



STATE BOARD OF FIRE SERVICES

APPROVED MEETING MINUTES

Thursday, March 4, 2021

CAL FIRE – Office of the State Fire Marshal

2251 Harvard Street, Rm 441, Sacramento, CA 95815

MEMBERS PRESENT:

- *Mike Richwine, State Fire Marshal, CAL FIRE – Office of the State Fire Marshal, Chair
- *Jerry Davies, California Fire Safe Council and Insurance Industry, Vice Chair
- *Craig Tolmie, Chief Deputy Director, CAL FIRE
- *Ed Foster, California State Firefighters Association
- *Moke Simon, County Government
- *Pete Muñoa, CAL FIRE Firefighters, Local 2881
- *Brian K. Rice, California Professional Firefighters
- *David Rocha, California Metropolitan Fire Chiefs
- *David Gillotte, International Association of Fire Fighters
- *Michael S. Williams, California State Firefighters Association
- *Michael Smith, California Fire Chiefs Association
- (* attended via Zoom Virtual Meeting)

MEMBERS ABSENT:

Dan Terry, California Fire Fighter Joint Apprenticeship Committee
Mark Ghilarducci, Director, California Governor's Office of Emergency Services
Frank Lima, California Labor Federation
Robert Magee, City Government

STATE FIRE MARSHAL STAFF:

- *Steve Hawks, Forestry and Fire Prevention Administrator, Wildfire Planning and Engineering
- *Kevin Chan, Special Assistant to the State Fire Marshal
- *Chris Fowler, Supervising Deputy State Fire Marshal, State Fire Training
- *Vickie Sakamoto, Supervising Deputy State Fire Marshal, Fire Engineering and Investigations
- *Patricia Setter, Deputy State Fire Marshal III, Fire Engineering and Investigations
- (* attended via Zoom Virtual Meeting)

GUESTS:

- *Brian Marshall, California Governor's Office of Emergency Services
- *Yvonne De La Peña, California Fire Fighter Joint Apprenticeship Committee
- *Taral Brideau, California Fire Fighter Joint Apprenticeship Committee
- (* attended via Zoom Virtual Meeting)

1. CALL TO ORDER

Chair Mike Richwine called the State Board of Fire Services (SBFS) meeting to order at 1342 hours.

2. ROLL CALL

Roll call was held, and quorum declared at 1344 hours.

3. INTRODUCTIONS

Self-introductions of staff and guests were conducted.

4. APPROVAL OF MINUTES

Chair Mike Richwine asked for approval of the Minutes of the November 12th, 2020 meeting.

It was moved by Member Michael Smith to approve the meeting minutes; motion seconded by Member David Rocha. Motion was carried unanimously at 1346 hours.

5. ANNOUNCEMENTS

Chair Mike Richwine announced that he was confirmed as the State Fire Marshal by the Senate and thanked everyone for their continued support and encouragement.

6. CONSENT ITEMS

Chris Fowler requested to approve the reaccreditation of the South Bay Regional Community College Fire Science Program, Allan Hancock College, Palomar College, Los Angeles County Fire Department, and a one year conditional accreditation for the San Diego Miramar Community College.

Chris Fowler then requested the approval of the Fire Investigator 1A Corequisite. State Fire Training (SFT) received requests for a change for the prerequisite to become a corequisite so there would be more flexibility for students who are seeking simultaneous courses. It is not a disadvantage to the student to take them together, as opposed to one and then another in series. They are also adding more specific language to include fire academy training as an acceptable corequisite. Not every applicant to the fire investigator program takes courses through a community college, so this would broaden that a bit.

A request was then made to approve the Skills Coach Recommended Ratios, which was new in 2019. SFT had proposed, through the Steering Committee, the implementation of skills coaches which, in addition to registered instructors, supports curriculum delivery. They are optional and not a required member of any instructional cadre, but they do help the colleges and the academies build their instructor cadre by bringing those who are interested in training into the fold and giving them the guidance they need in order to become registered instructors or even lead skills evaluators down the road.

It was moved by Member Michael Williams to approve the consent items; motion seconded by Member Dave Gillotte. Motion was carried unanimously at 1349 hours.

7. PROGRAM AND ADVISORY COMMITTEE REPORTS

Chris Fowler requested and recommended the accreditation of the Pasadena Fire Department and the Stockton Fire Department. Despite the challenges of COVID-19, both departments were eager to participate in the SFT system and demonstrated a diverse, educated, and strong workforce, with the focus on reflecting the communities that they serve. Both agencies excelled during their site visits and self-assessment report reviews. SFT is recommending an initial accreditation of these two academies for a period of three years.

