



Tree Mortality Task Force Regulations Working Group Minutes

March 3, 2017
9:00 to 11:00 AM

I. Regulations Working Group Update/Agenda Additions

II. Action Item Discussion

- Insurance Update
 - CDI proposed legislative concept
 - Wildfire Insurance Pool Concept-Nevada County Fire Safe Council Members

The RWG discussed the Wildfire Insurance Pool concept provided by Nevada County Fire Safe Council. The concept is to create an insurance pool insuring against the singular peril of wildfire to help restore and retain a healthy homeowner's insurance market for areas affected by the threat of wildfire while protecting lives, property and natural resources. The pool would follow a similar format to the California Earthquake Authority in regards to financing, administration and distribution. The basic principle of insurance allows the transfer of a financial risk from an individual to a pooled group of similar risks. The risk of wildfire however varies greatly between homes and it's important that each insured pay their fair share into the pool. Creating defensible space, building with fire resistant materials, funding local fire departments, providing adequate water storage are all proactive steps the homeowner can do to reduce their risk and pool premium. Those who choose do more will pay less, those that choose not to will pay more. The premium will need to be affordable for this pool to work and the incentive to reduce the premium should help reduce the overall community risk.

The RWG established a sub-group to further explore the insurance pool concept and other insurance issues. The sub-group met March 10th and will provide an update at the 3/17/17 RWG conference call.

CDI will provide comment on their review of the pool concept-Lizbeth.

Pilot status-Update: The CAL FIRE, Fire and Resource Assessment Program (FRAP) continues to develop data and information to share with Verisk to initiate the pilot. Progress has been slow due to other time sensitive priority workload at FRAP. CAL FIRE is exploring the potential to contract with a third party to assist in the pilot effort.

- Air Quality
 - ACI-CalRecycle transformation facility permitting



Kristin B. Peer, Assistant General Counsel, California Environmental Protection Agency, met with CalRecycle regarding their requirements for operation of air curtain burners. Because there is an emergency proclamation, there is no need for the ACI's to be fully permitted. There are minimal reporting and record keeping requirements, however, if an ACI is co-located at a landfill or other permitted waste facility. In that case, an "Enforcement Agency (EA) Notification" must be sent to the Local Enforcement Agency, or LEA. Here's a link to some information on CalRecycle's website that has more specifics: <http://www.calrecycle.ca.gov/LEA/EmergencyWvr.pdf> . The EA Notification is a simple form and there are minimal attendant record keeping requirements. The EA Notification allows for use of the ACI at the facility for 120 days, but that can be extended upon receipt of required reports.

If the ACI is being operated in the forest, there are no reporting requirements. But just outside the forest could require the EA Notification. If there are questions about whether the unit is in the forest or not, CAL FIRE or the County using the ACI should contact the LEA to determine whether the EA Notification is required.

The operator (not owner) of the ACI is required to submit the EA Notification and to keep the required records. The Counties are the considered the operator and responsible for EA Notification when an Equipment Use Agreement has been approved, such is the case in Calaveras County. Without an Equipment Use Agreement, the operator is CAL FIRE.

- Other
 - Insurance workshop presentations have now been posted to the TMTF website
 - CAL FIRE is developing a white paper to better explain the relationships between LTO and Contractor requirements. The initial FAQ document is being updated.
 - The Tree removal Guidelines in HHZs document is being updated. An updated draft was provided to Sandy review.
 - CAL FIRE has invited their Staff Chief, Dave Shew from the Defensible Space Inspection Program to participate in RWG calls to help answer D-space Insurance questions.

Next working group call: Friday 3/17 9:00-11:00.