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Newsletter

C A L F I R E M U S E U M

EVOLUTION OF CALIFORNIA'S WILDLAND FIRE PROTECTION SYSTEM

By

C. Raymond Clar

Eventually the political and government fiscal authorities came to recognize what had long been known to fire control specialists. The proper approach to preventing fire devastation is to have it clearly determined, prior to the time of need, just what agent is to have both authority and responsibility for fast attack and supervision of fire abatement work for every particular location.

When the State of California was created in 1850 it was isolated geographically, and historically from the current Central or General Government. At the same time it was a sovereign entity in a way not generally understood at the present time. This was not so much a matter of independence from a National Executive and Congress as from its own citizens. That is to say, the State was principally a law maker and regulator and was practically not at all actively engaged in furnishing public services.

Government management was obviously not regarded as a reliable means of establishing community service much beyond that of local law enforcement and property tax collection; and these services were performed within designated county or city areas which owed their being and most minute authorities to specific acts of the Legislature. The concept of government in the minds of the citizenry of this era undoubtedly called for a minimum pattern of regulation within which the citizen could freely exercise the privilege of economic endeavors commonly referred to as "opening up the West."

Revenue to operate the new State was derived principally from ad valorem property taxation and the sale of such public domain lands as the Central Government would transfer to the State. The bulk of the money income was transferred back to counties for the operation and construction of roads and

schools.

Quite obviously, there was neither the machinery of government nor the taxing base to extend government services much beyond that which existed, regardless of the basic philosophy of government's place in that period. A third condition of the times which undoubtedly kept the average citizen separated from his government was a disgracefully low moral and legal behavior on the part of many elected officials.

Nevertheless, the great problems we would now relate to "good forest practice" were recognized early by a few dedicated citizens. In 1885 a forestry commission was created by statute, with a reasonable claim to having been the first such State agency in the nation.

This Old Board of forestry was confronted by overwhelming problems before it succumbed to political and citizen disinterest in 1893. Destruction of the great timbered forest— by fire and wasteful logging practices was pointed out over and over again as an evil thing. The liquidation of public domain which had come into possession of the State seems to have occurred with the tacit approval of the one entity which could have demanded its efficient management, the State Legislature.

In this era, the few positive steps toward wildland fire protection took the shape of regulatory law to protect property, principally private, from trespass and damage. Uncontrolled fire was recognized as a nuisance which should be prevented from moving from place of origin to the land of another.

In 1872 a law was passed which permitted "any justice of the peace, constable or road-overseer ... to order inhabitants liable to road poll tax ... to repair to the place of the fire and assist in extinguishing it." In the late 188's the Board of Forestry hired a few "agents", and enlist citizen subagents to aid in enforcing the few fire laws. It was not until a State Forester was appointed in 1905 that a comprehensive voluntary fire warden system was actually initiated.

In the year 1881 the Legislature was prevailed upon to enact a law "to allow unincorporated towns and villages to equip and maintain a fire department to assess and collect taxes ... " It was not until 1923, forty—two years later, that similar authority was granted for the establishment of fire protection districts in rural areas.

In the same time of the Old Board of Forestry one of the primary reasons for lamenting fire damage in the high forest sprang from the sincere belief that forest were necessary to bring about rainfall. For the pursuit of successful agriculture, a certain relative proportion of land must be clothed with forest.

In the southern half of the State the water holding quality of healthy watersheds was thoroughly appreciated. Destruction caused to low land property by heavy rainfall rushing off denuded slopes was observed early and often. This was the situation which brought about in 1892 and 1893 the creation of the federal Forest Reserves of San Gabriel, Sierra, San Bernardino and Trabuco, a total of more than 5,350,000 acres.

Another economic condition shaped the public attitude, especially in the great Interior Valley and south of Tehachapi. This was the growing need for wood as domestic and industrial fuel. In this case, the increasing distance to the diminishing raw product was the developing problem.

The threat of a national timber famine had not yet arisen to haunt the exploiters of the virgin forest. Prior to the Twentieth Century such a contention would surely have caused amusement in the vicinity of the great forests of this youthful State.

In the closing year of the old century, two water and forest associations were formed by the State's most prominent citizens; one centering in the Los Angeles area and the other at San Francisco. These associations declared emphatically that both National and State government vacillating and take progressive action in such problems as bringing the forest and public domain under a satisfactory system of management.

