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Cal Fire drawing heated criticism over policies

Experts cite agency's rigid approach to job

By **Tony Manolatos Mark Sauer and Jeff McDonald**
UNION-TRIBUNE STAFF WRITERS

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The call from Cal Fire came at 10:19 p.m.: Could Copter 1 rescue a man who had fallen off an ATV on a steep slope near Barrett Lake?

Sixty minutes later, the San Diego Fire-Rescue Department helicopter was hovering above a dark ravine in East County, battling gusting winds as the crew hoisted the 300-pound victim to safety.

The city firefighters understood precisely what was expected of them that night in August. As the only helicopter crew in San Diego County equipped to fly after dark, they answer such calls about 50 times a year.

What they can't understand, however, is why Cal Fire asks them to fly at night to rescue people but says it's too risky for them from to fly at night to drop water on wildfires, a far-less-dangerous job.

Fire experts say Cal Fire's ban on night flying is just one example of the rigid structure that defines the state firefighting agency, which is responsible for controlling most major wildfires.

"There's some common sense that's missing," said Tony Morris, who founded the Wildfire Research Network to improve wild-land firefighting in California. "Cal Fire needs to take a hard look at what makes the most sense, because there's going to be more fires."

Interviews with more than a dozen fire officials and politicians reveal a growing concern that Cal Fire's approach to firefighting made it harder to protect homes and save lives during the October wildfires in Southern California, even though the agency had been told to correct similar problems that surfaced during the 2003 fires.

Many of them said Cal Fire has become a politicized bureaucracy, saddled with a tight budget, layers of questionable policies and less influence in most of the state's largest counties.

These increasingly vocal critics say wholesale changes are needed.

Some are calling for new leadership. Others want a fresh approach to firefighting that employs the best strategies from departments across California. All agree on one thing: To prepare Southern California for future firestorms, Cal Fire needs more resources, more accountability and fewer restrictions, particularly when it comes to night flying and deploying military aircraft.

Some suggest that San Diego County – which lost more homes than any other county in October – would be better served with a unified firefighting approach that relegates Cal Fire to a supporting role, instead of allowing it to



EARNIE GRAFTON / Union-Tribune
A Cal Fire firefighter battled flames off Highway 94 during the October blazes.

direct the fight. Six other California counties have taken that step.

The county Board of Supervisors already is considering buying 50 fire engines to offset the lack of state resources. And the city of San Diego is trying to find money to buy a second firefighting helicopter, partly because Copter 1 was the only helicopter flying over the city for the first two days of the fires, when 365 homes burned in Rancho Bernardo.

San Diego Fire Chief Tracy Jarman said her department needs "immediate access and control of air resources to respond immediately to work with crews on the ground."

Frustrated by the state's lack of support, she has already told her staff to begin negotiating with the Navy for the use of its helicopters during future wildfires. That way, the city could bypass Cal Fire rules that limited the use of military aircraft during the last two firestorms.

The Navy copters are equipped with the same night-vision technology used on Copter 1 and on helicopters used by the Los Angeles city and county fire departments.

Jarman says it's easier to fight fires from the sky after dark, because the winds are usually calmer and night-vision goggles in effect light up the ground below like a video game.

But Cal Fire, whose pilots don't have the new technology, says safety is the issue.

Former San Diego Fire Chief Jeff Bowman, who was in charge during the 2003 Cedar fire, thinks city and county leaders should simply "get rid of Cal Fire."

"I'm not knocking the firefighters of Cal Fire. I'm knocking the structure and how it's managed," Bowman said. "I truly believe their leadership – there isn't any. It's all politics."

But expecting lawmakers and the 65 fire departments within San Diego County's 18 cities and rural areas to support a unified plan is like expecting to win the lottery. The idea has been discussed for years, but turf battles inevitably rise, leaving San Diego County one of the largest and most populous in the nation without its own regional fire department.

Even the counties that rely on Cal Fire only for backup are demanding more from the state agency the next time around.

