



Council Meeting Minutes

Wednesday, May 10, 2023 | 6:30pm – 8:00pm

Recording available: <https://youtu.be/7K3qeCv9ShM>

- **Welcome/Agenda:** Allison welcomed attendees in-person and on Zoom.
- **Attendees (29):** Jon Messick, Justin Hartman, Bill High, Patrick Streight, Gary Fildes, Rodney Carter, Charles Sharp, Robin Murphy, Tony Murphy, Frances Ankers, Chris McCandless, Margaret Binderup, Joe King, Beverly Cameron-Fildes, Oscar Marin, Lisa Thompson, Ricky Satomi, Diego Camacho Molina, Dewaina Edens, Jason Schroeder, Judy Harlow, Rob Henry, Jamie Jiang, Keri Rinne, Durriya Syed, Lisa Strange, Curtis Canfield, Sandie Marotti-Huckins, Allison Thomson
- **Public Comments:**
 - Lisa Thompson - Manzanita, La Salle, Citron and surrounding roads have significant egress issues. The secondary egress route is too narrow and overgrown with vegetation. What can be done to mitigate and protect residents in this area?
 - Possible community workday with new YWPFSC tool trailer – coordinate with Allison and Sandie
 - Supervisor John Messick is looking into whether these roads are within a CSA and whether the County can support
 - Keri Rinne, Forest Business Alliance - Free Workshops coming up soon, register now at: vrconservation.wixsite.com/forestbiz/workshops
 - Margaret Binderup - Scotch broom is a major concern; it is taking over roadways across the region. Looking for management advice.
 - Talk with Yuba County Agricultural Commissioner for funding related to noxious weeds
 - Judy Harlow – Willow Glen/ LaPorte Rd, concerned with dead trees from the Glen Fire and others – What is planned regarding hazard tree removal near road and reforestation efforts in those areas?
- **Special Presentation: Wildfire Safety Regulation Updates – Durriya Syed & Lisa Strange, California Department of Insurance:** The Department of Insurance presented on the implementation of recent wildfire safety insurance regulations and how they will impact local residents. See Slides attached and in meeting recording
 - Gave update on the Nation's first Wildfire Safety Regulations: Safer from Wildfires Program. The program's goal is to drive down the cost of insurance based on wildfire mitigation measures.
 - The new rates and plans for implementing the requirements of this regulation were submitted by the insurance companies to the California Department of Insurance in April and are currently being reviewed. For a list of participating companies see: [Insurers Currently Offering Discounts](#)
 - The program has regulations to lower insurance costs for Residential and Commercial properties and increase transparency within the industry.
 - Please visit the California Grants Portal at grants.ca.gov to help find grants and loans
 - Rates are not in effect yet, not until approved by the Insurance Commissioner which looks like the end of the year.
 - It will be the homeowner's responsibility to reach out and work with their insurance company.
 - For help or questions call 1-800-927-4357 or visit insurance.ca.gov
 -
- **Partner Reports:**
 - **USFS-Tahoe National Forest** – Chris McCandless, YRRD District Fuels Specialist

- The Yuba River Ranger District has many ongoing projects, including the New Bullards Bar Forest Health Project, Trapper Streamflow Enhancement, Graveyard and Sleighville layout is starting soon
 - USFS has a new CharBoss
 - NFF and Camptonville Partnership w/ Forestry Service \$300,000 grant for Biomass disposal campus Waiting on layout and should begin to move forward in February 2024
 - All fire crews now fully staffed
- **Bureau of Land Management** – Jason Schroeder
 - Recently met with partners in Brownsville and working on a plan for the fuelbreak
- **CAL FIRE** – Justin Hartman
 - Introduced as New Battalion Chief for Battalion 2316
 - Currently at Level II Staffing
 - Staffing up for summer, full staffed by June 26
 - Burn Permits are required as of May 1. Apply online at [Burn Permits](#) or in-person at your local CAL FIRE station
- **Yuba County Office of Emergency Services** – Oscar Marin
 - The Be Prepared Fair is coming up: May 18 at 5:30pm at the Ponderosa Community Center in Brownsville
 - OES is working on securing sites for evacuation, will post on web page when determined
- **Oregon Peak Lookout Tower VIP Program** – Bill High
 - Tower opening later this year, specific date to be determined
 - Looking for volunteers - Email Bill if interested: hibill56@yahoo.com
- **Yuba County RCD** – Gary Fildes
 - Yuba County RCD is still looking for new Board Members. Contact Gary if interested: gfildes2001@yahoo.com
 - A new Executive Director has been hired: Daniel Baker. He will start within the next month or so.
- **Sierra Nevada Conservancy** – Chris Dallas
 - SNC has opened a new round of the Wildfire Recovery and Forest Resilience Grant Program
 - Concept proposals due June 16
 - Awards expected in March 2024
 - Please contact Chris Dallas at SNC to discuss potential proposals and be provided a concept proposal form: Chris.Dallas@SierraNevada.ca.gov
- **Sierra Pacific Industries** – Joe King
 - Recently received grant funding through the YWA New Bullards Bar Forest Health Project for 1140 acres of mastication and chip thinning in the Bullards Bar/Pendola area (additional acres funded for other landowners)
 - Stevens Fund fuel reduction project on Oregon Ridge/Brownsville: about 6-12 acres of mastication being completed per day
- **UC Extension** – Ricky Satomi
 - Forest GIS Training will be held May 25-26 at Sierra College in Rocklin
 - Forestry Youth Education Coordinator has been hired
 - [Disaster Livestock Access Program](#): training are coming up for commercial livestock operators
 - UC Extension recently released a Pile Burning Fact Sheet to assist residents in navigating the various permit requirements related to pile burning
- **YWP&FSC Reports:**