Little was accomplished until the vigorous Dr. George C. Pardee was elected Governor in 1903. With Gifford Pinchot and Teddy Roosevelt in Washington, a very thorough and useful survey of forest and water conditions in California was pursued for more than two years.

The Forest Protection Act of 1905

Armed with plans and statistics and the continuous drum beating of the citizen associations, Pardee was able to secure passage of the Forest Protection Act of 1905. This law fell short of the hopes of the strong conservationists. The Legislature at the time was decidedly conservative and there was a strenuous opposition from some elements of the population. A close observer of the entire episode declared, "Provision for any fire organization at State expense was omitted entirely. Punitive sections were shorn of all possibility of harm to influential interests."

But a Board of Forestry was created of ex-officio State officers including the Governor, and a State Forester was appointed. It was necessary that he be "a technically trained forester."

The State Forester could appoint volunteer fire wardens who might receive pay from the respective counties, and who have police powers in respect to Federal and State forest laws. They could also call upon able bodied men to assist in putting out fires. And the law further declared: "In times and localities of particular fire danger" the State Forester could maintain a patrol, "the expense of such patrol to be paid by the County."

There was also a rather vague authority to organize "fire districts" of one or more counties at the request of the supervisors, and at their expense. The law clarified and extended such laws as existed in respect to escaping fires, elimination of hazardous debris and slashing, and safety devices on lumbering equipment.

Frustrated as young State Forester Edward T. Allen might have felt, here was at least a very real foundation for State leadership in forest fire protection and other pioneer approaches to genuine forest land management. In this year of 1905 the federal forestry agency was named the Forest Service and was transferred into the Department of Agriculture.

Fire Protection by Associations

From 1905 until 1919 there was a great deal of talking and pleading by several State Foresters, but very little was accomplished toward initiating any system of organized rural or wildland fire protection.

Several southern California counties were politically strong enough to obtain special grants of State money to match local expenditures. This money was used to build firebreaks and trails within the National Forests above the rich lowlands.

v

In the timbered areas of the north it would appear that the large owners and operators who were seriously interested in good fire protection were more interested in preventing any State official from gaining legal position in which he could tell them what to do.

The theory of light-burning under the high forest to remove fuel and thereby reduce the incidence of serious wildfires was an issue of bitter debate among lumbermen and foresters from about 1901 to 1928. Field experiments in the early 1920's had shown quite conclusively that this was an impractical theory. After that time there were few advocates among owners of large holdings.

Many of the landowners within or adjoining the National Forest were content to enter contracts with the Forest Service to fight fire on their lands for the annual payment of a few cents an acre.

In 1911 the State Legislature created a three man Conservation Commission to investigate a plan for the wise use of forests, water and minerals. Probably the imminent struggle to gain mastery of potential hydroelectric power sites and the use of water, coupled with the national impetus toward the conservation of wildland resources instigated by Roosevelt, brought about the creation of this commission. Dr. George Pardee and Francis Cuttle of Riverside were appointed to sit on the commission. Both men played important roles later on the Board of Forestry.

Much legislation was introduced between 1911 and the First World War for the purpose of permitting the Board and the State Forester to offer meaningful leadership in meeting the growing problem of wildland fire. But quarreling factions, principally represented by the State Forester on one side and organized lumbermen on the other, could accomplish nothing with a conservative and indifferent State Legislature. It was during this period that repeated attempts to establish a School of Forestry at Berkeley also failed. The assurance of federal assistance under the Weeks Law of 1911 seemed to have contributed nothing except another issue to quibble about. Nor did the fact that State revenue had ceased to come to from local property taxes after 1911 seem to make the slightest difference in legislative aptitude.

A number of citizen fire protection associations were formed at this time, generally without aid from any taxing source. The State Forester often provided some advice and certainly his best wishes. One group, quite substantial and enduring, was formed as a stockman's association in the Livermore Hills region. Two associations were formed among redwood lumbermen. The smaller and more transitory associations were generally created by thinly settled communities of home owners in the wildland areas. They had no foundation in law.

One such association built upon more solid ground. This was created in the mountainous heart of Marin County. In 1917 the legislature gave it status as the Tamalpais Fire Protection District with power to tax property and organize a fire department. Similar general authority was not enacted for the creation of districts until 1923.

In the meantime, the State Forester went about appointing hundreds of volunteer fire wardens throughout the State in accordance with the Act of 1905. There was little else he could do except cry loudly and publicly about the sad state of organized fire protection.

