

## The "Thirty-Year Wildfire" as a Planning Tool

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**Abstract.** It is argued that there should be a legal obligation to analyze development projects in relation to the dangers of wildfire. Analogous to the 100-year flood test used to evaluate developments, it is proposed that the planning process include a 30-year wildfire test. Just as building is restricted in floodplains, similar restrictions should apply to "Wildfire Zones".

**Keywords:** CEQA; Flood cycles; planning processes; wildfires.

### Introduction

A variety of nature-based planning tools have been created to limit or prohibit development in areas subject to recurrent natural disasters. The "100-year flood" concept is one example. A hypothetical model based on known historical data, the 100-year flood concept becomes a standard against which any project in the flood boundary area must be judged.

By definition, a flood so large it occurs only once every 100 years is an event that is extremely rare in human terms, if not in geologic terms. A catastrophe this large will not be experienced in most lifetimes, yet the concept is applied as though such a flood might occur at any time. Thus, large but infrequent natural disasters control our planning processes as much as smaller, more frequent disasters. The use of this model as a planning tool reflects a social judgment that infrequent disasters of great magnitude should also be avoided whenever possible, even if such avoidance causes landowners or developers present economic distress or loss.

### The Thirty-Year Wildfire Test

While flooding in the chaparral areas of the state may in some cases be a problem, wildfires pose far greater dangers than flooding. Wildfires occur more frequently, cause immensely greater economic losses,

damage much more habitat, and threaten much more human and animal life than flooding does. Yet, there is no wildfire analog to the 100-year flood concept. It seems anomalous that in our semi-arid chaparral regions, we subject development to a flooding test, but have no similar test for the one disaster that is an inherent and regular feature of the chaparral ecosystem — the wildfire.

The absence of a wildfire test, analogous to the 100-year flood test, distorts the planning process. Because there is no legal compulsion to analyze a project in relation to a specific set of criteria involving dangers of wildfire, it is rarely done. If done at all, the subject of wildfire danger is typically passed off as a "concern", but otherwise relegated to insignificance. CEQA contains no requirement that wildfires even be mentioned, much less that development projects be tested against a set of objective criteria, similar to those found in the flood test.

I propose that this defect in the planning process be remedied by creation of a "30-year wildfire" test, to be similar in scope and operation to the "100-year flood" test. It would apply in all regions of the state which are designated as "very high fire hazard severity zones" ("fire zones") by the state Director of Forestry and Fire Protection, as mandated by Government Code section 51175. In addition, every region of the state which has either a history of destructive wildfires, or which has a certain amount of chaparral cover, must be included, whether designated as a "fire zone" or not. These determinations should be made by a panel of scientists and resource specialists, not by local county supervisors or other office holders. This latter requirement, based on demonstrable, objective facts, is essential to prevent attempts by local government to exclude favored projects from the review imposed by the wildfire test.

What would a "30-year wildfire" test look like? Again, we should look to the 100-year flood test as a guide. Just as we postulate the size, speed, course, direction, and outer contours of the hypothetical flood, we ought to be able to do the same for our hypothetical

wildfire. Voluminous data exists from which we could posit speed, direction, area burned, and, most important, how many people, homes and other structures are in the path of the hypothetical fire. Without doubt, major portions of southern California would be found to lie inside the 30-year wildfire zone.

Assuming a scientific consensus was reached about the design of the wildfire test, the critical public policy issue is this: does the test prohibit all new development inside the wildfire zone (as is the case in flooding), or merely restrict it? This is a political, not scientific, decision. I believe that positive social benefits would follow even if new development was only restricted in

the wildfire zone, rather than flatly prohibited. The designation of "wildfire zones" in the state will raise the consciousness of citizens and officials alike to this recurrent, expensive and damaging problem. The existence of a scientific standard against which any new project must be analyzed will rationalize the planning process, and prevent the wildfire problem from being ignored. The impact of such a test is uncertain, but it is needed. We live in a state regularly ravaged by enormously destructive wildfires, yet we have no way to assess whether a new development is in the cross-hairs of the next big fire. The "30-year wildfire" test may be the planning tool we need.