[DATE]

Governor Newsom

1303 10th Street, Suite 1173

Sacramento, CA 95814

leg.unit@gov.ca.gov

**RE: SB 332 (Dodd); Request for signature**

Dear Governor Newsom:

[ORGANIZATION] is writing this letter to request that you sign SB332. By reforming the liability standard for prescribed burners in California, this legislation will remove a major disincentive that currently prevents highly trained prescribed fire practitioners from applying ‘good fire’ to the landscape. The liability protections provided through SB332 will increase our collective ability to treat fuels, protect communities, restore habitats, and work toward a more resilient future with fire in California. The need for prescribed fire is more clear than ever, and we can no longer afford to delay these kinds of essential policy changes.

Under current law, private prescribed fire practitioners and cultural burners can be billed for fire suppression costs associated with prescribed fire, in the rare instance that something goes wrong and additional crews or equipment are needed to contain a burn project. State and federal practitioners are immune to such costs for their projects, but private practitioners personally bear that burden even while their projects provide public benefit. While less than 1% of prescribed fires escape their intended burn area and property damage and personal injuries are even more rare, concerns over *potential* liability nevertheless severely disincentivize the application of prescribed fire. If we want to increase the pace and scale of prescribed fire projects in California, we need to assure well-trained private practitioners that the state is a solid partner and supporter of their work. We know that the state and federal agencies can’t tackle these complex problems on their own.

SB 332 would apply a ‘gross negligence’ liability standard to private practitioners, holding them liable only for suppression costs resulting from reckless or willful misconduct. There is little reason to believe that this change in law would increase prescribed fire escapes or costs, particularly because the gross negligence standard would only apply to projects and practitioners using best management practices, under review by highly qualified, well-trained prescribed fire professionals certified as burn bosses under a curriculum developed by the State Fire Marshal. But the benefits of the gross negligence standard would be monumental, addressing perceived liability and supporting the partners who are doing this critical work, potentially improving access to liability insurance, increasing the state’s wildfire resilience through preventative application of ‘good fire,’ and expanding the suite of ecological benefits that prescribed fire provides.

We urge you to sign this bill, which had full bipartisan support in the legislature and no opposition, and rallied incredible support from groups as diverse as the California Cattlemen’s Association, the Karuk Tribe, and Defenders of Wildlife, among dozens of other community groups, tribes, fire safe councils, academics, and others. With your support of this bill, you will make a lasting impact on the future of prescribed fire in California.

Sincerely,

[SIGNATURE]

[PRINT NAME, TITLE & ORGANIZATIONAL AFFILIATION]