It was moved by Member Mike Williams to approve the accreditation of the Pasadena Fire Department; motion seconded by Member Pete Muñoa. Motion was carried unanimously at 1351 hours.

It was moved by Member Mike Smith to approve the accreditation of the Stockton Fire Department; motion seconded by Member Mike Williams. Motion was carried unanimously at 1353 hours.

Chris Fowler presented the Title 19 Update, an information only item. SFT has one item with the Office of Administrative Law and is awaiting the final approval of the Senate Bill 1260 driven curriculum for state certified prescribed fire burn boss. They anticipate that it will be available for stakeholders in April, it should be returned before the end of March. The first classes are already in the planning stages with the cadre members and there is a waiting list of 81 students at Humboldt State University.

Chair Mike Richwine asked if they had already started the historical recognition to qualify instructors.

Chris Fowler responded that she just had a meeting with the cadre and is working with three of the members who are registered instructors to teach the first pilot class in May.

Chair Mike Richwine asked if there would be pilot classes throughout the state to build the instructor academy.

Chris Fowler responded that there would be three of them. She expects that one will be in the north, one in the central coast and one in the south. The cadre is working together to put instructors in those in those locations with the appropriate distancing and planning.

Member Craig Tolmie asked if there were tentative months for the other two courses.

Chris Fowler responded that she only knew of the one in April at Humboldt state, but would get the additional proposed dates. They are still working on availability as well as the challenges of the upcoming fire season, and may be looking at the second and third courses being in the fall depending on instructor availability.

Chair Mike Richwine asked if there would be an email blast of update on this and Chris Fowler stated that they were building an entire web page specific for prescribed fire boss that will be targeted at the prescribed fire demographic and would provide notification to stakeholders.

Member Moke Simon commented that a lot of northern counties are very interested in this. Prescribe burn is really being another tool for vegetation abatement and controlling fire issues within the county, which Member Simon is thankful for.

Vickie Sakamoto presented a Fire Engineering and Investigations Division Title 19 regulations update. Since 2017 and 2018, the division has been initiating the process of fully assessing their workload and analyzing the business process, and updating their regulations and fees. They have also been working with Department of Finance on their mission based budgeting and, through that process, they have noticed that they needed to increase their program fees for all of their programs and have submitted a fee increase for the Flame Retardant program and the Portable Fire Extinguisher program. The fee increase packages are with the Code Development and Analysis Division to move forward for Department of Finance review.

Chair Mike Richwine noted that many of the State Fire Marshal programs are funded by fees and that it has been a long time since there were fee adjustments to support the actual costs to run the programs.

8. OLD BUSINESS

Chair Mike Richwine addressed the Board about the California Highway Patrol (CHP) collaborative training video. Since the last conversation, CHP has new leadership who have decided not to participate in a cooperative training video. This was the first level of communication that was moved up their chain of command. The response from CHP was that the traffic incident management training program covers this issue and their officers are receiving training on highway incidents. He is not familiar with the traffic management training program, but recommends the Board doing some research to see if it is something that we want to incorporate into our training.

Member Brian Rice expressed that there would have been a tremendous benefit to be gained from this. He stated that every minute that a roadway is blocked incurs a dollar value in commerce. He noted that this would have been a good opportunity for CHP officers to share what is important to them beyond incident and personnel safety issues.

Chair Mike Richwine mentioned that this issue was initially brought forth by CAL FIRE Local 2881 as something that they felt was for the safety of fire crews working on the highway. He said that the only other option may be to engage with leadership and maybe a couple of members from the State Board of Fire Services to try to schedule a meeting and talk to CHP to see if it is possible to get some higher level of approval.

Member Michael Smith commented that he agreed with Member Rice and thinks this is still a relevant and important issue that should keep it on radar. He thought that, without knowing the traffic incident management training program course content, it is unknown if there is leadership being provided in de-escalating incidents. He brought up the incident where fire services professionals were arrested and also the lack of coordination in procedures. He agrees that the curriculum needed to be looked at and to work on creating a leaders' intent statement with CHP leadership.

Member Craig Tolmie agreed that this issue needed to be moved forward and that the curriculum needed to be evaluated and management engaged. Member Moke Simon also agreed.

Member David Gillotte suggested reaching out to CHP's labor organization and their union to talk about the benefits of working collaboratively.

Chair Mike Richwine stated that may be out of the purview of the SBFS and may be up to the labor leaders to make that determination. He also suggesting putting together a group of members to look at the incident training and provide more information.

