



Fixing Our Forests with Beneficial Fire

An Environmental Liability Solution





Introduction & Background



- **William Dessert, TRIP, AFIS**

- Environmental Risk Advisor, Arroyo Insurance Services
- Member: Calforests, CAL PBA
- Member: IRMI©, SEIP©



- **David Dybdahl, CPCU, ARM, MBA, CIC**

- Founder, American Risk Management Resources Network
 - Developed 134/140 active environmental liability specimen forms.
- Technical Expert on Environmental Insurance Risks for;
 - US EPA, Army Core of Engineers, US Dept. of Energy, US Justice Dept.
- Created Nuclear Containment Insurance Programs
 - Superfund Contractors, Nuclear Weapons Facilities, Chernobyl Nuclear Disaster





Solving The Wildfire (Exclusion) Crisis



- Research The Risk & Stakeholder Exposure
- Understand how the Claims Fund works
- Discover relevant RX Fire and Wildfire Claims Data
- Develop Conservation Insurance to include RX Fire
- Hold-harmless Prescribed Burn Scope of Work or Service
- Allow Fire Contracting/Consulting Services to participate



Researching The Risk



- **March to July 2024**

- **Partnerships Established**

- ARMR Agreement
- Calforests Membership
- CA Prescribed Burn Association

- **Mt. Madonna Pre-Burn Field Work**

- 7-acre plot. No escapes. No BI/PD Claims.

- **Johnson Ranch Learn & Burn Observation**

- 15-acre plot. No escapes. No BI/PD Claims

- **Beneficial Fire Q&A w/ 20 RX Fire Practitioners**

- Wildfire & Pollution coverage exclusions

- **August to December 2024**

- **Calforests & Arroyo host 30+ Conservation Leaders**

- CAL FIRE, CIGA, CNRA, DOI, CAL PBA, UCANR, CA RCD, Yurok Tribe

- **San Luis Obispo TREX**

- State Parks, U.S.F.S., CAL FIRE, CAL PBA, Cal Poly
- 410 acres burned. No escapes. No BI/PD Claims.

- **Mechoopda Tribe Burn**

- State Parks, Firestorm, Butte PBA
- 117 acres burned. No escapes. No BI/PD Claims.

- **Public/Private Sector Claims Data Verified**

- Policy Specimen Form & Prescribed Burn Endorsement



Finding Rx Fire Claims Data



- **U.S. Forest Service**

- Rx Summary 2008-2023
- 12,500 total R5 RX Burns
- 12 Defined Escapes
- Success Rate 99.89%
- No RX Fire BI/PD Claims

- **CAL FIRE**

- Rx Summary 2013-2023
- 10,000 Broadcast Burns
- No RX Fire BI/PD Claims
- No Defined Escapes
- 3 IAP Responses

- **CaRx/NWCG Burn Boss Projects**

- Rx Summary 2019-2024
- 20 Entities surveyed
- 464 Broadcast Burns
- No Defined Escapes
- No Claims Submitted

- **SB 926 Claim Fund Pilot Projects**

- Rx Summary FY 2023-2024
- 102 Approved Projects
- Rx Summary FY 2024-25
- 89 Approved Projects
- No Claims Submitted



Creating an Rx Fire Insurance Product



- **Work In Conjunction with the Claims Fund Pilot:**

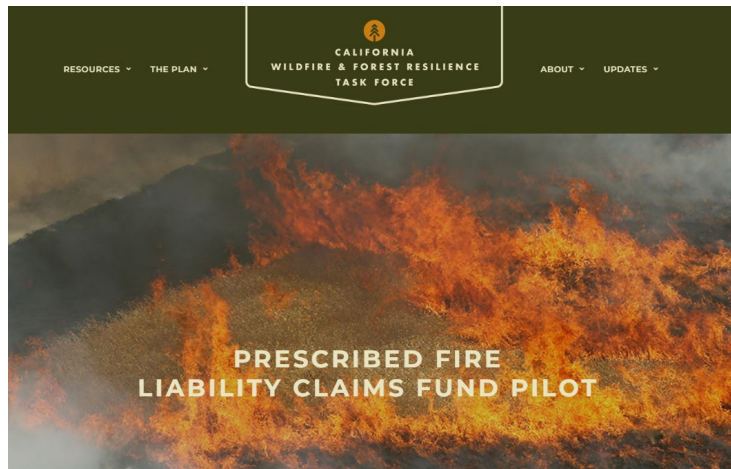
- Design insurance to support SB 926 guidelines with higher limits
- Extend coverage where the Claims Fund cannot

