



May 10, 2024

The Honorable Buffy Wicks  
Chair, Assembly Appropriations Committee  
1021 O Street, Suite 8220  
Sacramento, CA 95814

**Re: AB-3150 Fire safety: fire hazard severity zones: defensible space: State Fire Marshal –  
OPPOSE**

Dear Chair Wicks,

On behalf of the 35 organizations below and our thousands of members and supporters in California, we are writing to express our strong opposition to AB 3150 (Quirk-Silva). The bill allows developers to petition to redesignate very high fire hazard severity zones as a lower classification, which will give them an avenue to avoid complying with building codes and fire regulations designed to protect communities and the environment.

If AB 3150 becomes law, there will likely be more large-scale development in areas currently designated as very high fire hazard severity zones. As outlined in further detail in [this letter](#) and supported by numerous studies, more development in fire-prone areas will (1) increase ignition risk and endanger the lives of new residents and existing communities; (2) disrupt natural fire regimes, harming California's ecosystems and wildlife; (3) result in unintentional wildfires and associated poor air quality; and (4) increase firefighting costs and strain on firefighters. AB 3150 would also lead to more sprawl and attendant habitat destruction, poor air quality due to long commutes, and transfer of public resources from existing communities.<sup>1</sup>

In addition to facilitating unsafe development in fire-prone areas, AB 3150 offers developers a path to avoid complying with building codes and fire regulations designed to protect communities and the environment. While home hardening does not eliminate the risk of wildfire damage to homes, hardening existing homes is still a wise strategy to reduce a community's risk of ignition and/or improve the chances of structure survival in fires. This bill gives developers a legal framework to avoid taking basic precautions like home hardening, leading to increased risk for new and existing communities.

AB 3150 would result in the approval of development in fire-prone areas without the procedural and substantive safeguards of the California Environmental Quality Act (CEQA). Recent laws such as SB 423 (Wiener) and AB 1633 (Ting) that amend or limit the CEQA process were designed to generally not apply to projects within very high fire hazard severity zones. AB 3150 would disrupt that balance by allowing developers to de-designate the very high fire hazard severity zones they wish to develop to streamline development and in some cases avoid the public decision-making process required by CEQA. This is unacceptable, particularly given that multiple courts have found that developers and cities or counties failed to adopt

---

<sup>1</sup> Reid-Wainscoat et al. *The True Cost of Sprawl: Bad Planning Harms People, Wildlife, and the Climate* (March 2024). Available at <https://www.biologicaldiversity.org/programs/urban/pdfs/The-True-Cost-of-Sprawl-report.pdf>

adequate safeguards as required by CEQA for new large-scale developments in fire-prone areas. The issue has become so pervasive that the Attorney General's office has intervened in multiple cases challenging local decisions that allowed development in fire-prone areas<sup>2</sup>, and issued guidance in 2022 on analyzing and mitigating wildfire impacts under CEQA.<sup>3</sup> Developers who are not compelled to go through a CEQA process will have no incentive nor requirement to consider or reduce wildfire risk or impacts.

The current system of “build first, deal with the consequences later,” endangers the lives and well-being of all Californians and is financially unsustainable.<sup>4</sup> Since 2016, wildfires have caused more than 200 deaths, more than 50,000 burned down structures, hundreds of thousands of home evacuations, unhealthy levels of smoke and air pollution for millions of people, and more than \$100 billion spent on emergency fire suppression and economic losses. AB 3150 will render the existing system even more untenable by giving developers a path to avoid taking basic precautions designed to reduce property damage and the spread of wildfires.

AB 3150 also perpetuates the fiction that more large-scale development in fire-zones is safe and necessary in “meeting the demand for ‘housing for all.’” There are many actual solutions to the affordable housing crisis that do not involve endangering people's lives and building in hazardous areas, or building with even less safeguards than are currently required (as the bill proposes). These solutions include (1) permanently protecting all existing affordable housing; (2) solidifying legally-binding anti-displacement policies; (3) regulating short-term rentals to reduce the conversion of residential units to de-facto hotels; (4) upzoning urban infill areas; and (5) eliminating in-lieu fees for developers to ensure affordable housing is built onsite.

