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WHAT THE OCTOBER WILDFIRES REVEALED ABOUT PREPAREDNESS IN SOUTHERN CALIFORNIA

HEARING

BEFORE THE

SUBCOMMITTEE ON DOMESTIC POLICY

OF THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

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WHAT THE OCTOBER WILDFIRES REVEALED ABOUT PREPAREDNESS IN SOUTHERN CALIFORNIA

MONDAY, DECEMBER 10, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON DOMESTIC POLICY,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Fallbrook, CA.

The subcommittee met, pursuant to notice, at 9 a.m., in the Board Meeting Room at the Fallbrook Public Utilities District in Fallbrook, CA, Hon. Dennis J. Kucinich (chairman of the subcommittee) presiding.

Present: Representatives Kucinich, Issa, and Bilbray.

Staff present: Jaron R. Bourke, staff director; Noura Erakat, counsel; and Jean Gosa, clerk.

Mr. KUCINICH. Good morning and welcome. The Domestic Policy Subcommittee of the Oversight and Government Reform Committee will come to order.

Welcome to Congressman Issa, at whose request this hearing is being held. Congressman Issa, thank you. We are joined by Congressman Bilbray, also from the area, who has been similarly interested in this, and I want to thank Mr. Bilbray for joining us today as well, and without objection, Members will have 5 days to be able to submit any additional testimony for the record.

On October 21st, a wildfire began in Witch Creek, a rural area in the foothills of San Diego. That same day, Governor Schwarzenegger declared a state of emergency. President George Bush issued a major disaster declaration for the State of California and ordered Federal aid to supplement State and local response efforts.

At the height of the disaster, 23 fires were burning. By the time all the fires were contained, 517,267 acres of land had been burned, 2,233 homes were destroyed and 10 people lost their lives.

The damage caused by the 2007 Southern California wildfires could have been much worse, if it were not for the capable response efforts of local, State and Federal emergency responders.

The absence of additional fires in San Diego, surrounding counties, and in Northern California, also helped make the story of Southern California's wildfires a success. Everyone, from local, State and Federal officials, to media outlets, has described the response to the wildfires as a wonderful success, and the emergency responders and the intergovernmental coordination that managed

firefighting resources were performed competently, effectively, and professionally.

But if the October experience is to be a window on to the extent of California's preparation for future wildfires, then we have to consider how those same fire responders and intergovernmental coordination managers would have fared if they had been confronted with a different fire, or a number of simultaneous fires in several different counties. How much of October's success can be attributed to adequate training, management and resources, and how much of it was a function of luck, that California did not have other fires to contend with at the same time?

The fires that burned throughout Orange, Los Angeles, and San Diego counties are certainly not the last to impact Southern California. Southern California has historically endured major fires. It did so in 1970, 1977, 1980, 1985, 1987, 1993, 2003, and now, in 2007.

However, not only have major fires historically been less frequent than they have been recently, but they've also been less severe. Both the 2003 Cedar fire and the 2007 Southern California wildfires have been described as "100 year" fires. Unfortunately, future trends indicate that such disasters are on the rise.

According to the Wildfire Research Network, the frequency or voracity of wildfires will increase in the near future due to global warming, increasing wildland-urban interface and aging vegetation.

According to the Department of Forestry and Fire Protection, 10 trends constitute the "Wildfire Frequency and Intensity Loop," including a rise in global warming and a growing population in the wildfire-urban interface.

Is Southern California adequately prepared for these major fires? Disaster preparedness involves several considerations such as prevention measures, public education and preexisting agreements. Most importantly, however, disaster preparedness means having the proper resources and having enough of them.

In California, resources are owned by local responders, bolstered by State resources as well as mutual aid agreements within the State, and supplemented by Federal fire and emergency agencies. Different counties have vastly differing levels of local response capability.

The Los Angeles County Fire Department possesses a total of 13 firefighting aircraft during fire season. Orange County Fire Department possesses two aircraft. San Diego County has two helicopters. The county of San Diego spent nearly $130 million to enhance its wildfire prevention, preparation and responsibilities. These improvements included purchasing two wildfire helicopters, improving its emergency communication system, removing 417,000 dead, dying and diseased trees, and implementing a Reverse 911 system.

All of these resources were mobilized to deal with the October fires.

Additionally, the State of California contributed its 13 National Guard helicopters and 23 air tankers. Yet all of these resources were not enough on their own. California tapped into the Emergency Management Agency Compact, the EMAC system, and ob-

tained assistance from Arizona, Idaho, North Carolina, Colorado, New Mexico, Nevada, Wyoming, Washington and Oregon.

The Federal Government also supplemented local and State resources. The U.S. Forest Service, of the Department of Agriculture, has approximately 10,000 firefighters, three to 400 fire engines, 30 to 40 helicopters, 8 fixed air tankers that it made available to California during its battle with the 2007 fires.

It took everything the counties, and State of California could muster, and more from the Federal Government, to contain and extinguish the October fires. Our witnesses have told us, again and again, that had there been any fires in Northern California, as there were in 2003, that some of the resources used to fight the October fires would not have been available.

Imagine. Had there been only four additional fires in Northern California, there would not have been sufficient resources to respond to all of them. Southern California was indeed lucky, lucky because no other fires burned in California during those last few days of October. But what if Southern California is not so lucky the next time, when in four to 5 years, another "100 year" fire ignites and consumes Southern California, and this time, five fires also burn in the Oakland Hills? Then it might matter that San Diego County is the only county in California without a fire department.

Instead, the county has a total of 65 volunteer-based and paid fire agencies. In 2004, 81 percent of voters in San Diego County approved Proposition C, which queried support for a consolidated system and was to be funded with reprioritized revenues, but no new revenues.

Due to its lack of a county fire department, San Diego County is dependent on San Diego's city fire and rescue department as well as its neighboring counties with well-resourced fire departments.

Today we will hear from several witnesses, on our first panel, as to whether or not this arrangement is sustainable. The next time there's a "100 year" fire, how will the Modular Airborne Firefighting System [MAFFS], help? The MAFF system was not put to use during the recent wildfires because the Forest Service refurbished tags were not ready for the California National Guard's new J model C–130 aircraft.

According to the Fire and Aviation Management, the fully equipped JC–130's will be ready in May or June 2008. The next time, will a new agreement correct for California Fire's failure to utilize Marine helicopters? According to Cal Fire, they have addressed this problem by entering into a short-term agreement with the Marines in the direct aftermath of the fires.

More recently, Cal Fire and the Marines continued their discussions on a long-term operating plan.

Our job today is to ask our witnesses what more could be done, and will be operable in Southern California, to ensure that any future response is as successful as it fortunately was in October 2007.

Thank you, and at this point, I want to turn to the ranking member of this committee, Mr. Issa of California, who has been a partner in all matters relating to this committee. He and I work cooperatively. I am glad to be here today, Darrell, and to work with you

on this, and I know the district is very appreciative of the efforts that you continue to make. So, thank you.

[The prepared statement of Hon. Dennis J. Kucinich follows:]

Opening Statement
Congressman Dennis J. Kucinich, Chairman
Domestic Policy Subcommittee
Oversight and Government Reform Committee

"What the October Wildfires Reveal about Preparedness in Southern California"
Board Meeting Room, Fallbrook Public Utilities District
9:00 A. M.
Monday, December 10, 2007

Good morning and welcome. The Domestic Policy Subcommittee of the Oversight and Government Reform Committee will come to order.

On October 21st, a wildfire began in Witch Creek, a rural area in the foothills of San Diego. That same day, Governor Schwarzenegger declared a state of emergency. President George W. Bush issued a major disaster declaration for the State of California and ordered federal aid to supplement State and local response efforts. At the height of the disaster, 23 fires were burning. By the time all the fires were contained, 517,267 acres of land had been burned; 2,233 homes were destroyed; and ten people lost their lives.

The damage caused by the 2007 Southern California wildfires could have been much worse were it not for the capable response efforts of local, state, and federal emergency responders. The absence of additional fires in San Diego's surrounding counties and in Northern

California also helped to make the story of Southern California's wildfires a success.

Everyone, from local, state, and federal officials to media outlets, has described the response to the wildfires as a wonderful success. And the emergency responders and the intergovernmental coordination that managed firefighting resources were performed competently, effectively and professionally. But if the October experience is to be a window onto the extent of California's preparation for future wildfires, then we have to consider how those same fire responders and intergovernmental coordination managers would have fared if they had been confronted with a different fire, or a number of simultaneous fires in several different counties. How much of October's success can be attributed to adequate training, management and resources, and how much of it was a function of luck, that California did not have other fires to contend with at the same time?

The fires that burned throughout Orange, Los Angeles, and San Diego Counties are certainly not the last to impact Southern California. Southern California has historically endured major fires. It did so in 1970, 1977, 1980, 1985, 1987, 1993, 2003, and now in 2007. However, not only have major fires been less frequent than they have been recently, but they have also been less severe. Both the 2003 Cedar Fires

and the 2007 Southern California Wildfires have been described as "100 year" fires. Unfortunately, future trends indicate that such disasters are on the rise.

According to the Wildfire Research Network, the frequency and ferocity of wildfires will increase in the near future due to global warming, increasing wildland-urban interface, and aging vegetation. According to the Department of Forestry and Fire Protection, ten trends constitute the "Wildfire Frequency and Intensity Loop," including a rise in global warming and a growing population in wildfire-urban interface.

Is Southern California adequately prepared for these major fires?

Disaster preparedness involves several considerations such as prevention measures, public education, and pre-existing agreements. Most importantly however, disaster preparedness means having the proper resources and having enough of them.

In California, resources are owned by local responders, bolstered by state resources as well as mutual aid agreements within the state, and supplemented by federal fire and emergency agencies.

Different counties have vastly differing levels of local response capability. The Los Angeles County fire department possesses a total of 13 firefighting aircraft during fire season. Orange County fire department possesses two aircraft. San Diego County has two helicopters.

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Additionally, the State of California contributed its 13 National Guard helicopters and 23 air tankers.

Yet all of these resources were not enough on their own. California tapped into the Emergency Management Agency Compact (EMAC) system and obtained assistance from Arizona, Idaho, North Carolina, Colorado, New Mexico, Nevada, Wyoming, Washington, and Oregon.

The federal government also supplemented local and state resources. The US Forest Service (USFS) of the Department of Agriculture has

approximately 10,000 firefighters, 3-400 fire engines, 30-40 helicopters, and 8 fixed air tankers that it made available to California during its battle with the 2007 fires.

It took everything the counties and State of California could muster, and more from the federal government, to contain and extinguish the October fires. Our witnesses have told us again and again, that had there been any fires in Northern California, as there were in 2003, that some of the resources used to fight the October fires would not have been available. Imagine—had there been only four additional fires in Northern California, there would not have been sufficient resources to respond to all of them. Southern California was indeed lucky. Lucky because no other fires burned in California during those last few days of October.

But what if Southern California is not so lucky the next time, when in four to five years another "100 year" fire ignites and consumes Southern California and this time, five fires also burn in the Oakland Hills?

Then it might matter that San Diego County is the ***only*** county in California without a fire department. Instead the County has a total of 65 [volunteer-based and paid] fire agencies. In 2004, 81 percent of voters in San Diego County approved Proposition C which queried support for a

consolidated system and was to be funded with reprioritized revenues, but no new revenues. Due to its lack of a County Fire Department, San Diego County is dependent on San Diego City's Fire-Rescue Department as well as on its neighboring counties with well-resourced fire departments. Today we will hear from several witnesses on our first panel as to whether or not this arrangement is sustainable.

The next time there is a "100 year" fire, how will the Modular Airborne Firefighting Systems or "MAFS" help? The MAF system was not put to use during the recent wildfires because the Forest Service's re-furbished tanks were not ready for the California National Guard's new J model C-130 aircraft. According to the Fire and Aviation Management, the fully-equipped J-C130's will be ready in May or June 2008.

The next time, will a new agreement correct for Cal Fire's failure to utilize Marine helicopters? According to Cal Fire, they have addressed this problem by entering into a short-term agreement with the Marines in the direct aftermath of the fires. More recently, Cal Fire and the Marines continued their discussions on a long term operating plan.

Our job today is to ask our witnesses what more could be done and will be operable in Southern California to ensure that any future response is as successful as it fortunately was in October 2007.

Mr. ISSA. Thank you, Mr. Chairman, and this hearing has been somewhat characterized as my "Christmas present" from the committee, and I actually believe it is. I realize your time is taxed very heavily, and you could be almost anywhere, and I am glad that you are here and looking into a matter in which the Federal, State and local resources were so recently taxed to the absolute limit, and as you said in your opening remarks, quite rightfully so, this is a situation in which we were lucky.

We did a better job than we did in the Cedar fire in 2003, but it's very clear, we also got lucky.

In today's hearing, I am very hopeful that as we look—in my history since 1977, I was lucky enough to arrive as a 2nd lieutenant, in time for the Los Padres fire, where I was stationed at Fort Hunter-Liggett, in the middle of that fire, which burned for more than a month.

I learned then, with bulldozers, and my Engineer Co., that in fact we don't put out fires. We, in fact, let them burn. The reality, in California, is that we produce countless millions of tons of flammable material every year. Sooner or later, either we will burn it, we will cut it, or God will burn it. Our fires have a tendency to be a mixture of we have cut a little bit, on occasions we burned a little bit, and unfortunately, between arsonists and lightning and other natural events, we guarantee that we will see fires that we have to, in fact, control while the fuel is burned again.

As a Federal officer, I am keenly aware that often, we have been the problem to clearing, prior to a spontaneous event. I hope that we can, in the future, on a bipartisan basis, realize that habitat is preserved by small burns and destroyed by hundreds of thousands of acres burning at once. That is the lesson that the environmentalists, and, in fact, the men and women before us today have learned the hard way, that in an effort to not burn, to save wildlife, we ultimately often lose far more wildlife and, of course, the lives of men and women fighting the fire, and our citizens.

I believe that we are going to be stuck between two realities here today that are not Federal.

One, should we, in San Diego County, spend $100 million to purchase and equip additional fire capability, and $40 million a year, every year, to meet somebody's idea of a minimum tasking level?

Or would those resources, and others, be more effectively placed into—and I say this with some trepidation—a surge capability for not just San Diego County but for all the counties of California and the West? That is probably the biggest challenge we have.

Earlier, our senior senator, Senator Feinstein, held a hearing, and the hearing seemed to get very much tied up into the idea that if San Diego would just spend a couple a $100 million here and a couple a $100 million there, we would not have had the damage we had.

I think it is very clear, and I think our testimony will support, that we would have had these fires, hundreds of thousands of acres would have burned, whether or not we had another $40 million of firefighting capability on an annual basis.

As a San Dieagan, I am keenly aware that when a home catches fire in San Diego County, or any of the other ordinary and routine

emergencies that fire departments handle, we handle them extremely well. We are right-sized for those kinds of events.

When you have 80 mile-an-hour winds, 90- or 100-degree temperatures, and you have, not one, but sometimes dozens of fires catching, either through man's efforts, or through natural efforts at one time, is when we clearly do not have the resources.

Hopefully today, as we explore resources that expand far beyond those that you would routinely have sitting there in case a cat gets caught in a tree, euphemistically speaking, we begin to realize that C–130J's, DC–10's, helicopters are very expensive, but they are force multipliers. We need to have a plan throughout the West, to make sure that we spend the money wisely, to give us that surge capability, and if at all possible, find ways to have those resources properly used for other activities during the period in which we are not in a fire.

Much has been said in San Diego County about the conflict between Marine aircraft that were available and the inability to utilize them in a timely fashion. I hope today we can put to rest the fact that this was a 99 percent perfectly fought fire, and a 100 percent textbook-compliant fire. No rules were broken. In fact, the availability of those helicopters and the scrambling to make those helicopters available, was, in fact, a new page in firefighting in San Diego County.

I hope all of us will remember that we did not expect these assets to be available. When they were made available through the efforts of both the Marine commander and Cal Fire, we were able to put them to work in a couple of days.

That doesn't mean we wouldn't like to anticipate those kind of opportunistic resources in the future, so that they can be put to work faster, but I don't believe that this hearing should dwell on a delay of a day or two in what was in fact a small portion of the resources that ultimately fought this fire, but, rather, look at the best way for the Federal Government to cooperate with State and local resources, to bring to bear the kind of effective firefighting, whether it occurs just in San Diego or in 10 spots throughout the West on the same day.

Mr. Chairman, I appreciate, once again, our friendship. I appreciate of course that you are my brother's Congressman, and he never lets me forget that. He does vote for you.

Mr. KUCINICH. That is why I am here. [Laughter.]

Mr. ISSA. Every vote counts. But I appreciate you giving us an opportunity to explore this more fully. Nothing could be more important to the people in the West, than that we get this right on a Federal, State and local level, and I thank you and yield back.

Mr. KUCINICH. Thank you very much, Congressman Issa.

The Chair recognizes another distinguished member of our subcommittee, if he wishes to make a statement.

Congressman Bilbray and I have similar experience in local government as well as on a Federal level, and I think that having that experience on both levels is very useful to looking at local concerns and seeing where the Federal Government might be able to be of more assistance.

So Congressman Bilbray, thank you very much for your presence here, attendance this morning, and we look forward to your comments.

Mr. BILBRAY. Thank you very much, Mr. Chairman. I always have to sort of chuckle, realize, was it 1978 that you and I, and one other "young Turk" mayor was——

Mr. ISSA Are you Turkish?

Mr. BILBRAY. We were young mayors then. Now we are just worn out Congressmen. [Laughter.]

Mr. KUCINICH. I don't want to say speak for yourself but—[laughter.]

Mr. ISSA. He is just "hitting his stride."

Mr. BILBRAY. You know, let me just say that I think that Congressman Issa said it very well. Frankly, I come from a background, and like you said, Mr. Chairman, of the local government level, and there are too many of us in Washington that sit back and have never really had to have our "hand on the helm," and don't realize the huge gap between the theoretical approach, the way things ought to work, and how they actually work out.

And I see this hearing as being a debriefing on what, on its face, kind of really jumps out, that it was a success, but with any success there are always ways we can learn and do it better.

I think that one of the big advantages that I would like to have this hearing do is take the message back to Washington with the Chair, that there are some real things to learn, both problems and successes here, that the rest of America ought to learn.

A good example is the fact that this county, under the State system, has the advantage of having a unified disaster response structure, where fire chiefs, police chiefs, mayors, county supervisors, are all part of the team, and so they are used to communicating when there isn't a crisis, so that it works a little better when there is.

We still have to improve on that, and I think that is one of those things of coordinating the State and Federal agency into that local team, that has shown how well it can work in the past.

I think the Reverse 911 is one that the rest of the country ought to be really looking more seriously at. I talk to people about, in the Midwest, about how did this happen? how were you able to basically evacuate the population of New Orleans? And using technology, learning from the Cedar fire, and applying it, and building on what we learn there, is something that the rest of the country ought to look at. I do worry about the misconceptions that go over there.

A lot of these problems are caused by the interface between wildlands and urban development. What I worry about is that there are gross assumptions being made there, that the only place you have problems is where homes have been built, back in the back country.

Well, first of all, Julian has been there for a 100 years. It is probably one of the most threatened wildlands. At the same time, San Diego County, Mr. Chairman, the county and the cities have done something that I think the rest of the country would love to have done more of, and that is actually bring its wild lands into its urban interface.

In my district, the greatest threat was those open space areas that we have set aside and preserved for habitat, and for open space recreational activity, end up being a threat during this wildlands, that it literally can go right into neighborhoods that have been there for a 100 years, and the ability to—these canyons, these open habitat areas then become a tinderbox for these threats.

So these are obviously challenges that we have, and sometimes we are victims of our own success. I think that one of the things that we talked about with Mr. Markey's committee, as we will talk about greenhouse, the wildfires' impact on greenhouse gases, is that every study shows that controlled burns can be better for the environment, overwhelmingly, if we can be proactive about it, and I think there is a challenge there, as Congressman Issa said, at Congress recognizing that there is a place for the Federal Government to be proactive, and not only allowing, but encouraging the kind of activity that, traditionally, we have blocked and had obstructions in.

I mean, our system basically allows a Federal bureaucrat to hold everything in abeyance, for years, just because you have to get his signature or her signature. I think now the burden of proof needs to be pushed forward, that we want our agents in Fish and Wildlife to sit there and say what can we do to prevent these problems, so we can save habitat from major catastrophes such as a wildfire.

And let me just say that anybody that looks at the statistics on what has happened—Ron, how long ago was Cedar? Four years. We are talking about conditions, Mr. Chairman, that were twice as severe as 4 years ago, and we have kept the damage down, almost to where it was equal, that the conditions were absolutely horrendous, but because of the things we have learned, and built on from the past, we were able to minimize the impact.

At the same time, with that success pointed out, we need to recognize that we need to do the same thing that we did 4 years ago, and that is reevaluate, relearn and go back and say, What can we do better? How can we improve it, so the next time this comes down, we can again have it again, down the line, I think that is the success here, and so, you know, as a former chairman of the local disaster council, I am very excited to be here, to be able to see how we have built from our successes, where the glitches were, where there were failures in the system, and build a stronger system for the next fire that comes along, that will be able to protect the people of San Diego County. And I yield back, Mr. Chair.

Mr. KUCINICH. Thank you very much, Congressman Bilbray.

As I mentioned earlier, without objection, the Chair and ranking member had the time to make the opening statements, and that Members and witnesses may have 5 legislative days to submit a written statement or extraneous materials for the record.

Now I also want to ask those of you—I am mindful of the fact that we have a room of emergency responders, but if you have a cell phone, if you could keep it on a vibrate function, it will be easier to conduct this hearing.

So I think that is the only statements we are going to have from Members at this point.

If there are no additional opening statements, the subcommittee is going to receive testimony from the witnesses before us today.

I am going to introduce our first panel.

Tony Morris. Mr. Morris is a freelance journalist and founder of the Wildfire Research Network. The Wildfire Research Network's goal is to improve wildfire suppression capability and to provide wildfire research findings to the public and government.

Mr. Morris will represent the WRN, and recently served on Governor Schwarzenegger's blue ribbon panel on fire protection. This panel helped secure the purchase of new firefighting supertankers and other technologies to help the State suppress fires more effectively.

Mr. Jeffrey Bowman served as chief of the San Diego Fire Department from 2002 to 2006. Mr. Bowman has been in the firefighting profession since 1973, and was chief of the Anaheim Fire Department until 2002.

Ms. Tracy Jarman is chief of the San Diego Fire-Rescue Department. Chief Jarman has worked for the San Diego Fire Department since 1984.

Mr. Michael Freeman. Mr. Michael Freeman is the fire chief for the Los Angeles County Fire Department. As fire chief for the last 18 years, he has led the fire department through many large-scale emergencies, including the 1993 Malibu fire and the 2003 fires.

Chief Freeman will also be reading the testimony of who could not be with us today but whose testimony we will enter into the record.

Mr. Chip Prather is the fire chief of the Orange County Fire Authority. In 2003, Mr. Prather served on California's blue ribbon fire commission.

Mr. Ruben Grijalva is the director of the California Department of Forestry and Fire Protection, and is the State fire marshall for California.

Mr. Ron Roberts is chairman of the San Diego Board of Supervisors and is currently serving his fourth term in this position. Mr. Roberts served on the San Diego City Council for 7 years prior to becoming a supervisor.

So I want to thank each and every one of the witnesses for appearing before this subcommittee today.

To the witnesses, it is the policy of the Committee on Oversight and Government Reform to swear in all witnesses before they testify. I would ask that if all of you would please rise and raise your right hands.

[Witnesses sworn.]

Mr. KUCINICH. Thank you. Let the record reflect that the witnesses answered in the affirmative.

Now I ask each of the witnesses to give a brief summary of your testimony and to keep this summary under 5 minutes in duration.

I want you to bear in mind that your complete written statement will be included in the hearing record.

So Mr. Morris, let's begin with you and then we'll proceed down the line. Thanks again for being here and you may continue.

STATEMENTS OF TONY MORRIS, FOUNDER AND RESEARCHER, WILDLIFE RESEARCH NETWORK; JEFFREY BOWMAN, FORMER FIRE CHIEF, CITY OF SAN DIEGO FIRE-RESCUE DEPARTMENT; TRACY JARMAN, FIRE CHIEF, CITY OF SAN DIEGO FIRE-RESCUE DEPARTMENT; P. MICHAEL FREEMAN, FIRE CHIEF, LOS ANGELES COUNTY FIRE DEPARTMENT; CHIP PRATHER, FIRE CHIEF, ORANGE COUNTY FIRE AUTHORITY; RUBEN GRIJALVA, DIRECTOR, DEPARTMENT OF FORESTRY AND FIRE PROTECTION; AND RON ROBERTS, CHAIRMAN, BOARD OF SUPERVISORS, COUNTY OF SAN DIEGO

STATEMENT OF TONY MORRIS

Mr. MORRIS. Chairman Kucinich, ranking member, and members of the subcommittee, thank you for the opportunity to testify before you today. Again, I am Tony Morris of Wildlife Research Network, WRN, a Los Angeles-based citizen nonprofit public safety research organization, created 7 years ago to improve wildfire suppression capability throughout California and the United States.

Current statistics show we have lost more than 8,500 homes and structures in California wildfires in the first 7 decades of this decade. This is significantly more than the 6,500 lost in the preceding 30 years.

Trends like these cannot be allowed to continue. WRN has been conducting a serious search to answer the perennial questions. No. 1, why does this happen? and two, what can be done about it?

During the California Governor's blue ribbon fire commission hearings, following the 2003 Southern California wildfire siege, experienced firefighters said they were hearing essentially the same comments and recommendations they had heard 10 and 20 years ago in similar hearings.

WRN now, sadly, must report the 58 recommendations of the 2003 blue ribbon commission have met the same fate—very little progress. However, acknowledging the 19 pursued by the U.S. Forest Service. These observations indicate the wildfire fighting systems have not been working well for over 30 years. No really significant changes are being made.

When the wind blows hard, lots of houses burn down. We believe firefighters have been doing their best with what they have, but when strong winds come, the system breaks down. The issues are not with the firefighters but with the equipment and other resources provided to them.

WRN addresses these in three categories. Technical, financial and administrative. Technical challenges are, No. 1, fires are not attacked soon enough with effective resources. Two, current air tankers do not carry enough suppressant to attack the heads of big fires.

Three, airborne firefighting assets do not fight fires at night. Four, current firefighting systems have limited effectiveness and high winds. And five, the fire services do not have the viable research and development program to resolve the preceding four technical challenges.

None of these technical challenges will be resolved, however, until someone is willing to spend the money. This leads to the fi-

nancial challenges. Wildfire fighting costs have been cyclical, widely spaced high-cost years with many modest cost years in between. This has led to budgeting concepts of general funds and emergency funds.

General funds cover moderate year expenses, and emergency funds are only tapped or spike high-cost years. The general funds do not include any significant funding for modernization or resolution of spike year problems.

The spending profile for major big spike fires starts out low because all fires start out small, and only immediately available adjacent initial attack forces are involved. But as the fire overwhelms the ability of the initial attack forces, fire size rapidly expands and much larger forces are called from ever-more-distant assets. Suppression costs build accordingly, and generally exceed general funding available.

If adequate initial attack capability is provided, the large emergency fund requirements do not materialize.

The moral is more money must be made available to significantly improve the effectiveness of the initial attacks, and the missing research and development programs to identify the best way to spend this money.

This is the only way to reduce spike emergency costs. These financial changes will not be implemented without support from administrative arms of the financing governments. Local and State governments have limited taxing ability to raise general fund allocations. Many changes needed to improve initial attack capabilities involve complex and/or large capacity new equipment in significant numbers, that generally require technical expertise beyond that normally found in the local fire services.

Existing Federal fire services are in no better position to deal with these issues than local agencies, because organizationally, they also have limited geographical authority and exist as subsets of three cabinet-level agencies, with prime responsibilities other than wildfire fighting.

WRN believe a new cabinet-level agency with prime responsibility for resolving the technical and financial challenges of the wildfire fighting services should be created to adequately collect, organize and present their needs with a single voice and provide information for effective oversight and accountability.

I would like to ask the chairman's permission to invite Mr. Bob Cavage, he is the president of WNR, he is an expert in aeronautical engineering, and he is present to answer any questions you might have on the technical side. Mr. Cavage is in the audience. If that is possible.

Mr. KUCINICH. Mr. Morris, and to the gentleman, that will be fine if we need to involve him in the Q&A, we will ask him to come forward and we will swear him in.

Mr. MORRIS. OK.

Mr. KUCINICH. So thank you for your attendance as well.

[The prepared statement of Mr. Morris follows:]

TESTIMONY
TO
Congress of the United States
House of Representatives
DOMESTIC POLICY SUBCOMMITTEE
OVERSIGHT AND GOVERNMENT REFORM COMMITTEE
December 10, 2007
Fallbrook, CA

OCTOBER 2007 SOUTHERN CALIFORNIA WILDFIRES

CONTINUING EVIDENCE OF FUNDAMENTAL WILDFIRE FIGHTING SYSTEM WEAKNESS

WILDFIRE RESEARCH NETWORK

ABOUT WILDFIRE RESEARCH NETWORK

Wildfire Research Network is a 501 c (3) non-profit, public safety, research and education organization, created to improve wildfire suppression capability throughout the United States.

The objectives of the organization are:

- Research phenomena and promote improved methods to control wildfires.
- Provide information and recommendations to the public, private enterprise and all levels of government.
- Explore innovative partnerships and financial strategies to accelerate improvements.
- Facilitate establishment of a national wildfire research institute to bring final resolution to the nation's wildfire control issues.

