

Legal Barriers to Fuel Management¹

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The law is a strict master regarding any kind of deliberately set fires. The value of natural resources and resource management is low on the list of priorities for this state's lawmakers. BEWARE is the key word for those who dare to challenge the traditional notion that all fires must be extinguished immediately, except those within the safe

confines of your fireplace or backyard barbecue. In order for fuel management with fire to be more easily utilized, the laws regarding fire management and resource protection will need to be amended to include the value of fuel management as a resource protection tool.

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Federal Disaster Assistance Programs¹

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The Robert T. Stafford Disaster Relief and Emergency Assistance Act—Public Law 93-288, as amended—is designed to provide support and assistance to citizens, state, and local government from catastrophic disasters and emergencies. The law provides support in three distinct phases, including preparedness in avoiding or minimizing the effect of a disaster, response support during the disaster, and recovery from the emergency. This law has several interesting and unique features relating to fire disasters. Although most disaster assistance requires a presidential declaration, fire is recognized as a special type of disaster. If

fire threatens to become a disaster, assistance can be provided to prevent such a disaster. Special rules relate to these predisaster fire emergencies. Some provisions of the law have led to questions regarding its effectiveness in mitigating fire problems. The hazard mitigation provision of the law provides the opportunity to raise critical issues and funding support to address many important areas. Whether the mitigation provisions of the law are being used most effectively in meeting the continuing threat of wildfire in California and the nation as a whole needs to be studied.

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