

Wildfire

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In areas of California where wildfire potential exists, zones are typically designated that rank the fire threat level. Fire risk is generally greater for higher threat levels. Conditions of terrain steepness, fuel loading and dry winds create a potential to spread a wildfire. Once ignited, fighting wildfires is made more difficult by an inadequate water supply, narrow roads, evacuation congestion, and other factors.

The California Department of Forestry and Fire Protection (CAL FIRE) designates fire hazard zones throughout the state. Those zones affect real estate in two principal ways. First, in the State Responsibility Area (SRA), where the state has financial responsibility for wildland fire response, the primary emergency responder is typically CAL FIRE. Because state fire stations are somewhat farther apart than are municipal fire stations, a first response to a structure fire may take longer.

Second, CAL FIRE designates Very High Fire Hazard Severity (VHFHS) zones in local responsibility areas (that is, areas served by municipal fire departments). Cities and counties may be more or less restrictive than the state in designating VHFHS zone boundaries within their jurisdiction. So, city and county VHFHS zones often differ from the state-designated zones.

In both the SRA and VHFHS zones, certain fire hazard mitigation measures are imposed by the applicable fire jurisdiction (through fire and building

codes, for example) and those regulations may create additional costs for the property owner or limit how the land may be used. Such measures may include regular vegetation management, defensible space clearance, fire-safe landscaping, Class A roofing materials, chimney spark arresters, and certain building design and construction restrictions.

Largely for the above reasons, California law requires a seller to disclose to a prospective buyer the fact that any portion of a sale property is within an SRA or VHFHS zone. The statutory Natural Hazard Disclosure Statement includes a space for making this disclosure.

Of historical interest, in 2011 the State Board of Equalization imposed a new fire prevention fee on habitable structures located in the SRA. The yearly fee, initially set at \$150 per structure, was increased in 2015 to \$152.33 and paid for various activities to prevent and suppress fires in the SRA. In July 2017 Assembly Bill 398 suspended that fee until 2031. The fire prevention activities formerly paid for by the SRA fee will continue but, according to the legislation, will now be funded by a different source, rather than property owners in the SRA.

(Additional sources: CAL FIRE)

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