- **Outreach-Education Committee** – Beverly Cameron-Fildes
 - This is a busy time of year for tabling at events:
 - April 22 YES Charter Earth Day: tabling was successful although crowd was slightly smaller than last year. We gave away many tow chain covers and information about YWPFSC programs
 - YWPFSC will have a booth at the Dobbins Farmers Market (2nd Saturday every month) & the Brownsville Farmers Market (2nd Friday every month)
 - Be Prepared Fair in Brownsville May 18
 - Camptonville Plant Sale May 20
 - Let us know if you have an event you'd like the Fire Safe Council to table at.
 - Looking for calendar pictures for 2024; see link on our website yubafiresafe.org
 - Our new Tool Trailer will debut in June. Reach out if your neighborhood would like to host a workday with assistance from the tool trailer. We have 1 scotch broom puller to assist with the Scotch broom issue mentioned earlier in the meeting –might need to get more.
 - Reminder for people to sign up for Mitigation Reviews; see [Wildfire Mitigation Review](#)
 - September 30 – Harvest Festival @ Alcouffe Center

- **Firewise Report** – Sandie Marotti-Huckins, Firewise Coordinator
 - Camptonville Meeting – Great turn out, residents in Firewise USA program
 - YES Charter Earth Day – Many people interested in Firewise as well
 - Contact Sandie with questions: sandie@yubafiresafe.org

- **Residential Programs Report** – Sandie Marotti-Huckins
 - Reflective Address Sign program:
 - Requests are coming in consistently
 - Plan to have all done and bring to next Council Meeting as well as asking the Fire Departments to deliver to residents
 - Residential Chipping program:
 - Working on all requests that have come in since January
 - Please make sure your piles are laid out correctly
 - Defensible Space Cost Share program:
 - Fill out our new Interest Form so we can approve your project ahead of time and reserve funds for you.
 - Applications are due no later than July 31, 2023 or when funding runs out, whichever is sooner.

- **Executive Director Report** – Allison Thomson
 - Congrats to Yuba Water Agency on receiving a new Forest Health Grant: \$7 million for over 3,500 acres on the New Bullards Bar 2023 Forest Health Project
 - Partners have been making progress on the current fuel breaks around Brownsville and Oregon Ridge. Awaiting next round of invoices to update our acreage counts. Current acreage completed as of January 2023:
 - 126 acres (Brownsville)
 - 338 acres (Oregon Ridge)
 - ~460 acres total out of the 700 acres planned
 - We are still waiting on the grant agreement for the new round of Stevens Fund funding that will allow us to extend the Brownsville-Oregon House Fuel break to the south and the northeast.
 - The roadside project in Dobbins/Oregon House is still in the beginning phases:
 - We have set up a new [webpage](#) with information about the project.
 - Our forester who is leading the project has been working on obtaining access agreements from landowners and laying out project boundaries and surveys.

- A second community meeting will be held in June.
- We are planning to complete a small demo area this spring along Frenchtown Road.
- For more information contact: yubahfr@masonbruce.com or 530-786-0650
- Pending grant applications:
 - Community Wildfire Defense Grant (CWDG) for the Community Wildfire Protection Plan (CWPP) Update was awarded! Approx. \$210,000 to update the CWPP, including community meetings and a technical advisory group to help identify areas at high risk of wildfire and develop new projects. No news yet on when those funds will actually be available, but we'll hopefully be able to start that project later this year.
 - CAL FIRE Wildfire Prevention: cost share and special needs assistance for defensible space, chipping program, and volunteer workdays utilizing our new tool trailer
 - PG&E Grant – residential chipping program
 - BLM Fuels grant –support and expand our outreach program
- PG&E is hosting a webinar to discuss wildfire safety and community resources available to keep communities safe. Wednesday June 7, 5:30pm – 6:30pm online. [Join Webinar](#) or call 1-888-566-6507 Conference ID 3186580. [Learn more](#) and view past and upcoming webinars [here](#).

The next council meeting will be June 14 at 9:30 am at the Alcouffe Center and on Zoom.