- **Fill in marketplace gaps of coverage:**

- Wildfire Coverage for Completed Operations for hostile fire escapes
- Bodily Injury & Illness from Smoke, Vapor, Soot, Fume, Contaminants
- Errors & Omissions coverage for drafting, stamping, selling RX Burn Plans

- **Stakeholder Eligibility:**

- NWCG & CARX Burn Bosses
- Cultural Fire Practitioners
- Prescribed Burn Associations
- Resource Conservation Districts
- Forestry & Conservation Firms
- Volunteer Fire Departments
- Conservancies & Land Trusts
- Private Land & Forest Owners



EXCLUSION - WILDFIRE

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM
OWNERS AND CONTRACTORS PROTECTIVE LIABILITY COVERAGE FORM

The following exclusion is added to the **COMMERCIAL GENERAL LIABILITY COVERAGE FORM** under paragraph 2. **Exclusions of SECTION 1 - COVERAGES, COVERAGE A - BODILY INJURY AND PROPERTY DAMAGE LIABILITY.**

The following exclusion is also added to the **PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM** and the **OWNERS AND CONTRACTORS PROTECTIVE LIABILITY COVERAGE FORM** under paragraph 2. **Exclusions of SECTION 1 - BODILY INJURY AND PROPERTY DAMAGE LIABILITY.**





Environmental Rx Fire Insurance in CA



Environmental Liability Package:

1. General Liability
 - 3rd Party Bodily Injury, Property Damage, Completed Operations, Legal Defense Included.
2. Pollution Liability
 - Bodily Injury & Illness resulting from Smoke, Vapor, Soot, Fume, and Contamination, Legal Defense Included.
3. Professional Liability
 - Errors & Omissions resulting from drafting, stamping, and selling burn prescriptions, Legal Defense Included.

Insurable Scope of Services:

- Prescribed Fire/Controlled Burns
- Herbicide/pesticide Application
- Landscape/Trail Construction
- Soil and Ground Water Remediation
- Wetlands Contracting
- Construction Management
- Engineering Services
- Environmental Impact Studies
- Geology, Groundwater, and Hydrogeology
- Laboratory Analysis
- Regulatory Permitting
- Compliance Audits
- Water/Wastewater Treatment System Design/Testing
- Wetlands & Mitigation Banking



Forest Strategies and Innovations 2025



- Prescribed Fire Liability Insurance Breakthroughs – Putting Beneficial Fire Back In The Toolbox To Fix Our Forests
 - David Dybdahl, American Risk Management Resource Network
 - William Dessert, Arroyo Insurance Services
- Replacing expensive and defective insurance for Conservation & Forestry Stakeholders using Beneficial Fire
- Reviewing the Claims Data of 23,000 broadcast burns
- Stakeholder Eligibility – Must Follow [SB926 - Prescribed Fire Claims Fund Pilot Program Guidelines](#)
- Environmental Liability Insurance Package Now Available in California
 1. General Liability – 3rd Party Bodily Injury, Property Damage, Completed Operations, Legal Defense Included.
 2. Pollution Liability – Bodily Injury & Illness resulting from Smoke, Vapor, Soot, Fume, and Contamination, Legal Defense Included.
 3. Professional Liability – Errors & Omissions resulting from drafting, stamping, and selling burn prescriptions, Legal Defense Included.

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- Member: IRMI, SEIP
- Member: Calforests
- Member: CAL PBA

Target Business Class Codes:

- Conservation & Forestry
- Agribusiness & Transportation
- Logistics & Warehousing

Commercial Coverage Packages Offered:

- General, Pollution, Professional Liability
- Property, Workers Comp/Employers Liability
- Auto Liability & Inland Marine/Cargo
- Management Liability & Cyber Liability

Group Benefits

- Medical, Dental, Vision
- Life & Long-Term Care
- Short/Long-Term Disability