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OCTOBER 2007 SOUTHERN CALIFORNIA WILDFIRES

CONTINUING EVIDENCE OF FUNDAMENTAL WILDFIRE FIGHTING SYSTEM WEAKNESS

INTRODUCTION

Wildfire Research Network (WRN) is a citizen non-profit, public safety research organization created to improve wildfire suppression capability throughout California and the United States. The organization has dedicated 7 years in pursuit of its objectives. This document draws on the results of the research conducted to date. The effort is ongoing and incomplete.

The latest siege of Southern California wildfires, in October of this year, following those of 2003, 1993, 1978, etc. are continuing an ominous trend: our home losses due to wildfires are increasing!

Current statistics (**see Figure 1**) show we have lost more than 8500 homes and structures in California wildfires in the first 7 years of this decade. This is significantly more than the 6500 lost in the preceding three decades!!! Six western states including California have experienced the most destructive and expensive wildfires in their history in the last few years. Trends like these cannot be allowed to continue.

Having narrowly escaped losing their homes to wildfires, the principle officers of WRN began a serious search to answer what they found were perennial questions: (1) WHY is this happening? And (2) WHAT can be done about it?

WRN attended the California Governor's Blue Ribbon Commission convened to answer these questions regarding the 2003 siege. At the hearing, several experienced persons reported hearing basically the same or very similar comments and recommendations they had heard 10 and 20 years ago at similar commission hearings after previous, similar but less damaging sieges, in Southern California. WRN, sadly, must also report that the 55 recommendations of the 2003 Blue Ribbon Commission have met the same fate: little progress! The statistics and these observations indicate that, in general, the wildfire systems are not working properly and there must be some underlying fundamental flaws in earlier analyses of what is going wrong and/or the approaches to fixing the situation. In the remainder of this paper, WRN presents results of its ongoing research to answer the perennial questions…

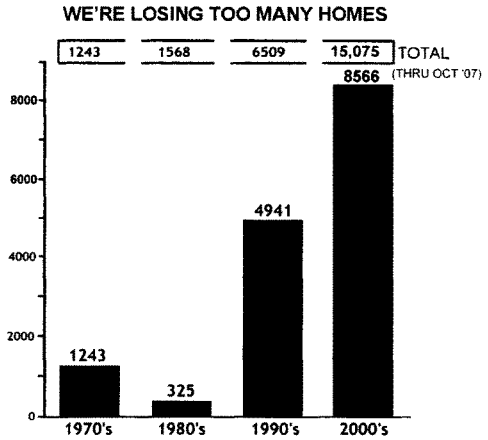


FIGURE 1. CUMULATIVE STRUCTURES LOST IN MAJOR CALIFORNIA WILDFIRES

Figure 2 presents a qualitative summary of what many professional firefighters accept as a reasonable explanation for what is happening: More and more people are moving into the wildland urban interface (WUI) areas and global warming is increasing vegetation temperatures and dryness. Diligent efforts by the fire agencies to put out upwards of 95% of the fires is allowing surviving vegetation to grow older and become capable of even more intense fires with each passing year. The number and intensity of the fires are both increasing. Contemporary equipment has been falling behind in ability to deal with the higher intensity fires. The airtanker fleet, over the past four decades, has been practically limited to aircraft with 3,000 gallon capacity or less. Only recently, private ventures have begun to offer large-capacity airtankers with coverage capability significantly above 3,000 gallons. For example, tanker versions of the C-130J, Martin Mars, DC-10 and 747 are being offered.

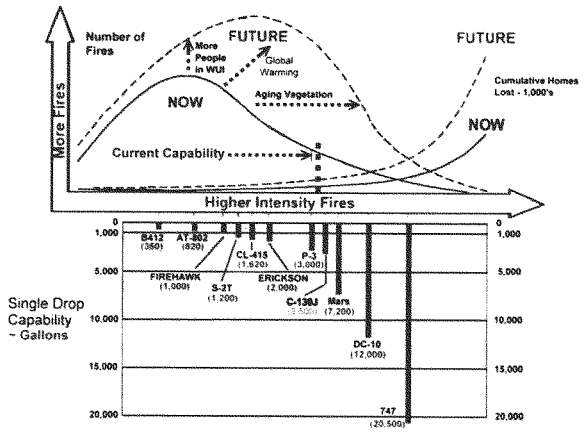


FIGURE 2. DANGEROUS FUTURE TRENDS

The potential significance of these new, large-capacity airtankers can be seen by considering the information of **Figure 3.** Figure 3 shows the general relationship of how much water or other suppressant must be delivered on a wildfire of known intensity based on the type and age of the vegetation, temperature, humidity, terrain, and wind speed to cause extinction. Complete data of this type does not exist because significant research in this area stopped more than 30 years ago. But what is easily inferred from observations on the firelines and from what scientific data that does exist is that it takes more suppressant to put out a hotter fire than a cooler one! Also, if you don't put enough down at one time, the fire just "eats it up" and keeps on going! This means that if our fires are getting hotter, we need to lay down more suppressant... quicker if we want to stop the fires. The current fleets and the manner in which they are employed is not keeping up with the aggressive fires we now face. The future does not look good if we don't implement changes.

If changes must be made, we need to understand what has to change and how we need to go about getting it changed. The complexity of this task has, so far, has prevented any significant progress. WRN has identified three intertwined classes of challenges that need to be resolved to allow meaningful progress.

THE CHALLENGES

WRN accepts that our wildfire fighting agencies are doing their very best to protect us with the resources and systems now available to them. However, there are a select group of stubborn fundamental challenges

that, historically, have been limiting the effectiveness of all our wildfire fighting forces (local, state, and national).

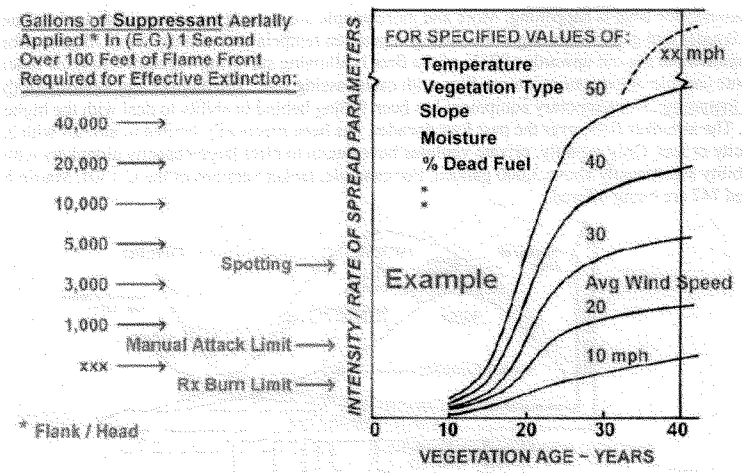
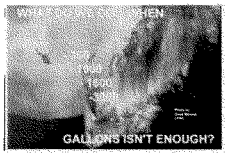


FIGURE 3. NOTIONAL FIRE EXTINCTION CRITERIA

WRN categorizes these major fundamental challenges into three areas: technical, financial and administrative. The following paragraphs summarize these major fundamental challenges to our current wildfire fighting systems.

TECHNICAL

While current wildfire fighting systems stop 95% of the wildfires that develop, it is the small remaining percentage, driven by high winds, that are causing virtually all the property and resource destruction. Five fundamental technical challenges have been identified, that must be addressed to gain the ability to stop the most intense/fast moving fires quicker. **See Figure 4.**



1. **Fires are not attacked soon enough with effective resources.**
2. **Current air tankers do not carry enough suppressant to attack the heads of the big fires**
3. **Airborne firefighting assets do not fight fires at night**
4. **Current firefighting systems have limited effectiveness in high winds**
5. **The fire services don't have an active, viable research and development program to identify appropriate technical resolutions**

FIGURE 4. WILDFIRE FIGHTING FUNDAMENTAL TECHNICAL CHALLENGES

1. Fires are not attacked soon enough with effective resources.

Current fire detection, assessment and initial attack responses, for the most part, give the really dangerous fires too much time to get out of control before effective resources are brought to bear.

The serious wind-driven fires have flame fronts that advance faster than one mile per hour. **See Figure 5.** The 1978 Kanan fire, in Los Angeles County, averaged 4 mph in its romp from the inland 101 freeway to the ocean. The Cedar fire, in 2003 in San Diego County, averaged almost 2 mph but during one of the early hours, it covered 7 miles in 1 hour!

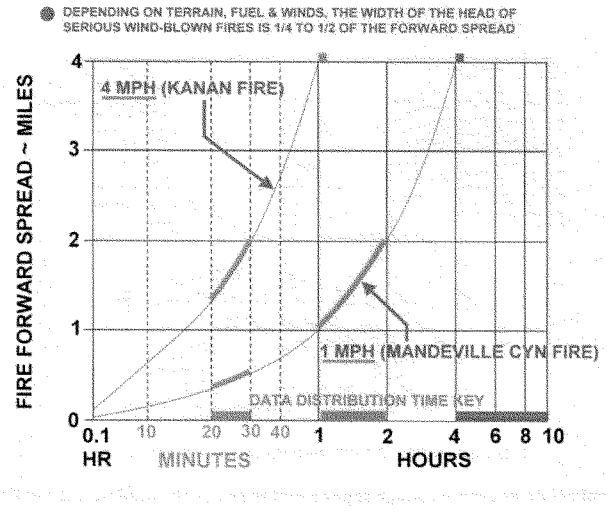


FIGURE 5. TYPICAL SERIOUS WILDFIRE SPREAD RATES

If effective suppressive responses take 30 minutes to arrive, a 1 mph fire has grown by a half mile in length and a 4 mph fire has already grown to 2 miles! If the initial attack force sent cannot instantly suppress the size fire it finds, an out of control situation is highly likely because of typical dispersed alert postures, follow up forces come from longer distances. The larger the number of firefighters or apparatus required, the longer it takes for the forces to arrive.

Air resources are beneficial because they cover more distance in less time than ground forces and are independent of roads. The total effectiveness of the air asset is proportional to how much suppressant they bring with them. The more intense fires require relatively more suppressant per unit of flame front for extinction, therefore, the most intense fires require aircraft capable of dropping larger loads. The air forces will be more effective if more bases are usable so aircraft can get closer to the fires – this allows quicker turnaround.

Our current wildfire fighting agencies, for the most part, do not have effective surveillance resources to detect initial ignitions of the fires they are called on to fight. They depend on other sources, mainly citizens, to alert them that a fire has started. Depending on where they are and the nearest communication medium, there can be considerable delay before the fire agency with jurisdiction will be alerted that a fire has started. Sometimes, as in the 2003 Cedar fire, exact location of fire is unknown.

During red flag conditions in high risk areas, a more proactive means of assuring early detection is highly advisable to reduce losses and costs of fires allowed to burn out of control. Airborne systems, manned or unmanned, and satellite systems should be evaluated to identify the most cost-effective approach considering geographic and multi-agency requirements. **See Figure 6.** Some experimental uses of such resources have been undertaken using DOD assets Predator B and Global Hawk unmanned systems. Los Angeles City FD has been developing a helicopter based surveillance and onboard Geographic Information System (GIS) to speed up the assessment and resource assignment times for major city emergencies. None of these systems, however, have yet been integrated into standard operating procedures to assure early detection of new fires and 24/7 real time continuous fire surveillance at this time.

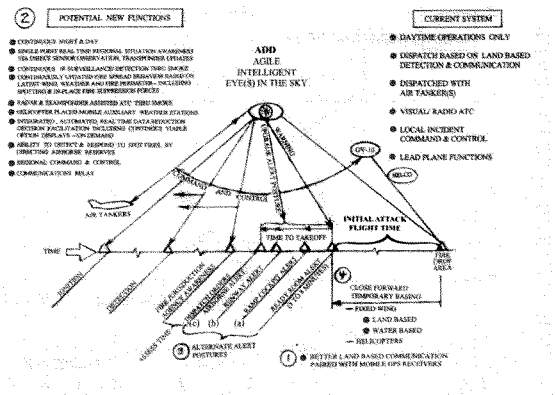


FIGURE 6. INITIAL ATTACK IMPROVEMENT OPPORTUNITIES

2. Current air tankers do not carry enough suppressant to attack the heads of the big fires.

Because current air tankers do not have sufficient single drop capabilities, they cannot attack the heads of the more intense wildfires and are relegated to building retardant firebreaks out in front or on the flanks of the fires. Suppressant dropping requirements (to put the fire out) increase significantly versus the fire intensities generated by increased wind speed, age of brush, temperature and other factors such as terrain. As fire intensity increases, the amount of suppressant required per unit of flame front increases dramatically. **See Figure 3, Page 3.**

Current helicopters and fixed wing aircraft used in wildfire fighting drop loads of 3000 gallons or less. Thus, when the fire intensity requires drops above this level, the current air assets cannot successfully attack the head of the fire. This has been a significant limitation since wildland fuel loadings have been ageing and drying to the point that larger loads are required for effective direct attack. Only recently have large capacity air tankers with drop capabilities above 3000 gallons been offered to the agencies for evaluation. Air tankers based on commercial airliners and military aircraft such as the C-130J, DC-10, 747, Martin Mars and IL-76 transports with drop capabilities of 3,500 to 20,500 gallons per drop are now being offered. California has

used the DC-10 and Martin Mars on the recent October fires with good results. For safety reasons, the aircraft currently are employed conservatively until more operating experience is accumulated to allow expansion of their usage.

The California Air National Guard will begin operating the new J version of the C-130 transport next summer using the improved MAFFS 2 suppressant delivery system. The aircraft will carry approximately 3,500 gallons of suppressant and operate from airports with runways in the 4,000 ft class. Its 339 knot cruising speed is 17% faster than the earlier models of the airplane. An important feature is that with MAFFS 2, the airplane will be able to operate from many more airfields since MAFFS 2 does not require the unique ground support required by MAFFS 1. The rear cargo loading door also makes this aircraft suitable for experimenting with novel delayed opening containerized delivery of suppressants to overcome the current ineffectiveness of freefall drops made in high winds.

In the near future, the IL-76 and C-17 military transports should be assessed for their potential roles because of their large drop capacities and the ability to use short, soft airfields.

The agencies will require time to learn how to use these new tools more effectively. For safety reasons, the aircraft are currently employed conservatively until more experience is accumulated to allow expansion of their usage.

3. Airborne firefighting assets do not fight fires at night.

Currently the aerial wildfire fighting assets in this county, with few exceptions, do not fight wildfires. This is unfortunate because many fires are more manageable at night due to lower temperatures, moderation of wind speeds, and shifting of wind directions that occur as day transitions to night in a local area.

Many wildfires, including the October 2003 Cedar and Paradise fires in Southern California (responsible for 25 deaths and 2420 homes destroyed) started after nightfall (5:37 P.M. and 1:30 A.M. respectively) and were raging out of control for several hours before aerial assets could be deployed to stall the fire's advance toward homes. Ten of the twenty fires in the October 2007 Southern California fire storm were started between dusk and dawn.

With expensive and capable aerial assets grounded and not in use 50% of the time that wildfires are burning, there is an unnecessary loss of critical firefighting capability! Equipping helicopter or fixed wing air tankers with night vision goggles (NVG) capability can now be achieved at a fraction of the cost of buying another tanker of the same type. By adding NVG capability, aerial firefighting fleets can increase their availability by almost 100% for an increased investment of less than 2% of the initial purchase price -- including cost of equipment, cockpit modifications and the required initial pilot training. San Diego City Fire and Rescue and the Los Angeles County Fire Department helicopter operations, with the only fully capable night firefighting operations in the country, are pioneering the way. Others now have two successful operational models to follow. The Kern County Fire Department also has an active Generation III NVG EMS helicopter program.

The U.S. Air Force fixed wing transport (C-17) and fighter (F-15, A-10) pilots use Generation III NVG to carry out their night missions.

It is time for the U.S. civil wildfire fighting helicopters and fixed wing aircraft to be equipped and certified to use NVG for night operations. More than 600 commercial helicopter pilots in the U.S. have been certified for use of the Generation III NVG to enhance safety and effectiveness of their night operations.

To get the best and more effective usage of our current fleet, an effort needs to be made to quantify how much more effectiveness can be obtained if current helicopter and fixed wing aircraft are certified for night operations where wind speeds reduce and fire intensity drops due to lowered temperature, etc. If the wind speed drops sufficiently over enough area we would get more use of our current fleets and stop fires sooner.

4. Current firefighting systems have limited effectiveness in high winds

Current airborne firefighting systems have limited capability in high winds. A current rule of thumb, flexibly applied to cover unusual circumstances, sends most of the airborne fleet home when surface winds move into the 35 mph range for flight safety reasons. Only a few helicopters and a few aircraft (e.g. Canadair CL-415) can continue fighting fires with winds in the 55 to 60 mph range. This is most unfortunate, since high winds cause fast moving, intense fires with the most potential for doing cultural damage.

Another critical aspect of firefighting performance affected by high winds and accompanying gusts is the effectiveness of the drops. If a strong wind or mischievous gust comes blowing 90 degrees to the path of the aircraft during and after release, the load will be blown laterally away from the pilot's intended path for the drop. The net effect of this is that for any given aircraft, tank design and wind conditions, there is a band of useable, effective drop speeds and altitudes that will work and others won't.

As wind speeds increase, the range of useable drop altitudes is reduced and there is a limiting wind/gust speed for each aircraft tank and suppressant medium (water, retardant, gel or whatever) where drops are no longer effective or the operation is unsafe for either the aircraft, persons or structures on the ground.

There is concern that (a) since the majority of fixed wing air tankers cannot be operated safely and effectively when local winds exceed 35 mph and (b) many Santa Ana wind driven fires reach and exceed these speeds for portions of the events — adding more such aircraft to the wildfire fighting fleets would not be good policy. There is considerable merit to the sentiment expressed by the concern. However, the concern assumes the wind conditions are uniformly above safe/effective limits over at least the majority of the operational area affected by the Santa Ana condition. The concern also assumes the duration of the event with wind speeds less than 35 mph are of less significance to total overall fire control than the period where wind exceeds 35 mph. Only persons in possession of the full wind database made available by weather experts and the details of the particular incidents can make these judgments. It's a matter of what percentage of the total fire cycle time and area affected are unserviceable because of the winds.

Ultimately , we need aircraft capable of effective use during higher wind conditions and/or systems that will allow suppression mediums to be delivered by aircraft without the loss of effectiveness currently experienced in high winds. One such concept is currently in development by a private venture called **P**recision **C**ontainer **A**ir **D**elivery **S**ystem (PCADS) which drops disposable containers of suppressant out the back of rear loading ramp transport aircraft that open at significant distances below the aircraft before dispensing into the fire. **See Figure 7.**

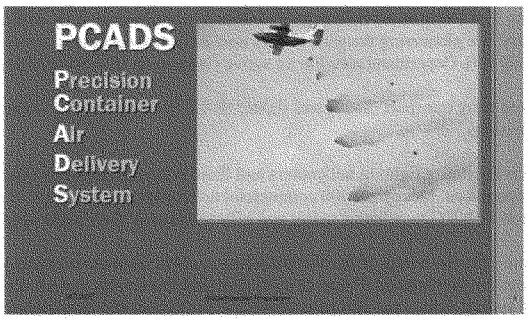


FIGURE 7. PRECISION CONTAINER AIR DELIVERY SYSTEM CONCEPT

This technology can probably be further developed to allow water or another suppression medium to be dropped at higher altitudes and speeds in a way that will preclude premature blooming and disintegration and also arrive at a previously designated spot regardless of gusts and turbulence. The system would keep the suppression medium protected from dispersal until it reaches an optimum altitude and speed relative to the fire such that there will be maximum suppression effect. **See Figure 8.** A well designed system of this type would make it unnecessary to provide any unusual amount of high wind capability in the air tanker and it could reduce the level of night capability required as well.

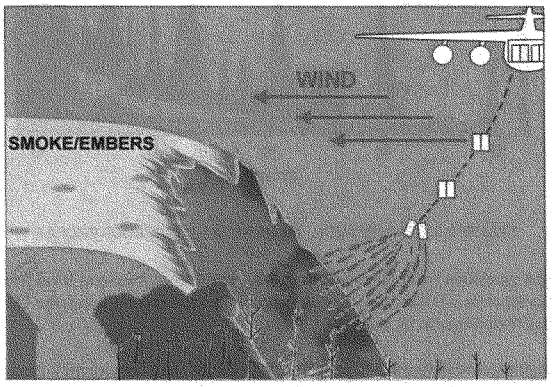


FIGURE 8. PCADS POTENTIAL EFFECTIVENESS IN HIGH WINDS

It is vitally important that a solution be found to provide airborne assets with the ability to make safe, effective drops at night and in high wind conditions. Otherwise, we will continue to have expensive assets sitting on the ground when we need them the most.

5. The fire services do not have an active, viable research and development program.

If you need to find something, you need to look for it. There are no known significant research and development programs seeking solutions of the previous four technical challenges. The U.S. military typically spends about 5% of its operating budget on research and development and has the most competitive military machine in the world. It is time that the fire services start spending their 5%... pooled together for maximum effect.

None of the above technical challenges will be resolved until someone is willing to spend the money required. This observation leads to the next series of challenges… the financial challenges.

FINANCIAL

In the U.S., the costs of suppressing wildfires and cumulative cultural losses suffered from them have been rising. In the past, however, major fires of the kind California and the other western states are experiencing now occurred only about every 10 years -- with periods of much lower expenditures and losses in between. Recently, these major "spike" fires have begun occurring with only a few years in between and with noticeable increases in magnitudes of the costs and losses. **See Figure 9.**

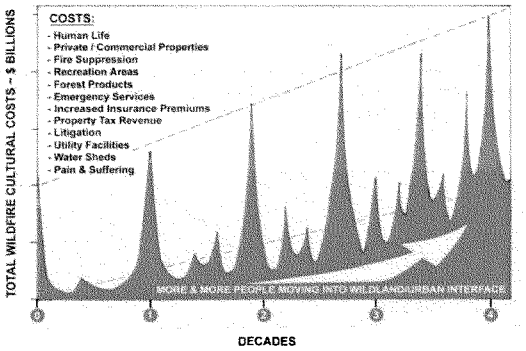


FIGURE 9. NOTIONAL TOTAL WILDFIRE CULTURAL LOSS PROFILE

With additional budget pressures from other public needs, local through federal level governments are hard pressed to support increases in wildland firefighting budgets. At the federal level, the U.S. Forest Service is currently experiencing reductions in its budget.

Wildfire fighting budgets come in two categories: "general funds" and "emergency funds". The general fund budgets come under more scrutiny and generally need more verifiable justification than the emergency funding that is dispersed for very obvious immediate emergency reasons. Usually public safety budgets get better accommodation than other considerations in lean years. But when there are no "spike" fires for a few years, it has been easy to assume the general fund wildfire fighting budgets can be trimmed to facilitate other public needs. Wildfire budgets are particularly vulnerable to such accommodations because the federal agencies that have wildfire fighting responsibilities are subservient members of cabinet level agencies that have top level mission statements significantly different than wildfire fighting! The cabinet level agencies, logically, must protect their primary responsibilities in lean years. Thus wildfire fighting sub-agencies have not been given consistent high budget priority treatment.

The above Federal budget realities helped produce a situation where funding for prevention or adequate in-place suppression forces has been much harder to obtain than emergency money to cover after-the-fact suppression, needed clean up and rehabilitation. This situation has made it difficult for wildfire fighting sub-agencies to modernize, increase their capabilities and support any research and development to resolve problems.

Call When Needed Versus Seasonal Contracts.

A financial budget issue arose this year in California regarding whether the new large capacity air tankers (the DC-10 and the Martin Mars) should be contracted on the basis of a Call When Needed (CWN) Contract or a Seasonal (Standby) Contract. Best selection hinges on how many hours the aircraft would be expected to be flown and what is expected to be achieved by the flight hours.

Terms and conditions of these contracts are established by competitive environment negotiations, but would result in similar provisions as for the case presented below. For example for the DC-10, a CWN Contract, with no standby cost, specified a $26,500 cost per flight hour with a minimum of 3 hours per flight; 24 hours were allowed after call-up to assemble the crew and prepare the aircraft for flight. Twenty-four hours is a

long time to wait when a fast fire is running.

The alternative Seasonal (standby) Contract specified a 4-month standby agreement for $5 million per year plus $5,500 per flight hour with no minimum per flight. The seasonal contract allowed less than or up to 1 hour for aircraft preparation for flight, based on a morning fire status briefing. This flexible response time requirement allows the fire agency to get economic benefit from a lower alert status during periods when fast fires are less likely (i.e., non-red-flag days). Fuel and suppressant costs were the responsibility of the state and would be the same incremental costs for both types of contract.

If there were no difference in operational effectiveness due to the type of contract, the CWN contract would only begin to cost the state more than the seasonal contract after a total of 244 flight hours were posted. The total number of flight hours expected were generally expected to be less than this amount. Resulting operational differences, due to the contracts, however, weighed heavily in favor of the seasonal contract because of the differences in response time.

Use of this aircraft with a CWN contract allows the target fire to grow to 24 times the size of fire at first drop attacked using the Seasonal Contract! This is a crucial performance difference between the two contracts. An early significant drop, especially on the head of the fire, is expected to significantly retard or stop the progress of many fires. Thus, TOTAL fire suppression cost impact was the measure of merit, not just the aircraft operational costs. It was quickly seen that if only **one** potential **$5 million fire** was stopped in a season, the aircraft had paid for itself and would be on standby free for the rest of the season. Many fires in California, conducted without the services of these new large capacity air tankers, have run total suppression costs for some fires up over $100 million.

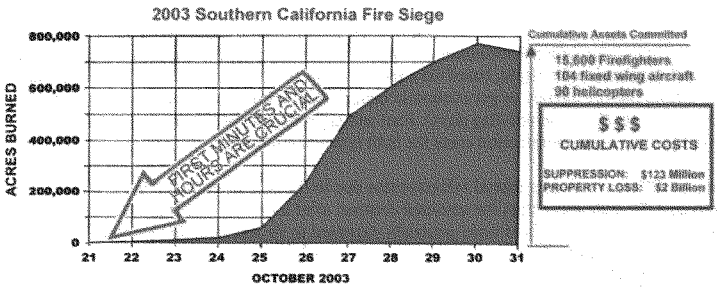
It is important to note that the BIG fires that account for less than 5% of the fires annually account for more than 65% of the total accumulated suppression costs.

FEMA historically pays 75% of all the costs for officially designated emergency events and tacitly relieves the states and local governments from the most devastating financial consequences of fighting the big fires. Thus it is incumbent on the federal system to aid the state and local fire agencies as much as possible to reduce costs.

On individual large fires, costs of suppressing the fires typically starts out with relatively low expenditures representing the immediately available local forces which are followed by a steady buildup over time to a peak and then a fairly rapid demobilization as outside forces are brought in to help and then released. **See Figure 10.** The large expenditures noted **after** the initial attack phase is only required when the initial attack(s) are unsuccessful and fires grew faster than outside forces can be brought in to stop the fire! Because of the cost leverage effect of putting a fire out early, more of the operating budget should be spent on speeding up effective initial attacks. More money spent stopping the fires when they are still small saves large amounts of funds required to deal with a fire that escapes the initial attack phase.

If more funding were provided to make more initial attacks successful, the followup large suppression expenditures would be reduced. This is a very critical observation. Analytical/statistical work should be done to identify the potential net long term financial benefits of implementing such a strategy. It is quite possible that the additional general fund expenditures for system upgrades to make initial attacks more successful will result in significant emergency fund reductions and net overall reductions in general plus emergency funding requirements for wildfire control/suppression as well as reductions in property and other resource losses.

Thus, by shifting only a portion of expected emergency money expenditures into planned general funds for initial attack activities, we may reduce the total cost of wildfires for all levels of government, while also reducing the pain and suffering of citizens. Part of the forward shift of funding could be used for prevention programs and research and development to solve wildfire fundamental technical challenges. **See Figure 10.**



- **Total Supression Costs Are Proportional to Acreage / Perimeter Burned**
- **Early Effective Attack Is Essential to Reduce Losses & Total Suppression Costs**

FIGURE 10. MORE EMPHASIS NEEDED ON EARLY DETECTION/INITIAL ATTACK

None of the above financial challenges can be resolved without the support of the administrative arms of the governments involved. This observation leads to the final series of the interconnected challenges – the administrative.

ADMINISTRATIVE

There have been numerous proposals of options to resolve the wildfire technical challenges and certainly many cries for more budget for the wildfire fighting forces. Why are these requests seldom granted the opportunity to show they may remedy the deteriorating situation? WRN believes the answer to this question lies in another fundamental weakness and challenge for the wildfire fighting community: the wildfire fighting system is a collection of individually directed and operating organizations with primarily uniquely separate natural geographic jurisdictions and sources of economic support. **See Figure 11.**

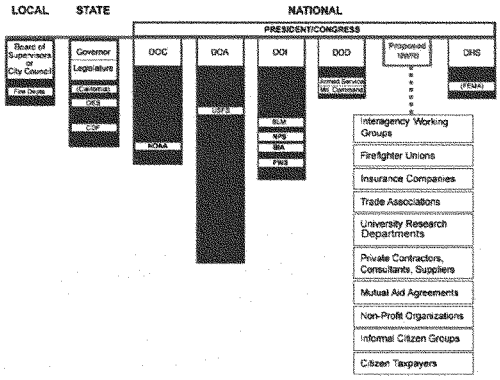


FIGURE 11. TOTAL NATIONAL WILDFIRE FIGHTING SYSTEM

At the Federal level the wildfire fighting units are sub-agencies incorporated into four separate cabinet-level agencies. There is no official single source that gathers a full and complete set of information on how the system is performing with accountability for the results! Each can say they do not have enough budget to handle the big fire events and must depend on support from adjoining fire agencies via mutual aid, etc. This system currently frequently breaks down when Santa Ana wind events fuel multiple fires over a large geographical area at the same time.