RICARDO LARA

INSURANCE COMMISSIONER

California Department of Insurance

FOR IMMEDIATE RELEASE:

Wednesday, March 29, 2023
(#013)

MEDIA INQUIRIES ONLY:

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Michael Soller: 916-661-0556 cell
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Commissioner Lara and FAIR Plan reach agreement to increase commercial coverage limit to \$20 million

This important adjustment more than doubles existing coverage limit options for California businesses

LOS ANGELES — As part of his comprehensive effort to give more insurance options to California residents and businesses, Insurance Commissioner Ricardo Lara today announced the California FAIR Plan Association has agreed to more than double its existing commercial coverage limits to \$20 million for businesses unable to find coverage in the normal insurance marketplace. The FAIR Plan is an association comprised of all insurers authorized to transact basic property insurance in California, and designed to be the state's property "insurer of last resort," writing coverage for businesses and residences when other insurance options are not available.

Commissioner Lara and the FAIR Plan have been working on this issue since the Commissioner's [investigatory hearing into the FAIR Plan](#) last July where homeowners associations, youth recreational camps, agricultural groups, and other businesses spoke about the growing need for greater commercial coverage limits. Prior to Commissioner Lara taking office in 2019, the FAIR Plan's commercial limits had not been adjusted in more than two decades to keep pace with increasing property values and coverage needs.

"Giving businesses greater options for insurance coverage is a top priority of mine. I am pleased the FAIR Plan is stepping up when insurance companies fall short in providing businesses and homeowners access to the coverage they need," said Commissioner Lara. "I will continue working to expand coverage options and drive down the costs of insurance through wildfire safety discounts and increasing competition in the market."

Today's agreement signed by Commissioner Lara and FAIR Plan President Victoria Roach will increase the combined coverage limits for the FAIR Plan, under its Division I Commercial Property Program, from \$8.4 million to \$20 million per location and, under its Division II Businessowners Program, from \$7.2 million to \$20 million per location.

"The FAIR Plan is committed to strengthening consumer choice in the voluntary insurance market and ensuring all Californians have access to basic property coverage," said Roach. "We appreciate Commissioner Lara's leadership to take this step forward to address the challenges in the current commercial coverage market, while attempting to balance those challenges with the need for stability in the insurance market. We welcome the opportunity to continue collaborating with the Department of Insurance, the Legislature and other stakeholders to restore a viable insurance market for all Californians regardless of where they reside."

State legislators joined Commissioner Lara's call for an increased commercial coverage limit at the FAIR Plan in letters sent earlier this year.

(MORE)

2-2-2 CALIFORNIA DEPARTMENT OF INSURANCE NEWS RELEASE

Commissioner Lara and FAIR Plan reach agreement to increase commercial coverage limit to \$20 million

"I applaud Insurance Commissioner Lara and the California FAIR Plan for working together to increase access to coverage for homeowners in high fire risk areas," said Senate President pro Tempore Toni G. Atkins (D-San Diego). "Longer, more devastating fire seasons mean that Californians are feeling the impacts of climate change now. Expanding coverage is an important step towards preventing further displacement and protecting homeowners throughout the state. I look forward to continued conversations on how to make insurance more accessible for residents in high fire risk areas."

"Consumers at risk of losing their homes need immediate relief. They cannot wait for long-term solutions to current insurance market challenges, in particular the impacts of climate change," said Senator Susan Rubio (D-Baldwin Park). "At this moment, inaction is not an option. I commend Commissioner Lara for taking decisive action to protect consumers who are most at risk of losing protection. As Chair of the Senate Insurance Committee, I look forward to our continued collaboration and discussions with all stakeholders to identify viable long-term solutions for a healthy and stable insurance market."

"This action to increase the California Fair Plan's commercial coverage limit will improve access to fire insurance coverage for our businesses as well as multi-residential properties across our high fire risk areas," said Senator Marie Alvarado-Gil (D-Jackson). "My constituents are directly impacted by the lack of available fire insurance coverage and I applaud the Insurance Commissioner and California Fair Plan leadership for working together to implement this necessary increase in the coverage limit. As a member of the Senate Committee in Insurance, I look forward to continuing to work with Commissioner Lara and my colleagues to deliver solutions to the fire insurance crisis impacting so many across Senate District 4 and our entire state."

The new coverage limits will take effect after the FAIR Plan submits a new rule filing for approval by the Department of Insurance. The FAIR Plan has 60 days to submit a rule filing to the Department, with the goal of the Department approving these coverage limit increases, meaning coverage could be available in the fourth quarter.

Business groups welcomed the additional coverage.

"The increase in commercial coverage amounts provided by the FAIR Plan offers a much needed reprieve for the summer camps of California. Summer camps provide valuable opportunities for California's youth but, in recent years, challenges to camps have been exacerbated by increasing costs for insurance coverage, and too often the coverage that was available came at too high a cost for these small businesses to afford," said Mike Stillson, Chair of the California Collaboration for Youth. "This action by Commissioner Lara will provide the opportunity to properly insure our camps, buildings, and property moving forward, insuring our infrastructure in order to provide services to the youth of California. The California Collaboration for Youth thanks Commissioner Lara for once again working to help summer camps provide unforgettable experiences for the children of California."