Member Brian Rice stated that he would work with Member Gillotte to reach out to the CHP association to try to approach the situation from a different angle.

Members Michael Williams, Michael Smith, and David Rocha volunteered to look at the curriculum, which would be coordinated through SFT.

9. NEW BUSINESS

Brian Marshall presented information on the California Office of Emergency Services (CalOES) Assembly Bill 2380 (AB 2380) regulations package. The bill, which was passed in September of 2018, requires CalOES, in collaboration with CAL FIRE and the Board of Directors of the FIRESCOPE program, to develop the standards and regulations for any privately contracted private fire prevention resources operating during an active fire incident within the state. CalOES was responsible for writing the regulations, which essentially follow the FIRESCOPE guidelines that were developed for private resource utilization in the state of California, and the draft rules have now been completed. Input was provided from CAL FIRE North and South Operations, so this should work seamlessly across the state. In the third quarter 2020 FIRESCOPE meeting, the Board of Directors was briefed on the current progress and how it would fit into the FIRESCOPE program. It is currently under review at the state level, after which it will be put out for public comment. The delays in the regulations have been due to the statewide response to COVID-19, but are anticipated to be in place by the upcoming fire season.

Member Brian Rice asked for a copy of the draft so that California Professional Firefighters would have time to prepare for comment, as they were instrumental in AB 2380. He also noted that he holds to his belief that public safety is not for sale or for profit and is a service. He stated that he is not entirely against assets such as heavy machinery or air assets. He also expressed concern about the use of out of state firefighter assets.

Brian Marshall mentioned that the US Forest Service contracts with private fire protection, which is not controlled at the state level. Regardless of how AB 2380 is implemented, it is possible that there will be federally hired private fire protection contractors working in the state.

Chair Mike Richwine asked Brian Marshall if they would be doing some workshops. Brian Marshall responded that they would be scheduling meetings for public input once all of the legal reviews are completed and they will announce the dates.

Steve Hawks presented an update on the Assembly Bill 38 (AB 38). There are three basic components of AB 38. The first is for the seller of real property in a high, or very-high, fire hazard severity zone in the State Responsibility Area (SRA) or Local Responsibility Area (LRA) to disclose to a buyer certain components of the structure that are more prone to or susceptible to wildfire and embers. The second component is another disclosure notice for the seller to provide the buyer with documentation of a compliant. The main component, which is the focus of this update, is the home retrofit program which AB 38 calls the "Wildfire Mitigation Program." It creates a joint powers agreement between CalOES and CAL FIRE. This would engage in the development creating the foundation for a program that will help retrofit structures to the threats of wildfire, as well as have a component related to defensible space and fuel reduction in and around communities. The program being worked on will include a defensible space component, but likely not a fuel reduction component, as there are other avenues to deal with that, such as other grant programs. The original budget for the current fiscal year for the effort between CalOES and CAL FIRE to engage is almost 100 million dollars cumulative between state and federal funds to get the program off the ground and start retrofitting structures. However, it was pulled due to the May revise constraints, leaving CalOES and CAL FIRE to work with the limited existing resources. The main considerations in creating the foundation of this program is the vast geography, size, terrain and weather of California, as well as the longevity of the program. Currently, they have brought in a diverse group of agencies and organizations to participate, such as CalOES, CAL FIRE, the California

Department of Insurance, the Department of Housing and Community Development, the California FireSafe Council, and the California Building Industry Association. There are also research institutes involved, such as the National Institute of Standards and Technology and the Insurance Institute for Business and Home Safety. CalOES has also hired a private contractor to help them build out nine tasks. Steve Hawks informed the Board that he has volunteered to lead the group working on the second task, which is to working to identify the hazards associated with the structures and to identify the retrofit components that will be allowed underneath the program.

Steve Hawks explained how they were planning to handle the task based on the diversity and size of California. They have essentially broken it down into three categories based on housing density (high density housing, moderate density housing, and low density housing), with additional categories under each of those. They will utilize subject matter experts to build out matrixes using all the different scenarios in those categories, as well as the different vulnerabilities in a structure to embers, radiant heat, and direct flame contact. From that, they will also look at other partial hazards not limited to the structure, such as defensible space, other parcels level hazards such as vehicles, boats, and things that may be on the property, as well as additional structures that are on the property, and hazards neighboring that parcel. The goal is create a standard that identifies the vulnerabilities in the structure and components and how to address the vulnerabilities. Because the majority of the structures were built prior to standards that were established in 2008, there is expected to be a high cost to retrofit such a large number. So they will need to determine the level of retrofit needed to make an impact and to help fund the program to help people pass fire standards. The current Governor's budget consists of \$25 million to develop this program. The plan is to test the program and make tweaks to it, and once the program is working, to get additional funding to retrofit more structures.