AB 3150 is an unwise and extremely dangerous bill. The continued construction of new large-scale development in very high fire hazard severity zones without the necessary precautions to minimize ignition risk is incompatible with a safe and climate-resilient future. We therefore respectfully oppose AB 3150.

Sincerely,

J.P. Rose  
Policy Director, Urban Wildlands  
Center for Biological Diversity

---

<sup>2</sup> See e.g., Mary Callahan, “Citing inadequate wildfire plans, Lake County judge deals setback to Guenoc Valley resort development,” *Press Democrat* (Jan. 6, 2022), available at <https://www.pressdemocrat.com/article/news/lake-county-judge-rules-against-environmental-review-for-16000-acre-guenoc/>.

<sup>3</sup> State of California, Office of the Attorney General, *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act* available at <https://oag.ca.gov/system/files/attachments/press-docs/2022.10.10%20-%20Wildfire%20Guidance.pdf>.

<sup>4</sup> Yap, et al, *Built to Burn: California's Wildlands Developments Are Playing With Fire* (Feb. 2021), available at <https://www.biologicaldiversity.org/programs/urban/pdfs/Built-to-Burn-California-Wildfire-Report-Center-Biological-Diversity.pdf>.

John Howell  
CEO & General Counsel  
Arroyos & Foothills Conservancy

Wendy-Sue Rosen  
Co-founder  
Brentwood Alliance of Canyons & Hillsides

Nick Jensen  
Conservation Program Director  
California Native Plant Society

Larry Hanson  
President  
California River Watch

Janet Cobb  
Executive Officer  
California Wildlife Foundation

Tom Freeman  
President  
Canyon Back Alliance

Dan Silver  
Executive Director  
Endangered Habitats League

Larry Hanson  
Board President  
Forest Unlimited

Elizabeth Ramsey  
Conservation & Planning Director  
Friends of Plumas Wilderness

Glenn Phillips  
Executive Director  
Golden Gate Bird Alliance

Alice Kaufman  
Policy and Advocacy Director  
Green Foothills

Marian Dodge  
Chairman  
Hillside Federation

Claire Schlotterbeck  
Executive Director  
Hills For Everyone

Rikki Poulos  
Communications director  
Kirkwood Bowl Foundation

Kim Lamorie  
President  
Las Virgenes Homeowners Federation, Inc., of the Santa Monica Mountains

Charles Miller  
Chair  
Los Angeles Climate Reality Project

Carla Mena  
Director of Policy & Legislative Affairs  
Los Padres ForestWatch

Nancy and Brantly Richardson  
Communication Directors  
Neighborhood Coalition of Sonoma County

Susan Harvey  
President  
North County Watch

Matthew Baker  
Policy Director  
Planning & Conservation League

Judith Olney  
Co-Chair  
Preserve Rural Sonoma County

Dr. Ronald A. Askeland  
Coleader  
San Diegans for Sustainable, Equitable, & Quiet Equipment in Landscaping

Shani Kleinhaus  
Environmental Advocate  
Santa Clara Valley Audubon Society

Wendi Gladstone  
President of the Board  
Santa Susana Mountain Park Association

Juan Pablo Galvan Martinez  
Senior Land Use Manager  
Save Mount Diablo

Ara Marderosian  
Board Secretary  
Sequoia ForestKeeper

Susan Britting  
Executive Director  
Sierra Forest Legacy

Jack Eidt  
Co-Founder  
SoCal 350 Climate Action

Sonoma County Climate Activist Network  
Network of 50+ local climate groups and over 200 individuals

Andy Shrader  
Petaluma Rep  
Sonoma County Regional Climate Protection Authority, Climate Action Advisory Committee

Marylee Guinon  
President  
State Alliance for Firesafe Road Regulations

Ann Van Leer  
Executive Director  
The Escondido Creek Conservancy

Bill Leikam  
President & Cofounder  
Urban Wildlife Research Project

Dee Swanhuysen  
Chairwoman  
West Sonoma County Rural Alliance