In October, it quickly became clear that Cal Fire's supervisors hadn't done enough ahead of time to ensure that all available resources could be used immediately, before the Southern California fires burned out of control, lawmakers and fire officials from neighboring counties say.

By the time Cal Fire took over in San Diego County on Oct. 21, the first day of the fires, the agency was stretched so thin fighting other fires in Southern California that it couldn't provide all the requested help.

The changes state Assemblyman Todd Spitzer is calling for begin with Cal Fire Director Ruben Grijalva.

"Ruben should go," said Spitzer, R-Orange, who thinks a lack of leadership is at the heart of Cal Fire's problems. "I don't think Ruben Grijalva is the right person to lead this effort in the future."

Grijalva served as Palo Alto's fire chief for 10 years before Gov. Arnold Schwarzenegger appointed him to Cal Fire in 2004 and made him chief in 2006.

Chip Prather, chief of the Orange County Fire Authority, defended Grijalva's leadership, crediting him with adding resources and modernizing Cal Fire's fleet of engines.



K.C. ALFRED / Union-Tribune
A helicopter dumped water over a fire on Via Conejo, north of Lake Hodges, on the third day of the October wildfires. Cal Fire policy prohibits night flying, stating that "all assigned aircraft shall cease incident operations...no later than 30 minutes after sunset." Fire experts say the ban is just one example of the agency's rigid structure.

“Ruben has made more improvements at Cal Fire than any leader I’ve seen,” Prather said. “I don’t think anybody is pleased with several thousand houses burned and 10 people getting killed, but that’s fewer than last time.”

Grijalva and many others have praised Cal Fire for the way it battled dozens of fires simultaneously.

“No one can deny that the collective response and performance of the emergency personnel in October was anything but extraordinary,” he said.

Grijalva said Cal Fire is in the middle of a comprehensive self-evaluation that includes revisiting the night-flying ban and the agency’s relationship with the military.

Brian Fennessy, San Diego’s deputy fire chief, understands the value of some of Cal Fire’s policies. But he also sees an aging institution resistant to change.

“I don’t want to start a turf war,” Fennessy said. “I’m talking about a common-sense approach to firefighting, on a case-by-case basis, when it’s in the best interest of the community.”

Shrinking responsibility

Cal Fire’s primary responsibility traditionally has been to protect the millions of acres of watershed and forestlands that make up the State Responsibility Area, vast swaths of land sandwiched around federal property and incorporated cities.

But as more cities have incorporated and expanded, and as more counties have begun providing their own fire protection through regional departments, Cal Fire’s area of responsibility has been whittled down.

Six counties – Marin, Kern, Santa Barbara, Ventura, Los Angeles and Orange – have assumed Cal Fire’s responsibility to protect state areas in those counties and collect state money to fight wildfires and answer medical calls.

When a wildfire breaks out, the fire chiefs in those counties take the lead, with major collaboration from Cal Fire, formally known as the California Department of Forestry and Fire Protection.

Prather, the Orange County fire chief, said his county is far better served by this system, and he’s generally pleased with Cal Fire’s response when he calls for backup.

But Prather was angered when Cal Fire couldn’t give him all the hand crews, bulldozers and other equipment he needed in October, when the Santiago fire was burning out of control.

“The system did not perform the way I expected,” he said. “Our needs were unmet.”

Cal Fire could provide more help if it had more money, federal lawmakers pointed out during recent hearings in San Diego County.

Among those taking testimony was Rep. Darrell Issa. Overall, Cal Fire did a fine job, Issa said in a recent interview. But he wants Grijalva and his staff to take a harder look at the agency’s shortcomings.

“We’re having a hard time getting Cal Fire to say, ‘Yes, we can do better,’” said the Vista Republican, who’s among several lawmakers who have said they had problems getting information from Cal Fire.

Issa and other federal lawmakers also were quick to criticize the city and the county for not spending enough on fire protection.

San Diego County government, along with a handful of local Indian reservations and unincorporated areas such as Ramona and Valley Center, contributed \$11.3 million to Cal Fire’s \$958 million budget.