"This is a step forward in helping community associations find available, reliable, and affordable insurance coverage," said Kieran Purcell, Chair of the Community Associations Institute California Legislative Action Committee. "We support Commissioner Lara's continued efforts to promote wildfire safety measures while aggressively pushing insurance companies to write the coverage that our communities need."

"California's diverse farms need more than a one-size-fits-all solution for insurance," said California Farm Bureau President Jamie Johansson. "Increased FAIR Plan coverage limits give farm families greater options and security to plan for the future. We thank Commissioner Lara for continuing to support our agricultural community."

Since taking office, Commissioner Lara has prioritized increasing access to affordable insurance for California consumers and businesses. In October 2022, Commissioner Lara enforced the nation's first [Safer from Wildfires regulation requiring wildfire safety discounts](#) for homes and businesses. In [November 2021](#),

(MORE)

3-3-3 CALIFORNIA DEPARTMENT OF INSURANCE NEWS RELEASE

Commissioner Lara and FAIR Plan reach agreement to increase commercial coverage limit to \$20 million

Commissioner Lara ordered the FAIR Plan to increase its combined commercial coverage limits for the first time and, in [November 2019](#), he ordered the FAIR Plan to increase its personal dwelling coverage limit to \$3 million, doubling it from where it had been for two decades.

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Media Note:

- Under the agreement, the FAIR Plan will increase liability protection up to \$3 million.



Led by Insurance Commissioner Ricardo Lara, the California Department of Insurance is the consumer protection agency for the nation's largest insurance marketplace and safeguards all of the state's consumers by fairly regulating the insurance industry. Under the Commissioner's direction, the Department uses its authority to protect Californians from insurance rates that are excessive, inadequate, or unfairly discriminatory, oversee insurer solvency to pay claims, set standards for agents and broker licensing, perform market conduct reviews of insurance companies, resolve consumer complaints, and investigate and prosecute insurance fraud. Consumers are urged to call 1-800-927-4357 with any questions or contact us at www.insurance.ca.gov via webform or online chat. Non-media inquiries should be directed to the Consumer Hotline at 800-927-4357.

Teletypewriter (TTY), please dial 800-482-4833.

What does being **Safer from Wildfires** mean for my Insurance?



Insurance Commissioner Ricardo Lara is requiring insurance companies to give discounts to residential and commercial policyholders under the Safer from Wildfires framework. Under Commissioner Lara's new regulation, insurance companies also must tell you about the wildfire risk factors on your property — and Safer from Wildfires gives you the tools to reduce your risk and help keep your insurance.

Q: When will discounts be available?

A: As soon as possible. Under Commissioner Lara's new regulation, insurance companies are required to calculate new rates incorporating Safer from Wildfires discounts and submit their data to the Department of Insurance in a rate filing. Each rate filing undergoes a rigorous review by Department of Insurance experts under a transparent set of rules to make sure the rate filings are fair and complete.

Q: How much will my discount be?

A: Discounts will depend in part on your property's individual characteristics and the actions you've taken through Safer from Wildfires. The safer your property is from the risk of wildfire, the more you can save. Different insurance companies may offer different discounts, so it pays to compare.

Q: Why aren't all the discounts the same?

A: By requiring all insurance companies to submit their discounts separately, the regulation encourages competition to benefit consumers. Some companies may be a better fit for you based on your home or location. We urge you to look at all available options.

Q: I am on the FAIR Plan — will I get a discount?

A: Yes – the FAIR Plan will also offer discounts. Contact a licensed insurance broker who is registered to sell FAIR Plan coverage. FAIR Plan's website has a Broker Finder tool that can assist you in finding a broker in your area: <https://www.cfpnet.com/>.

Q: What safety step will help me get the biggest discount?

A: Insurance companies may give different discounts for specific actions as well as for combinations of actions, so you should check with your insurance company and compare what others are offering. Local fire safety professionals and insurance consumer groups may also provide resources to help you plan for what actions to take first as you continue to make your home or business more wildfire resistant.

Q: When should I request a discount — immediately or when I renew my policy?

A: After completing a wildfire mitigation action, you should contact your insurance company or agent/broker and advise of the completed work. You may need to provide proof that the mitigation action was completed, or an inspection may be required to confirm that the mitigation action was completed. Your insurance company or agent/broker should be able to advise you of the amount of annual premium savings the mitigation action will result in, and the premium savings would be reflected at the start of the next policy period.

Q: What are the top things I should do to protect my property?

A: Safer from Wildfires has actions you can take at three levels:

- **Structure**

Many of these are low-cost or do-it-yourself projects such as removing combustible materials 5 feet from the house or installing ember-resistant vents.

- **Immediate surroundings**

When it's time to replace a roof or windows, spending a little more for a fire-rated roof or dual pane windows can make your property a lot safer.

- **Whole community**

Forming a Firewise USA community with your neighbors is another way to protect you and your neighbors. [View the full Safer from Wildfires list at our website.](#)

Q: How can I find out about the risk on my property?