The First World War brought a great need for the crops of American forests and fields. In California it also brought a very reasonable fear of fire sabotage from enemy agents and dissident citizens.

Public officials and the civil defense committee generated considerable enthusiasm among county

Continued from Page 4

Boards of supervisors and the citizens for improved fire protection, especially in the grain growing areas. State Forester Homans and his deputy Merritt Pratt, with Professor Woodbridge Metcalf (of the newly established forestry school), were very active in this crusade.

When the Legislature convened in 1919 its members were aware of a need for the creation of authority and leadership in respect to the broad fire control program. The rural-agricultural interest could wield great power, and its representatives were obviously satisfied that the Board of Forestry and State Forester could provide the organization and leadership required.

County government was quite naturally the primary representative of rural interests, and as such became heavily involved in the statewide fire protection system which developed.

The spokesmen for timber and watershed interests should have assumed a strong forward position in making demands upon State Government, or at least in shaping the conditions for development of a statewide fire protection system. They clearly represented the statewide interest in respect to accepted public values. But years of bickering and the generally conservative and independent attitudes of the leading individuals and groups apparently reduced their influence at this time in legislative history.

Legal Foundation of 1919

Two new laws of 1919 established landmarks in the history of wildland fire protection in California. The Board of Forestry was recreated to consist of the State Forester and appointed members representing the public at large, timber protection, livestock, and hay and grain. Note the last two, as well as a lack of reference to water or watersheds. The place of agriculture is quite obvious.

The other law strengthened and added to the authorities granted in the Act of 1905. Now the state Forester could designate administrative units and appoint State Fire Rangers to supervise protection work. He could enter agreements with the federal government, counties and cities for cooperative protection "under terms he deems wise," and with private firms and persons if the State paid no more than one-third of the costs.

A forest fire was defined as a fire burning uncontrolled on lands covered wholly or in part by timber, brush, grass, grain or other inflammable vegetation.

These laws were of great significance in what they clearly stated and what they implied in respect to policy development for wildland fire protection. By intent or otherwise the pattern of State-county financial cooperation was established. Here was a mutually cooperative blending of the wide general interest with the local community interest. In this cooperation there was both administrative strength and weakness forged into the very foundation upon which a statewide system was to be developed.

The system began slowly. With the first genuine State appropriation for fire suppression (consisting of \$25,000 for two fiscal years) the State Forester was able to hire four rangers to operate during four months of 1919. Actually, a matter of \$3500 of Weeks Law money was used to pay their salaries. The dubious and hopeful claim was made that fire protection was thus offered to three million acres of watershed from the head of the Sacramento River to the Stanislaus, 200 miles along the Sierra foothills.

Relatively little county assistance was involved in this initial project and obvious intent of the Board of Forestry was to concentrate first upon protection within the fast growing second-growth pine belt. The special legislative appropriations to local agents in southern California and Marin Country for watershed protection were made independently, as they had been for the past dozen years.

Cooperative Fire Departments

In 1920, nine summer rangers were hired with the help of cooperative agreements producing revenue of \$4750 from 15 different counties. A very casual system of cooperative fire protection was now launched. In most cases the State Forester and the particular county board of supervisors got together. The State would agree to provide a qualified State Range to supervise all fire protection work within the county not otherwise falling under other agency's legal responsibility.

There were no particular guidelines as to how much a county should contribute not understanding as to where any concentration of protection effort should occur. To a great extent, local contributions for such facilities as a fire truck or lookout shaped the meager physical organization.

One aspect of such cooperative projects was of utmost importance. Money from a county or other local source was vital in the development and operation of a State supervised wildland fire protection system for a period of no less than 25 years following the First World War. State appropriations were not sufficient to fully redeem the obligation that was implied by State leadership, especially in the more wealthy and progressive counties. Such a condition obviously indicates the difficulty facing the Board of Forestry that tried to segregate the values and the protection costs which involve State money alone. And as a matter of actual fact, no Board tried very hard to do so, and definitely not during the period when it was neither practical nor politic to do so.

The Board of Forestry or Forestry Department, as the agency was either awkwardly or inaccurately termed, continued its hopeful fire protection progress under this cooperative system of catch as catch can following the stagnant decades. And the progress was abruptly halted when the ultra-conservative Friend W. Richardson became Governor in 1923.