SEAN M. HAFFEY / Union-Tribune
Gov. Arnold Schwarzenegger and Cal Fire Director Ruben Grijalva attended an October meeting in San Diego to discuss the response to the blazes earlier that month.

The budget, which represents less than 1 percent of California's \$102 billion general fund, fell nearly \$20 million the year after the 2003 wildfires. It picked up about \$200 million this year. About \$11 million paid for new engines, but most of the increase helped cover a new union contract.

Jarman, San Diego's fire chief, likes the idea of a regional fire authority. She envisions the city's fire department and its \$180 million budget as the authority's centerpiece.

But even if the money and the political will existed to create such an agency, the county probably still would have strong ties to Cal Fire.

With 51 percent of the county owned by state or federal agencies, "we're still going to need a lot of help from Cal Fire," San Diego County Supervisor Ron Roberts said.

Cal Fire ultimately answers to the governor, which is why Roberts recently approached Schwarzenegger with changes he would like to see in the agency.

"We need effective leadership, a well-funded effort and more coordination between Cal Fire and the military," Roberts said. "I spelled this out in at least one private conversation I had with the governor."

Like other state agencies, most of Cal Fire's top officials – including Grijalva, Fire Marshal Kate Dargan, Chief Deputy Director Crawford Tuttle and Deputy Director of Communications Mike Jarvis – are Schwarzenegger appointees.

Schwarzenegger's press office responded to questions from *The San Diego Union-Tribune* with a short, written statement in which the governor described the agency's firefighters as the "bravest, most experienced firefighters in the world." He said that when he receives Cal Fire's self-evaluation, he will use it "to improve our emergency response system and increase safety for the public."

'Critically important'

What's particularly galling to Cal Fire's critics is that recommendations to address many of the agency's problems were spelled out by a blue-ribbon commission set up by Schwarzenegger and former Gov. Gray Davis after the 2003 wildfires.

Cal Fire and other state and local agencies reviewed the report, but most of the 48 recommendations weren't fully implemented for a variety of reasons, including a lack of money.

"That report was supposed to cut through all the red tape, and it didn't happen," said Spitzer, the assemblyman. "I want to know why balls were dropped and who dropped them. This is critically important."

A task force that grew out of the commission, composed of fire officials from across the state and chaired by Corona Fire Chief Mike Warren, is reviewing the response to the most recent fires. Among the changes Warren and his team plan to recommend for Cal Fire: year-round staffing in fire-prone areas and a fourth firefighter added to each engine, which is how San Diego and some other cities staff their engines.

The governor actually met both goals through an executive order he issued long before the October fires. But the task force wants the changes – which cost about \$13 million a year – written into law.

San Diego fire officials and political leaders say two of Cal Fire's most controversial regulations also need review: the much-publicized requirement that trained "spotters" be aboard military helicopters, and the ban on night flying.

The spotter policy was drafted as a safety measure to help military pilots communicate with firefighters during water drops, but it contributed to a 36-hour delay in getting military copters off the ground in October. Although the governor and Grijalva initially blamed winds for grounding aircraft, Cal Fire's own aerial analysis later showed that weather wasn't as much of a factor as was generally believed.

At a closed-door meeting with local and federal lawmakers last month, Grijalva acknowledged that just three of Cal Fire's 43 trained spotters were dispatched on Day One.

Cal Fire officials said they didn't free up more spotters because they expected help from only two to three military copters, not the 20 that eventually showed up.

Bowman, San Diego's former fire chief and a member of the blue-ribbon commission, said that if Cal Fire had met with the Navy, the Marine Corps and the California National Guard in July, as the commission had recommended, the timely deployment of military helicopters wouldn't be an issue.

Even though the July meeting didn't take place, Grijalva said his staff reaches out to the Navy and the National Guard at least once a year. Cal Fire doesn't have an agreement with the Marines, but Grijalva said it's working on one.

As with the spotter program, Cal Fire's night-flying ban is rooted in safety concerns, Grijalva said.

