curtain incinerators. Initial discussions have begun between ARB and USEPA about long term how these devices would be regulated. A letter



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from Air Resources Board to Cal Fire regarding out of state diesel engine exemptions from various emissions rules has been distributed to local air districts.