Culturally, we do not fund or require wildfire fighting agencies to solve their fundamental technical challenges. Rather we ask them to do the best they can with what they have! Resolution of the technical challenges requires extensive expertise in technical areas not typically found naturally within the agencies. Thus, supplementary unfunded external assistance is required. The agencies are not equipped by their experience or charter to effectively hire, manage and fund the types of effort required to resolve these highly specialized technical issues. Elsewhere in the federal government, primarily DOD and NASA, appropriate expertise does exist that has solved similar challenges, in a military or space context, over the past few decades.

WRN believes that a new wildfire cabinet level agency should be chartered, as recently done for Homeland Security issues with the responsibility to take on the task of resolving the technical and financial challenges and otherwise coordinating the operations of the existing wildfire fighting organizations. This new organization would hire or contract for the technical expertise to do the necessary research to identify satisfactory resolutions of the technical and uncontrolled budget growth challenges unresolved by the current loose, un-integrated system.

This new agency would be chartered to gather and organize applicable statistics, costs, and operating information such that the federal government, in concert with the state and local governments, would have visibility of how each of their wildfire operations would perform and cost to operate for any proposed changes in equipment or operational plans. This proposed new agency we tentatively call the National Wildfire Research Institute (NWRI) would collect the information to both adequately justify and facilitate development and deployment of effective and affordable new systems. The agency would also be responsible to collect and summarize data from around the country for the executive and legislative branches for ongoing, effective oversight and accountability.

WRN has outlined an assessment model of the total national wildfire fighting system illustrating the scope of issues that impact the planning for and operating an integrated system. **Figure 12** presents the model in its present form. The NWRI would be responsible to expand and populate the individual modules with appropriate databases and analytical routines.

Currently, all the leaders of wildfire control organizations basically do this process inside their own heads with whatever information and misinformation are currently available. What is needed is a firm scientific approach to be used at each step. A major stumbling block is that there are no totally accepted one-on-one suppression effectiveness models available. Isolated attempts are being made to develop these, but until they are comprehensive enough, it will not be possible to perform reliable cost-effectiveness comparisons of competing options of how to equip and operate the wildfire fighting system. This would be one of the first research and development tasks assigned to an NWRI. Doing research at one adequately-funded location is much more economical than the current scattered unintegrated approach. We must do this to end the endless escalation of total fire losses in this country. It will require the good will, cooperation and support from all of us.

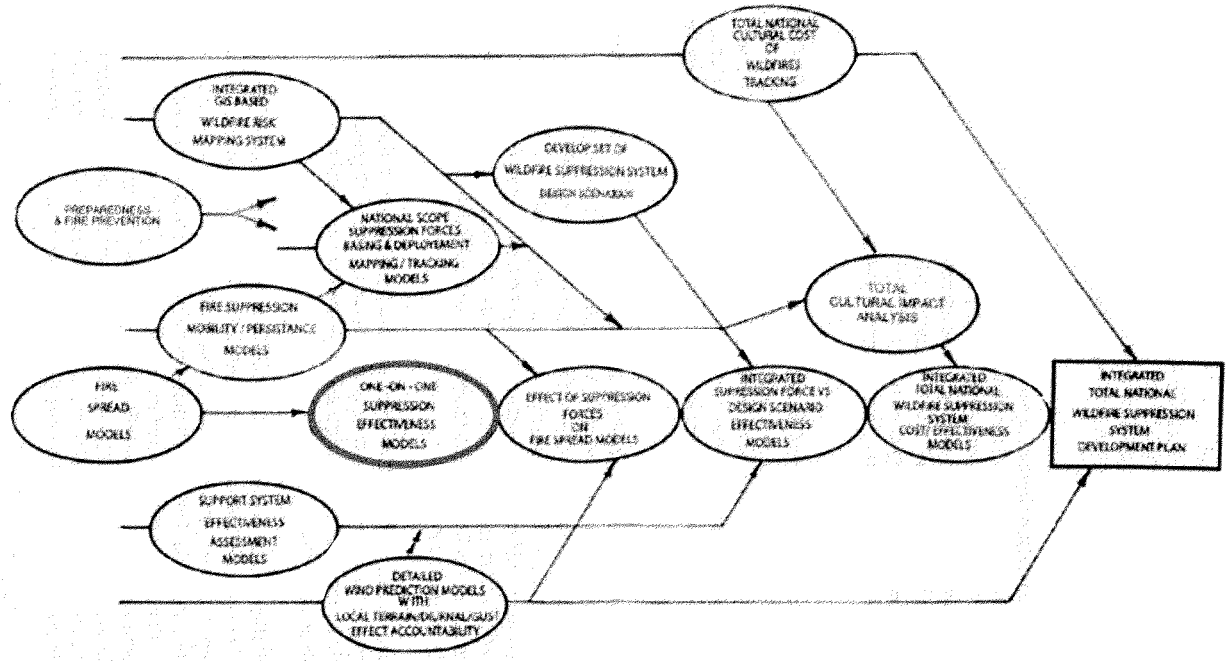


FIGURE 12. PRELIMINARY NATIONAL WILDFIRE SYSTEM ASSESSMENT MODELING CONCEPT

Mr. KUCINICH. Mr. Bowman, you may proceed.

STATEMENT OF JEFFREY BOWMAN

Mr. BOWMAN. Thank you, sir. Unfortunately, I agree with most of what Mr. Morris has had to say. I have sat through so many of these after-action processes where a lot of verbalization takes place, and within 6 months, very little to any change is made.

I certainly believe, and I will address comments this morning at the Federal, State and local level, but I certainly believe firefighting and its responsibilities truly are a local government responsibility. The State plays a role in that as does the Federal Government, but it predominantly is, and should be, a local government responsibility.

Some local governments perform that responsibility better than others. As the former fire chief in San Diego, I will talk briefly about my beliefs of the local government responsibility in just a moment. Before I do that, I would like to say a thank you on behalf of the citizens of California to the Federal Government for the assistance that you have provided to this region.

The monetary input that has gone into brush and fuel managements and vegetation policies in California, have gone a long way to help toward the fire prevention side of what has happened here, in California, in the last 10 years, specifically since the Cedar fires.

I would also say that many of the nice changes that you have mentioned this morning, and the technology improvements that have happened in Southern California since the Cedar fire, were actually funded by the Federal Government. They didn't come from local funding.

You mentioned the Reverse 911. Yes, it worked well. That was funded by you, thank you for that, through Homeland Security grant funding.

My comment, then is that the Federal Government I believe is doing a much better job of helping out local and State resources when it comes to this important public safety subject.

On the State level, it was mentioned by Mr. Morris, I sat in my kitchen, 4 years ago, when Governor Davis called me and asked me what we could do about the wildfire impacts in California, and several of the people on this panel and I had already spoken about what to do next, and out of that conversation came the blue ribbon commission, on which I sat, as did some others here in the room today.

My point is that we went through months of researching what took place and what needed to change, and some of the most basic recommendations have yet to be done.

One I will mention is the State of California has the Office of Emergency Services where they provide fire apparatus to local governments in times of emergency. The recommendation out of the blue ribbon commission was to purchase 150 fire engines. To date, since 2003, 19 have been purchased, not one has been received by the State government. I believe that is a focus that needs to have a tremendous amount of effort put on, so that we don't come together at the end of the next wildfire and have this same conversation again.

Military asset and aircraft were talked about, Congressman. I just have to tell you that another recommendation out of the blue ribbon commission was that two State agencies and one Federal agency would come together every year, no later than July, with a written statement of how we, as the fire service, were going to utilize local and Federal military assets to help fight wildfires.

And if the recommendation had simply been followed, it is my opinion that this wildfire siege would have happened much more effectively, without any of the confusion or the red tape.

I just hope that between now and next year, that recommendation is enacted, so that by July 2008 a written report of status takes place. At the local level, Congressman, I understand your concern about funding.

Too many people misunderstand that $40 million. That wasn't to fight a wildfire. That was to manage, day to day, in San Diego, and I will let my esteemed colleague to my left remind you that is something that needs to be focused on here, locally, at San Diego.

Mr. KUCINICH. Thank you very much.

Chief.

STATEMENT OF TRACY JARMAN

Chief JARMAN. Good morning. I appreciate the opportunity to participate in this hearing this morning.

I am frustrated, that every time there is a major firestorm that comes through the San Diego region, San Diego city finds itself alone, on our own, for the first 24 to 48 hours to fight the firestorm.

Let's be clear. These fires start out in East County and blow into the city of San Diego. This was the case in 2003 at the Cedar fire and the case again in 2007 Witch Creek fire. I need to set the record straight. Well in advance of both the Cedar and Witch fires reaching the city limits, the city fire and rescue department had requested additional firefighting resource assistance. In both cases, we were told there were none available.

At this last fire, I requested a 100 additional engines, 600 additional firefighters, including hand crews, and we were told none were available.

However, at the same time, we are expected to often send out engine strike teams to assist other fire agency requests within the county of San Diego. It is unfortunate, but looking to the future, I think we will need to consider the commitment of the firefighting resources to other areas.

I don't say this lightly, but you must understand, my primary responsibility is to provide the highest level of fire protection services possible for the citizens and visitors to the city of San Diego. That being said, and based on recent history, I may need every available city firefighting resource here, within the city, to fulfill that responsibility.

You need to be aware that historically, the county of San Diego has, and still lacks, the firefighting resources necessary to protect its residents and visitors during significant firestorms.

In a previous hearing, the blame or burden seemed to be placed primarily on the city of San Diego to solve this regional issue. Specifically, the immediate availability of additional fire suppression resources. This is a much larger regional issue. Solving this issue

is the responsibility of the county, the State, and potentially, the Federal Government.

Sure, I can build 22 more fire stations within the city that will help us on our day to day responses, but those fire stations and personnel are not going to make a substantial difference when a Santa Ana firestorm blows into our city. Twenty-two additional fires stations would provide five additional strike teams, not nearly the firefighting assistance I need when I am requesting a 100 additional engines, like I did during the Witch Creek fire.

During the recent Malibu fire, dubbed the Corral fire, I was told that there were 45 strike teams available to suppress this 4,000 acre blaze. I realized I had a total of 10 San Diego fire and rescue strike teams in Rancho Bernardo for a 9,000 acre fire. This was more than twice the size of the Corral fire, with a quarter of the resources to fight it.

I am exceptionally proud of the job our firefighters did in saving nearly 6,000 homes. It is also important to note that there were neither lives lost nor any major injuries to firefighters or citizens within the city of San Diego.

I need to reiterate that we, the San Diego Fire and Rescue Department, were there in force when the fires burned into the San Pasqual Valley and Rancho Bernardo communities. Our firefighters fought the fire aggressively and never gave up.

At the peak of the fire, we deployed 480 San Diego city firefighters. That was more than half of my department, was on the fire line. The community knows this as do our firefighters.

We welcome being part of the regional solution. Although we are by far the largest firefighting in the county, the city of San Diego Fire and Rescue Department should, by no means, be considered a silver bullet with a responsibility to provide the majority of the additional firefighting services needed in this county.

I acknowledge the greatly improved cooperation between Federal, State and local fire agencies. This is a vast improvement over our experience during the 2003 Cedar fire but we still have a long way to go. As a city, we are not going to get there alone, nor should there be an expectation that the city should shoulder the entire burden. It is not fair to the city or its citizens.

Other fire agencies and local government jurisdictions need to step up and share the responsibility of helping resolve the regional issues.

I want to thank you for this opportunity. I recognize that County Board of Supervisor Ron Roberts and Bill Horn have stepped forward with a proposal and we appreciate an opportunity to be a part of that ongoing solution. So thank you.

[The prepared statement of Ms. Jarman follows:]

Domestic Policy Subcommittee
Oversight and Government Reform Committee

The 2007 Southern California Wildfires: Assessing Preparedness, Response and Recovery Efforts in San Diego

December 10, 2007
9:00 A.M.

Testimony

FIRE CHIEF TRACY JARMAN
City of San Diego, California
Legislative Testimony 2007 Firestorms

Good day. I appreciate the opportunity to participate in this hearing. I have a lot to share and a number of misconceptions to clear up.

I am frustrated that every time there is a major firestorm that comes through the San Diego region..... San Diego City finds itself alone...on our own for the first 24-48 hours to fight the firestorm. Let's be clear.....these fires start out in the east county area and blow into the City of San Diego. This was the case in the 2003 Cedar Fire and the case again with the 2007 Witch Creek Fire.

I need to set the record straight. Well in advance of both the Cedar and Witch Fires reaching the City limits, the City Fire-Rescue Department had requested additional firefighting resource assistance. In both cases, we were told that there were none available. Let me reiterate that WHEN WE REQUEST ADDITIONAL FIREFIGHTING RESOURCE ASSISTANCE (AS I DID THIS LAST FIRE – A 150 STRIKE TEAMS) WE WERE TOLD THAT THERE WERE NONE AVAILABLE!

However, at the same time we are expected to and often send engine strike teams out to assist other fire agency requests within the County of San Diego. It is unfortunate, but looking to the future I will now have to reconsider the commitment of our firefighting resources to other areas of San Diego County. I don't say this lightly, but you must understand that my primary responsibility is to provide the highest level of fire protection services possible to the citizens and visitors of the City of San Diego. That being said and based on recent history, I may need every available City firefighting resource here within the City to fulfill this responsibility. You need to be aware that historically, the County of San Diego has and still lacks the firefighting resources necessary to protect its residents and visitors during significant firestorms.

In a previous hearing the blame and burden seemed to be placed primarily on the City of San Diego to solve this regional issue; specifically, the immediate availability of additional fire

suppression resources. I reiterate this is not a City of San Diego problem to solve. This is a much larger regional issue and solving this issue is the responsibility of the County, the State, and potentially the Federal government.

Sure I can build 22 more fire stations within the City that will help us on our day-to-day responses. But those fire stations and personnel are **not** going to make a substantial difference when a Santa Ana firestorm blows into our City. 22 additional fire stations would provide me with 5 additional strike teams...not nearly the firefighting assistance I need when I am requesting a 150 engine strike teams like I was during the Guejito-Witch Creek Fire.

During the recent Malibu Fire, dubbed the "Corral Fire", I was told that there were 45 engine strike teams available to suppress this 4,000 acre blaze. Realize... I had a total of 10 SDFD strike teams in Rancho Bernardo for a 9,250 acre fire. This was more than twice the size of the Corral Fire with a quarter of the resources to fight it.

I am exceptionally proud of the job our firefighters did in saving nearly 6,000 homes. It's also important to note that there were neither lives lost nor any major injuries to firefighters or citizens within the City of San Diego. I need to reiterate that we, the San Diego Fire-Rescue Department were there in force when the fires burned into the San Pasqual Valley and Rancho Bernardo communities. Our firefighters fought the fire aggressively and never gave up. At the peak of the fire we had deployed 480 San Diego City firefighters, more than half my Department was on the fireline. The community knows this and our firefighters know this fact well.

We welcome being a part of the regional solution. Although we are by far the largest firefighting agency in the County, the City of San Diego Fire-Rescue Department should by no means be considered a "silver bullet" with a responsibility to provide a majority of the additional firefighting services needed in this County.

I acknowledge the greatly improved cooperation between Federal, State and local fire agencies. This is a vast improvement over our experience during the 2003 Cedar Fire, but we still have a long way to go. As the City, we are not going to get there alone nor should there be an expectation that the City should shoulder the entire burden. It is not fair to the City or its citizens. Other fire agencies and local governmental jurisdictions need to step up and share in the responsibility of helping resolve the regional issues.

Within the City we are continuing to make incremental progress. Tomorrow, just like in October, if another wildfire were to blow into and through the City, we have identified the resources necessary for our being more effective. We need to request additional firefighting resources to assist us with the ground attack. I have long advocated for additional reserve engines to be placed with fire agencies throughout the region. During the 2003 Cedar Fire, the City of San Diego Fire Department had only 12 reserve engines available. For the Witch Creek Fire, we had brought that number up to 18 reserve engines. THIS IS STILL NOT ENOUGH! We have off-duty firefighters that are immediately available to serve, but we lack the fire apparatus to put them on during a firestorm. That's why I have long supported the effort to place 50 or more additional fire engines within the San Diego County region with the understanding that they are to remain here, within the region, NO MATTER WHAT IS OCCURRING

OUTSIDE THE REGION. Let me make it clear these 50 additional engines would NOT be the obligation of the City of San Diego, but rather the State of California as was proposed by the Governor's Blue Ribbon Commission after the Cedar Fire 4 years ago.

I am continuing to educate the public of the harsh reality that when the Santa Ana winds are predicted to blow, they materialize first in the counties north of us. Once a wildland fire or fires start to burn north of us, the availability of firefighting resources begins to draw down immediately. As we just experienced, in a matter of hours, this drawdown dramatically affects the level of fire and rescue protection we can provide our communities. Our State Mutual Aid system is the best in the world, but it is not designed nor can it support the level of resource drawdown that occurs once the firestorms begin.

Although I have grown tired of explaining to all that inquire, I will continue to share openly that you can expect that the next time firestorms hit Southern California and the San Diego Region needs additional firefighting assistance, there will be none available. And when resources are finally made available, it will be too late! The fires will have blown through, the houses will be destroyed, and we will be in the mop up stages once again trying to explain to the citizens why their homes burned.

I welcome the opportunity to work in partnership with the local, state and federal agencies to better position this region for the next fire storm. No question, it will happen again and likely sooner than any of us expect! My hope is that next time we will be better prepared as a region.

A comparison: 2003 Cedar Fire vs. 2007 Witch Creek Fire

- The initial duration of the Witch Creek Fire was three days; the Cedar Fire, less than one day. The wind speed during the Witch Creek Fire was 45 to 80 miles an hour; the Cedar Fire 35 to 45 miles an hour.
- The Witch Creek Fire, as I've said, destroyed 365 homes and damaged 79. The Cedar Fire destroyed 335 structures, 71 others were damaged. The Cedar Fire burned a total of 280,278 acres in the county; the Witch Creek Fire burned 197,990 acres overall. Both fires occurred in late October during Santa Ana winds; the Witch Creek Fire on October 21, the Cedar Fire October 25.
- Evacuations during the Witch Creek Fire were carried out by the Reverse 911 system, San Diego Police and Fire, and the news media. During the Cedar Fire, evacuation notification was handled by police, fire and the media.
- The Witch Creek Fire was one of 21 fires burning in Southern California at the time it started, including the Harris Fire in the southern part of San Diego County. At the time of the Cedar Fire, there were 15 fires in Southern California, including the Paradise Fire in the Escondido area.

Brush and Vegetation Management/Fire Safe Design Issues

While brush management is not a silver bullet to fight wildfires, it does help by decreasing fuel loads and providing more defensible space. After the 2003 Cedar Fire, the City updated its brush management regulations to require more defensible space between open space and structures on both publicly and privately-owned property. Based on this expansion of the defensible zone, there are now approximately 1,180 acres of urban inter-face City open space property that requires brush management. It should be noted that the City's proposal was met with significant opposition from the local environmental community as well as the California Coastal Commission. In order to get the new plan adopted, the City was required to purchase approximately 700 additional acres of open space outside of the brush management zone that would be precluded in future brush thinning activities and is still working with the Coastal Commission to gain approval of the 100 feet of defensible space within the coastal zone.

Additionally, for over 5 months of the year, brush management is not allowed in coastal sage scrub during the California gnatcatcher nesting season, March 1 through August 15. This small bird only lives in coastal sage scrub habitat, which is a predominant feature of San Diego open space areas well inland of the coast, and is listed as a threatened species by the federal government. Any harm to this bird could result in fines and penalties.

Using the National Fire Protection Association (NFPA) 1144 Standard for Reducing Structure Ignition Hazards from Wildland Fire and the Wildland/Urban Interface Code-Danger Rating System, the City's Fire-Rescue Department prepared a brush management priority list as part of a fire risk analysis they conducted of the City's wildland and urban interface areas. Of the over 400 open space parcels within the City, 21 parcels, totaling 122 acres, were identified as the highest risk. The analysis addresses the potential for rapidly moving and intense fires and the ability of the San Diego Fire Department to fight a fire based on quantifiable risk factors and proximity to resources.

- The rating system includes five factors:
    - Density of vegetation
    - Slope severity
    - Five minute response time
    - Road class
    - Proximity to fire hydrants

Park and Recreation brush management staff has nearly completed thinning these 122 acres of highest risk open space parcels. The City is on track to complete the thinning of these parcels by the end of December at which time the Park and Recreation Department will continue the program by targeting the parcels with the next highest risk next.

Potential Federal Government Assistance

In 2005, the City applied for a $2.7 million Federal Emergency Management Agency (FEMA) Disaster Mitigation Grant to complete brush management in three high-risk areas of the City. To date that grant has still not been approved but recent discussions with FEMA indicate the grant should be approved soon. If done soon, the City's work crews will be able to finish brush management in these targeted areas prior to the start of the next fire season.

Even with the FEMA grant, there is still significant acreage requiring brush management. It is the City's intention to pursue a FY 2009 appropriation through the Natural Resources Conservation Service to obtain additional grant funding for brush management of the City's open space areas within the 100 foot defensible space zone.

Brush management alone will not prevent wildfires from destroying structures in another fire storm like we just experienced. It is important that homeowners invest in structural improvements to provide their property with additional safety features to reduce the risk of loss. The federal government should consider offering tax incentives to private property owners who make improvements to prevent wind-blown embers from gaining access to their roofs and/or attics. Such enhancements include: replacement of wood shingle roofs; boxed eaves; louvered attic vents that can be closed manually from the outside of the home; and the replacement of wooden decks, fences or storage sheds near the structure.

Evacuation Procedures/Reverse 9-1-1

In addition to the traditional evacuation notification tools, the City of San Diego used their "Reverse 911" system. This is a web-based, community-alert notification system designed to make mass telephone calls to the public in a timely manner during emergencies or disasters. The system uses a combination of databases and GIS mapping technologies to quickly target and effectively disseminate emergency notification calls to a precise geographic area.

The City of San Diego purchased Reverse 911 as another tool to rapidly broadcast emergency notifications to the public in the event of an emergency. The system hardware, software and three-year contract cost $180,000. The system was paid for with Urban Area Security Initiative (UASI) Homeland Security grant funds.

When activated, the Reverse 911 system uses the 911 telephone database to initiate a voice mail broadcasted message via landline telephones to San Diego residents and businesses in the affected areas. A taped message delivers instructions on how to proceed during the ongoing emergency. Individuals using non-landline cellular and VoIP phones can also register their numbers online to receive the emergency calls.

It is estimated that mandatory evacuation orders affected a total of 200,000 people within the City of San Diego. Approximately 78,000 Reverse 911 calls were made in the course of executing those evacuation orders. The following communities were evacuated: Black Mountain Ranch, Carmel Mountain, Carmel Valley, Del Mar Heights, Miramar Ranch North, North City/Fairbanks Ranch Country Club Area, Rancho Bernardo, Rancho Encantada, Rancho Penasquitos, Sabre Springs, San Pasqual, Scripps Ranch, Torrey Highlands, and Torrey Pines.

Thank you for the opportunity to testify.

Mr. KUCINICH. Thank you very much, Chief. I want you to know that, as all the witnesses should be informed, that your entire statement will be put in the record of this hearing, as, without objection, will be the testimony of Los Angeles County Supervisor Zev Yaroslavsky.

[The prepared statement of Mr. Yaroslavsky follows:]

Supervisor Zev Yaroslavsky
Testimony of Los Angeles County

Domestic Policy Subcommittee
Oversight and Government Reform Committee

"What the October Wildfires Reveal About Preparedness in Southern California"

Monday, December 10, 2007
Fallbrook, California
9:00 A.M.

Chairman Kucinich, Ranking Member and Members of the Subcommittee, thank you for the opportunity to testify before you today. Like some other County fire departments in California, the Los Angeles County Fire Department is organized as a special district under State law. For the most part, it is not funded by the County General Fund; only a portion of the Department's ocean lifeguard service receives funding from this source. Instead, its funding base is primarily derived from local property taxes. Recognizing the importance of public safety in Los Angeles County, our five-member Board has worked closely with the Fire Department to ensure that our 10 million residents receive the highest level of fire protection and life safety services available.

The role of County government is to work in partnership with the Fire Department to review recommendations for acquiring equipment, approving contracts and authorizing expenditures of the Special District's funds, and to decide on the best course of action for the Department and our constituents.

Having grown up in Southern California, I and my colleagues on the Board are very well aware of the annual fire season conditions in Los Angeles County, particularly the Santa Ana wind phenomenon's danger in fire-prone areas. Because we have all witnessed the devastation and unpredictability of each fire, we have always been

forward leaning in supporting firefighting concepts and techniques presented to us by the Fire Department.

The Los Angeles County Fire Department has been a leader in wildland firefighting, dating back to the 1950s, when they pioneered the use of water-dropping helicopters to provide air attack. The rugged canyon terrain of our mountain ranges is best reached by these more maneuverable helicopters. In the last 50 years, many generations of these helicopters have been developed and perfected for this purpose, most recently in the creation of the Sikorsky Firehawk, our multi-mission, firefighting version of the U.S. Army's Blackhawk.

In addition, I and my colleagues have been supportive of the use of fuel modification plans, fire-resistive construction, and residential sprinklers in the Santa Monica Mountains areas. We believe that citizens must become active in the protection of their own lives and properties, and in this vein we have also pioneered a very innovative and effective community emergency planning effort. We have also sought to reduce fire damage by limiting zoning densities and placing formerly developable land into public ownership in our mountains areas.

It has been a long-standing view of the Board of Supervisors that the Fire Department needs adequate personnel and equipment, and we have been supportive of their recommendations. In fact, since I became a member of the Board in late 1994 I believe that every proposal the Fire Chief has made to improve fire-fighting capabilities has received unanimous support.

In 1996, when property tax levels dropped significantly in Los Angeles County, the Fire Chief approached our Board to seek approval to place a special tax measure, known as Proposition E, on the ballot, to maintain operations. Agreeing that public safety was a top priority, the Board was supportive of the Special Tax initiative, which passed in March 1997 with an overwhelming 77 percent vote. Although it did not

support wildland firefighting directly, it played an important role in keeping the County Fire Department's operating budget intact and ensuring continuity of services. The wholehearted vote of our residents was a reflection of their and our confidence in the County's Fire Department.

# # #

Mr. KUCINICH. At this time we will hear from Chief Freeman. Chief, you may proceed.

STATEMENT OF P. MICHAEL FREEMAN

Chief FREEMAN. Mr. Chairman, members of the committee, thank you for being here. I represent the Los Angeles County Fire Department which provides fire suppression and life safety services to a 2,296 square mile area within the 4,400 square mile county of Los Angeles. More than 4 million residents and 58 cities, and all unincorporated areas are protected.

Each year, we provide fire code enforcement, planning for high-risk wild land areas, and respond to more than 900 reported brush fires.

During the Southern California firestorms of October 2007, we coordinated and sustained wild land firefighting operations, combatting four large complex firestorms, some occurring concurrently, and also to deal with several other fires within our county. All of these were fanned by gusty Santa Ana winds.

As soon as upper hand, in even a small way, was gained, additional personnel from Los Angeles County, 45 engine companies, dozers, crews, helicopters, were sent to other areas still in peril.

In total, 35 homes were lost during October in Los Angeles County. What we believe made a big difference for us was first, preplanning, equipment purchases and contracts which gave us many resources needed to mount considerable air and ground attacks. Our department focus on preplanning enabled us to better meet the needs of these simultaneous incidents.

At the core of predeployment planning is focus on operational readiness, so that firefighters have the right training and equipment to fight these fires when they do occur.

Another important component is the staffing of three highly trained and organized incident management teams, ready in the event of a major incident.

Daily, we monitor local weather conditions, initiate increased fire suppression staffing and equipment levels, including additional helicopters, prepositioning fire engine companies prior to the arrival of predicted Santa Ana winds.

When the California mutual aid system is operated, it is obviously essential, and it is critically so, to our ability to respond to and contend with large-scale wild land fires.

Mutual aid, however, takes time to activate and during fire sieges in which multiple incidents are underway, waiting for resources to come from long distances, or being released from one incident and assigned to another can be challenging.

During the height of the battle in October, 127 of 232 total fire engines in Los Angeles County, were engaged in firefighting at these major incidents. Over 1,800 firefighters from Los Angeles County worked around the clock on these wildfires. Nine firefighting helicopters, including three Sikorsky Fire Hawks, which belonged to the county, with 1,000 gallon water-dropping capacity, flew day and night.

Three contract aircraft, two 1,600-gallon capacity SuperScooper airplanes, and a 2,200-gallon capacity Helitanker helicopter aided our firefighters.

Firefighting staffing also included 32 15-member fire hand crews, 8 bulldozers, 13 dozer tenders, 37 fire patrols, and staffing of 80 reserve fire engines.

Despite all of our preplanning and predeployment measures, the mutual aid system still played a major role in our ability to respond and contain these fires, saving hundreds of homes each time. During these wind-driven events, no fire department can stand on its own.

Our philosophy is that a strong mutual aid system does not relieve a locality of its responsibility to assess jurisdictional threats and prepare for them.

We have invested in more resources of our own, whether through direct acquisition or creation of seasonal lease agreements, so that additional resources are readily available to attack wildfires quickly, and keep them small, if possible.

We recognize this following the devastating 1993 firestorms in Malibu and Altadena when hundreds of homes were taken. We have four recommendations. We submit those in our testimony. We emphasize, once again, that the State work to increase the surge capacity, that is, additional engine companies through the acquisition of more fire engines.

These companies could be staffed by local fire departments.

A Federal-State partnership to establish and identify funding for predeployment costs and mutual aid response.

A Federal fleet of air assets used by the Federal Government needs to be upgraded.

Federal-State sponsorship to fast track applied technology to create a real-time GPS-based mapping system for incident commanders to use in managing these major wildfires.

Again, thank you for your time and being here with us this morning.