Member Jerry Davies informed the Board that the Insurance Institute for Business & Home Safety (IBHS) is a big part of this. The organization was funded by fifty of the top insurance companies in the country and has research facilities that help harden homes. Member Davies stated that the insurance industry is happy to be a part of this effort.

Steve Hawks thanks Member Davies and agreed that the industry is leading the research related to hardening structures against fire.

Steve Hawks then followed up with other items related to the effort, including Senate Bill 190 (SB 190), which passed at the same time. AB 190 requires the State Fire Marshal develop a model defensible space program and then make it available for cities and counties as a template from which they can build their own defensible space program. The Bill also requires the office to create "wildland urban interface fire safety building standards compliance training." It equates to a guidebook on best management practices and codes related to building in wildland urban interface areas, home hardening, land use planning, evacuation routes, and other matters related to that, and to post it on our website.

The last bill that Steve Hawks talked about was Assembly Bill 3074 (AB3074), which creates a zero to five foot ember resistance zone. It is a third zone for defensible space, which is termed in the bill as an "ember resistant zone." It is going to be applicable in the SRA and LRA, as well as a few high fire hazard severity zones. The Board of Forestry and CAL FIRE will have to work in conjunction to develop regulations for this. The current budget includes money for the Board of Forestry to undertake the regulation process and for the CAL FIRE communications office to promote the program.

Member Moke Simon expressed appreciation for the people working on community development. He mentioned that Lake County had been hit by fires in the recent years and that the ultimate goal was to protect the people and to help with their costs of rebuilding. He said that insurance rates were increasing exponentially due to the incidents and hoped that programs like these would help in consideration of that. Member Simon offered to be available to provide information or to be of assistance.

10. ORGANIZATIONAL UPDATES

Member Jerry Davies regrettably informed the board that the Insurance Commissioner was unable to attend the meeting to give a presentation on the Fair Plan, but would try to attend the next meeting.

Member Craig Tolmie informed the Board that the overall state snowpack was at 64% of normal. That corresponded to the lack of rain, reflected by the total of 105 wildland fires in the prior week. That totaled 558 wildland fires consuming 1850 acres over the course of the year. That is an increase of 123 fires and 1094 acres above this point in time for 2020. The largest item of concern for CAL FIRE right now relates to available resources, specifically Type I handcrews. CAL FIRE currently has control of 65 Type I handcrews out of an authorized number of 168. CAL FIRE is continuing to work with the Legislature and the Department of Finance to find solutions to the handcrew issue, as there are several proposals related to forest health and resiliency, as well as fire prevention efforts currently moving through the state budget process.

Member Moke Simon reiterated that all the topics discussed today relate to local communities, such as vegetation abatement and prescribed burns, home hardening, and preparation for fire season. He looks forward to the progress that the Board is making.

Member David Gillotte reported that the International Association of Fire Fighters (IAFF) is reconvening their convention this month and will let everyone know the results of the votes from the election. He let everyone know that Member Lima was running for general secretary treasurer.

Member Brian Rice congratulated Chair Mike Richwine on his confirmation as State Fire Marshal. He also praised CAL FIRE for their base camp logistics, as there were very few cases of COVID-19 through the difficult fire season. He will be keeping the Board apprised on upcoming legislation.

Member Pete Muñoa echoed Member Rice's congratulations for Chair Richwine. He informed the group that Local 2881 is having conversations with the Legislature and Governor's Office to explain the need for additional resources, as the reduction of crews has resulted in understaffing. They have received a positive response overall.

Yvonne De La Peña provided an update from California Fire Fighter Joint Apprenticeship Committee (CalJAC). She informed the group that Taral Brideau, their education and training director, will be leading the first committee meeting of the Behavioral Health and Cancer Task Force Curriculum Development Committee. They also recently finished the recruitment workshop that was attended by fire chiefs, training officers, and labor from around the state. The workshop was on best practices and recruiting a diverse workforce. A recording of the workshop is available.

11. PUBLIC COMMENT

No public in attendance.

12. UPCOMING MEETING DATES

Upcoming meeting dates are May 20th, August 19th, and November 18th.

13. ADJOURNMENT

Chair Mike Richwine adjourned the meeting at 1453 hours.