



July 25, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
1021 O Street, Suite 7620
Sacramento, CA 95814-4900

The Honorable Mike McGuire
Senate President pro Tempore
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Robert Rivas
Speaker of the Assembly
P.O. Box 942849-0029
Sacramento, CA 95814

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: SB-610 Fire prevention: wildfire mitigation area: defensible space: State Fire Marshal – OPPOSE

Dear Governor Newsom, Chair Caballero, President pro Tempore McGuire, Speaker Rivas, and Chair Wicks,

On behalf of thousands of our members and supporters in California, the undersigned organizations are writing to express our deep concern with Senate Bill 610 (Wiener) which will fundamentally reshape California fire and housing policy and make Californians more vulnerable to wildfire. The bill would completely abolish the Fire Hazard Severity Zone maps that guide mitigation strategies and land use planning for development in fire-risk areas. The bill would also centralize all decision making in the hands of just one person: the State Fire Marshal.

SB 610's stated intent is to *increase* development in high-risk areas, and—quite shockingly—do so *without* existing regulations designed to protect communities. The bill's fact sheet inappropriately dismisses such regulations as “costly building standards,

increased disaster planning and mitigation requirements.”¹ This proposal is directly at odds with the recommendations of the Governor’s Strike Force, which urged the state to “begin to deprioritize new development in areas of the most extreme fire risk. In turn, more urban and lower-risk regions in the state must prioritize increasing infill development and overall housing production.”² We were therefore shocked and surprised to see this bill—which was introduced near the end of the legislative process via a “gut-and-amend” tactic—backed by the Governor’s Office.

SB 610 perpetuates the false narrative that new large-scale development in fire risk areas is safe. While mitigation such as home hardening and defensible space can make homes in fire zones *less risky*, such measures only *reduce* the risk of burning. For instance, an analysis conducted in the aftermath of the Camp Fire showed that only 44 percent of homes built to current Chapter 7A building codes survived, meaning 56 percent were destroyed (and only 11.5 percent of older homes built before 1997 survived).³ Evacuation routes are also already stressed past the breaking point.⁴ The “build first, ask questions later” approach of the past is causing extreme personal and economic hardship on Californians, and this bill would make these existing problems far worse.

New development in high-risk areas supported by SB 610 will *increase* ignition risk, as we already know that 95 to 97 percent of contemporary wildfires in California are caused by human sources.⁵ The legislative analysis for SB 610 in the Assembly Natural Resources Committee similarly notes: “Residential developments in the WUI and other wildfire prone areas can significantly increase the risks of wildfires and the risk to public safety.”

New development supported by SB 610 will not help solve the affordable housing crisis, but it will make Californians less safe. Since 2016 more than 200 people in California have been killed in wildfires, more than 50,000 structures have been burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution.⁶ New development in high-risk areas will obstruct existing communities’ evacuation routes and lead to more disruption of natural fire regimes, degradation of

¹ Senator Scott Wiener, Senate Bill 610 Fact Sheet (June 14, 2024). Available at https://drive.google.com/file/d/1oLjNCnDjiOLZPu5qAMtshfc-LwLGi_jF/view.

² A Report of Governor Newsom’s Strike Force, *Wildfires and Climate Change: California’s Energy Future* (April 12, 2019). Available at <https://www.gov.ca.gov/wp-content/uploads/2019/04/Wildfires-and-Climate-Change-California%E2%80%99s-Energy-Future.pdf>

³ Knapp, Eric E., et al. “Housing arrangement and vegetation factors associated with single-family home survival in the 2018 Camp Fire, California.” *Fire Ecology* 17 (2021). Available at <https://doi.org/10.1186/s42408-021-00117-0>

⁴ Megan Diskin and Evan Wylodge, “Here’s why so many California wildfire evacuations turn into deadly traffic jams,” *Desert Sun* (April 25, 2019). Available at <https://www.desertsun.com/in-depth/news/local/2019/04/25/california-wildfire-evacuation-routes-traffic-jams/3238313002/>

⁵ Balch, Jennifer K., et al. “Human-started wildfires expand the fire niche across the United States.” *Proceedings of the National Academy of Sciences* 114.11 (2017). Available at <https://www.pnas.org/doi/abs/10.1073/pnas.1617394114>

⁶ Reid-Wainscoat et al. *The True Cost of Sprawl: Bad Planning Harms People, Wildlife, and the Climate* (March 2024). Available at <https://www.biologicaldiversity.org/programs/urban/pdfs/The-True-Cost-of-Sprawl-report.pdf>

California's ecosystems and wildlife as well as increased medical emergencies and premature death of vulnerable community members.⁷

SB 610 will do nothing to address the availability or affordability of insurance. As The California Department of Insurance's Climate Insurance Working Group observes: **"Land use decisions in the past are one of the causes of insurability problems today . . . housing that burns down [] is not an affordable or equitable option . . ."**⁸ Nonetheless, the fact sheet for SB 610 incorrectly suggests that changing the names of very high fire hazard severity zones to the more benign sounding "wildfire mitigation areas" will somehow help reduce insurance rates. The best way to decrease insurance rates is to actually *reduce risk* by supporting home hardening programs for existing communities and *limiting* new development in high-risk areas.

Cities and counties play a critical role in reducing wildfire risk, and existing law allows them to designate areas as fire zones (so long as the hazard designation equals or exceeds the state hazard rating) and implement wildfire mitigation regulations based on scientific information and on-the-ground conditions. SB 610 would remove this long-standing authority and fully centralize such designations and decision making in the hands of the State Fire Marshal, an unelected official. SB 610 would undermine local accountability and government transparency, and increase the likelihood of political interference in state and local wildfire policy.

Cities and counties can and should continue to plan for new development in safer areas. As Los Angeles County has shown, regional housing needs allocation goals can all be met by directing new development outside of fire zones. California does not need to keep building in high-risk areas to provide safe housing for all.

SB 610 was introduced last month via a "gut-and-amend" tactic such that there is insufficient time for stakeholders and elected officials to fully review this bill or propose amendments. We urge you to table this bill until next year and instead engage with stakeholders on improving the state's fire and housing policies.

Sincerely,

J.P. Rose
Policy Director, Urban Wildlands
Center for Biological Diversity

⁷ Delfino, Ralph J., et al. "The relationship of respiratory and cardiovascular hospital admissions to the southern California wildfires of 2003." *Occupational and environmental medicine* 66.3 (2009). Available at <https://oem.bmj.com/content/66/3/189>.

Connolly, Rachel, et al. "Mortality attributable to PM_{2.5} from wildland fires in California from 2008 to 2018." *Science Advances* 10.23 (2024). Available at: <https://www.science.org/doi/10.1126/sciadv.adl1252>

⁸ California Department of Insurance, Climate Working Group, "Protecting Communities, Preserving Nature, and Building Resiliency," available at <https://www.insurance.ca.gov/cqi/docs/climate-insurance-report.pdf>

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