A: Insurance companies typically give a “wildfire risk score” to your home or business. Under the new regulation, insurance companies must provide you with the risk score whenever you apply for a policy, before a renewal or non-renewal of your policy, and anytime you have completed a mitigation measure on your property and request the score from the insurance company. Your insurance company must give you a detailed explanation for the score including how you can lower that score and how much you could save.

Q: How can I lower my risk?

A: You have a right to appeal your risk score directly to the insurance company if you believe it is inaccurate—for instance, if you have done wildfire safety work since your last renewal. If the appeal is denied, you can request help from the Department of Insurance by contacting us at 800-927-4357 or insurance.ca.gov.

Do more, save more

Every action under **Safer from Wildfires** will qualify you for an insurance discount.

By doing more, you can save more.

- Class A fire-rated roof
- 5-foot ember-resistant zone around the structure
- Noncombustible 6 inches at the bottom of walls
- Ember- and fire-resistant vents
- Double pane windows or added shutters
- Enclosed eaves
- Cleared vegetation and debris from under decks
- Move sheds and outbuildings at least 30 feet away
- Trim trees and remove brush in compliance with state and local defensible space laws
- Neighborhoods can form a Firewise USA community
- Cities, counties, and local districts can become certified as a Fire Risk Reduction Community

STATE OF CALIFORNIA
DEPARTMENT OF INSURANCE
300 Capitol Mall, 17th Floor
Sacramento, CA 95814

FINAL TEXT OF REGULATION

MITIGATION IN RATING PLANS AND WILDFIRE RISK MODELS

September 1, 2022

REG-2020-00015

Title 10. Investment
Chapter 5. Insurance Commissioner
Subchapter 4.8. Review of Rates
Article 4. Determination of Reasonable Rates

Adopt: Section 2644.9. Consideration of Mitigation Factors; Wildfire Risk Models.

- (a) Applicability.
- (1) An insurer that applies or uses a rate that is developed with, determined by or relies upon, in whole or in part, a rating plan that segments, creates a rate differential, or surcharges the premium based upon a policyholder or applicant's wildfire risk shall comply with this Section 2644.9. If a rate that is developed with, determined by or relies upon a rating plan that complies with this section is approved, in whole or in part, and thereafter such rating plan is replaced, or modified in any manner, including but not limited to, the inclusion of new factors, or different criteria or algorithms, the insurer shall, prior to implementing the new or modified rating plan, file a new rate application, which shall include the new or modified rating plan. No such new or modified rating plan shall be used unless and until the new rate application is approved.
 - (2) A rating plan shall satisfy the requirements of subdivision (d)(1) of this Section 2644.9 only if the rating plan taken as a whole, including the operation of any Wildfire Risk Models that may be incorporated into the rating plan, takes into account and reflects the factors described in subdivisions (d)(1)(A) and (d)(1)(B) of this section. Nothing in this section shall be construed to require the use of a Wildfire Risk Model.

(b) Definitions.

As used in this section, each of the following terms has the meaning set forth below:

(1) Building Being Evaluated.

The term "Building Being Evaluated" means the residential or commercial structure in question, and includes decks that are attached to or abut the structure.

(2) Class-A Fire Rated Roof.

The term "Class-A Fire Rated Roof" has the same meaning as in the Chapter 7A California Building Code (2019) as modified by the July 2021 supplement thereto, codified at Section 705A.1 of Part 2 of Title 24.

(3) Enclosed Eaves.

"Enclosed Eaves" are roof eaves that have either (1) boxed-in roof eave soffits with a horizontal underside or (2) an exterior covering applied to the underside of the rafter tails supporting the eaves, which covering is sloped corresponding to the slope of the rafter tails. Enclosed Eaves are thus distinguishable from open roof eaves, whose rafter tails are exposed.

(4) Fire-Resistant Vents.

The term "Fire-Resistant Vents" has the same meaning as in the Chapter 7A California Building Code (2019) as modified by the July 2021 supplement thereto, codified at Sections 706A.1 and 706A.2 of Part 2 of Title 24.

(5) Firewise USA Site in Good Standing.

A "Firewise USA Site in Good Standing" is a community that, at the time the Building Being Evaluated is rated, is recognized as such by the National Fire Protection Association, a Massachusetts 501(c)(3) corporation.

(6) Wildfire Risk Model.

(A) The term "Wildfire Risk Model" means any tool, instrumentality, means or product, including but not limited to a map-based tool, a computer-based tool or a simulation, that is used by an insurer, in whole or in part, to

measure or assess the wildfire risk associated with a residential or commercial structure for purposes of:

1. Classifying individual structures according to their wildfire risk; or
2. Estimating losses corresponding to such wildfire risk classifications.

(B) The term "Wildfire Risk Model" does not include models used for purposes of projecting aggregate losses under Section 2644.4 or 2644.5.

(c) Wildfire Risk Models to be provided to the Commissioner.