[The prepared statement of Mr. Freeman follows:]

Testimony of P. Michael Freeman, Fire Chief, Los Angeles County Fire Department
Domestic Policy Subcommittee
Oversight and Government Reform Committee

Monday, December 10, 2007
9:00 A. M.
Fallbrook Public Utilities District, Fallbrook, California

The role of the Los Angeles County Fire Department in responding to wildfires

The Los Angeles County Fire Department provides fire suppression and life safety services to a 2,296 square mile area within the 4,400 square mile County of Los Angeles. More than four million residents living in 58 cities and unincorporated areas are protected. We provide fire code planning for high risk wildland fire areas and respond to more than 900 reported brush fires per year, primarily during the annual fire season which typically lasts from early May until the first significant rainfall occurs within the greater Los Angeles area.

During the Southern California firestorms of October 21-31, 2007, we were able to effectively coordinate and sustain wildland firefighting operations to combat four large, complex firestorms, (some occurring concurrently) and knock down two others within our County, all of which were fanned by gusty Santa Ana winds. Once an upper hand was gained, in a small way, on these fires in Los Angeles County, personnel and equipment were offered to other areas still in peril. In total, 35 homes were lost in Los Angeles County. What really made a difference for us were the pre-planning, equipment purchases and contracts that gave us many of the resources needed to mount considerable air and ground attacks – even when multiple incidents ignited within hours.

Our Department's continual focus on pre-planning better enabled us to meet the needs of these simultaneous incidents. Throughout the year, we enforce brush clearance regulations aimed at

reducing flammable vegetation around homes and other structures to give our firefighters defensible space in the Very High Fire Hazard Severity Zones and brush covered areas throughout the County. We require residents to have fire resistant landscape plans, clear 100-200-feet of brush around their homes, and actively carry out other fuel reduction practices. More recent building codes enacted require fire-resistive construction and access to a water supply for firefighters to protect homes in the event of a fire. Through public education, we also involve each local community in the development of their own escape plans so that they know exactly what to do in case of a fire emergency.

At the core of our pre-deployment planning is our focus on operational readiness so that we have the right training and equipment to fight these fires when they do occur. In preparation for each year's wildland fire season, all County firefighters participate in annual Departmental wildland training. Training exercises involve wildland fire suppression tactics, fire behavior, weather, structure protection and actions used to protect firefighters while working in a firestorm. Since 2006, we have placed 94 new fire engines into frontline service, and maintained a fleet of 61 reserve fire engines. We also have 32 fire hand crews at strategically located camps across the County's mountain ranges.

Another important component is our staffing of three highly trained and organized Incident Management Teams which are ready at all times in the event of a major incident. These teams train throughout the year in incident command, public information, safety, operations, planning, logistics and finance.

On a daily basis, we monitor local weather conditions and initiate increased fire suppression staffing and equipment levels in the event of predicted fire weather. We place additional helicopters on call, and position five strike teams in vulnerable areas around the County prior to

the predicted arrival of Santa Ana wind conditions. This has been our practice for years, based upon our historical knowledge of fire behavior in our region.

While the California Mutual Aid system is critically essential in our ability to respond to multiple, large scale wildland fires, acquiring additional resources and increasing reserve fire engines is an important step in strengthening the response capability of each agency. Mutual Aid takes time to activate, and during fire sieges in which multiple incidents are underway, waiting for resources to be released from one incident and assigned to another can be challenging. In Los Angeles County, we greatly increased our own ability to respond by having a strong fleet of reserve engines equipped for wildland fire response.

During the height of the battle in the October firestorms, 127 out of 232 total fire engines were engaged in firefighting at six major incidents. The Ranch Fire, ignited by downed power lines, broke out at 9:42 p.m., on October 20, 2007, north of Castaic near the Ventura County line and the Angeles National Forest, burning 58,041 acres; no structures were lost. Los Angeles County resources deployed included 20 fire engines, one fire hand crew, three dozers, two SuperScoopers and 137 firefighters. Mutual Aid resources deployed included 125 fire engines, 21 fire hand crews, six helicopters, nine dozers and 1,131 firefighters, for a total of 1,268 personnel.

The Canyon Fire, also ignited by downed power lines, broke out at 4:55 a.m., on October 21, 2007, in fire-prone Malibu; 4,565 acres burned, nine homes and four commercial buildings were lost, and 10 homes and 8 commercial buildings were damaged. Los Angeles County resources deployed included 78 fire engines, 24 fire hand crews, seven helicopters, two dozers, two SuperScoopers and 817 firefighters. Mutual Aid resources deployed included 132 fire engines, eight helicopters, four dozers and 952 firefighters, for a total of 1,769 personnel.

The Buckweed Fire, caused by a juvenile playing with matches, broke on at 12:55 p.m., on October 21, 2007, in Agua Dulce/Canyon Country, burning 38,356 acres; 21 homes were destroyed and 12 homes were damaged. Los Angeles County resources deployed included 49 fire engines, 14 fire hand crews, three dozers, two SuperScoopers and 461 firefighters. Mutual Aid resources deployed included 90 fire engines, 28 fire hand crews, 19 dozers and 700 firefighters, for a total of 1,161 personnel.

The Magic Fire, accidentally sparked by construction workers using a grinding tool, broke out at 2:17 p.m., on October 22, 2007, near Stevenson Ranch in the Santa Clarita Valley, burning 2,824 acres; no homes were lost or damaged. Los Angeles County resources included 21 fire engines, four fire hand crews, four helicopters, two SuperScoopers and 97 firefighters. Mutual Aid resources included five fire engines and 21 firefighters, for a total of 118 personnel.

The Meadow Ridge Fire, still under investigation for its cause, broke out at 4:08 a.m., on October 23, 2007, in Santa Clarita, burning 40 acres; no structures were lost or damaged. Los Angeles County resources deployed included 30 fire engines, six fire hand crews, four helicopters, two SuperScoopers and 179 firefighters. Mutual Aid resources deployed included five fire engines, three helicopters and 28 firefighters, for a total of 207 personnel.

The Y Fire, still under investigation for its suspicious origin, broke out at 2:44 p.m., on October 23, 2007, in Acton in the Antelope Valley, burning 20 acres; no structures were lost or damaged. Los Angeles County resources deployed included 10 fire engines, eight fire hand crews, four helicopters, two SuperScoopers and 132 firefighters. Mutual Aid resources were not requested, as County firefighters were able to quickly knock down this fire at 20 acres.

In total, over 1,800 Los Angeles County firefighters worked around the clock on these wildfires. Many personnel, various aircraft and other firefighting units were moved from one fire to the other as conditions warranted. Our team of highly skilled fire mechanics kept every available front line and reserve fire engine rolling. Our ability to keep our fleet of nine firefighting helicopters in the air, including three Sikorsky Firehawks with 1,000-gallon water dropping capacity and six Bell 412 helicopters with 360-gallon capacity, made a decisive difference time and time again on fire after fire. Our three contracted aircraft - two 1,600-gallon capacity SuperScooper airplanes and one 2,200-gallon capacity Type 1 Erickson Helitanker - aided our firefighters during daylight hours to give them the edge that they needed to combat each fire. Routine Los Angeles County firefighting staffing also included 32, 15-member fire hand crews, eight bulldozer tractors, 13 bulldozer tenders, 12 bulldozer transport trucks, 37 fire patrols and our 61 reserve fire engines.

Behind the scenes, our Dispatch team kept the Emergency Coordination Center at Command and Control staffed and activated for that entire week, as the Region I Mutual Aid resources were keenly mobilized.

Although we received Mutual Aid resources on most of our wildfire incidents in Los Angeles County in October, we have built our own air attack program to enable us to quickly contain the fire while it still remains relatively small. Despite all of our pre-planning and pre-deployment measures, the Mutual Aid system still played a major role in our ability to respond and contain these fires, saving hundreds of homes each time. During these wind-driven events, no fire department can stand on its own.

While all of this was happening in our own jurisdiction, we were keenly aware of the other 18 large wildfires underway throughout Southern California. As Region 1 Coordinator, we identified and dispatched resources within Los Angeles County and to our neighboring counties through

the California Master Mutual Aid System. The Mutual Aid system was developed to provide assistance to other emergency response agencies whenever an incident is beyond the capability of that jurisdictional agency. During these firestorms, we tracked assignment of Mutual Aid units that might be available to assist other Region 1 agencies.

Also available to assist us is the U.S. Navy. Through our agreement, they provide their "Hovercraft" Landing Craft Air Cushions (LCAC) to transport equipment and personnel from the Los Angeles Harbor to our jurisdiction on Catalina Island. This made a major difference in our ability to respond in May 2007, when construction workers accidentally ignited a brush fire near the City of Avalon. Thousands of residents and tourists were evacuated, and hundreds of firefighters and fire equipment needed quick transport.

At the height of our incidents, the entire Mutual Aid system was stretched. Across Southern California, 15,000 firefighters worked for 10 days around the clock to battle 22 challenging wildfires that burned 518,000 acres, killed seven people and injured 116, and destroyed 2,008 homes. Despite this loss of life and property, over one million residents were successfully evacuated and thousands of threatened homes and businesses were saved. Collectively, from October 21-31, 2007, firefighters were able to suppress 251 vegetation fires on initial attack, stopping them from becoming larger wildfires.

Our philosophy is that a strong Mutual Aid system does not relieve a locality of its responsibility to assess jurisdictional threats and prepare for them. We, at the Los Angeles County Fire Department have invested in more resources of our own, whether through direct acquisition or creation of seasonal lease agreements, so that additional resources are readily available to attack wildfires quickly and keep them small. This operational strategy has been embraced by our County leaders, and has been instrumental in our ability to build our own resources over the

years. Our Contract Aircraft Program, including two Super Scooper airplanes and a Type I helitanker, is an excellent example of how we supplement our resources when needed during fire season without adding considerable, ongoing expense to our annual budget.

We recognized the need for this following the devastating 1993 firestorms in Malibu and Altadena, when hundreds of homes were taken. With contracted resources and help from state and federal agencies, we were able to save hundreds of homes over this past Thanksgiving weekend, when the Corral Fire ravaged Malibu just weeks after the Canyon Fire. The conditions that we faced back in 1993 and again just two weeks ago were so intense that even placing a fire engine in front of each home would not have saved all of them because this was a natural disaster, a firestorm!

Fire departments also need a systematic, dependable way to be reimbursed for providing assistance to others. Some agencies have refused to send help because they do not initially know whether or not they will not be reimbursed. This weakens our Mutual Aid system and defeats its purpose.

Recommendations

We submit four recommendations to help all of us continue to improve our collective ability to fight these massive wildfires:

- The State needs to increase its surge capacity through the acquisition of more fire engines;
- A Federal/State partnership needs to be established to identify funding for pre-deployment costs and Mutual Aid response;
- The Federal fleet of air assets needs to be upgraded, and
- Federal/State sponsorship to fast track applied technology to create a real-time, GPS-based mapping system for incident commanders to view the fire in progress to help pre-establish a base of operations.

Mr. KUCINICH. Thank you very much, Chief, and I know that everyone's time is very valuable, and we are going to keep moving through the hearing. Please let Mr. Yaroslavsky know that we appreciate him submitting that written testimony and that testimony is going to be in the record of this hearing as though he were here to present it.

Chief Prather.

STATEMENT OF CHIP PRATHER

Chief PRATHER. Mr. Chairman, members of the committee, thank you for this opportunity and for your leadership on this very important and very real issue.

I too have submitted a comprehensive statement addressing the scope of your questions that were provided in the invitation.

The key points in that document, which do acknowledge that the outcome of this conflagration is better than that which resulted from the 2003 firestorms, are centered on two things.

The assumption that the number of deaths and burned-out neighborhoods at this time, no matter how much better than the 2003 conflagration, is not acceptable for our community.

And second, that the path to achieving a better outcome, while hard to bring about, while hard to bring about, is pretty easy to identify and understand.

Specifically, achieving a better outcome requires risk based land management. In other words, we must deal with the fuel-loading in the areas adjacent to the wildland urban interface, and we must have zoning requirements that acknowledge a community fire risk, along with a set of building and fire codes that are truth-tested in a wildland-urban interface.

In California, a new set of building and fire codes will become effective over the next 6 months, which do just that for new construction.

However, as Congressman Bilbray pointed out, the larger risk is those preexisting nonconforming structures in the hundreds, if not thousands of neighborhoods, that were built before the modern codes were enacted, or the many communities that adopted local code amendments to address the historical fire risk in those neighborhoods came about.

The second part of the solution in my opinion, is to have an engaged community that is motivated to take the necessary steps to harden our homes and create defensible space, and for us in the fire service to have the tools available to enforce that compliance when those residents are not motivated to do so.

And last, as you have heard, and as you have also stated, there must be a robust initial attack firefighting force on the ground and in the air to keep the fire small.

And when those conflagrations that will continue to occur in Southern California do happen, there must be the surge capacity of local, State and Federal assets, to quickly provide additional air and ground assets to stand between the people who are at risk and the advancing fire.

The brush fire risk in Orange County, much like that of the jurisdictions which my colleagues protect, happened in minutes, not hours, not days. I don't know what is fact or what is fiction when

it comes to the resource issues of the air and ground asset problems with this most recent conflagration. But I do know this.

If we expect to change the future, we must have additional air and ground assets quicker, and there must be more of them, and as I say, they absolutely must address the prevention and compliance issues at the same time.

Bringing about those changes will require strong leadership at the highest levels, accountability to ensure steady progress, and the money necessary to support that effort.

Mr. Chairman, it is my hope that this committee will provide some of that leadership and I thank you for taking what I hope is a first step in bringing about a different future. Thank you.

[The prepared statement of Mr. Prather follows:]

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Santiago Fire 2007

Written Statement of Fire Chief Chip Prather,
Orange County Fire Authority

presented to the

DOMESTIC POLICY SUBCOMMITTEE

OF THE

OVERSIGHT AND GOVERNMENT REFORM COMMITTEE

December 10, 2007

9:00 A. M.

Good morning, Chairman Kucinich, Ranking Member Issa, and members of the committee. I am Fire Chief Chip Prather, of the Orange County Fire Authority and it is my pleasure to address you today on our response to the Wildfires of 2007. Specifically, I will address our response to the Santiago Fire beginning on October 21st with an act of arson and ending on November 8th when full containment was achieved. However, the impact of that incident is ongoing as we've begun to see the potential for further damage due to rain induced landslides. We've already begun extensive planning and preparation with our partners at the US Forest Service, CalFIRE, County of Orange, City of Irvine, City of Tustin, Red Cross, Inter-Canyon League and Fire Safe Council.

I understand that your primary interest and jurisdiction may be over those federal agencies that contributed to the response but I know that you will also need to understand what local resources and actions were taken both in conjunction with and independent of those agencies. While large incidents such as these wildfires require assistance from our out of state friends and federal agencies there is a lot of work being done by local agencies to prepare and respond with all available local resources. I will also discuss groups such as the Fire Safe Councils and the work they performed in planning and responding. Hopefully you are also receiving information from our state partners at CalFIRE, who I know work closely with federal agencies and the military to coordinate aerial assets.

The wildland urban interface (WUI) fires in Southern California during October 2007, on the heals of a similar disaster just four years ago, provide a good opportunity to set new risk reduction and emergency response goals so that a better outcome might be achieved. In addition to providing an overview of the WUI fire environment within the Orange County Fire Authority's (OCFA) service area and a short review of the October 21st Santiago Fire, the purpose of my testimony is to suggest ways in which those responsible at all levels (elected policymakers, appointed leadership, home/landowners, and public safety responders) can change the future as it relates to WUI fires. In other words, I would invite this committee to focus not on what went wrong or "who goofed" during the 2007 October firestorms but rather on what must be done to achieve a different and more acceptable outcome next time.

It is my professional opinion that the outcome of the 2007 Southern California WUI fires is much better than that which occurred during the 2003 Firestorms. Indeed the drought and wind influenced burning conditions were more extreme than those present during 2003 and there were more large fires but, by any measure; the losses are fewer this time.

I would respectfully ask this committee, and the many others that have been so quickly assembled to review this disaster, to consider this perspective as you go about your important work:

- Were there activities which could have been done better – of course, that will always be the case when man confronts Mother Nature during a disaster response. Our collective responsibility is to learn from this disaster and adjust or enhance our efforts to confront the next event.

- Did any firefighter, police officer, fire manager or emergency manager intentionally do anything other than their very best with this widespread and rapidly changing disaster – absolutely not. No doubt there are decisions or actions made during this disastrous conflagration which, with the benefit of "Monday morning clarity", will be changed for

the future or which will be handled differently next time. I can assure this committee, when it comes to striving for perfection and reviewing one's performance for areas of potential improvement, there are few professions more critical of themselves than the fire service.

- Will a different outcome be achieved when the next overwhelming series of major WUI fires come to Southern California by spending this important time searching for mistakes, or defending decisions, rather than collectively agreeing that this outcome, while better than the past, is not what our community expects or deserves and then providing the leadership, accountability, and resources necessary to create that future situation.

I have little or no experience with forest management, water or air quality, dealing with endangered species or habitat, or commanding a massive timber fire. I do, however, have considerable experience in the urban environment including WUI risk management, prevention, enforcement, public education, and emergency response. These are demonstrably different fire environments requiring demonstrably different preparation/prevention, response and recovery efforts. I would be happy to discuss that experience and my qualifications with the members of this committee at another time if desired.

The Orange County Fire Authority

The OCFA is the fire department for well over 1.3 million people living in 22 cities and the unincorporated areas of Orange County. The fire and life risk within the OCFA's 551 square mile service area ranges from that which would be expected in a highly urbanized and densely populated community to thousands of acres of less populated brush covered hills and deep canyons. Much of the brush covered areas have been impacted by the lack of rain as well as an atypical "freeze" within the last 12 months. The OCFA provides emergency service to its community from a network of 62 strategically located fire stations. In addition to "municipal" type fire engines and ladder trucks, the OCFA maintains an array of "risk specific" vehicles and apparatus including 21 engines designed to work in the WUI environment, 2 helicopters equipped with fixed water tanks, 2 bulldozers, 3 hand crews, along with several patrols and water tenders. The OCFA also provides a robust fleet of "relief" fire engines which are staffed when needed as additional assets during periods of anticipated high fire risk/activity. A series of established procedures are also in place to commit additional engine companies to the large scale emergency while maintaining service coverage for responses to new emergencies within the diverse service area (fire, medical, rescue, HazMat and the like).

The OCFA, and the 10 independent fire departments located within Orange County, along with law enforcement and all other local government agencies, share a common communication system, tactical plans and response procedures, and have a well-coordinated mutual and automatic aid response system. All fire departments, including OCFA, participate in the State master mutual aid process and are NIMS compliant.

The Santiago Fire

The outcome of the 28,000 acre Santiago Fire provides a good contrast between today's land use planning efforts and the challenges associated with the so-called "pre-existing non-conforming" areas scattered throughout Orange County. While the Santiago Fire burned for several days, the most significant brush fire threat to values at risk in Orange County (lives and property) is from the smaller open space WUI fire that "hits the houses" in minutes rather than hours. The wind-driven Santiago Fire traveled 3 miles, from the remote portions of the OCFA's service area into highly populated WUI areas, in approximately 20 minutes. The first communities directly threatened by this rapidly advancing and expanding fire were in neighborhoods recently

constructed under modern building and fire codes. Consequently, there were well maintained fuel modification zones, defensible space near the homes, and, among many other things, non-combustible roofing on the buildings. These required features, along with a massive deployment of firefighting resources, prevented an ember intrusion caused conflagration within the urban community. Over the next several hours, thousands of additional homes located in newer WUI communities were seriously threatened by the Santiago Fire on the different flanks. The homes within these communities, like those which were initially threatened, are constructed under locally adopted codes and/or ordinances aimed at addressing the historical fire risk within the WUI. The building and fire code features in these new communities performed as expected and provided the firefighters standing between the approaching fire and the homes a safe place to work and with a considerable success advantage. Exposure fires (structures) that did begin to burn within these areas were quickly contained by the hundreds of firefighters deployed throughout these neighborhoods avoiding a conflagration.

When the Santiago Fire spread from the urbanized areas of Orange County into the more remote canyon areas, homes built before the newer code requirements became threatened. A series of narrow roadways provide access into these deep brush covered canyon communities where the fire behavior is extreme and the firefighting environment is exceptionally dangerous. These are the areas in which the 15 homes were destroyed in Orange County. While the loss of 15 homes cannot be accepted as a success, it is important to know that there are 1500 to 2000 homes scattered throughout these canyon areas and which were threatened by the Santiago Fire. The work of the Inter-Canyon League and the Fire Safe Council, done long before this fire, in educating and assisting the canyon residents to better protect their homes enabled the many firefighters who courageously stood their ground to save much more than anyone ever expected. Pre-action tactical plans developed for these "very high hazard fire severity zones" anticipate wide spread destruction throughout the area.

Challenges encountered:

1. The demand for wildland firefighting assets needed to conduct perimeter control outpaced the available mutual aid supply. Specifically, the response time for the following assets, requested within 10 minutes of the initially report of the Santiago Fire, was longer than anticipated:
    a. Air tankers
    b. Helicopters
    c. Bulldozers
    d. Handcrews
    e. Type 3 fire engines (wildland specific fire engines)
2. The defensible space limitations in the canyon areas and pre-existing non-conforming construction types.
3. Extreme burning conditions (high wind, low humidity) and large areas of old age class brush with exceptionally high concentrations of dead fuels (drought/freeze caused) within the canyon areas.
4. Hundreds of homes threatened on various fronts required "bump and run" tactics along with frequent redeployment of large numbers of firefighting resources as new areas became threatened.
5. Rapidly advancing fire, with dangerous long-range spotting, required sustained defensive firefighting operations with few opportunities for offensive tactics (i.e. limited perimeter control).

Action being taken by OCFA following the Santiago Fire:

1. Comprehensive review of how the WUI building and fire code requirements preformed.

2. Comprehensive review of what options exist to improve fire safety within those communities/areas which were constructed prior to the WUI building and fire code requirements
3. Seeking ways to provide a greater measure of support to the Fire Safe Councils within Orange County
4. Reviewing alternatives which will provide a greater level of enforcement authority to assure WUI fire code compliance
5. Reviewing alternatives which will provide a greater level of emergency response "surge" capacity at the local level to decrease the reliance on mutual aid or support from state or federal responders such as:
    a. Increasing the number of helicopters operated, or controlled, by OCFA
    b. Increasing the number of bulldozers and hand crews
    c. Increase the number of firefighters staffing "brush" engines
    d. Increasing the number of "relief" fire engines

Information needed to assist OCFA, and other local jurisdictions, in determining the level of action which should be considered by the local policymakers:

1. Air tankers:
    a. Work has been underway for some while to increase the efficiency of fire retardant drops from military C-130 aircraft by fitting these planes with an improved dispersing mechanism.
        i. What is the status of this project, when will it be completed and how many military C-130's will be available for this purpose in Southern California?
    b. A few years ago, following a NTSB notice, the USFS grounded a very large portion of its contract initial attack heavy air tanker fleet because of safety concerns.
        i. Are there fewer initial attack heavy aircraft available today than before the NTSB notice was issued?
        ii. If so, what steps are underway to replace those initial attack heavy air tankers and when will that be completed?
        iii. Given the increasing frequency of destructive WUI fires in Southern California, is the USFS planning to increase the number of initial attack heavy air tankers available in this state?

2. Engine companies:
    a. There are many versions floating around of what the USFS expects of its firefighters when it comes to protecting structures within the WUI. What is the USFS policy regarding their engines protecting structures?
    b. How does the number of firefighters and fire engines on duty each day compare to that which was provided in Region 5 last year and the year before?
    c. Is it indeed the case that funding to pay for the temporary relocation (pre-positioning) of USFS suppression resources from one area to those areas experiencing, or expected to experience, high risk fire conditions has been eliminated or changed in someway?

What could be done to achieve a different outcome?

While there is no single solution to the challenges associated providing fire protection to WUI communities, the steps necessary bring about a more desirable outcome aren't overly complex or difficult to identify – turning those items into sustained action, however, is exceptionally difficult, expensive and controversial. Specifically;

1. Land Use Management consistent with the known risk within the environment. Many communities within the state and across the country are within high risk wild land fire zones where conditions are particularly conducive to large vegetation fires and large, fast spreading fires. Not only are fires in these areas more expensive to suppress they are the costliest in terms of loss of life, property, and our natural resources. It must be recognized that these "high risk" zones require higher standards in building codes; higher levels of available suppression resources, and increased fuels reduction in the adjoining forests.
    a. Planning/Zoning restrictions. Planning and prevention efforts necessary for creation of fire safe communities are lacking. More needs to be done to recognize the hazard and identify appropriate mitigation.
        i. Recognition: State and local planning agencies need to partner with fire safety experts when developing General Plans and assessing development proposals.
        ii. Guidelines: Federal guidelines should be developed to assist state and local agencies in development of land use policies that reflect wildfire hazards and mitigation strategies. These guidelines should include assessment criteria based on results of post-fire incident analysis and wildfire modeling and indicate situations where the risk is too high to be mitigated by reasonable measures (vegetation management and construction requirements).
        iii. National Development Policies: A national position on land use relative to development in wildfire prone areas should be developed and incentivized with restrictions on federal reimbursement.
    b. WUI specific building and fire codes. California only recently developed ignition resistant construction requirements, which will be in effect in designated high fire hazard zones statewide by July 2008. Challenges include:
        i. Fire Hazard Zones: Application of the requirements is controversial as statewide, let alone national, designations are difficult to secure. Identification of structures subject to direct flame impingement and/or radiant heat versus ember intrusion only is not an exact science. Funding for post-fire analysis and pre-fire modeling and development of criteria will go a long way in improving the science and assisting local agencies in determining where additional "hardening" of homes and other structures is necessary. National construction codes contain flood, seismic and wind maps, yet nothing on fire which claims more lives annually than all other national disasters combined.
        ii. Product Standards: Developed with Federal grant funding, the new regulations include CA product test standards which window, eave, wall and deck manufactures are struggling to meet. National standardization and testing, and availability of testing laboratories would be beneficial in increasing availability and reducing costs. Products should carry a national listing such as UL does for approved electrical appliances.
    c. Risk reduction measures: Construction requirements are of limited value without appropriate fuel reduction around and within communities. Efforts are needed to:
        i. Determine appropriate clearance distances relative to fuel, topography, weather and fire history. Standards should be performance based rather than prescriptive in order to maximize flexibility
        ii. Identify regional planting palettes (type, spacing, irrigation/maintenance requirements, etc.) that reflect fire safety and environmental concerns

iii. Pre-emptive status over environmental regulations should be granted to property owners following established vegetation maintenance standards

d. Pre-Existing Non-Conforming Homes: Comprehensive review of what can be done, including grants, research and/or incentives, for the pre-existing non-conforming homes within the WUI and high hazard areas. The risk is difficult to mitigate in these areas, and more needs to be done:

i. Vegetation management: Once guidelines for creation of defensible space are established they also need to be adapted to address existing homes with limited property to effect required clearance (additional thinning, removal, spacing, etc.).

1. Model agreements for national and state lands should be drafted and criteria developed for off-site vegetation management where risk remains high.
2. Community wide fuel breaks and vegetation management on interior open space lands should be considered, even when such management must occur on publicly held lands to be effective.

ii. Reconstruction: Incentives, including rebates and/or insurance rate reductions, should be given to those who choose to "harden" their homes, i.e., replace combustible roofs, box eaves, protect or relocate vent openings, replace single pane/non-tempered widows, replace combustible decks and patio covers, etc.

iii. New technologies: Research into new technologies (gels, foams, wraps) that can protect homes in high risk areas should be conducted and where found to be effective products should be tested, listed and marketed.

2. An engaged and informed community along with solid code/ordinance enforcement and compliance.

Within California, the Fire Safe Council Concept is well accepted. Using matching federal funds and mostly volunteers, communities get directly involved in reducing fuel loadings and increasing defensible space within and around their communities. It has been shown many times this effort has made a difference. This effort can easily be increased by eliminating the "matching" fund requirement side and ensuring the funding for such grants remains consistent and unrestricted when used to reduce risk. Again the volunteers who lead this effort simply do not have the means to match the grant even with a soft or in kind match.

3. An overwhelming response of trained firefighters, on the ground and in the air, that is well-coordinated and immediate.

a. The priority of every firefight is to 1) protect life; 2) protect structures/property; 3) protect the environment. When the prevention efforts fail, the best way to achieve these priorities is to confine fires to "initial attack" (keep them small).

i. Confining fires to initial attack requires a quick response of trained firefighters on the ground and in the air.

ii. Sufficient air and ground firefighting assets must be provided to aggressively attack fires while they are small.

b. While large WUI fires occur throughout the year in Southern California, history shows the multiple/simultaneous large loss WUI fires are common between September and December.

i. Steps should be taken to establish a "surge" capacity by pre-positioning additional assets into the expected theater operations during those periods

to reduce response time and to provide a greater number of ground and air assets as fast as possible to 1) control fires quickly, 2) protect values at risk, 3) control perimeter.

ii. FEMA currently does this with its locally staffed Urban Search and Rescue Task Forces, and other disaster assets, when a hurricane meeting certain predicted thresholds is forecasted to "make land" within the United States.

c. During these major deployments, the California Wildfire Coordination Group (CWCG) consisting of federal, state and local personnel define priorities and use the Incident Command System (ICS) developed through FIRESCOPE here in California. An area that repeatedly comes to light after an event such as this is the difficulty that occurs in rapidly providing the CWCG with the information needed to perform this task; incident status, values at risk, resources needed and resources available to meet those needs. Although California is a model for the country, there remains a need to increase the efficiency of this coordination process especially during those times when several major emergencies are simultaneously occurring.

   i. The best way to bring about these improvements is by expanding the use of pre-event interagency simulation exercises (training).

   ii. Supporting this effort with a single purpose (task specific) federal grant funds would make a significant difference in making this happen.