This man of vigorous honesty and determination chopped at all agency budgets. But probably none howled more loudly than the forestry people. A proposed elimination of four-fifths of a budget that the Board of Forestry had claimed to be already far from adequate aroused great public furor. Former Governor (and Board chairman) George Pardee led all the rest; but he had plenty of assistance, including complaints from Chief Forester Greeley and organized lumbermen.

If nothing else, the public turmoil indicated beyond question that California State Government had become firmly established as a primary agent in the wildland fire protection program.

Several important legislative steps were taken during this administration, possibly as a direct reflection of the Governor's attitude. A county fire protection act was passed. This law provided that county supervisors could hold public hearings and designate the area of a fire district. Special taxes could then be levied to maintain a local fire department. At first, the Board of Forestry assumed that this system would meet practically all rural fire protection needs and thus essentially relieve the State of

Direct participation. They were soon disillusioned by the failure of local communities to respond. Notable exceptions were Los Angeles and Ventura counties where local organization had already been substantially accomplished.

In the broad story of the department of California's fire protection systems, the place of the fire protection district is very important. It can, however, be essentially disregarded in this writing which is principally concerned with the place of California Government in the protection of the timber-watershed lands of State of private ownership.

Another law of 1923 provided for the payment by owners of pine bearing lands of an annual fee of several cents per acre where no "fire patrol" was maintained by the owner. Care was always taken to distinguish the patrol fee from a property tax. The law was always unpopular, and the largest annual collections approximated \$100,000. In the early years this revenue was quite significant. But as other money sources increased it became much less so. In 1941 the law was repealed.

The Legislature meeting in 1923 was handed what has been commonly termed the Munn's Report. Edward N. Munn was hired by the Board of Forestry for this project following an appropriation in 1921 for a general study of forest and watershed conditions. The report spelled out the damaging effects of wild-fire in timber and watershed lands by using a mass of statistics and observations. The economics of wildland protection was now given a much more concrete justification that it had heretofore enjoyed. The report was placed in the hands of the legislators at the moment the Governor declared his intention of pretty largely removing the State from such work. A money figure of \$75,000 was set as the minimum annual State contribution required in the forest fire program.

Rejuvenation in 1927

In January of 1927, C.C. Young became Governor. He was a very able, experienced younger member of the Progressive group formed a quarter century earlier essentially to oppose the "machine" rule of California politics.

There was a great rejuvenation in the spirit and structure of State Government. Budget makers were kept under tight leash, but new Board of Forestry Chairmen Pardee made enough fuss to obtain the greatest relative single agency increase for the newly created Division of Forestry. There was now established a Department of Natural Resources in which a six member Board of Forestry had lost practically all of its former executive authority. The State Forester was no longer a Board member and he answered administratively to the Director of the Department.

The actual appropriation for the biennium 1927-29 was \$361,000 and \$75,000 of that sum was specifically earmarked for county fire departments and other non-State agencies. The important point is that hence forth such items were no longer to be recognized outside the Division budget as special bills.

This article taken from the pamphlet "Evolution of California's Wildland Fire Protection System" by: C. Raymond Clar

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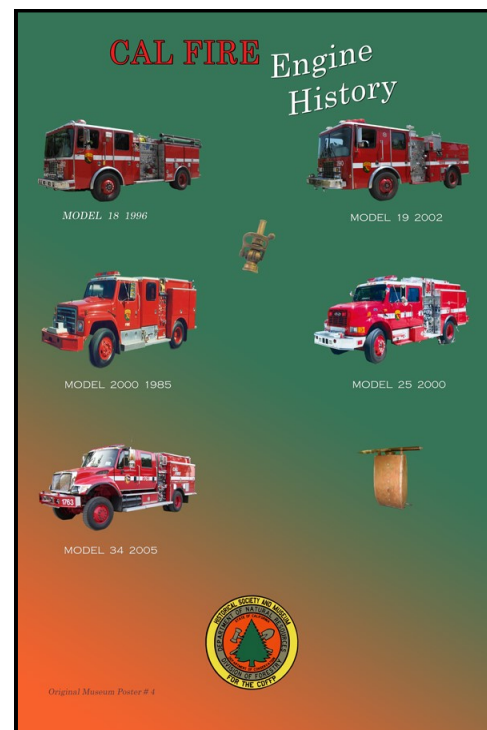
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The Alta Loma Station in BDU

Dodge pickup pumper on the left on the right a Ford Model AA engine