Pursuant to Insurance Code section 1861.05, subdivision (b), any Wildfire Risk Model, as defined in subdivision (b)(6) of this section, that is used, in whole or in part, in an insurer's rating plan shall be provided to the Commissioner as part of an insurer's complete rate application.

(d) Mandatory factors.

(1) No insurer shall use a rating plan that does not take into account and reflect the following mandatory factors:

(A) Community-level mitigation designations: The rating plan shall reflect, and the rate offered to the applicant or insured shall be based in part on, the reduced wildfire risk associated with each and every community-level mitigation designation listed below in this subdivision (d)(1)(A) that is applicable to the community in which the Building Being Evaluated is located. Community-level mitigation designations include:

1. Fire Risk Reduction Community listed by the Board of Forestry pursuant to Public Resources Code section 4290.1; and
2. Firewise USA Site in Good Standing.

(B) Property-level mitigation efforts.

The rating plan shall reflect, and the rate offered to the applicant or insured shall be based in part on, the reduced wildfire risk resulting from each and every property-level wildfire risk mitigation effort listed in subdivisions (d)(1)(B)1.a. through (d)(1)(B)1.e. and (d)(1)(B)2.a. through (d)(1)(B)2.e., below, that is undertaken with respect to an individual

property being assessed for risk. Individual property-level wildfire risk mitigation efforts include:

1. Measures addressing the immediate surroundings of the Building Being Evaluated, including:
 - a. Clearing of vegetation and debris from under decks,
 - b. Clearing of vegetation, debris, mulch, stored combustible materials, and any and all movable combustible objects, from the area within five (5) feet of the Building Being Evaluated,
 - c. Incorporation of only noncombustible materials into that portion of any improvements to the property on which the Building Being Evaluated is located, including fences and gates, which is situated within five (5) feet of the Building Being Evaluated,
 - d. Removal or absence of combustible structures, including sheds and other outbuildings, from the area within thirty (30) feet of the Building Being Evaluated or, in the event that the applicant or insured does not control the entirety of the area extending thirty feet from the Building Being Evaluated, removal of combustible structures from as much of such area as is under the control of the applicant or policyholder, and
 - e. Whether the property upon which the Building Being Evaluated is situated complies with Section 4291 of the Public Resources Code, and any applicable local ordinances, governing defensible space; and
2. Building hardening measures, including provision of the following:
 - a. Class-A Fire Rated Roof,
 - b. Enclosed Eaves,
 - c. Fire-Resistant Vents,

- d. Multipane windows, including dual pane windows, or functional shutters, which when closed, cover the entire window and do not have openings, and
 - e. At least six (6) inches of noncombustible vertical clearance at the bottom of the exterior surface of the building, measured from the ground up.
- (2) No later than one hundred eighty (180) days following the date this section is filed with the Secretary of State, each insurer shall file a rate application that incorporates a rating plan that includes the factors described in subdivision (d)(1) of this section.
- (e) Optional factors.

An insurer may use a rating plan which incorporates other factors that the insurer demonstrates are substantially related to risk of wildfire loss, and do not result in rates that are excessive, inadequate or unfairly discriminatory. These optional factors may include, but are not limited to:

- (1) Fuel: This factor shall take into account the various types of combustible materials, and the density of those materials, in the vicinity of the Building Being Evaluated, including the location of trees, grass, brush, and other vegetation relative to the structure. The fuel factor shall take into account the fact that different fuels burn at different rates and intensities, resulting in different levels of wildfire risk. If used, this factor shall reflect the historic and estimated impact on losses related to fuel, as described in this subdivision (e)(1).
- (2) Slope: This factor shall take into account the position of the Building Being Evaluated on a slope relative to potential sources of ignition, and the steepness of the slope between those potential sources of ignition and the structure. If used, this factor shall reflect the historic and estimated impact on losses related to slope, as described in this subdivision (e)(2).
- (3) Access: Access reflects the ease or difficulty with which firefighting personnel and equipment can reach structures at risk of wildfire. The access factor shall include consideration of the presence of dead-end roads, road width, shoulders, and availability of multiple access points with respect to the Building Being Evaluated. If used, this factor shall reflect the historic and estimated impact on losses related to access, as described in this subdivision (e)(3).
- (4) Aspect: The aspect factor shall reflect the direction the slope upon which the Building Being Evaluated is located faces. If used, this factor shall reflect the historic and estimated impact on losses related to aspect, as described in this subdivision (e)(4).

- (5) Structural characteristics: The structural characteristics factor shall reflect the materials used in the construction, and may reflect such items as the design, of the Building Being Evaluated. The structural characteristics factor shall not reflect the construction materials or any other item the insurer is required to take into account pursuant to subdivision (d) of this section. If used, the structural characteristics factor shall reflect the historic and estimated impact on losses related to structural characteristics, as described in this subdivision (e)(5).
- (6) Wind: The wind factor shall take into account the degree to which wind speed and direction in the vicinity of the Building Being Evaluated may impact a wildfire's progression. If used, the wind factor shall reflect the historic and estimated impact on losses related to wind, as described in this subdivision (e)(6).
- (7) Other community-level or property-level mitigation efforts, or designations, not specified in subdivision (d) of this section as recommended by a state or local fire safety agency or organization as reducing wildfire risk.