In summary there is more work needed for all levels of government, private sector and members of the public to ensure that we are better prepared and better equipped for the next large wildfires. I hope that your committee can help focus efforts on looking forward and holding all parties accountable for the steps that need to be taken. I believe several steps have already begun but there are other actions that need to be considered. For one the federal government and states should consider what they can do to create incentives for responsible land use planning. While many communities were built prior to the benefit of some of the standards and codes in place now there are steps that can be taken to improve defensible space, replace old roofs and improve other features. In some cases you should also consider disincentives for poor planning and whether federal reimbursements for emergency incidents should be tied to local actions to improve these items.

Funding is needed to support those things we know worked well. Community action via Fire Safe Councils and pre-planning for evacuations ensured that there was no massive loss of life. It has been our experience in Orange County that the citizens in those areas are known to be at risk want to take the steps to improve their chances. They are highly motivated, organized and independent people who will take steps provided they receive good information. The federal government can provide critical assistance to create performance based standards on mitigation and clearance activities both on federal and private lands and creating regionally based plant palettes. We are not environmental experts and local agencies need guidelines to inform property owners on what steps to take to create defensible spaces.

Finally, there is no doubt that as we continue to look into the response to these fires that we will identify tactical steps that can be taken to better position resources prior to these events. As with every incident we always find ways to make sure we have just one more engine, one more firefighter or one more bit of equipment for the next fire. We learn and we get better. The process is under way amongst policy makers and fire professionals to review what type of additional assets are needed and how much. However, I encourage you not to focus on the of

resource questions. At some point it doesn't matter how many personnel and equipment you have if the other steps have not been taken.

Again thank you Chairmen Kucinich, Ranking Member Issa and members of the committee for allowing me this time.

Mr. KUCINICH. Chief, thank you very much. I have had a chance to review your testimony and it is quite comprehensive, and I think that it will be very helpful to the work of this committee. Thank you.

The Chair recognizes Mr. Ruben Grijalva. Welcome, sir.

STATEMENT OF RUBEN GRIJALVA

Mr. GRIJALVA. Thank you. Good morning, Chairman Kucinich, Congressman Issa, Congressman Bilbray. Thank you for inviting me to speak with you today, and as the chief of Cal Fire, let me begin by saying that saving lives is our first priority in the fire service. All firefighters know that.

Emergency disaster response is a highly coordinated skill that takes years of experience, cooperation among many entities, and millions of dollars in place. It works better in California than anywhere else in the world.

During the October firestorm, the actions performed by emergency responders resulted in dramatic improvements over the 2003 fires. The State was prepared like never before. Cal Fire, the U.S. Forest Service, and local government, predeployed additional engines, aircraft, and personnel to Southern California in advance of the fires because we knew the potential risk from the weather conditions that were presented.

This level of predeployment did not occur at this same level in 2003. Fire/weather personnel predicted the Santa Ana winds to be a moderate event. However, the weather began the perfect storm of high temperatures, low humidity, high wind speeds, and at times reaching hurricane speeds in some areas.

During the October fires, we mobilized more and different equipment faster than we did in 2003. In fact, in a 2-day timeframe, we mobilized more than we did in a 6-day timeframe in the 2003 siege.

There were over 15,000 firefighters on the ground, and in the air, fighting fires in Southern California.

Through various mutual aid agreements, we received assistance from a number of States, probably over 30 States, ultimately. We also received assistance from every military branch, on the ground with bulldozer assets, in the air with helicopters, and also in gathering real-time intelligence information in the middle of a firestorm.

In total, there was approximately 1,145 different fire agencies fighting these wildfires.

Let me mention, that in addition to the 23 large fires that occurred in six counties in Southern California, an additional 251 fires were extinguished by the fire service personnel, without damage, between October 20th and the 25th.

No one can deny that the collective response and performance of the emergency personnel in October was anything less than extraordinary.

They managed the most orderly mass evacuation in the State's history. Authorities estimate more than a half a million people were evacuated from the path of the fires. Lives and homes were saved by emergency personnel who risked their own lives over and over again. Despite worse conditions faced this year, the 2003 fires

resulted in hundreds of more homes destroyed and more lives lost than in 2007.

Fires are won and fought on the ground. Aircraft is certainly an important tool, but planes and helicopters are not effective without firefighters, engines, water tenders, bulldozers, and assisted by an evacuation plan and properly managed shelter.

I can tell you, in particular, on the Witch fire, that our air tankers dropped on that fire, within 2 minutes of that fire's origination, again in 5 minutes, and then again 7 minutes later. That is three air tankers dropping 1,200 gallons of retardant each. Without support from resources on the ground, the fires blew right past it and was not contained by air attack.

There's been a lot of focus on the air coverage, the use of and limited use of, for these fires. But focusing solely on the asset minimizes the primary role of firefighters on the ground and their successful efforts.

I will submit the rest of my testimony for the record.

[The prepared statement of Mr. Grijalva follows:]

Testimony of

RUBEN GRIJALVA
CHIEF AND DIRECTOR
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Field hearing entitled
"WHAT THE OCTOBER WILDFIRES REVEAL ABOUT PREPAREDNESS IN SOUTHERN CALIFORNIA"

Before the
DOMESTIC POLICY SUBCOMMITTEE
OVERSIGHT AND GOVERNMENT REFORM COMMITTEE

MONDAY, DECEMBER 10, 2007
9:00 A.M.

Good morning Chairman Kucinich, Congressman Issa, and members of the committee. Thank you for inviting me to testify today. As Cal Fire Chief, let me begin by saying that saving lives is always the first priority of firefighters who respond to any wildfire. Emergency disaster response is a highly coordinated skill that takes years of experience, cooperation among many entities, and millions of dollars put into place. It works better in California than anywhere else in the world.

During the October firestorm, the actions performed by all emergency responders resulted in dramatic improvements over the 2003 fires. The State was prepared like never before. Cal Fire, the US Forest Service, and local government pre-deployed additional engines, aircraft and personnel to southern California in advance of the fires because we knew of the potential risk the weather conditions presented. This level of pre-deployment did not occur in 2003.

Fire weather personnel predicted the Santa Ana winds to be a moderate event. However the weather began a perfect storm of high temperatures, low humidity, and high wind speeds, at times reaching hurricane-level speeds in some areas.

During the October fires, we mobilized more and different equipment faster than we did in 2003. In fact in a 2-day timeframe, we mobilized more than we did in the 6-day 2003 fire siege. There were over 15,000 firefighters on the ground and in the air fighting the southern California wildfires. Through various mutual aid agreements we received assistance from our neighboring states like Arizona, Idaho, New Mexico, Oregon, Washington, and from across the border by the country of Mexico. We also received military support from Wyoming, Colorado, and North Carolina. In total, approximately 1,145 different fire departments were fighting these wildfires.

Let me also mention that in addition to the 23 large fires that occurred in California's six southern counties, another 251 vegetation fires were extinguished by fire service personnel out without damage between October 20-25.

No one can deny that the collective response and performance of the emergency personnel in October was anything but extraordinary. They managed the most orderly mass evacuation in the State's history. Authorities estimate nearly half a million residents were evacuated from the path of the fires. Lives and homes were saved by emergency personnel who risked their own lives over and over. Despite worse conditions faced this year, the 2003 fires resulted in hundreds of more homes destroyed and more lives lost.

Any firefighting professional will tell you that fires are fought and won on the ground. Aircraft is certainly an important tool, but planes and helicopters are not effective without firefighters, engines, watertenders, and bulldozers on the ground, and assisted by an effective evacuation plan and properly managed shelters. All these components must

together in tandem to achieve the best results. The safety of the public and first responders is always their top priority.

In October we had 23 fires burning at once, and any firefighter can tell you that the conditions at each fire varied widely. Weather, terrain and visibility can vary erratically in southern California. The sheer magnitude of the October fires was incredible, and the fires moved in ways experienced firefighters had never seen. In some locations, flames were advancing at an acre per second amid 80 mph wind gusts.

There has been a lot of focus on the air coverage – use of or limited use of – for these fires, but focusing solely on that aspect minimizes the primary role of most firefighters and their successful efforts. Every firefighter – on the ground or in the air – wants to succeed. With safety our priority, I strongly believe that only the professionals can decide when it is safe to fly to defend structures. Since the fires, many tanker pilots said they tried to fly when it was not safe to fly and the weather forced them to turn back. Many of these pilots are retired military and have been flying fire missions for decades. During these last fires, every aerial mission that could safely be flown was launched. Cal Fire aircraft alone flew over 800 hours and dropped over 1.5 million gallons of fire retardant.

Including military aircraft into a fire fight was one of the Blue Ribbon Commission's recommendations after the 2003 fires. Cal Fire has had an agreement with the California National Guard and the Navy Reserves for over three years. This agreement has worked well with both services to provide training and coordination of assets prior to fires and missions during fires.

Realizing that additional military aircraft assets could have been put into the firefight sooner, Cal Fire has already entered into an interim agreement with the Marine Corps in this area. Cal Fire aviation personnel have completed four hours of classroom instruction for over 70 Marine helicopter pilots and flight crew. On November 28, Cal Fire and the marines began working out a long term agreement similar to the MOU we have with the California National Guard and the Navy Reserves. It is our goal to have the MOU completed and signed by the end of the year.

Since the October fires, we have experienced two additional extreme Santa Ana weather conditions. Both times allowed us to test the new agreement with the marines and they provided a number of helicopters, 12 and 2 respectfully, during our pre-planning and pre-deployment of assets for these events. Luckily neither of these wind alerts caused a repeat of the devastating fires we had just a few weeks ago.

All firefighting activity puts the safety of the public and first responders first. Because it is a safety issue for the personnel in the air, as well as on the ground during firefighting operations, military helicopter managers (or "spotter" as they have been referred to) are

required to be onboard military helicopters when they perform water or retardant dropping missions. This is a Federal requirement from the National Interagency Mobilization Guide, Chapter 20 (Military Assets), Section 27.1 (E)(4)(a)(b). To make sure we comply with this Federal mandate during the next fire event, Cal Fire is in the process of increasing its number of military helicopter managers.

Due to the unique military presence in San Diego County, all fire departments with aviation programs in the greater county regional area have been contacted by the department to identify experienced firefighting aviation personnel who can be trained and certified as military helicopter managers. This will increase the number of military helicopter managers available in the local area. Both Cal Fire and the US Forest Service have the authority to train and certify military helicopter managers, so together we can maximize the number of qualified personnel trained and available for this specialized assignment in this region.

Pre-planning and pre-deployment of equipment and personnel allowed fire fighters to be more aggressive in the early days of the fire fight. Now that we are working toward a long term agreement with the marines, they will be contacted by Cal Fire and included in the pre-planning process like the California National Guard and the Navy Reserves have been. This new partnership will ensure that enough military helicopter managers are available for the increased number of military helicopter assets provided.

Under normal conditions, local firefighting officials have rapid access to mutual aid from other local government fire agencies as well as Cal Fire resources. The calls for assistance are acted on immediately as resources are available. Improved communications among the multiple jurisdictions make this process work quickly and efficiently. However during the October fires, some local areas with limited assets were stretched thin requiring state and federal assets to fill these gaps.

With assets available in the state stretched, California worked through other mutual aid channels between states and through the federal process. While resources were provide from several states, there were challenges to the system. Resources requested through the EMAC (Emergency Management Assistance Compact) system were received from other states much quicker than through the federal request process. The federal Resource Ordering and Status System (ROSS) was slower and broke down several times due to an overload of the system. These are issues which will need to be addressed at the local, State and federal levels.

To be most effective, improvements in emergency response capability must be accompanied by better utilization of local resources, improved local land use decisions, better local planning, improved building construction, increased defensible space, and more fuel treatments of forested lands and vegetation near communities. Planned areas

for sheltering-in-place or areas of refuge that could minimize large scale evacuations must be part of land developments in the Wildland Urban Interface (WUI). To achieve these goals, partnerships must be formed between the state and local governments and new standards must be adopted.

California has recently adopted two new prevention standards. The new Wildland Urban Interface Building Standards become mandatory next month (January 2008). For the past two years, these codes have been voluntary. The new codes will require buildings built in high fire severity zones to be constructed under newly adopted standards for ignition resistant materials on the exterior of the buildings.

The State has also adopted new 100 feet defensible space standards which went into effect in 2006. The standards require 30 feet of lean, green, and clean space around homes and an additional 70 feet of reduced fuel loads. Along with defensible space, these standards are expected to reduce the potential for ignition from radiant heat, direct flame contact, and flying embers during wildfires.

Governor Schwarzenegger understands the threat of wildfires and the need to maximize fire prevention and fighting capabilities. He has increased Cal Fire's general fund budget for firefighting from $309 million in 2003 to the current budget's $568 million, a boost of $259 million or about 84 percent over four years. Cal Fire now has 336 engines, and we have invested another $26 million in 108 new engines to replace old trucks since 2003.

The Governor has also supported the increase to four firefighters on Cal Fire engine crews in fire-threat areas, added Wildland Urban Interface inspectors to conduct defensible space inspections in high-hazard areas, and approved the contract for the use of the DC-10 supertanker. Through the Governor's budget support, Cal Fire has increased the level of fire prevention public awareness and education utilizing Cal Fire Volunteers in Prevention, Fire Safe Councils, and numerous non-profit community groups.

There is no doubt that California's emergency responders are the best first responders in the world. Our response to the October fires was faster and far more substantial than the response in 2003. After each fire incident we review every aspect of our fire fighting response to identify areas were improvements can be made. Then we make them. First responders want to succeed and we always want to fight fires better and faster the next time.

Chairman, and members of the committee, thank you again for inviting me here today. I look forward to answering any questions you or your colleagues may have.

Mr. KUCINICH. Thank you very much, Mr. Grijalva. We are now going to hear from Chairman Roberts.

Mr. Roberts.

STATEMENT OF RON ROBERTS

Mr. ROBERTS. Thank you, Mr. Chairman, and let me officially thank you for being here today. And I also want to thank both Congressman Issa and Congressman Bilbray. You should know that unlike many elected officials who have been here, these two Congressmen were here during the fire, they were working hard, not when the cameras were rolling, but off camera, to understand what was going on, and to help to contribute to solutions, and they, along with Congressman Hunter, I just want to acknowledge and to thank them.

We have just experienced some of the worst firestorms in California history, and I refer to this as a "perfect firestorm" in that the high winds, low humidity and dry brush, all contributed to the disastrous mixture. It has already been noted how many homes. We lost over, approximately 1,700 homes. The majority of these were in the unincorporated areas of the county. They weren't in cities. They were in the unincorporated areas, and tragically, there were 10 people who lost their lives.

Today, we are moving forward, the debris is being removed, and we are seeking to get back to a situation of normalcy, whatever that might be.

These fires, just like the fires that swept through here in 2003, will teach us a great deal. In fact, they already have. There are some things, however, that we already know. We know, for example, that the evacuation of more than a half a million people in San Diego County, while not perfect, worked very smoothly.

And we also know that the timely deployment and use of military aircraft did not, for a variety of reasons.

Since 2003, as you noted, we have invested nearly $130 million to enhance our ability to combat, prepare for, and respond to wildfires. In addition to a number of things that we have done to remove diseased or dying trees, over 400,000, the county did implement a Reverse 911 system, and just before the firefighters were put in place, a much more technologically advanced mass notification system.

That system is capable of notifying not just on landlines, but using cell phones and e-mail systems to notify people that they need to consider evacuation. More than consider. Sometimes it is mandatory.

The county of San Diego also holds a strong belief that land use and zoning ordinances are extremely important in minimizing the loss of life and property. Our codes and our ordinances are among the most advanced in this State.

But you need to also understand the local geography. It has a canyon system that runs right into the heart of this entire county, in fact, very close-in to downtown San Diego.

While evacuations are a preferred method of protecting lives, we have also developed a shelter-in-place program. In fact some of our newer communities have a shelter in place, and clearly designed evacuation routes. And by the way, the five new communities that

have shelter in place, there were no homes lost in those areas. So perhaps this is something that needs to be looked at, in detail.

We also require defensible spaces around both our large and our small subdivisions, and in some instances, these defensible spaces exceed 200 feet in width.

It is, however, difficult, if not impossible, to go back and retrofit our older communities. But in addition to the zoning ordinances, our building codes are among the strictest in this State, and I understand there will be new building codes soon required by the State, but we require, first of all, noncombustible or fire-resistant exterior materials, dual-glazed windows and fire sprinklers in all new construction.

These are just a few of the things that have been done.

OK. I will do that. Can I make——

Mr. KUCINICH. If you would go ahead and wrap it up.

Mr. ROBERTS. Yes. I will. I think there are some things you need to be aware of and I will just mention a few. There are things that maybe need to be considered by the Federal Government.

The Bureau of Land Management, for instance, only operates its fire departments here five, not 7 days a week, and a cost-cutting move has reduced the number of days that most stations are open. You can be of help to us, and I think both the Congressmen are working on systems that would allow us to fight fires the way that a modern war is being fought, and that is usually, and especially the systems that are available, that could help us with earlier detection of fires, and then the surveillance and the information that we need in the management of that firefighting process.

There were systems that were available to us late in this fire, that really were of no consequence in helping us where the fire was after most of the damage had been done.

We need to be able to bring those things on line earlier. These are Federal assets and I know that both of the Congressmen are very familiar with Global Hawk and other things. There is no reason why these are used in hurricanes but not in fires. So we would like to see that perhaps in reconsideration of the way some of the Federal equipment is being used, and also looking ahead to things that we will need to do with Federal assistance.

[The prepared statement of Mr. Roberts follows:]

House of Representatives
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
DOMESTIC POLICY SUBCOMMITTEE

Testimony by
Ron Roberts
Chairman, San Diego County Board of Supervisors

* *

Chairman Kucinich, members of the subcommittee, good morning, and thank you for being here and for inviting me to be here today.

It has been almost two months now since the San Diego region was hit by one of the worst firestorms in California history.

It was, as I have said before, "The Perfect Firestorm." High winds, low humidity, and dry brush – it was a disastrous mixture that took a tremendous toll on our region.

All told, 368,000 acres were charred, upwards of 1700 homes were destroyed, and most tragically, of course, 10 people lost their lives.

Today, we as a region are moving forward: home sites are being cleared of burned-out debris, building permits are being issued, and to the extent it can, a sense of normalcy is returning.

These fires, like the fires that swept through here in 2003, will teach us a great deal. In fact, they already have. The County of San Diego is currently preparing an "After Action Report" that will tell us what went right, and what didn't.

There are some things, however, that we already know. We know, for example, that the evacuation of more than a half-million San Diego County residents, while not perfect, worked very smoothly. We also know that the timely deployment and use of military aircraft did not – for a variety of reasons.

Since the 2003 fires, the County of San Diego has invested nearly $130 million to enhance our ability to prevent, prepare for and respond to wildfires: We've purchased two firefighting helicopters; we've spent more than $20 million to improve our emergency communications system; and nearly $40 million was spent to remove 417,000 dead, dying and diseased trees – the very fuel that fans wildfires. In fact, we're one of the only counties, if not the only county, to put its own money into this program. Because of those efforts, not one road in the county was blocked by a fallen tree, and the fire at Palomar Mountain was a manageable one.

In addition, the County implemented a Reverse 911 system, and just before the fires, we put in place a much more technologically advanced mass notification system, known as Alert San Diego, which is available free of charge to any city in our county. It allows people to register their cell phone and e-mail addresses in addition to landlines. Using a combination of both systems, the County of San Diego made upwards of 415,000 automated calls to issue evacuation, repopulation and boil water orders.

The County of San Diego also holds a strong belief that land use and zoning policies are extremely important to minimizing the loss of life and property. Our codes and ordinances are among the most advanced in the state.

While evacuation is our preferred method to protecting lives, we also have developed a Shelter-in-Place program. In fact, some of our newer communities will have both Shelter-in-Place programs and clearly-designed evacuation routes.

We have also adopted policies that require defensible spaces around both large and small subdivisions. In some instances in excess of 200 feet.

In addition, our building codes are already among the strictest in the state. In all new buildings, we require non-combustible roofing, fire-resistant exterior materials, fire sprinklers, boxed eaves and dual-glazed windows just to mention a few.

As for what can be done better, I strongly believe that the entire process of requesting and deploying military helicopters and tankers needs to be reviewed. While the fires here broke out on Sunday October 21st, it wasn't until the third day of the fire that our region saw any considerable aerial assistance from the military. By then, most of the damage was already done.

Unfortunately, the process of securing federal assistance takes days and involves several steps: once the local incident commander requests additional support, that request goes to the Joint South Operations Center in Riverside. From there it goes to the National Interagency Fire Center in Boise, Idaho. And from there, once it's determined that there are no other civilian resources available, the request goes to the Pentagon. Then, once approved by the Pentagon, aircraft can be deployed, but unfortunately, some of these aircraft are dispatched from other areas of the country like North Carolina, which adds to the time it takes to get these assets into action.

It would seem that these tankers and copters could be pre-positioned ahead of a formal request. Nonetheless, the process for requesting these resources needs to be streamlined.

While on the topic of fire helicopters, the issue of requiring managers, also known as spotters, to be on board military helicopters needs to be resolved yesterday. This is a safety issue, and I certainly understand that. But Calfire, in partnership with the federal government, needs to train and make available enough managers so that no military helicopter capable of fighting fires sits by unused – either at North Island or Miramar or any other base – due to a lack of spotters.

The Governor's Blue Ribbon Fire Commission, which was formed after the 2003 fires, recommended that the state and federal agencies work together to utilize military aerial assets. I am hopeful that this will be done – and soon.

As we look to the future, we must also consider utilizing new technologies that will enable us to fight fires the way we fight wars. This technology could help us greatly when the next fire breaks out, and Senator, perhaps you could assist us in this regard.

For example, San Diego-based SAIC has a monitoring system known as CAMS (Conflagration, Avoidance and Mitigation System). It entails a network of surveillance cameras, that could be installed in the back country, and could help us pinpoint fires within minutes of their starting.

In addition, Northrop Grumman has the Global Hawk – it's an un-manned aircraft that flies at an altitude that is twice that of commercial jet planes. It can see through smoke and survey existing fires, and can determine exactly where the fire is, where it's headed and when it will get there. This could be linked to a computer model of San Diego County and could greatly improve our fire management systems.

Some of this technology was utilized by the military, but not until several days into the fires because it had to be sent in from out of state. Having such a system that is locally-based, either here in San Diego or in Southern California, could be of great help to us.

In the wake of this disaster, I see an opportunity – a tremendous opportunity for our region to become a national leader and model in fire prevention and response. It is my desire, and that of my fellow San Diegans, to see to it that this happens.

We live in a fire-prone area, but with your help we can minimize the destruction of any future wildfires.

Again, thank you for inviting me to be here today.

# # #

Mr. KUCINICH. Thank you very much, Mr. Roberts. We are now going to move to questions of the witnesses. We are going to move to questions of the witnesses. I would ask the witnesses to engage in this exchange and let's try to get right to the point.

I want to start with Mr. Bowman. You spoke of a blue ribbon commission and past recommendations which have not been followed. Does any recommendation come to mind, that you think would be helpful if it was followed at this point?

Mr. BOWMAN. Do I need a microphone?

Mr. KUCINICH. I think it would be helpful if you had it.

Mr. BOWMAN. Yes, sir. I mentioned two of them. The purchase of the OES fire engines is probably the least expensive, most effective change that can happen, because those units, once they are purchased, are spread throughout the State in an area where you can have the surge capacity that was mentioned by some of the other speakers. They are not staffed until a wildfire or a disaster occurs.

So you don't have the day to day staffing. You have immediate resources available to augment local government's response to these kinds of incidents.

Mr. KUCINICH. Thank you, Mr. Bowman.

Chief Jarman, how often are you asked to assist cities surrounding San Diego, such as East County?

Chief JARMAN. Oh, we assist on a daily basis through the mutual aid system.

Mr. KUCINICH. And does providing that assistance strain your own resources?

Chief JARMAN. Well, the part that is mutual, we try to support each other. The surrounding cities oftentimes do help us, in return, if we are overtaxed. In a firestorm situation, typically, we go out and help the surrounding communities in order to prevent the fire from progressing, because eventually it ends up in the city of San Diego.

Mr. KUCINICH. So do you have any recommendations as far as easing the city of San Diego's burden as far as its resources?

Chief JARMAN. Well, I think our county is underresourced as a whole. I think the city of San Diego, for day to day operations, needs to build like 20 plus fire stations. But I believe the surrounding agencies also need to step up the amount of resources that are available in the county.

Looking at our regional county fire department, with an adequate, sustainable funding source would benefit the citizens of San Diego. It would improve our efficiency. It would drop the boundaries and allow us to respond better and support all the region.

Mr. KUCINICH. Now you had mentioned you have a quarter of the resources to fight a fire that was significantly larger than the Corral fire. Whose responsibility is it to bolster the resources you have available?

Chief JARMAN. I believe it is on the local, State and county governments to ensure that there is enough resources to protect the citizens during—it is challenging. We talked about surge capacity. When a firestorm like that, with 50 additional reserve apparatus, all the agencies within San Diego County could staff the reserve apparatus. We have off-duty crews that are available.

Mr. KUCINICH. So would having a county fire department improve fire preparedness and response?

Chief JARMAN. Yes. I believe that a regional, a county fire department, with a adequate sustainable funding source, would improve emergency response.

Mr. KUCINICH. Thank you, Chief.

Mr. Morris, Governor Schwarzenegger as well as Cal Fire contend, that even if they had sent a dozen more aircraft into Southern California during the first 24 hours of the wildfires, that would have been useless in light of the ferocity of the Santa Ana winds. Do you agree?

Mr. MORRIS. Not necessarily. There are only certain—excuse me. Let me—could I please swear in Mr. Cavage? He's a technical expert, our planning expert.

Mr. KUCINICH. OK. Do you want to first state your name, please.

Mr. CAVAGE. It is Robert Cavage.

Mr. KUCINICH. Can you spell that for the record.

Mr. CAVAGE. C-a-v like in Victor, -a-g-e.

Mr. KUCINICH. OK. Raise your right hand.

[Witness sworn.]

Mr. KUCINICH. OK. Let the record show that the witness has answered in the affirmative.

I would ask staff if you would provide the gentleman with a chair.

I am going to ask the question again for the record.

Governor Schwarzenegger as well as Cal Fire contend that even if they had a dozen more aircraft sent to Southern California during the first 24 hours of wildfires, they would have been useless in light of the ferocity of the Santa Ana winds.

What is your opinion on that, sir?

Mr. CAVAGE. The whole issue is what was the wind speed at the time. If it is over 35 miles per hour, all of your air assets, except a few fixed wing, SuperScoopers, and some helicopters, everybody else gets sent home.

So I don't care if you had 10 times as many airplanes that we have now. When the wind gets up to that speed, safety says you don't send them, you don't send them. Now that doesn't mean those aircraft cannot be used at other times. The fire isn't over 35 miles per hour all the time.

So there is a period of time when it is true, the air forces were not available and they may be useful. But there is a buildup period and it depends on when the ignition occurs.

Like in the Cedar fire, we had 12 hours notice before the winds hit the homes, and yet nothing happened because the airplanes couldn't fly at night.

So there are technological changes that need to be made to make those aircraft effective as possible. The military has been doing this for decades. There is no reason why that technology can't be transferred to the civil fleet.

Mr. KUCINICH. So just to clarify before I turn the questioning over to my colleague, Mr. Issa, at what point, at what wind speed are you saying the aircraft is less effective?

Mr. CAVAGE. The number that is typically used as a rule of thumb is 35 miles per hour. However, there are adjustments. Some aircraft, some helicopters——

Mr. KUCINICH. What about the Witch Creek fire? What was the wind speed there?

Mr. CAVAGE. I am sorry. I don't know that. The people on the ground——

Mr. KUCINICH. Does anyone here know the answer to that question, what the wind speed was at the Witch Creek fire? Anyone?

Mr. Grijalva, do you know what the——

Mr. CAVAGE. It was 68?

Mr. GRIJALVA. I think we're technically challenged on that.

Mr. KUCINICH. If you could just say, you know, I will repeat the answer.

Mr. GRIJALVA. It varied from time to time. I actually have two pilots here with me that flew the Witch Fire, who can give you accurate information of what they saw while they were in the air. But they actually went up, came down, went up,. They were also looking at the wind changes throughout the fire, and, you know, they are here in the audience, if you want to swear them in.

Mr. KUCINICH. Sure.

Mr. GRIJALVA. They actually flew the fire.

Mr. KUCINICH. Sure. I mean, without objection, if we could have another minute for my questioning on here.

Mr. BILBRAY. Mr. Chairman, I think the testimony was showing the maximums were up to 45 to 85, but, you know, that would be a fluctuation as the chief was saying.

Mr. KUCINICH. I just think it is important for us to establish this, you know, certain assertions are being made, and I just want to make sure the record is clear on this.

OK. If the gentleman would just——

Mr. GRIJALVA. Can I introduce them.

Mr. KUCINICH. And the gentlewoman—come forward.

Mr. GRIJALVA. This is Billy Hoskins who is a——

Mr. KUCINICH. Mr. Hoskins.

Mr. GRIJALVA. Bill Hoskins who is one of our air tanker pilots, and Lynn McGrew——

Mr. KUCINICH. So would you—I just want to get the names here. Mr.—is it Billy or William?

Mr. HOSKINS. Billy.

Mr. KUCINICH. Hoskins. H-o-s-k-i-n-s?

Mr. HOSKINS. That is correct.

Mr. KUCINICH. And?

Ms. MCGREW. Lynn McGrew. L-y-n-n M-c-G-r-e-w.

Mr. KUCINICH. And you are both pilots?