The policy states that "all assigned aircraft shall cease incident operations . . . no later than 30 minutes after sunset."

"I might have a pilot down here from Humboldt" County in Northern California, Grijalva said. "I'm not going to ask him to fly over unfamiliar terrain at night."

But the ban on night flying seems to have become nothing short of scripture.

In 2003, it caused a crucial overnight delay in attacking the Cedar fire, which began at dusk when a lost hunter set a signal fire in the backcountry. Pilots with the county Sheriff's Department begged to make immediate water drops – one was just five minutes away – but Cal Fire stuck by its policy.

Another nighttime request was denied during the recent fires.

With flames moving toward a cluster of communication towers atop Mount Miguel, a TV station called the San Diego Fire-Rescue Department and asked if Copter 1 could make an after-dark water drop.

The station's request was relayed to August Ghio, chief of the San Miguel Fire District.

The station's microwave dish was in jeopardy. So were critical antennas for firefighters' radios. If the equipment had been destroyed, vital evacuation news, as well as radio traffic among fire agencies, would have been interrupted.

The Copter 1 pilots had trained over Mount Miguel just a few months earlier. Yet even without contacting Cal Fire, Ghio denied the request.

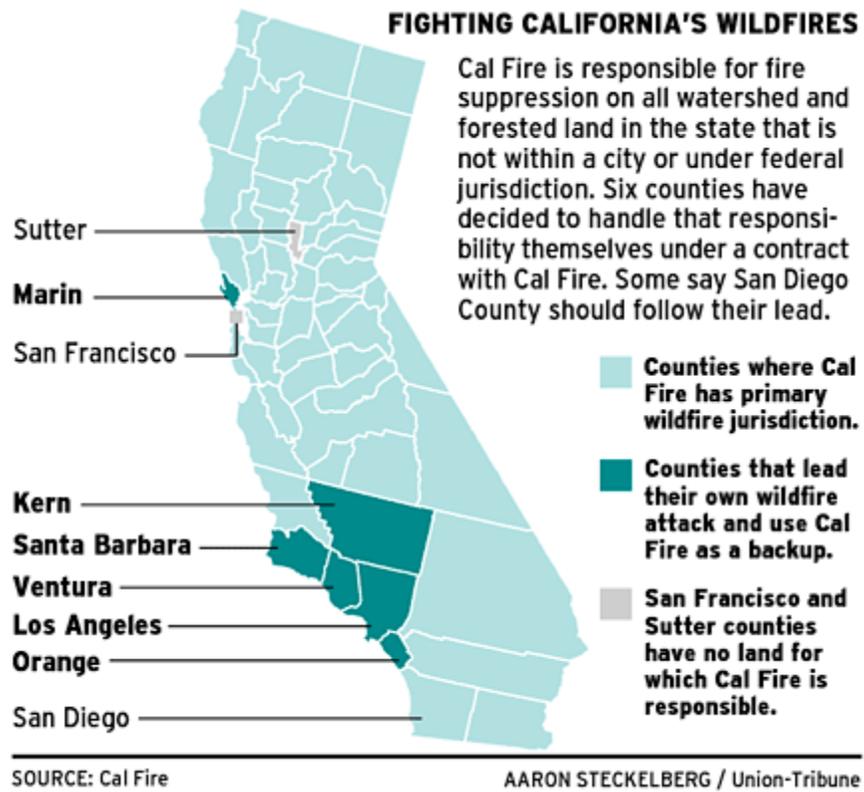
"That was a state-responsibility area at that time," Ghio said in a recent interview. "Requesting Copter 1 would have been useless – state policy is no flying at night, and that's just the way it is."

Ground crews battled the blaze as it rolled over Mount Miguel, he said. And while a few structures were lost, the equipment survived and no communication was affected.

"We can only control what's in our authority to control," Ghio said.

■Copley News Service correspondent Michael Gardner contributed to this report.

Tony Manolatos: (619) 542-4559; tony.manolatos@uniontrib.com



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