(f) Availability for public inspection.

Any rating plan, or Wildfire Risk Model submitted to the Commissioner in connection with a complete rate application pursuant to subdivision (c) of this section, or any additional documentation relating to such rating plan or model as may be requested by the Commissioner during the review of any such application, including any records, data, algorithms, computer programs, or any other information used in connection with the rating plan or Wildfire Risk Model used by the insurer which is provided to the Commissioner, shall be available for public inspection pursuant to Insurance Code sections 1861.05, subdivision (b), and 1861.07, regardless of the source of such information, or whether the insurer or the developer of the rating plan or Wildfire Risk Model claims the rating plan or Wildfire Risk Model is confidential, proprietary, or trade secret. Pursuant to Insurance Code section 1855.5, subdivision (a), a Wildfire Risk Model as defined in subdivision (b)(6) of this section that is made available by an advisory organization to its members for use in California shall be filed with the Commissioner and made available for public inspection.

(g) Credible data.

Any rate application shall incorporate the insurer's own California wildfire loss data to the extent that it is credible to support each segment, rating differential, or surcharge being requested. To the extent the insurer's own California data is not fully credible, the insurer shall credibility-weight its data with an appropriate complement of credibility to support each segment, rating differential, or premium surcharge. If the Commissioner aggregates California premium-and-loss data by wildfire risk to create a fire and wildfire exposure risk manual pursuant to Insurance Code section 929.2, an insurer may rely on the then-current version of the manual as support for each segment, rating differential, or surcharge being requested in connection with a residential property rate application,

either directly or as a complement of credibility to the insurer's own California wildfire loss data.

- (h) Provision of wildfire risk score or other wildfire risk classification to policyholder or applicant.

An insurer utilizing a Wildfire Risk Model, or rating factor, to segment, create a rate differential, or surcharge the premium based upon the policyholder or applicant's wildfire risk shall, within one hundred eighty (180) days after the date this section is filed with the Secretary of State, implement a written procedure to provide, in writing, to each such policyholder or applicant for property insurance the wildfire risk score or other wildfire risk classification used by the insurer to segment, create a rate differential, or surcharge the premium based upon the policyholder or applicant's wildfire risk. The insurer shall provide to the policyholder or applicant such wildfire risk score or classification at the following times:

- (1) No later than fifteen (15) days following the submission to the insurer of the applicant's completed application;
- (2) At least forty-five (45) days prior to each renewal;
- (3) At least seventy-five (75) days prior to any nonrenewal; and
- (4) In the event that the policyholder or applicant has completed a mitigation measure on the subject property since the time of the last application to or renewal by the insurer, no later than thirty (30) days following the submission to the insurer of the policyholder or applicant's request that the insurer provide a revised wildfire risk score or wildfire risk classification.

- (i) Policyholder or applicant's right to appeal.

The procedure described in subdivision (h) of this section shall permit a policyholder under, or applicant for, a policy of property insurance who disagrees with the assignment of the wildfire risk score, or other wildfire risk classification, provided to the policyholder or applicant pursuant to that subdivision the right to appeal orally or in writing that assignment directly to the insurer. The insurer shall notify the policyholder or applicant in writing of this right to appeal the wildfire risk score or other wildfire risk classification whenever such score or classification is provided to the policyholder or applicant as set forth in subdivision (h) of this section. If the policyholder or applicant appeals the wildfire risk score or other wildfire risk classification, the insurer shall acknowledge receipt of the appeal in writing within ten (10) calendar days of receipt of the appeal. The insurer shall respond to the appeal in writing with a reconsideration and decision within thirty (30) calendar days after receiving the appeal. In the event that an

appeal is denied, the insurer shall, upon request by the Department, forward a copy of the appeal, and the insurer's response, to the Department.

(j) Representation by broker or agent.

If the policyholder or applicant is represented by a broker, or the insurer is represented by an insurance agent with respect to the policyholder's policy or the applicant's application, the policyholder or applicant may appeal orally or in writing to the agent or broker the assignment of wildfire risk score or other wildfire risk classification, who shall then forward that appeal to the insurer no later than five (5) calendar days after receiving the appeal from the policyholder or applicant. The insurer shall acknowledge receipt of the appeal in writing to the policyholder or applicant and the agent or broker no later than five (5) calendar days after receipt of the appeal from the broker or agent. The insurer shall respond to the appeal to the policyholder or applicant and the agent or broker with a written reconsideration and decision of the appeal within thirty (30) calendar days after receiving the appeal from the broker or agent. In the event that an appeal is denied, the insurer shall, upon request by the Department, forward a copy of the appeal, and the insurer's response, to the Department.

(k) Explanation of wildfire risk score or other wildfire risk classification.