Ms. MCGREW. We are both based out of Ramona.

Mr. KUCINICH. Could you raise your right hand, both of you.

[Witnesses sworn.]

Mr. KUCINICH. Let the record show the witnesses answered in the affirmative.

I just would like you to speak to the question of what the winds were at that time, and to speak to the question of the effectiveness of firefighting. At what point is it diminished from the air? At what wind speed?

Mr. HOSKINS. Yes, sir. I can't be specific about the wind speeds because it varied so greatly. But at the beginning of the Witch fire, two or three three pilots that initially attacked it—that's us—did exactly what Mr. Grijalva said. We worked on the fire. I think we had eight drops on it before it completely, you know, escaped us. And as he said, without ground forces immediately there, that is what was going to happen to this fire. The 35-mile-an-hour figure is a rule of thumb and you should consider ceasing fighting fire aerially. At that point is not required that we do that.

Mr. KUCINICH. Is there technology that would give firefighters a greater lead?

Mr. HOSKINS. We fight fire now, at considerably higher speeds than that now. You have to choose your drops more—with that in consideration. You don't drop crosswise with the wind because it is going to blow it way downrange. If you can drop on the flanks of the fire, you can still do it at relatively high speed.

Mr. KUCINICH. I want to thank you. I want to go to Mr. Issa now. I took about 10 minutes there, so you can do the same.

Mr. ISSA. No problem, Mr. Chairman. Hopefully we will have a second round at this time.

Mr. KUCINICH. We will. I want to thank Mr. Hoskins. Thank you.

Mr. ISSA. Billy, before you go——

Mr. HOSKINS. Yes, sir?

Mr. ISSA. I will start with you since you don't have a chair. You are a contractor out of Ramona?

Mr. HOSKINS. That is correct. All of the current air tanker pilots are contracted to the State of California. We work for DynCorp at this present time.

Mr. ISSA. Right. And the aircraft that you brought to bear on a surge basis out of Ramona?

Mr. HOSKINS. The Turbine S–2. That is what was operating out of Ramona at the time.

Mr. ISSA. OK. I just wanted to make sure that the chairman had this, because that is a factor in California, is that some of our surge is absolutely contractors at their own expenses, that they don't hope for fires but they are there when we need them, over and above primary government resources.

Mr. KUCINICH. Thank you, Mr. Issa.

Mr. ISSA. Before you go, Billy, you don't fight fires at night under the current rules?

Mr. HOSKINS. No. In my opinion, that technology is a long, long way off. We are dealing with terrain that is so abrupt, that it is even very difficult for helicopters to fly it at night.

Mr. ISSA. I appreciate that. The reason I ask is, almost without fail, our winds drop off at night, don't they?

Mr. HOSKINS. That is correct.

Mr. ISSA. So in a sense, if the Federal Government, which does not know how to fight and fly at night, were to, as a result of this hearing, bring about that technology in time, you would be gaining the time in which winds are least of a problem and in fact, you know, by definition, the best time to fight a fire is when the winds are low, the winds are low at night. Is that fair? Forgetting about how long it might take us to develop that capability and field it.

Mr. HOSKINS. I will have to agree with that.

Mr. ISSA. OK; thank you. You know, it is one of the big questions for us to take back to Washington. So thank you for being part of that.

Mr. GRIJALVA. Can I clear up one thing for the record?

Mr. ISSA. Sure.

Mr. GRIJALVA. Billy is an exclusive contractor with Cal Fire. He is not one of the private "call when needed" contractors.

Mr. ISSA. I understand. But he does have another day—he does have another life between fires.

Mr. GRIJALVA. No; no. They fly Cal Fire.

Mr. ISSA. Oh. I apologize.

Mr. BILBRAY. Only if he plays golf.

Mr. GRIJALVA. They fly Cal Fire aircraft. They are on exclusive contract with Cal Fire.

Mr. ISSA. OK. Thank you. I still view them as part of the—you know, they are part of our surge capability, if you will, because that is all that they do is make themselves available for that.

Mr. ROBERTS. Congressman.

Mr. ISSA. Yes, Ron?

Mr. ROBERTS. And maybe you need to direct that question to Chief Jarman. But the city of San Diego's helicopters fly at night and does fight fires at night, but they are not permitted to fight the fires that are under State control during the night.

Mr. ISSA. Chief, that may be a good one for you to followup. When you have a city-only fire, do you fly at night?

Chief JARMAN. Yes, we do. Copter one was up flying the first 24 hours and flew through the night. That is typically what we do. It is the difference between a helicopter and a fixed-wing aircraft. So that helicopters can fly at night and we proved that during the Witch fire.

Mr. ISSA. Thank you. I will take that back with us too. Chief, while I am on you, though, you know, we talked about the codes in San Diego, and for that matter, California.

Isn't it fair to say that homes are dramatically safer for fire purposes today than they were at any time in the past? In other words, progressively, we have been getting rid of shake roofs, boxing in eaves, in a sense, eliminating what used to make homes fire traps, at least in new construction and major retrofits?

Chief JARMAN. I would say that is true in new construction. Our challenge are the older homes that are along the edge of the canyons, to focus on boxing in those eaves, changing the attic vents so the screens are tight enough. I think there is a lot of progress we could make there.

Mr. ISSA. So from a standpoint of residential fires not related to brushfires and wildfires, your job, in a sense, has become better in the last 100 years, that firefighting as we used to know it, when homes burned down, and Congressman Kucinich and I are both Clevelanders, so we go back to oil and all kinds of other heating systems that California hardly knew.

But the fact is homes burn on a per population basis, less today than ever have in the past, and that has been a downward trend, hasn't it?

Chief JARMAN. I would say for the most part, it has been a downward trend, but last year we actually saw about a 20 percent in-

crease in residential fires, a change that we are looking into and researching to find out what the cause is.

But typically, over the past 100 years, yes, it has reduced. We have made a lot of progress.

Mr. ISSA. And doesn't it give you a challenge in that your day to day base load for firefighting is actually lower than it was at any previous time? The amount of firefighters necessary to do the job is, on a per population basis, is inherently a dropping figure, while a wildfire isn't going to drop. That surge isn't going to drop a bit?

Chief JARMAN. Well, given the number of high-rises that the city of San Diego, the region has experienced, I think it is still a challenge for us, as firefighters, to have the personnel available, whether it is a high-rise or a firestorm. You still need the capacity in order to deal with the——

Mr. ISSA. Are high-rises a greater fire threat per capita?

Chief JARMAN. Than wildfires? No. I would say the wildfires are a greater threat per capita based on the fact that the high-rises are typically sprinklered.

Mr. ISSA. OK. You know, because from a Federal standpoint, we have no basis to participate, nor is it appropriate for us to comment on whether you need 20 stations to take care of the cat in the tree, the heart attack, or, in fact, regular fires that occur on a basis. We do have a role to play in these Federal disasters, and that's hopefully one of our challenges.

Chairman Roberts, you mentioned the canyon structure. Presently, the canyons in San Diego County are in fact a habitat-run area. In other words, we are not allowed to break the habitat capability for endangered species purposes.

So you have to have a non-broken, for purposes of migrations of various species, you have to have a non-broken canyon, as a result, substantially, a non-broken fire corridor; isn't that true?

Mr. ROBERTS. Well, I think that is largely the goal, is to provide for movement of wildlife between the various systems.

Mr. ISSA. And a good fire break is also a good break in habitat migration, isn't it?

Mr. ROBERTS. There are times when the two come in conflict with one other; but not in all cases.

Mr. ISSA. OK. Does the county of San Diego have requests that would help alleviate the fire risk while maintaining some semblance of habitat and endangered species conservation, that have not been answered by the Federal Government? In other words, are there things you would like to do that we haven't let you do?

Mr. ROBERTS. Well, I think there are instances where there are conflicts between environmental goals and safety goals, and I mentioned the possibility and difficulty of retrofitting, especially our older communities. In the newer communities, and communities that we are planning for tomorrow, we do extensive fire studies as part of the planning and then decide what that clear zone needs to be along with the other protections that need to be built into those communities.

But it is very difficult, and in some cases it is very counter to environmental issues in the older areas.

Mr. ISSA. OK. That is a good one to know.

Chief Jarman, going back to you for a moment, and because we don't have a BLM representative—to be honest, this isn't a fed panel—isn't it true that the lands you are speaking of—and I won't take East County per se—but outside of the incorporated area of San Diego, isn't it true that they are disproportionately the open areas, Federal and State parks, Indian reservations, BLM land, and the like, and aren't those the areas of greatest shortcoming in firefighting?

Chief JARMAN. I would say that is a true statement.

Mr. ISSA. So would it be fair for this committee to take back that meeting our requirement on Federal lands, including Indian reservations, such as the La Jolla reservation that was so devastated, and, in fact, that is a very poor tribe that does not have the possible resources, that us reevaluating what it takes to "step up to the plate" to meet those requirements, which are outside the county's direct responsibility, is a take-away?

Chief JARMAN. I believe it is. We should probably look at the fuel loads in those areas, prescribe fire management programs, something along those effects within our region.

Mr. ISSA. I appreciate that. In your experience, firefighting at night is something that you believe is essential in San Diego, and you would again take away that we should make this a priority for Federal firefighters?

Chief JARMAN. Yes, I do. The interesting thing about a firestorm is the challenge. It seems that between 2 a.m. and 6 a.m., the winds do pick up. It is different than what we typically see on a typical afternoon where the winds are from one to five and then they shift. So that is a difference that we experience during these firestorms.

Mr. ISSA. I know there is going to be more questions than there is time, but just one thing in your experience. The tendency toward low water consumption in and around homes. For the most part, isn't low water consumption and, in a sense, a dichotomy with trying to stop fires?

We can't grade hillsides there because they will erode. Even the various other types of plants that are fairly low, they have a tendency to be low in water consumption and easily burned, unless you want to have red apple on every single hillside in California.

Chief JARMAN. That is true. There was one structure that was surrounded by aloe plants, and actually, they believe that might have helped slow the fire down. So it is something that we have looked to the experts for recommendations along what should the citizens be planting.

Mr. ISSA. Thank you. Thank you, Mr. Chairman.

Mr. KUCINICH. Thank you.

Congressman Bilbray.

Mr. BILBRAY. Mr. Grijalva, the locals have said that they can fly helicopters at night but can't fly over the State-controlled lands. Is that true?

Mr. GRIJALVA. Well, right now the—I don't know if it's working or not—right now, the Fire Scope board of directors is looking at night flying as a policy and has recently released new standards for night flying.

We at Cal Fire are also looking at that, although we do not do it right now, at least for helicopters for the future.

So as long as they are keeping within the criteria established by Fire Scope, that they could fly at night. But they are not controlled—we are not up in the air at night, so our air traffic control managers are not up there at nighttime.

Mr. BILBRAY. Well, this is one of those things we need to work out. If the city of San Diego has the capability of putting a "bird" in the air that could respond, don't you think that we should be looking at making sure that we have the control system ready to where we could use a resource, if it is available right now?

I mean, in other words, it just seems logical that if a resource is out there, we don't want to end up with another situation where we ran it again, where the State didn't plan on this, or didn't have the capability to tap into certain resources that you would want.

My question again is, if the fire is held—next year—will we be able—will you be able to call the city of San Diego and say, look, do you have a unit that can fly? She says yes. Do you have the ability to use that unit?

Mr. GRIJALVA. Well, the way it works in Southern California is with the majority of the counties, they are contract counties with the State. So, for example, LA County is a contract county with the State. They have their air resources, they fly at night, and they could fly over SRA at night under their control system. So in San Diego, we don't have that down there. So there is parts of the State where that can be done.

Mr. BILBRAY. OK. Then we should be talking about what it would take to get the protocols and get the relationships to use that, and I think that is——

Mr. GRIJALVA. We are doing that through the regional organization called Fire Scope, looking at it on a statewide basis.

Mr. BILBRAY. OK. I understand the statewide basis. I hope that we are able to work with the local disaster council, to make sure that the system, you know, the degree of urgency that we have for the next, you know, seven, 8 months, that we have "got our act together," so we don't have to be, respond in that.

Mr. Bowman, when you talk about fire suppression being a local responsibility, and being a former mayor and county supervisor I understand the constitutional issues here.

Aren't you really, though, saying that it is the local property owner, traditionally, has been the one response?

A good example is if the police—if you have a vacant lot that is overgrown, the city of the county normally goes in, or the fire district normally goes in and tells that property owner you have a responsibility to maintain that property or you have a responsibility for fire suppression.

Is it more fair to say that it is the local property owner, the people owning the property in the location that bear the real responsibility for fire suppression?

Mr. BOWMAN. No. They clearly have a responsibility to maintain a fire-safe property.

Mr. BILBRAY. Right.

Mr. BOWMAN. The local government also has a responsibility to oversee that. My comment, however, was directed at local government funding for fire protection.

If you look at a couple of counties represented here today, Los Angeles is one and Orange County is another, I would find it prudent that you ask how much money those counties spend on fire protection. There is a city fire chief here and we have talked about city local funding for fire protection.

To me, this region, San Diego County, is well behind Orange and Los Angeles, and virtually every other county in the State of California. That was the purpose of my point.

Mr. BILBRAY. Chief, what percentage of your county is owned by Federal and State?

Chief FREEMAN. I'm not sure I could give you the percentage but it is a relatively small amount.

Mr. BILBRAY. Small amount.

Chief.

Chief PRATHER. Same. Relatively small.

Mr. BILBRAY. Well, for the record, 51 percent of San Diego County is owned by the Feds and the State, and I will tell you something. If I was a mayor, and somebody, a property owner owned half of my city, basically felt that they did not have an obligation to participate with the other half, I would say you are damn wrong.

And I think that when the State and the Feds want the right to own all this property in San Diego County, then just as we say to the private sector and to the private owner, and to the city and the county, you have a responsibility to bear your proportional responsibilities there, you darn well, we have a right to say to the Federal Government—and this is a big difference, Mr. Chairman, in your county as opposed to this.

I mean, you can imagine, you probably get 5, 10 percent of your county owned by the Feds and the State back East.

Mr. KUCINICH. Depends on how fast the subprime hits. [Laughter.]

Mr. BILBRAY. Right.

Mr. KUCINICH. Not funny.

Mr. BILBRAY. But I think the real issue here is proportional responsibility and that is where we do bear more responsibility in San Diego County because we have more rights in San Diego County than we do in either one of your counties.

Global Hawk is a good example of the real-time response. Somebody was talking about real-time response here. That the Federal Government has a capability there, that we can get a bird up, get the information to you, so you can see exactly what is going on, and this is a capability that we should be able to be talking about from the Federal Government's point of view.

It is that real-time response is going to be really critical. I want to say that again. I think there is proportional rights with this issue but there is proportionally responsibility, and the big difference between us and other counties in California, especially the urban counties, is we are one of the few, if not the only urban county that has the majority of our jurisdiction controlled by Federal and State agencies.

I yield back, Mr. Chairman.

Mr. KUCINICH. Thank you very much, Mr. Bilbray. We are going to one more round on this panel.

Picking up on the question that you asked, Mr. Bilbray, and the numbers that you cited about 51 percent of the land being owned by the State and the Federal Government in San Diego County, I would like to start with LA County Chief Freeman.

How much do you spend annually on fire protection?

Chief FREEMAN. About $800 million a year.

Mr. KUCINICH. And what about Orange County, Chief Prather? How much money do you spend annually on fire protection?

Chief PRATHER. Approximately $260 million.

Mr. KUCINICH. OK. San Diego County, Mr. Roberts.

Mr. ROBERTS. I don't know the answer to that.

Mr. KUCINICH. According to staff, the answer is $8 million. Now if that in fact is the case, I think the comparison here is instructive, even with the fact that you have 51 percent of the land owned by the State and Federal Government.

I want to, at this point, ask Mr. Freeman, in your testimony you write that a strong mutual aid system does not relieve the locality of its responsibility to assess jurisdictional threats and prepare for them.

Do you feel that Orange County and San Diego County are living up to their responsibility of preparing for jurisdictional threats, and if not, what do you recommend they do to prepare themselves?

Chief FREEMAN. I think that my comment applies, in general, as a concept. I am not an expert, by any means, on either of those counties.

Mr. KUCINICH. Well, your opinion. Would having a county fire department improve fire preparedness and response, and has there been a case for Los Angeles?

Chief FREEMAN. Well, sir, I am not sure that the structure, in my opinion, is what is key. I think what is key is what are the threats and what are the needed assets, resources, and capabilities to address those threats, and then whatever structure is determined by the local authorities, and if it is a partnership between local, State and Federal, then that structure should be decided by them.

Mr. KUCINICH. What about this structure, Chief Jarman, with respect to the county fire department and its role in this?

Mr. BILBRAY. I believe a county—a county fire department? It would minimize the potential for duplication of services. It could provide for more efficient and effective use of the fire resources and management. It would enable the equitable distribution of fire resources throughout the region. It would provide for dedicated full-time resources that would be available to address the needs throughout the county.

Mr. KUCINICH. Thank you, Chief.

Mr. Grijalva, Riverside contracts with Cal Fire for a fire department. How is that different with your arrangement, from your arrangement with San Diego County, and would contracting with the county help you increase your resources?

Mr. GRIJALVA. In Riverside County, the way it works is a lot of cities contract with the county for fire protection and then the county contracts with the State for fire protection. So throughout most of Riverside County, city, county and State fire department

is the same. That is one model that I think works extremely well in the State.

I think the LA County model also works extremely well, i which many cities contract with LA County and the State then contracts with the county to cover State responsibility area.

Those are two different models, they both work well, but they both work well because both counties invest a significant amount of money in fire protection.

I think those are, from my perspective, looking at a statewide perspective, two counties that are models.

I think Ventura County, Orange County, do an outstanding job in terms of prevention. So while they may not have the same investment and resources as some of the other counties, they have a significant amount of investment in fire protection and they do an outstanding job in prevention, which helps minimize the need for suppression resources.

Mr. KUCINICH. Thank you very much, Mr. Grijalva. Now a final question to Mr. Roberts.

Chief Jarman mentions that if you ask for fire response assistance in the future, that she wouldn't be able to help because the city of San Diego is the first priority.

Is that characterized correctly?

Ms. JARMAN. That is correct.

Mr. KUCINICH. What will the surrounding counties do to respond to their fires in that case, and what kind of assistance can the county provide them?

Mr. ROBERTS. Well, I don't want to misconstrue the chief's comments. We have a mutual aid agreement, and I don't think the chief is talking about disbanding that, you know, local sense. Maybe so.

Mr. KUCINICH. Chief——

Mr. ROBERTS. I think you need to understand, though, you know, the county model is different. We also don't have a Water Department and we don't have a Trash Department. We don't have a lot of things you might see with other counties. We have a different model. And when you talk about spending, you are just looking at a part of this. You are not looking at the total picture.

There is a lot more spent on local fire prevention and preparation, and response, than is coming from your staff. It is done under special service areas where the funding goes into a district. There is a different history here, and I am not saying that this is perfect—and we are moving with some consolidation—but if you walk away from this, thinking that somehow a county fire department is going to take care of the issue, then I think that your time will have not been well spent. Very well spent.

Mr. KUCINICH. Chief, do you want to respond, based on your understanding of fighting fires and the sufficiency of one county, based on its historical structure, versus where you are at now in terms of the real challenges that you face in meeting the firefighting needs?

Chief JARMAN. The mutual aid, day to day, would still be there. It is when the firestorms come through, that I would have to consider how much can I lend to other cities, given the limited resources we have.

Regionalization and consolidation, without adding additional units, will not make any difference in the same regional area. So it is one area where we are talking about the surge capacity, the additional units, either the 150 from the State or the 50 from the county. We have short-term goals, which is, what can we do to be ready for next summer? Is it possible to get 50 more engines within our county by next summer? And then you have the long-range, which is regional consolidation, where does it make sense to consolidate and leverage our global resources?

Mr. KUCINICH. And, again, you know, this hearing started with the assumption, and with the testimony, that those involved in fighting the 2007 wildfires did a very good job, and especially compared with past efforts. The question today is preparedness and looking at the resources that are available and the allocation of them. And we have been proceeding in a constructive way.

Mr. Bowman, do you have anything to say about that as the former chief, in terms of preparedness and participation?

Mr. BOWMAN. Well, I think Chief Jarman made the comment. I would just add to it that the city of San Diego, because it is well-staffed, is the first agency that is called to send units out of the city, and she was asked a question earlier, does that have an impact on the city? It absolutely does. If she can't restaff the vacant stations that exist because they were sent to the outlying county areas, the city of San Diego, then, is left "holding the bag," to find out how they are going to deploy units to fight that fire, once it comes into the city. So she has a definite problem, and there is an impact to the city residents when she sends her units to the outlying areas.

Mr. KUCINICH. Does the county have any difficulty, then? Does the county ever get stretched thin?

Mr. BOWMAN. The county of San Diego is stretched thin on every event. What hasn't been said here is that in the 1970's, this county opted out of providing fire protection, and thereby created these 60-some volunteer agencies that protect the back country, the East County that Tracy referred to.

Volunteer agencies do a great job, but they are volunteers and they are not adequately staffed to handle any kind of a major event. So the county cannot respond, in effect, the way an Orange or a Los Angeles County could respond, with a fully funded, adequately served, fire service agency.

Mr. KUCINICH. Thank you very much, Mr. Bowman. I want to, at this point in the hearing, say it is uncommon for the kind of cooperation that Mr. Issa and I have had throughout our time serving as Chair and ranking member, but it is also uncommon to have a chairman of one party, the majority party, pass the gavel to the ranking member of the minority part. But in recognition of our close working relationship, I am going to do that right now. I am going to have to leave. But I want to assure my good friend, Mr. Issa, by continuing cooperation—I have some other questions that I will submit for the record and engage our witnesses further.

But, again, Mr. Issa, thank you very much for this hearing, and at this point I am going to be leaving. But at this point you are now the Chair, so——

Mr. BILBRAY. Don't say I didn't warn you on what he was up to as soon as you leave the room, though.

Mr. KUCINICH. I have complete trust in this man.

Mr. ISSA. Thank you, Mr. Chairman, and I appreciate you holding this in the limited time you had available.

Mr. KUCINICH. I am sorry. Before I leave, I just want to make sure that I thank the Fallbrook Center here, and Fallbrook Public Utilities District, for making this wonderful facility available, and also for the members of the staff of the majority and the minority, for their efforts in traveling here, as well as participating in structuring this hearing. So thanks.

Mr. ISSA [presiding]. Thank you, Dennis, and it really is unusual. Congressman Kucinich and I had the privilege of working in opposite roles in the last Congress, and it was bipartisan. It has been bipartisan on every one of our hearings in Washington. It is kind of unusual but perhaps opposites attract, and it works out perfectly for both of us. Plus, again, I have to keep my brother happy.

Brian, you will now represent the loyal minority in the rest of the hearing.

I want to followup on what Chairman Kucinich was getting to, for a couple of reasons. I have had the privilege of representing Orange County, Riverside, and San Diego Counties, and Chief Prather, if I get it correctly, Orange County is different than San Diego County in that substantially, you are a county of cities. You are not a county, any longer, of unincorporated areas, to any great extent.

Is that fair to say, for the record?

Chief PRATHER. We are sort of like what Chief Grijalva described in Riverside. We have contracts with 22 of 34 cities, and the unincorporated area, and governed under the JPA laws of the State of California.

Mr. ISSA. Right. But your decision to have a county structure is a decision by your various cities. You know, I was there when the last couple cities came in, and, you know, basically, you are a county of cities. You are not a county of large Federal and State and unincorporated areas. That is not where most of the residents or most of the land is held.

Chief PRATHER. For the most part; yes.

Mr. ISSA. OK. You know, when I contrast that to—and I asked for a reason.

Chairman Roberts, if we were to take Encinitas, Carlsbad, Vista, Oceanside, San Marcos, Escondido, El Cajon, National City, you know, go through the incorporated areas, if we take those out, the one thing I find interesting is all those cities have no State or Federal land in them, to speak of. By definition, Camp Pendleton is not in Oceanside, and so on.

Mr. ROBERTS. Well, Miramar, and many other bases are in——

Chief PRATHER. We didn't mention San Diego.

Mr. ISSA. No. I am not counting San Diego.

Mr. ROBERTS. You are excluding the city of San Diego?

Mr. ISSA. Right. So excluding the city of San Diego, and excluding those other——

Mr. CAVAGE. Imperial Beach is the only one with major——

Mr. ISSA. OK. But take all of those cities out, just take those out because they are not part of the county structure, currently. If you were to take the remaining lands, including here, in Fallbrook, and put them under a county fire department, how much of that would be Federal and State lands?

In other words, when you take out all of our cities, instead of 51 percent, don't you end up with about 90 percent would be Federal and State lands, and a relatively small amount of the burnable area would actually be the homes and people of the unincorporated county, and East County is probably the exception. But certainly, in North County, you generally get into Federal and State land, pretty quickly, when you get out of the incorporated areas.

Mr. ROBERTS. Right. You actually do in the East County also. But I don't know what that percent—I have no idea. It would be a pretty high percentage. I suspect it would be somewhat less than 90 but it would be a significant percentage.

Mr. ISSA. OK. So rephrasing what I asked earlier, because I think it is worth making sure it is in the record: If we were to have the Federal Government and State agencies live up to their obligation at the level that Chief Jarman lives up to in the city of San Diego, wouldn't we be not having this discussion we are having here today, about the county versus the city?

Isn't the substantial portion that you have, better than half of the geographic area of the county, is owned by the Federal Government or the State government. They are generally, you know, undeveloped, highly combustible, and untaxed. They represent no revenue to the county, or to the city, and they, in fact, are, for the most part, relatively sparsely protected by firefighting organizations.

I look at the La Jolla Indians. They rely on BLM, primarily, with some contract capability. Rincon has a firefighting capability, that substantially is to take care of their incorporated area within the tribal areas. Pechanga, the same thing, and so on. Their fire departments are not nearly sufficient to take care of, in some cases, tens of thousands of acres.

Mr. ROBERTS. I lost the question. I am sorry.

Mr. ISSA. The question is hasn't the record been made a little bit unclear, in that if the county simply said, OK, we are going to have a county fire department, what would you really man, if the Federal and State are supposed to take care of theirs? What would you really be manning, today, in the way of—and Fallbrook is probably one of the exceptions.

Mr. GRIJALVA. Ramona and Chula.

Mr. ISSA. Well, Ramona. But that is the whole question, because I want to make sure that we don't misunderstand. You are not Orange County and when we take out Federal and State lands, and take out the incorporated cities, there isn't that much left, is there?

Mr. ROBERTS. Well, there are some significant populated areas, but I mean, your point is well made, and it really goes to the comment that I made, that if you left here thinking that a county fire department is automatically going to be a solution to this—the city and the county have a good working relationship.

In fact all of the cities in the county, in this region, participate in the Unified Disaster Council, that in many respects could be a

model for a lot of the other areas. We have some different circumstances in both geography, and organization, and Federal and State ownership, and because, as an example, perhaps a different way of doing things.

But, you know, with all due respect, the reason why the city of San Diego has a helicopter is because a supervisor went out, initially, and was able to get the money for that. Not that they funded it on their own. In fact, it is an ongoing supply of money to help them sustain that, both in corporate giving, which a certain supervisor helped to put together, and in a sustaining fund from what is called the Safe Port.

So there is a good working relationship. I don't want to do anything to harm that. In fact, we are looking at how we can most effectively bring resources, and, you know, among the things we need to do a better job at is our brush management, and other things that are virtually no cost, other than the fact that you need to have your fire departments and your fire marshalls going out and enforcing the rules.

And in neither the city of San Diego, or in the county, or in any of the other cities, these efforts are at maximum right now. So, you know, there are some things we need to do locally, that I can assure you that we are going to be recommending and moving forward on. The question of, you know, whether having one fire department is a solution, or not, is not as clear to me as it might be to some others.

Mr. ISSA. Well, and I want to do one closing question. The county maintains an Emergency Response Center. That is where we met during the fire.

Mr. ROBERTS. That is correct.

Mr. ISSA. That is not included in the $8 million that you put into fires, but it was an asset brought to bear, wasn't it?

Mr. ROBERTS. There are a number of things. I told you, and I suggested earlier—I shouldn't say I told you—and the chairman, in fact, acknowledged, that we have spent $130 million over the last 4 years. It wouldn't take much of a mathematician to figure that is in excess of $8 million a year.

Mr. ISSA. OK. I am going to give everyone just a quick last chance to followup with each of us, but I am going to put something out here on the table, not just for the record, but as a takeaway for those of us going back to Washington.

If I understand correctly, separate from Federal and State issues, if the Federal Government were to, one, evaluate the ability to create safe zones through forms of clearing or forms of modifications that would allow for better fire breaks, that would be something that would be helpful in the case of this and future fires.

The efforts that we have made to allow for constructive clearing of dead lumber, dead trees, and so on, particularly the pine infestation, is doing some good. We should continue to support that.

The assets, such as Predator and Global Hawk, that were brought to bear, with their ability to see through smoke, the ability to see in an environment in which the naked eye may not be good, and their ability to fly at night, is something that we should be exploring, whether more of that could be brought to bear as a resource on day one of a fire and other emergencies.

The ability of all assets to be able to fly at night and perhaps the Federal Government funding the ability for these resources to be better able to do it.

I will say as to the C–130J's, you know, they are a State asset, they will be in place in 2008. But they are a Federal asset, we provide them and pay for them, and should be embarrassed that it took so long to get the J model with an effective FAA-approved retrofit for their suppressive materials.

But that certainly is an example of an asset that we know flies in above 35-mile-an-hour winds. And I am going to close with just one question. We have technology in the military for precision bombing, that can deal with incredible amounts of wind and other activity.

Do you believe—this may be an aeronautical thing—that the Federal Government also should be looking about whether we have technologies that would automate the ability to drop in high-wind situations, in difficult situations, better?

In other words, can we bring more technology to bear in the fight against fire, when we have these high winds and a human being is just frustrated by trying to drop in 40-, 50-, 60-mile-an-hour winds.

I see a head shaking. Is that a yes, that we should take that away? [Laughter.]

We should invest a little more in microphones the next time we come down from Washington.

Mr. ROBERTS. In our written testimony we addressed that subject, and, in fact, there are some things being worked out with respect to suppression that it would be in direct response to what you asked. It is underfunded. These people are just hanging on by their fingernails. We have some illustrations in the testimony as the concept that we think has that potential.

Mr. BILBRAY. Mr. Chairman, can I followup.

Mr. ISSA. Actually, we are going to let you close on this one. Go ahead.

Mr. BILBRAY. OK. Following up on that, having spent some time with the firefighters out there, the fact is it is high altitude, usually vaporizes before it reaches the fire, and I know they are working on this balloon application for portable, so you don't have to use a tank. But it seems, as a layman, that the capability of using the balloon concepts, to be able to use high, so you don't have the vaporization, that basically you have some kind of container, small containers that can deliver the product onsite, from a higher altitude, where it wouldn't vaporize, is there anybody working on that kind of technology?

Mr. CAVAGE. You are right on target. Look in our submittal. There are pictures of that concept, that they are already beginning early stage development.

Mr. BILBRAY. OK. I guess 35 years in Government, you finally pick up something every once in a while. OK.

Mr. CAVAGE. Right now, you have a transport aircraft that has a rear-loading ramp. You have an opportunity that you ought to explore.

Mr. BILBRAY. OK. Anybody that has ever seen a water balloon launcher hit somebody, you know how effective can be. But I won't

identify my children as being one of those people that launch water balloons.

Mr. ISSA. You Tube has already identified them, Brian.

Mr. BILBRAY. I know. You know, Mr. Bowman, you were pointing out the fact in the 1970's, the county abandoned the efforts, and I think it is only fair that we all talk about some base issues here that the chairman has to put up with.

We talk about the capabilities, being able to be online, but we ignore too often—I would say this to the State legislators—the fact is the money has to come from somewhere. We have over 50 percent of the territory exempt from assessment, and then, in the 1970's, Mr. Bowman, San Diego County was locked into the lowest rate in the entire State, and was punished because it hadn't been locked in to where—you know, LA County, you can see how much a larger portion of the "pie," of the property tax they are able to get because the State was able to do that, and because they had aggressive legislators who were willing to protect their ability to raise revenue.

San Diego County has always been at that short end, at the lowest level in the county. In fact, the only one that even gets close I think is Orange County.

So where there is no money, there is not going to be the capability of spending the money. And so I think that one of the challenges we have to recognize is we are going to have to try to build on that.

But we can't just throw money at this problem in San Diego County cause the legislature, unless somebody enlightens them to the fact that equal protect under the law means San Diegans get equal protection with San Francisco, which gets twice the percentage, we ought to be talking about the fact that we need to be not just looking at being bigger. We need to talk about being smarter, and we are forced to have to be smarter because we don't have the resources down the line.

Mr. Chairman, I think that everybody here has to recognize that we have our job to do. Mutual Aid has been great for San Diego in extreme north and south, where you have the smaller cities that can respond. city of San Diego, say, Coronado, back in the late 1970's, when they didn't want to be part of mutual response, and sure as shootin', the Landing Fire was the biggest urban fire at that time, and kind of persuaded the naysayers that participation was good.

I just have to go down the line and say, though, that, you know, we all have our things. I think the chairman and I are going to work at making sure real-time capabilities are there, because it is fine to have the capabilities to drop it but if you don't know where the fire is, in real-time, then it can't be done. And that is our job and we will work on that.

The State of California, I think it is fair to say that we ought to damn well make sure, before we get to the next fire season, that we have worked out the way to be able to have our resources in the air in San Diego, like we are in other States, and I think our challenge there is to make sure that capability works on that aspect.

The counties, the county chairmen, and the coordination that needs to be done there, needs to continue to work with you in making those bridges.

But I think the biggest thing here is that rather than pointing out all the problems that we have had, which we have had some big problems, we should leave here, not pointing fingers, except understanding that we need to do our part to be able to go on. Like I said, money alone is not going to solve this, cause it is not going to be there.

We do need more resources, but we also need to be smarter, and I hope we all walk away from this aware of that. Thank you very much. I sure appreciate the chance, and it is kind a nice to be able to sit down and talk to local government people who actually do things, rather than the Feds that we always have to work with, who do a lot of talking and not much action. Thank you very much.

Mr. ISSA. Thank you, and that certainly makes a case against term limits, when you have 35 years of experience speaking. I would like to thank our extended first panel.

With your indulgence, Members that were not here today, upon reviewing the written record, may have questions.

Would you all agree to answer, in writing, if you are given questions by committee members who couldn't come out to California. Thank you.

Mr. ISSA. And with that, the first panel is dismissed. We will take about a 5-minute break before the second panel comes up.

[Recess.]

Mr. ISSA. I apologize. There wasn't time to change the name tag to Chairman Issa. But I think we will get through this OK without the promotion.

We now go to our second panel, and with your indulgence, if the people from the third panel arrive in time, we are going to consolidate, seeing as we are kind a consolidated here at the dias.

Ms. Nancy Ward is the Region IX Administrator of FEMA. I could do a longer bio, but that pretty well says it all. and Mr. Mark Rey is the Undersecretary for National Resources and the Environment for the U.S. Department of Agriculture.

Mr. Rey, we appreciate your being here. We had about 10 requests for different people from USDA, and they said you could answer all the questions. So they "threw you under the bus," and hopefully, you will appreciate that the questions may fall outside your ability to answer in real-time, and also, Ms. Ward, that may happen to you, but we are a committee of oversight that is perfectly happy to take things in writing, for the record, and then act on them, because the complete committee report will probably take as much as 30 days to complete and put into an action plan.

So, with that, I would ask both the witnesses to rise and raise their right hands.

[Witnesses sworn.]

Mr. ISSA. Let the record show that both witnesses answered in the affirmative.

Ms. Ward, you probably heard earlier, that your entire statement will be put in the record, so it is best if you assume that you have said all of that, and now, for the next five or so minutes, if you would use it as a basis to give us that which may not have been

within the federally authorized proofed, vetted, and allowed-to-be-said record, and you have my personal assurance, that if you go off your notes, there will be no repercussions.

Administrator WARD. Absolutely.

Mr. ISSA. Please go ahead. Thank you.

STATEMENTS OF NANCY WARD, REGION IX ADMINISTRATOR, FEMA; AND MARK REY, UNDERSECRETARY FOR NATIONAL RESOURCES AND THE ENVIRONMENT, U.S. DEPARTMENT OF AGRICULTURE

STATEMENT OF NANCY WARD

Ms. WARD. Thank you, and it is a pleasure to be able to participate today. As you know, I am the Regional Administrator for FEMA Region IX, and so the firestorms in October were under my responsibility as being in Southern California.

As you know, the 2005 hurricane season was a catalyst for change and improvement with FEMA, and in my vast experience in emergency management, I can tell you that the Federal coordination for the California wildfires response has been unprecedented in the level of collaboration and cooperation between all of the partners, not only Federal, State, tribal, local and voluntary organizations.

I personally, on the first day, went to the State operations center to initiate joint operations. On Tuesday, FEMA started holding video teleconferences with Federal agencies, State agencies, and the president declared a major disaster declaration and designated my call to the Federal coordinating officer, who is also here with me today, and within 24 hours an integrated joint field office was established with Federal response teams from multi-agencies, and many more other personnel on the way to assist.

To give you a brief scope of the Federal response, FEMA staged more than 79,000 liters of water, 24,000 cots, 42,000 meals-ready-to-eat, and, in addition, provided 42,000 blankets and other types of sheltering response items to support sheltering efforts.

FEMA's Joint Field Office issued 92 mission Assignments, totaling more than $40 million, for direct Federal assistance from our partner Federal agencies in support of the State and local governments.

And even as local and State firefighters were still responding to the immediate fires, and they were not as yet distinguished, key elements of Federal-State strategy for recovery types of activities were initiated, and a housing task force to support local governments in identifying short- and long-term housing options for displaced residents. A debris management task force, which we knew would be a huge issue, so that we could thoroughly and timely remove the disaster-related debris.

A multi-agency support group which was initiated to support local government in addressing, in an environmentally sensitive way, the future flooding and erosion and debris flow concerns for the upcoming rainy season, and we have already seen some of that actually play out.

And then finally, a tribal task force to help the affected tribes to get technical assistance and supplemental assistance.

So I can tell you that firsthand, the wildfire response, that FEMA has learned that we cannot wait for a State to become overwhelmed prior to offering assistance, and by pressing forward an engaged partnership with the State, FEMA ensures that the resource gaps are filled and that the residents can get the much-needed assistance more efficiently and effectively.

This certainly helps with our mission to reduce the loss of life and property, and I would like to thank you again for the opportunity to participate.

[The prepared statement of Ms. Ward follows:]

DOMESTIC POLICY SUBCOMMITTEE
OVERSIGHT AND GOVERNMENT REFORM COMMITTEE
MONDAY, DECEMBER 10, 2007
9:00 A. M.

STATEMENT OF

NANCY WARD
REGION IX ADMINISTRATOR

FEDERAL EMERGENCY MANAGEMENT AGENCY

DEPARTMENT OF HOMELAND SECURITY

Good morning Chairman Kucinich, Ranking Member Issa and other members of the Subcommittee. My name is Nancy Ward and I am the Regional Administrator for the Department of Homeland Security's Federal Emergency Management Agency's Region IX office. I have served as Regional Administrator for the FEMA Region IX office since October 2006. Prior to my selection as the Regional Administrator, I served as the Director of Response and Recovery for the Region IX Office for the previous seven years.

Before coming to FEMA, I spent more than 20 years in emergency management with the State of California, including six years as chief of the State's disaster assistance programs. In this

capacity, I oversaw the implementation of all disaster recovery activities statewide, including recovery activities following the devastating Northridge earthquake of 1994 and the statewide floods of 1995, '97 and '98.

FEMA Region IX includes the states of Arizona, California, Hawaii, Nevada, and American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and Guam.

FEMA's primary mission is to reduce the loss of life and property, and to protect the nation from all hazards, by developing a comprehensive, risk-based, emergency management system of preparedness, protection, response, recovery, and mitigation. The 2005 Hurricane Season served as a catalyst for change and reform within FEMA and for our parent agency, the Department of Homeland Security. FEMA is a far more agile, responsive, and pro-active partner with our States and local jurisdictions than we were just one year ago. We are proactively working to ensure Federal assistance is delivered as quickly and seamlessly as possible in coordination with state and local efforts. These changes were evident in the most recent response to the California Wildfires. Through cooperation and pre-event engagement with State and local governments, pre-positioning needed commodities, anticipating State's needs, deploying skilled emergency management personnel who can make swift decisions and provide situational awareness, and effectively implementing our disaster assistance programs, FEMA is taking lessons learned and turning them into best practices that will continue to be effectively used across the nation as we move forward.

Under pre-existing extensive interagency and intergovernmental agreements that provide standardized support to intergovernmental and interagency dispatch and coordination offices within the wildland fire organization—including the USDA Forest Service, the Department of the Interior, and Cal Fire—the federal government assists states with wildland firefighters, firefighting equipment, resources management, communications, and incident command management. This process provided the vast majority of Federal resources, including over 4,000 wildland firefighters and hundred of engines and aircraft, that were deployed in response to the State's request for assistance in preparing for and responding to the southern California wildfires. When these wildfires began, the federal government also moved quickly to support the Governor's additional requests for assistance. Prior to the President's major disaster declaration, FEMA issued eight Fire Management Assistance Grants (FMAG). FMAGs provide assistance to the State to mitigate, manage, and control fires that threaten such destruction as would constitute a major disaster. Some of the costs these grants cover include costs for equipment and supplies; emergency protective measures (evacuations and sheltering, police barricading and traffic control, arson investigation); pre-positioning of resources; and safety items for firefighter health and safety. In addition, within one hour of receiving Governor Schwarzenegger's request on October 23, the President issued an emergency declaration for life saving activities to support the State and local authorities in fighting the fires. On the following day, the President issued a major disaster declaration, providing a broader range of assistance under the Stafford Act.

Effective Disaster Operations Management

In my opinion, the Federal coordination of the California Wildfire response has been unprecedented in the level of collaboration and cooperation between all partners – Federal, State, local, and voluntary organizations. On Sunday, October 21st, I personally visited the State's Operations Center along with other FEMA staff to assist in initiating joint operations. At that time, FEMA simultaneously activated both the Regional Response Coordination Center in Oakland, California, and the National Response Coordination Center in Washington D.C. By Tuesday, October 23 rd, FEMA was hosting daily video teleconference calls with Federal and State interagency partners and the American Red Cross. As I just mentioned, by Wednesday, October 24th, the President had issued a major disaster declaration for seven Southern California counties, and designated Mike Hall as the Federal Coordinating Officer (FCO) to oversee the disaster operations on the ground. Less then 24 hours after the declaration, an integrated Joint Field Office (JFO) was established with a Federal response team on-site and many more personnel en route.

In the initial days of the disaster, FEMA's JFO had a staffing levels of over 900 personnel, representing 28 Federal agencies and departments, all unified under the Incident Command System (ICS) structure. At the height of the wildfires, thousands of fire personnel were in Southern California. Fortunately, there were no firefighter fatalities.

During the California Wildfires, FEMA deployed teams to identify immediate housing mission needs and options for housing assistance for wildfire evacuees in California. These teams are made up of subject matter experts including Individual Assistance specialists, engineers, direct housing specialists and direct replacement assistance coordinators. The rapid response housing

assistance team is a new approach to temporary housing that stems from lessons learned in the aftermath of Hurricanes Katrina and Rita. Working for the JFO and the State and local government, the teams analyze evacuee housing requirements and match these requirements to available resources, including for those evacuees with disabilities or other special needs. This proactive approach better matches Federal resources to specific evacuee requirements saving time, resources and taxpayer dollars. The teams also identify and provide technical assistance to transition evacuees from shelters to interim and permanent housing as quickly as possible.

Another important aspect of field office management is the successful collaboration between the State and Federal governments in the development of a Unified State/Federal Recovery Strategy, to guide the recovery activities to address the immediate and long-term needs of individuals, businesses and communities. FEMA and the State recognized early on that the success of the operation would require a strategy that outlined the emphasis areas that would characterize the joint response and recovery efforts. On October 31, 2007, FEMA and the State of California implemented this strategy as the overarching plan guiding our recovery approach. The State of California was extremely committed to ensuring that State personnel were co-located with FEMA in the JFO so that decision-making was collaborative and swift and the response and recovery efforts moved forward.

Pre-Positioned Disaster Resource and Commodities

Even before the Governor requested a major disaster declaration, FEMA began alerting our national response teams and pre-staging resources and commodities at March Air Force Base, the pre-designated Federal staging area in Southern California. FEMA coordinated the staging of

more than 79,000 liters of water, 24,000 cots, and 42,000 meals-ready-to-eat in response to the State's request. We also oversaw the deployment of 42,000 blankets and other essential items to support sheltering efforts. FEMA's Joint Field Office issued 92 Mission Assignments, totaling $40.8 million, for direct federal assistance from our partner Federal agencies. FEMA also deployed a National Emergency Response Team, a Federal Incident Response Team, and communications personnel and equipment from its Mobile Emergency Response Support (MERS) detachment, and a Defense Coordination Element. FEMA also worked with the Department of Health and Human Services to deploy two Disaster Medical Assistance Teams,and the U.S. Coast Guard (USCG) for a USCG Deployable Operations Group. Through coordination and oversight of the resources provided by the Federal government and voluntary agencies, FEMA was able to ensure distribution of the right assets and commodities, to the right place, at the right time.

Interoperable Communications: Linking First Responders

The events of September 11, 2001, have resulted in greater public and governmental focus on the role of first responders and their capacity to respond to emergencies, including those resulting from terrorist incidents. Effective and efficient emergency response requires coordination, communication, and sharing of information among numerous public safety agencies. Because of damage caused by the event, utilities are often down for days, making interoperability between law enforcement, firefighter, emergency medical service, and other emergency response impossible over traditional equipment and systems. This disruption to service means that personnel cannot communicate with each other during routine operations let alone major emergencies.

In response to the California Wildfires, FEMA deployed Mobile Emergency Response Support (MERS) vehicles to the Joint Field Office (JFO) in Pasadena to support operations and link the State together with FEMA Headquarters and the Region IX Response Coordination Centers. The primary function of MERS is to provide mobile telecommunications, logistics, operational support, and power generation required for the on-site management of disaster response activities.

For this disaster, on-board satellite, power generation and communications equipment provided self-sufficient operational capability. In addition, a Land Mobile Radio network was deployed to support first responders and assessment personnel. In areas that were outside radio coverage, satellite phones were issued to first-responders and emergency management personnel to ensure that communications and safety requirements were met.

FEMA also deployed a MERS Incident Response Vehicle, which carries technology that allows radios used by various responders to communicate together despite their use of different brands and different frequencies. This capability would not have been possible without MERS.

Cooperation between Federal, State and Local Governments

Our experience preparing for and responding to the recent wildfires demonstrates the strong working relationship that exists between FEMA and the State of California. Overall, the Federal response to the recent wildfires was organized and effective. In advance of the fire season, experts predicted that the dry weather conditions and heavy fuel loads would affect the severity of the fires. At the first reports of fire activity, FEMA reached out to the State and local

governments and other Federal departments and agencies to begin a dialogue that has been maintained.

Even as local, State and Federal firefighters continued their efforts to contain and extinguish the fires, the State and Federal governments worked together to formulate and implement a joint strategy to address the immediate and long-term needs of individuals, businesses and communities. This recovery strategy involves the same level of cooperation, determination, innovation, creativity and persistence which characterized the response effort. To ensure the recovery effort stays on target, both the State and local authorities and FEMA have committed to anticipating problems and sharing information before challenges become obstacles to recovery.

Key elements of this State/Federal strategy include: a Housing Task Force to support local governments by identifying short- and long-term housing options and actions that can be taken to help displaced residents find transitional housing; a Debris Management Task Force to help local governments expedite the safe, thorough and timely removal of disaster-related debris; a Multi-Agency Support Group to support local governments by addressing, in an environmentally sensitive manner, flooding, erosion and debris flow concerns; and a Tribal Task Force to help affected tribes locate supplemental resources, including personal and public financial assistance.

These task forces have been formed to help life return to normal for the people of Southern California as quickly as possible. The State of California and FEMA are also committed to working with local government and private sector representatives by providing open and transparent communication and examining all authorities, capabilities, and capacities that can be brought to bear to resolve issues. One of the greatest challenges presented by the scope and scale

of catastrophic disasters is the ability to house displaced evacuees. As another area where greater collaboration between Federal and State partners can be seen, a Joint Housing Task Force (JHTF) was convened. The JHTF comprises officials from the California Office of Emergency Services, FEMA, the U.S. Army Corps of Engineers, the U.S. Department of Health and Human Services, the American Red Cross, the U.S. Small Business Administration, the U.S. Department of Veteran's Affairs, the U.S. Department of Housing and Urban Development, the U.S. the Department of Interior (DOI), and the U.S. Department of Agriculture (USDA). Collectively, these agencies have worked with State and local officials to develop and implement a comprehensive housing plan that includes identifying the most heavily impacted areas, implementing on-the-spot registration of shelter populations, analyzing shelter and mass care operations, transitioning applicants to temporary housing, providing individual case management for applicants with major damage to their primary residences, identifying available rental resources, assessing and assisting special needs populations, and working with local voluntary agencies to identify additional assistance resources. The Task Force's efforts are ongoing, but it recently implemented a comprehensive housing plan which utilizes all available expertise and resources from the Federal, State, and local levels to ensure that assistance efforts are maximized to meet the disaster housing needs of all eligible applicants.

EMAC – How Did It Work?

The National Incident Management System (NIMS) is the ground up network of local to State to Federal response to events. NIMS has been proven to work and is flexible enough to assure that all events from simple to complex are met with efficiency and success. State-to-State sharing agreements are the formal processes that make the informal relationships possible. They make

sense for several reasons. The relationships and trust that are built through doing business, training, and exercising together is the glue that makes it all work. Regional and State-to-State sharing agreements like the Emergency Management Assistance Compact (EMAC) allow States to share resources such as expensive high-tech equipment that may only be used seasonally with communities, saving tax-payer resources. In addition to intergovernmental and interagency dispatch and coordination offices within the wildland fire organization, the State of California used both State-to-State mutual aid and EMAC assistance during the recent wildfires. Members of Arizona's Emergency Management Agency served in the State's Plans section during the initial response phase, providing expertise in Incident Action Planning. Staff of the City of New York's Office of Emergency Management staffed the Operations Section helping to maintain contact with the affected areas in Southern California, as well as coordinating efforts in the field with the State's Region Emergency Operations Center.

EMAC also provides for the Federal Government, including the military, to share resources with affected State and Tribal governments. In addition, the States of Oregon, Nevada, and Arizona provided State-to-State mutual aid through provision of National Guard assets, as well as firefighting resources from counties, cities and towns from these neighboring State partners.

Governor Schwarzenegger signed a bill in October 2007, renewing the State's participation in EMAC. This will ensure that resources will go where they are needed, and that the proper agency will be reimbursed when the bills comes due.

United States Fire Administration's Role and Responsibilities

As a support agency, the Department of Homeland Security, specifically, the Federal Emergency Management Agency's (FEMA) United States Fire Administration (USFA) provides subject matter experts and expertise regarding structural, urban, suburban firefighting and fire related activities. The National Interagency Fire Center (NIFC), located in Boise, Idaho, is the nation's support center for wildland firefighting and is jointly operated by USDA and DOI. In addition to its subject matter expertise, the USFA also provides representation at the NIFC, to assist with the Center's national coordination role. The USFA has no firefighting resources available itself and does not direct firefighting activities. The USFA works with its Federal partners to assist with providing resources only when structures are endangered by impending fire or at the request of the USDA Forest Service, which is designated as the lead agency for Emergency Service Support Function (ESF) 4 (Firefighting).

Within FEMA's National Response and Coordination Center (NRCC), the USFA provides support to the ESF-4 Primary Leader during structural firefighting operations and collaborates with local state fire officials and with the Emergency Management Assistance Compact (EMAC) to help facilitate movement of structural fire resources and mobilization activities. USFA coordinates through established mechanisms such as ESF-4 and the EMAC system for structural fire resources; makes initial contact with State fire chief associations or individually affected fire departments to ensure actions are organized and coordinated; determines impacts and assessment capability after the incident; determines support needs and provides counsel/recommendations on needs to support communities as well as how to acquire resources and support.

During an incident when structures are endangered, the USFA collaborates with numerous agencies that have firefighting resources. These include, but are not limited to: the USDA-

USFS, the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, and others to coordinate the need for structural firefighting capabilities and resources associated with them.

Currently the USFA, in coordination with the USFS is developing a comprehensive ESF-4 training program for the entire Federal ESF-4 cadre (USDA Forest Service, DOI , and the state wildland fire agencies). The program under development is being conducted jointly by both agencies in a coordinated manner to ensure the preparedness of the Federal ESF-4 team. This two-three day program, which is under initial development and planning stages, will reflect the changes associated with the post-Hurricane Katrina reforms and the all hazard experience from the most recent California Wildfires. A pilot session and walk through are planned for February 2008.

The USFA continues to assist the Nation's fire service however it can. When it comes to wildfires, such as were experienced in Southern California, the USFA's greatest asset is its ability to work with the Federal Firefighting Working Group to assist in the prompt delivery of firefighting resources to the incident.

Conclusion

Whether man-made or natural -- whenever an incident occurs, DHS and FEMA are committed to establishing a unified command with State and local emergency management offices, deploying

staff, and positioning ourselves as rapidly as possible in response to or in anticipation of disaster events and emergencies. We have seen first hand in the California Wildfire response that we cannot, and should not wait for the State to become overwhelmed prior to offering assistance. By pressing forward in an engaged partnership with our States and local officials, FEMA ensures that resource gaps are filled and the American people get much needed assistance faster. This effort helps us fulfill our mission to reduce the loss of life and property. Thank you for the opportunity to testify. I would be pleased to answer any questions you may have.

Mr. ISSA. Thank you.
Mr. Rey.

STATEMENT OF MARK REY

Mr. REY. Thank you, Mr. Chairman. The fire community, perhaps uniquely, among government entities, values after-action reviews, because new lessons can almost always be learned, and result in improved performance, and shortly, I will speak to a couple of areas of improved performance, particularly with respect to the use, in Southern California, of military reserve and active aircraft.

But results do speak for themselves. So I think it is instructive to compare the 2003 fire siege with the one we just experienced in 2007, because they provide benchmark years.

I will compare them for all seven Southern California counties in 12 key areas. First, with regard to preparedness, as my testimony indicates in detail, there was better prepositioning of a larger number of assets in 2007 than was the case in 2003.

The 2003 event was an event of 15 days of duration, whereas the 2007 event was an 18 day event with sustained higher winds, and drier fuels. In 2003, there were 213 ignitions. In 2007, 271 ignitions. Those resulted in large fires in 14 cases in 2003, and 20 cases in 2007.

That means that the initial attack success rate was identical in both years, at 93 percent, with more fires and more severe conditions in 2007.

In 2003, the event burned 750,000 acres. In 2007, 518,000 acres. In 2003, we lost 5,200 major structures. In 2007, only 3,050 major structures. There were 24 civilian fatalities and one firefighter fatality in 2003. There were 10 civilian fatalities and no firefighter fatalities in 2007.

In 2003, 237 firefighters were injured. In 2007, only 140. In 2003, we evacuated upward of 300,000 people in the seven counties. In 2007, we evacuated upwards of a million people in the seven counties involved.

Since 2003, the Federal land managing agencies have treated 275,000 acres for fuel reduction purposes, with an investment of $300 million. In my testimony or attached to my testimony, you will see results of fuel treatment work that did save communities and homes, particularly in the San Bernadino incident.

Unfortunately, as a consequence of a court decision handed down by the 9th Circuit Court of Appeals on December 5th, the rate of fuels treatment was slowed significantly.

The 9th Circuit reversed the Eastern District of California, eliminating the use of categorical exclusions for fuels treatment work, which will reduce the amount of fuels treatment work that we can do by about 14 percent over what has previously been accomplished.

In particular, some projects on the Cleveland National Forest that helped save Mount Palomar, would now be not lawful under the 9th Circuit decision.

Even though 13 is considered an unlikely number, let me add a 13th factor for comparing 2003 and 2007. Since 2003, 180,000 new homes have been built in the wildland-urban interface in these

seven Southern California counties. That is right at 60 percent of the new home construction, regionwide.

So in 2007, there was a lot more to protect, and there likely will continue to be.

Now in terms of areas of improvement, we do believe that effectiveness could be improved by consummating the local agreement between Cal Fire and the Marines for the use of Marine helicopters.

We also believe that a stand-ready mechanism for the C–130H MAFFS could expedite their call into duty, and as the testimony has already indicated on the first panel, we are completing the work of outfitting the C–130J series, so that they will be available for the next fire season.

In every after-action review, two separate questions must be asked. First, were there things that could have been done better? The answer in this case, and almost always, is yes. Second, were the things that weren't done as well as they might have been, things that materially affected the outcome of the incident?

In this case, in the case of the use of military aircraft, there is no evidence to indicate that would be the case.

With that, I would be happy to submit the balance of my testimony for the record, and respond to any questions.

[The prepared statement of Mr. Rey follows:]

STATEMENT OF
MARK REY
UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT
UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE
DOMESTIC POLICY SUBCOMMITTEE
OVERSIGHT AND GOVERNMENT REFORM COMMITTEE

"WHAT THE OCTOBER WILDFIRES REVEAL ABOUT PREPAREDNESS IN SOUTHERN CALIFORNIA"

MONDAY, DECEMBER 10, 2007

INTRODUCTION

Chairman Kucinich, Ranking Member, and Members of the Subcommittee, thank you for the opportunity to testify before you today. This is my first opportunity to testify on behalf of the Administration on our response to those events. We are proud of our response and grateful for the opportunity to address our efforts.

The 2007 California fires directly affected nearly one million people and caused impacts to hundreds of thousands more. In addition, 271 fire starts resulted in 20 large fires which burned over 500,000 acres, destroyed 3,000 structures, and killed ten people. Each of these benchmarks has been surpassed only once in the history of California, during the fires of 2003. The 2007 California fires were truly an historic event, but we believe that investments and actions made by the Forest Service, state and local governments, non-governments, and private landowners combined with improvements in coordination with others resulted in lower loss of life and overall damage to property.

Since these two catastrophic natural disasters occurred within four years of each other, they provide two logical reference points to review size and scope of the events, compare the Federal, State and local response, and determine the effectiveness of investments made since 2003. Our analysis shows that Federal investments and organizational improvements in the aftermath of the 2003 fires contributed to better safety, better coordination, and less severe outcomes in the 2007 fires.

BIG PICTURE: FIRE MANAGEMENT CHALLENGES FACED BY THE WILDLAND FIRE COMMUNITY

Wildland fire and wildland firefighting are influenced by a complex myriad of factors. These factors include weather, fuel type, terrain, proximity to the wildland urban interface (WUI) and other highly valued landscapes, population density, multiple jurisdictions on the landscape, current weather conditions, and managerial decisions made before and during fire incidents. The Forest Service and other first responders have spent significant time and resources over the past several years to coordinate response actions, improve inter-governmental communication, clarify roles and responsibilities, and other actions to ensure effective response in these complex environments.