Whenever a wildfire risk score, or other wildfire risk classification used by the insurer to segment, create a risk differential or surcharge the premium for a particular policyholder or applicant, is identified or provided to the policyholder or applicant pursuant to subdivision (h) of this section, the insurer shall also provide in writing:

- (1) The range of such scores or classifications that could possibly be assigned to any policyholder or applicant;
- (2) The relative position of the score or classification assigned to the policyholder or applicant in question within that range of possible scores or classifications, and the impact of the score or classification on the rate or premium; and
- (3) A detailed written explanation of why the policyholder or applicant received the assigned score or classification; the explanation shall make specific reference to the features of the property in question that influenced the assignment of the score or classification.

The insurer shall provide, in addition, the following information:

- (A) Which mitigation measure or measures can be taken by the policyholder or applicant to lower the wildfire risk score or classification; and
- (B) The amount of premium reduction the policyholder or applicant would realize as a result of performing each such measure under the insurer's rating plan that is in effect at the time.

- (l) Notification to policyholder or applicant of right to contact Department in connection with insurer's response to appeal.

When an insurer responds to the applicant or policyholder in connection with an appeal pursuant to subdivision (i) or (j) of this section, it shall also notify the policyholder or applicant in writing that the policyholder or applicant may contact the Department of Insurance for assistance if the policyholder or applicant disagrees with the insurer's written reconsideration and decision. In any event, the insurer shall provide the policyholder or applicant with the Department of Insurance toll-free consumer hotline and web address of the Department's Consumer Complaint Center.

- (m) No curtailment of applicant or policyholder's rights.

Nothing in this section shall be construed to limit the right of an applicant or policyholder to complain directly to the Commissioner at any time or to pursue any other remedy or other action allowed under California or federal law.

- (n) Inapplicability to certain commercial policies.

This section shall not apply to a commercial policy insuring multiple locations, none of whose wildfire risk is considered in rating the policy.

NOTE: Authority cited: Sections 1858, 1859, 1861.01, 1861.05 and 1861.07, Insurance Code; *20th Century v. Garamendi*, 8 Cal.4th 216 (1994). Reference: Sections 1851, 1855.5, 1858, 1861.05, 1861.07 and 1861.13, Insurance Code.

Being Safer from Wildfires Can Help With Your Insurance



Safer from Wildfires is a ground-up approach to wildfire resilience with three layers of protection — for the structure, the immediate surroundings, and the community. Following these achievable steps can help you save money on your insurance.

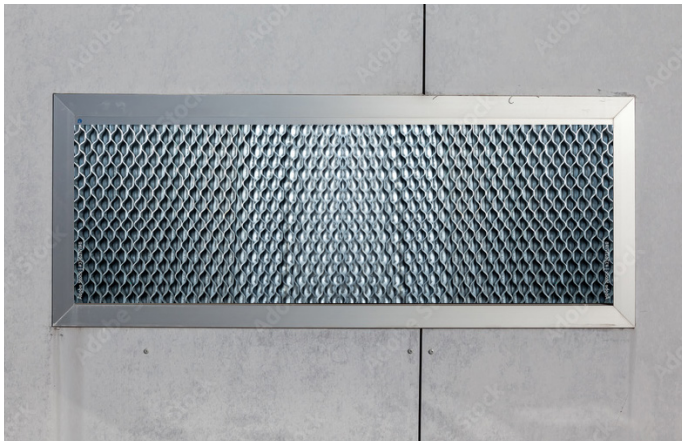


CALIFORNIA
Public Utilities Commission

Safer from Wildfires was created by an interagency partnership between Insurance Commissioner Ricardo Lara and the emergency response and readiness agencies in Governor Gavin Newsom's administration. Learn more at insurance.ca.gov

3 Ways to Get Started with **Safer from Wildfires**

Don't know where to start? Here are 3 low-cost steps you can take today.



Keep embers out

Installing 1/16 to 1/8 inch noncombustible, corrosion-resistant metal mesh screens over attic vents can keep wind-blown embers out of your house.



Clear the first 5 feet

Removing greenery and replacing wood chips with stone or decomposed granite 5 feet around your home prevents fire from getting a foot in the door.



Be safer together

With Firewise USA, communities as small as 8 dwelling units or as big as 2,500 can create an action plan and start being safer together. Firewise USA is a nationally recognized program with proven results, sponsored by the National Fire Prevention Association.

Do more, save more

Every action under **Safer from Wildfires** will qualify you for an insurance discount. By doing more, you can save more.

- Class A fire-rated roof
- 5-foot ember-resistant zone around the structure
- Noncombustible 6 inches at the bottom of walls
- Ember- and fire-resistant vents
- Double pane windows or added shutters
- Enclosed eaves
- Cleared vegetation and debris from under decks
- Move sheds and outbuildings at least 30 feet away
- Trim trees and remove brush in compliance with state and local defensible space laws
- Neighborhoods can form a Firewise USA community
- Cities, counties, and local districts can become certified as a Fire Risk Reduction Community

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