The late October conditions in Southern California reflect three key components of fire activity that contribute to larger and, coupled with agency management responses, more expensive, fires—historic drought, build up of fuels on the ground, and the ever increasing reach of development into the wildland urban interface. More specifically, the National Weather Service documented rainfall during the 2006-2007 Southwest California rain season at only 21 percent of normal in downtown Los Angeles, officially the lowest since record keeping began in 1877. Exacerbating these conditions, hot, dry Santa Ana winds came across Southern California, downing power lines and setting off sparks that ignited the 2007 fires. During the first days of the fires, 70 mile per hour winds with gusts of over 100 miles per hour were reported, blowing embers over a mile, causing unsafe conditions for aviation resources, and limiting on-the-ground suppression tactics. Much of the forested land where weather conditions occurred was densely stocked with highly flammable chapparal understory. The growth and spread of chapparal in the area had been promoted by wet conditions two years ago; yet the subsequent drought ostensibly created a tinderbox of dried flammable wood. The large number of residences in the WUI of Southern California further complicated response to the fires. According to the 2005 Quadrennial Fire and Fuels Review by the Department of the Interior (DOI) and United States Department of Agriculture, sixty percent of new homes constructed in the United States in the 1990s were built in the WUI, a trend evident near the Southern California national forests. Conservative estimates by Forest Service researchers show that almost 200,000 new homes were built in the WUI between 2003 and 2007 within the seven Southern California counties.

HISTORY REPEATING?

The 2003 fires demonstrated that the major fire behavior influences of wood, WUI, and weather could converge with catastrophic results. Over 10 days, 14 large fires burned over 730,000 acres, destroyed 5,000 structures, forced several hundred thousand evacuations, and caused 22 fatalities. In the aftermath of the fires, federal, state and local governmental representatives and elected officials came together to review the events and identify ways to improve coordination and response in the future. The Governor's Blue Ribbon Fire Commission documented their findings and presented recommendations to make California less vulnerable to similar catastrophic fire activity in the future.

The Blue Ribbon Fire Commission report was released in April 2004, and included 33 findings and 58 recommendations relating to Federal, State and local entities. The 19 recommendations pertaining to the Forest Service span a broad range of issues including aviation use, interagency cooperation, fire suppression and preparedness funding, improved community preparedness, and enhanced communication. Progress has been made on all 19 recommendations, resulting in enhanced cooperation and vital firefighting resources, training and intelligence. The Blue Ribbon Commission Stakeholders Ad Hoc Committee met twice in the fall of 2007 to update the status of the original recommendations and establish priorities to complete any outstanding recommendations.

Consistent with the Blue Ribbon Fire Commission recommendations, the Forest Service has invested considerable resources to mitigate the risks of catastrophic wildfires through vegetation treatments, partnership with communities, and education of homeowners.

Forest Service actions in partnership and cooperation with other Federal, state, and local entities after 2003 contributed to improved performance in the following areas during the 2007 Siege, including:

- Better advanced deployment
- Fewer homes and other structures destroyed
- Fewer fatalities
- No firefighter fatalities
- Fuel treatment areas where, "wildfire laid down"
- More efficient evacuations
- Responsive burned area emergency stabilization
- Effective initial attack on 251 of 271 fire starts

IMPROVEMENTS IN READINESS

The Forest Service served two critical roles during the catastrophic fires in Southern California. The task of suppressing fires on and adjacent to National Forest System land was made safer and more successful by investments in hazardous fuels treatments since 2003. Coordination with other Federal, State, and local agencies to respond to fires on private, State and tribal lands was also improved due to implementation of recommendations from the Blue Ribbon Commission.

In the days before the 2007 fires, preparedness resources were prepositioned to respond to the threat identified by predictive services, and a severity request was granted to increase initial attack capability. Prepositioning efforts were coordinated with CAL FIRE to maximize capacity. Specifically, the Forest Service increased initial attack engine capability by 30 percent, implemented 24 hour staffing plans on several forests, assigned nine Incident Management Teams (4 Type 1 and 5 Type 2), doubled the number of available helitankers and helicopters, and increased the number of available airtankers from two to eight.

INVESTMENTS IN COMMUNITIES SINCE 2003: HAZARDOUS FUELS AND COMMUNITY PLANNING

Under the President's Healthy Forest Initiative and using the authorities provided through the Healthy Forest Restoration Act, the Forest Service and our partners have reduced the risk of catastrophic wildfires to communities and the environment. In 2006, the Administration treated many overstocked Federal forests. Hazardous fuels treatments resulted in qualitative improvements of at least 994,000 acres in fire regimes classes 1, 2, or 3 that moved to a better condition class.

To improve the focus of our fuels treatments, the Forest Service and its partners are using data products such as LANDFIRE to inform decision-making and identify areas across the nation at risk due to accumulation of wildland fuel; prioritize hazardous fuel reduction projects; and improve collaboration between agencies with regard to fire and

other natural resource management. Regional modeling of potential fire behavior and effects allow resource managers to strategically plan projects for hazardous fuel reduction and restoration of ecosystem integrity on fire-adapted landscapes.

Let's look in more detail at fuels treatments that affected the 2007 fires. Between 2003 and 2007, the Forest Service, Department of the Interior and Natural Resources Conservation Service jointly spent $300 million on roughly 275,000 acres of fuel reduction in Southern California, including about $17 million worth of treatments on 16,000 acres where fuels was a secondary benefit of some other management action. Moreover, 75,000 acres have been treated on high priority State and privately owned lands as a result of grants from the Forest Service, DOI and NRCS. These fuel treatments are designed to decrease fire severity, provide evacuation routes, improve effectiveness and expand tactical firefighting options, and ultimately make communities safer.

The 2007 fires demonstrated the success of recent federal investments in hazardous fuels treatments. Over 40,000 acres of fuel treatment were accomplished on the San Bernardino NF between October 2003 and October 2007. These treatments significantly reduced potential consequences from the fires of October 2007 by:

- providing safe ingress for firefighters and enabling safe evacuation of the public
- slowing fire spread allowing firefighters to contain fire edges more readily
- significantly reducing potential damage to utilities and other infrastructure
- reducing potential ember shower intensity and spotting distance which decreased the number of houses impacted by firebrands
- reducing fire intensity allowing firefighters to more closely engage the fire and protect structures

Specifically, the Forest Service Tunnel 2 fuel treatment covered almost 250 acres along a ridge southwest of the Grass Valley Fire origin. The fire moved into this treatment area at high intensity but fell to mostly a surface fire within the treated area. Although most of the Tunnel 2 treatment area burned, the reduced intensity within it enabled firefighters to contain the fire along roads at its southern perimeter, saving 8,000-10,000 homes in the nearby Crestline area. Materials describing success stories like this one are included with this testimony for the record (Enclosures 1-3).

Through our State and Volunteer Fire Assistance programs, the Forest Service has provided significant support to California communities to build wildland firefighting capacity. From 2003 to 2007, community grants have totaled over $8.5 million for equipment, $3.2 million for Preparedness activities, $1.8 million for training, and $1.7 million for suppression operations and support.

State Fire Assistance funds also go to communities for hazardous fuels planning as well as direct, on-the-ground fuels reduction projects. California has identified 1,264 communities-at-risk from wildfire, and 99 percent of these have completed Community Wildfire Protection Plans (CWPPs), or the equivalent. The CWPPs are administered by over 150 Fire Safe Councils in California. Since 2003, the Forest Service has supported

these Fire Safe Councils in creating and implementing Community Wildfire Protection Plans with $31 million in grants.

The Fire Safe Council formed near the Cleveland National Forest after the 2003 fires illustrates a variety of ways communities can access funds. Assisted by State Fire Assistance grants, the Council developed the Palomar Mountain Community Wildfire Protection Plan, identified needed hazardous fuels treatments, and purchased fire gel for application by homeowners in the event of approaching fire. Some homeowners in the area credit the Forest Service support through State Fire Assistance grants and suppression efforts with saving their homes during the 2007 fires.

Efforts to stabilize lands burned during the 2007 fires were organized immediately with the goal of protecting life, property and critical natural and cultural resources. In addition, the Natural Resources Conservation Service is providing $4.6 million to farmers and ranchers in Southern California through the Environmental Quality Incentives Program. Funds will be available at a 75 percent cost share to protect newly exposed soil from severe erosion and to install agriculture infrastructure necessary to maintain vegetative covers essential to protecting hillsides.

A LOOK AHEAD

The President's Healthy Forest Initiative provides key tools to make communities safer from the threat of wildfire, and will serve as a framework for future fuels reduction activity in Southern California. In September 2006, the USDA Office of Inspector General, Southeast Region, audited Forest Service implementation of the Healthy Forests Initiative. The OIG audit report recommended that the Forest Service implement a consistent analytical process for assessing the level of risk that communities face from wildfire, strengthen its prioritization of projects, and improve performance measures and reporting standards in order to better communicate the outcome of treatments. The Forest Service concurred with the five recommendations of the report and developed an action response and estimated completion date for each. To date the Forest Service has:

- Developed a Hazardous Fuels Prioritization and Allocation Process - a national methodology to assess the risk and consequence of wildfire that prioritizes the allocation of hazardous fuels funds to the Regional level. This system will be continually refined with updated data sources.
- Completed work with the Department of the Interior and other partners in the Wildland Fire Leadership Council to update the 10-Year Implementation Plan which sets national performance measures.
- Completed accomplishment reporting in the FY 2007 Performance Accountability Report incorporating new outcome measures from the 10-Year Implementation Plan and report accomplishments by Region.
- All accomplishment and budget documents for FY 2008 and beyond will reflect new performance measures that demonstrate agency performance by focusing on risk reduction and restoration outcomes.

CONCLUSION

The prepositioning efforts, investments in hazardous fuels treatments and community capacity, and coordination between FEMA, CAL FIRE, the California Army National Guard, United State Marine Corps and tribal entities paid off during the 2007 fires. The 2007 fires had more fire starts than the 2003 fires (271 compared to 213) and more large fires that escaped initial attack (20 compared to 14). However, the resulting damage was much less in 2007. Even though the large fires burned one day longer in 2007, the fires resulted in only 65 percent as many acres burned, 60 percent as many structures destroyed, 60 percent as many firefighter injuries, and 40 percent as many civilian fatalities. Nearly 13,000 personnel responded to the 2007 fires, and there was not one firefighter fatality.

Many lessons were learned from the 2003 California fires. Between 2003 and 2007, coordination was improved between federal, state and local entities; millions of dollars were strategically invested in WUI hazardous fuels treatments; and countless hours were invested in development of Community Wildland Fire Plans. As a result, we were better prepared for the events of 2007 in Southern California to deploy resources strategically, successfully and most important, safely. In the midst of a monumental natural disaster, homes and lives were saved as a result of federal investments, improved coordination with local and State entities, and the efforts of the interagency firefighting community.

Mr. ISSA. Thank you.

Mr. REY. But I do have some helpers here who I can call on, if needed.

Mr. ISSA. OK, and unless they require an in-depth questioning, we will just assume that they will whisper in your ear and you will then know all you need to know to tell us.

That is because of the limited microphone. I want to make things work really well without passing it any more than necessary.

First, Ms. Ward, I have to start off with a little bit of a criticism, and I hope you will take it—and I believe my staff has let you know about this in advance.

I have a constituent, Ms. Amy Wheeler, who, on 10–22, had her and her mother's mobile home burn to the ground. And it was unsavable, as mobile homes often are, once they get going. She called FEMA on 10–24, as soon as the declaration was made. She received a denial letter on 11–2, and I have that denial letter, and what I find amazing, this is—and she has been told, and I have the whole situation, that I will give you for the record, or for your records.

Essentially, there is an automated denial that says, yes, you have asked, yes, you may have had your house completely burned to the ground, yes, FEMA people were on the ground and FEMA people were out looking, and yet it says, "Determination: ineligible, insufficient damage." Mobile home is completely gone.

This is a category, housing assistance, and the language, and I'm not holding you responsible; but you are the messenger here.

Ms. WARD. Absolutely.

Mr. ISSA. "Based on your FEMA inspection, we have determined that the disaster has not caused your home to be unsafe to live in."

Let's just say it continues on from there. This is one of hundreds, actually, probably thousands at this point. But hundreds of letters that were sent to people who lost everything. And I realize, and I have been told in the past—actually, I was told in anticipation, that nobody is proud of this letter.

Ms. WARD. That is correct.

Mr. ISSA. Do you need the Committee on Oversight and Reform to write a letter to replace this letter? Or can you take back with you the clear instructions, that a letter that, on its face, is only going to serve to cause further pain and suffering to the people who receive it, that FEMA will make a change without legislative action.

Can you give us a reasonable assurance of that today? Or at least that you will carry it back.

Ms. WARD. I think I can, sir. In the case of Mrs. Wheeler, I actually think that there might be two, actually, two problems. I think the hundreds of letters that you refer to, that they received denials, were due to the homeowners or residents having insurance, and at the time that they called and registered for assistance, they had not been told of what their insurance or disposition would be to their insurance claim.

I think, unfortunately, Mrs. Wheeler should have received that still "bad letter," but I think in Mrs. Wheeler's case, she received a letter that probably should have been replaced by the insurance letter denial.

And basically what it does is ask them to settle with their insurance and then come back to FEMA with what that disposition is, so that we could assist possibly with any unmet needs, and we know that, we are changing, are hopefully changing the letters. I don't think that the committee has to do it in legislation. But we are very aware that these letters of the insurance denials caused much consternation, and certainly much confusion in the way they are worded.

Mr. ISSA. Let me ask you a question because I realize that we can do what we usually do, except in this case the Committee on Oversight—I have to be a little careful when I say this—we could blame the lawyers, except our staff tend to be lawyers on this committee.

But wouldn't it seem reasonable to you, as regional director, somebody who has to deal with the people, that the full and complete truth, either for Mrs. Wheeler and her mother, or anybody else, is one, we recognize that your address is within the affected area, therefore you are eligible.

Two, we recognize that you have met the 60 day requirement to make a claim, something that is critical because you don't make the claim, you are done.

Ms. WARD. That is correct.

Mr. ISSA. Three, at this time, information is insufficient to verify whether you will receive funding. Here are the factors. Boom, boom, boom. Please be aware that your file shall remain open for further followup. Use this reference number.

Now that is the way my insurance company would probably have dealt with my house burning to the ground, and I don't know how much, you know, how much I lost in it.

Is that, in layman's terms, a tool that will be helpful to you, when you deal with people who have had these catastrophic losses?

Ms. WARD. Absolutely. I couldn't agree with you more, and there is probably hundreds of FEMA reiterations that went back to Washington, asking for that type of rewrite.

Mr. ISSA. OK. I have to tell you, Bobby Jindal is a dear friend of mine. He came into Congress 2 years after I did and we have been dear friends. He now of course is the Governor-elect in Louisiana.

He brought me stories like this——

Ms. WARD. Oh, yes.

Mr. ISSA [continuing]. And they didn't hit home until one of my constituents have one.

Ms. WARD. Absolutely.

Mr. ISSA. And I went: But the whole trailer park is gone. It is not even just this house.

Ms. WARD. That is exactly right. That is exactly right.

Mr. ISSA. So I appreciate that and I appreciate your good demeanor as we made that point abundantly clear.

Can I ask that you take special attention as to Mrs. Wheeler and make sure that she gets an appropriate personal letter——

Ms. WARD. I will. I was not made aware of Mrs. Wheeler but I will take your letter, and make sure that someone specifically calls her and goes over.

Mr. ISSA. OK. That would be helpful, because I think she deserves at least something that isn't automated.

Ms. WARD. Absolutely. I couldn't agree more.

Mr. ISSA. I am going to switch over to Mr. Rey for a second. I told you that you are all of USDA, and I know you were in the audience earlier, so you heard tremendous accolades for the work you have done to diminish, in some cases, and I am particularly happy that Palomar mountain, that hadn't had a fire in, I understand, 37 years, was savable, where, without some of that clearing, it probably wouldn't have been.

But isn't it true that what sounds fairly small, 14 percent, that you won't be able to do, isn't it really a 100 percent of some areas that is 14 percent of the clearing? It is not like you clear 14 percent less.

Mr. REY. That is correct. There will be some areas where projects are scheduled that will have to be delayed or abandoned, at least delayed a year at a minimum, as we move to retrofit the project and comply with this new decision.

Mr. ISSA. So for the next foreseeable year or two, until either the courts or processes change, we have areas that won't be cleared, and as a result ,harm to homes and lives is clearly in jeopardy as a result of this court ruling.

Mr. REY. We estimate that about 400,000 acres of treatments, nationwide, will be delayed by this ruling, putting people at risk and in harm's way.

Mr. ISSA. In a prudent perspective, California being the poster child for that, how much of that 400,000 is here?

Mr. REY. A fairly significant amount. I can get you the specific——

Mr. ISSA. Somewhere between a quarter and three-quarters, though. It is a big chunk.

Mr. REY. Yes. Probably about 30 to 40 percent.

Mr. ISSA. OK. That is one that goes beyond just my committee, but certainly we are going to be watching.

As to USDA, I have a particular "bone" to pick that I think you are already aware of. We don't want to blindside anyone. But why is it, corn is a crop, and avocado isn't?

Mr. REY. Well, they are both crops but——

Mr. ISSA. One of the you cover and the other gets no money.

Mr. REY. For disaster payments?

Mr. ISSA. Yes.

Mr. REY. Yes. You know, that is a different part of USDA than the one that I run, unfortunately.

Mr. ISSA. I warned you.

Mr. REY. But I can get you a response for the record.

Mr. ISSA. OK.

Let me ask you a question because I want to make you take the legalese hat off.

Corn takes, you know, less than a year to grow. It is seasonal. If you burn it all to the ground, the next year you actually probably get a better crop because you have the benefit, if you will, of all that burn. Avocados, almonds, pomegranates, any number of other orchard type crops, you burn them, you have 5 years before you get anything.

Doesn't it fly in the face of common sense, that, in fact, the disaster is far worse in the case of the loss of an orchard, because it is far longer than it is in the case of—whether it is radishes or corn.

Mr. REY. Annual crops.

Mr. ISSA. So is there any sensible reason you can justify this in your mind, that I should be aware of, or this committee should be aware of?

Mr. REY. I think part of the reason that the crop insurance program doesn't yet reach perennials like orchards is the premiums would have to be significantly higher.

You know, the Farm Bill is currently before Congress. There are some new proposals for disaster assistance. That might be something we can look at as the Senate-House conference on the Farm Bill continues. It starts its deliberations after the Senate has completed its work.

Mr. ISSA. OK. I am going to make the assumption, for the record, that it has more to do with the amount of Congressmen that get lobbied, in how many States, for how many votes.

Certainly, when I look at the sugar subsidy and the ethanol subsidy, I don't have any question, it has very little to do with the common sense, but, rather, with how many back yards it is in.

As far as you know, is there any leeway—and this is perhaps good for the USDA—leeway in the current law that would allow these strict Federal guidelines to be waived or limited? In other words, do you have any jurisdictional capability to do any more than you are presently doing for the constituents that are right here in Fallbrook, for example, with their avocado losses?

Mr. REY. We met with a number of the 2-weeks ago and the Farm Services Agency, which is the agency that runs the preponderance of the disaster assistance programs, is looking in now at what the length of our flexibility is to provide some assistance. So we are looking pretty hard at what we can do.

Both the Farm Services Agency and the Natural Resources Conservation Service have made some money available. So while we might not be able to give them crop insurance relief, we do have some other disaster relief that is being made available to them.

Mr. ISSA. OK. As you know, it is over $30 million, and I mentioned avocados. Unfortunately, ornamental trees and shrubs, basically everything we do here in Fallbrook seems to be not covered.

Mr. REY. Right. There is a lot of nursery stock that was damaged in the fire.

Mr. ISSA. Yes; an awful lot. This is not directly related to you but it is pretty significant to the people in this district, and because I note, or noted that the Governor's office had representation here, I wanted to make a point that the Army Corps of Engineers has been unable to clear the San Luis Rey River of trees and brushes, which first of all burn, and second of all, clog the ability for draining of the San Luis Rey.

So if you don't end up getting burned as a result of this river that runs through the area, then, instead, you will simply flood the surrounding communities, and that failure is because the Fish and Game, the State agency, has decided, after almost 20 years, that they are entitled to 65 acres of mitigation not previously asked for, when, in fact, this project was fully federally mitigated.

I thought I would mention that only because, one, we are still talking fire, and two, we are about to go into flood season, and I thought I would take advantage of your presence to make at least the representatives of the Governor well aware that the issues that we have related to agencies don't end with fires.

Mr. REY. And we did have experience, post 2003 fire, that we had some catastrophic floods as a consequence of the failure to get brush cleared. So that is a real problem.

Mr. ISSA. And I guess back to FEMA, I will ask the easy question. When you say meals-ready-to-eat, you are talking about military MRE types?

Ms. WARD. That is correct.

Mr. ISSA. OK. I am an old C ration guy, so I actually think those are an improvement.

Ms. WARD. Yes. Absolutely.

Mr. ISSA. And the good news is is if you have one left over, it is good for years.

Ms. WARD. That is right.

Mr. ISSA. But other than the successes—and I want to congratulate you, not just at the Qualcomm Stadium, but throughout the region. FEMA arrived quick. You brought people in from all over the country. The blue shirts were immediately noted, and I think that helps dispel the idea that every disaster is going to be another Katrina or Rita, that in fact FEMA can do and do well.

But nobody said a word, in the earlier panel, about any shortcomings that FEMA had in this process, and I think you should be commended for that. But what are your lessons learned? What resources should we, in the Federal Government, be adding to your capability that you have learned as a result of this disaster?

Ms. WARD. Well, quite honestly, Congressman, I think you are already doing that in terms of the post-Katrina reform act and the budget that FEMA has benefited from since Katrina.

As you know, prior to Katrina, FEMA was no bigger than a medium size high school, and we are now finally getting the resources that we need. One is we are establishing incident management teams, that actually, right now, they are an ancillary duty, so we will have permanent teams that can work with the State and prepare for them.

Second, we are doing 24-hour watch centers for situational awareness, which is benefiting us greatly.

In terms of the fire, I think one of the successes that we tried here, in California, for the first time, and we will continue to do, and we have learned greatly from, is the unified command with the State of California, very, very early on, and putting Federal and State division supervisors down with each local government.

We have not tried that before here, and it was a huge success. So we will start now training the rest of the State on this success story. So it is a lesson learned, that we can take statewide. Those would be a few of the things.

Mr. ISSA. Now the earlier panel did mention the assets that were brought to bear late in the fire, particularly overhead architecture that gave greater visibility to where the fire was, and one might say where the red team, blue teams were, or could be.

I mean, it is an area that clearly, you don't direct funding for, to bring to the battle. Is that an area, though, that you believe substantial resources should be brought, and if so, what resources?

Ms. WARD. I do think it's a technology that we can benefit from. Several days into the fire, we turned to DOD and asked for some of their imagery resources, and they agreed to fly some of those resources, as a training mission, one, for themselves, but to see what actually we could benefit from, certainly at the incident commander level.

And we do think, while we have not used it on fires much, in Southern California this was a true training mission, but I do think that they could benefit greatly from this technology, especially in an area like Southern California where your perimeters can be mapped and that can directly go back down to the IC to see how the fire is moving and the wind conditions.

So it is not something that FEMA does but we certainly can mission-assign that task to those areas who do provide that technology, and from what we saw in the training missions, it was very successful and something that I think we should continue.

Mr. REY. There is one complication, though——

Mr. ISSA. Yes, Mr. Rey.

Mr. REY [continuing]. And that is that much of that technology is still classified, so the military would have to use it directly, or declassify it so civilian operators could use it. It will have to be one of those two things.

Mr. ISSA. And I have the good fortune of being on the Intelligence Committee, so I am well aware that we are not going to tell you the license plates of every vehicle in the area, to use something out of the television genre. But that is a challenge and I appreciate you bringing it to us.

A couple more questions. Those resources, post the incident, in order to lock into time the actual damage done. It is obviously a resource you don't have.

Is that a resource that would help you in accurately assessing who gets the letters? But also accurately assessing fraud that may be perpetrated after a major disaster?

Ms. WARD. I think it would be beneficial in terms of getting into areas that we can't put our assessment teams down into quickly enough. But the specifics of damages not being able to be seen, like damages that we would say is major damage to a home, from smoke. If it wasn't burned to the ground, you're not going to be able to get that damage. So we would want to go back and——

Mr. ISSA. Even if it were declassified, that we can see the smoke damage inside a house.

Ms. WARD. That is exactly right. So I do think that it would help us in significant disasters to be able to do that aerial, and we do do that, actually, in some widespread flooding, some hurricane damages, to actually keep from having to put boots on the ground to do that individual assessment.

Mr. ISSA. A little closer to home, we had an interesting conundrum, if you will, in reimbursement, that we haven't resolved, but I want to make you aware of it.

The La Jolla Indian tribe, and the chairman is expected to be here shortly, was devastated in this fire. They were evacuated and many of them stayed in a hotel at the Pechanga Casino.

Ms. WARD. Correct.

Mr. ISSA. Now Pechanga tribe did not say anything other than, you know, we are essentially closing off our casino rooms to make room. They made their hotel available and granted lots of other assistance.

Now no good deed goes unpunished, unfortunately, in the Federal way of thinking. They offered a hotel. The hotel has a regular rate. The people stayed in them, and when I encouraged Pechanga to—even though they said, well, we would give it to them, I said, wait a second, they would much rather you give them the reimbursement as a separate gift, you provided something for which every other citizen was getting, you know, if eligible, was getting a reimbursement check.

They were told that wasn't the case, that the tribes, even though separately incorporated, were being treated as one. Right now, we are a little frustrated in that La Jolla, desperately poor, doesn't have the money to rebuild, they are living in trailers out there, and the money that normally would have been paid to the hotel operator, which to be honest, Pechanga has said if they receive the reimbursement, they will separately gift that to La Jolla. But the Federal Government would normally pay for that.

Can you think of a valid reason that we shouldn't pay for La Jolla Indian Reservation people who stayed in those hotels, won't get paid, while if a La Jolla Indian Reservation person went to any other hotel, they are getting reimbursed?

Ms. WARD. Congressman, it is my understanding that the Red Cross, after about 4 days, provided reimbursement to the Rincon Harrah's as well as the casino. So I will look into that, to make sure.

Mr. ISSA. OK.

Ms. WARD. But it was my understanding that there was about four or 5 days, when they evacuated to those places, that they weren't reimbursed. But it was about four or 5 days into the event, that we facilitated a meeting with the Red Cross and our tribal liaisons to have the casino reimbursed for the remainder of the stay.

So I will look into that and be sure to get back to you.

Mr. ISSA. OK. And I appreciate it. The La Jolla are among the most challenged.

Ms. WARD. That is correct.

Mr. ISSA. Quite frankly, they are what Indian tribes had in this area before casinos.

Ms. WARD. That is right.

Mr. ISSA. And so it is an area where we are going to need a lot of rebuilding.

I guess, do you have other things for me, or for this committee, that you think we should take away?

Mr. REY. One take-away that I would add is in responding to the first panel's discussion over night flying——

Mr. ISSA. Yes.

Mr. REY [continuing]. That is not merely a technology question. It is a safety question. The Forest Service discontinued night flying

in a fire environment in 1978, after a midair collision between two helicopters whose pilots did have night vision goggles, resulted in the death of eight firefighters.

So yes, there is technology available to facilitate night flying, but it is inherently less safe than flying during the day, because even night vision goggles in a firefighting environment have limitations, because the fire flares up, the fire is going to blind the pilot who is using night vision goggles.

So it is a tradeoff, and it is a tradeoff, that if we make it the other way, we will undoubtedly increase the number of air fatalities that we experience.

Mr. ISSA. OK. Last but not least, are we doing enough? Do we have the resources defined for coordinating the after-action Federal, State and local? Or do you feel that, in fact, as much as there have been good things said about who is working with whom, as Federal entities, do you believe that the coordination of all these things, such as what we discussed here today, is formalized in a way in which they will be done before next fire season?

Ms. WARD. Congressman, I can't speak to the firefighting resource activity and their after-action process, but I can tell you that in FEMA's case, we don't let anyone return home, quite frankly, without a multi-agency after-action sessions in each of their functional area of responsibilities. But I can't speak to the specific firefighting routines.

Mr. REY. With regard to the firefighting, the improvements that we have identified will be in place by the next fire season.

Mr. ISSA. Including those J model C–130's?

Mr. REY. Including the J models.

Mr. ISSA. OK. Last but not least, Ms. Ward, I will leave you with this. The trailers that need to be stored on an ongoing basis. Camp Pendleton has been suggested.

One of the interesting things I find as the Congressman representing Camp Pendleton is my 129,000 acres can do everything. Just ask the people around the area.

What I would like you to take back is nobody is pushing back on doing their fair share. But the history of trailers being stored and unused is not particularly good.

And what I might ask you to seek is a dual use capability, that if those trailers can be reasonably used in some approvable way by the base, so that they not lay empty and unopened until needed, that might be the ultimate win-win.

They are not asking to be paid for rental, but it occurs to me to have resources like that, it may be that in fact they should be made available for some Federal use.

I joked, quite honestly, I joked with the base commander, the regional commander, about, oh, couldn't we store them on Del Mar Beach? He immediately thought that was just peachy. But quite frankly, there are possibilities that they could serve a dual use for transit personnel, military personnel, and I can assure you, they won't last any less time than they do sitting unmanned.

And so if you could take that back, to see whether or not that could be accomplished.

Ms. WARD. I will definitely do that.

Mr. ISSA. OK. And with that, I would like to thank my second panel. You have been good. I have been a little briefer. That is the advantage of having just one microphone and two people.

OK. Then I will close this by thanking everyone who came here today. We are going to dispense with the third panel because we have hit the time, and the folks are not here. So without objection, that is it. Without objection, this concludes it. We are adjourned.

[Whereupon, the subcommittee was adjourned.]

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