Southern California Wildfires: Overview of Liability and Causation Issues

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Introduction

At present there are at least nine separate wildfires burning in Southern California. As of Monday night, October 27, the three-day toll stood at 14 dead, 1,518 homes destroyed, 56 other structures destroyed and more than 500,000 acres burned. President Bush has declared four counties a disaster area, allowing for federal assistance to victims in Ventura, Los Angeles, San Bernardino and San Diego counties. Also affected by the falling ash and toxic fumes created by the fires are Orange and Riverside counties.

There are currently ten separate blazes and three major fronts. The fires began at various times over the last week and turned disastrous Saturday when dry Santa Ana winds stoked the region. Causes of most of the fires are unknown at present. The major fronts are in Ventura, San Bernardino and San Diego counties. San Diego County is the most heavily affected. One fire crossed the Mexican border into Tijuana.

The fires have forced the closures of hundreds of schools and businesses. Hospitals have reported a large number of people suffering breathing problems from the polluted air. Airports from Los Angeles to San Diego continue to experience delays.

San Diego County

San Diego County has been the hardest hit by the fires. There are four separate fires burning in the county. At least three of the fires are under investigation as possible arson.

Roblar/Pendleton Fire

The Roblar Fire started October 21 on Camp Pendleton and has burned 8,500 acres. It is reported to be 100% contained. The fire had caused concern earlier this week, threatening homes in nearby De Luz, but no structural damage resulted, and no deaths are reported. Authorities are downplaying early reports that fire was ignited by live ammunition exercises on the base. The cause is under investigation.
Paradise Fire

The Paradise Fire started October 26 at 1:30 a.m. in Valley Center Road near Paradise Creek. It has scorched 37,000 acres, killed 2 persons and is 15 percent contained. Full containment is expected on Saturday. Its borders are: Lake Henshaw to the northeast and Pamo Valley to the south. It has burned on two fronts towards Deer Spring on the northwest flank and towards Bear Valley on the southwest flank. Cause is under investigation.

Otay Fire

The Otay Fire to the south started Sunday, October 26 in South County and covers 35,000 acres in the South Bay area, but has destroyed only one structure and resulted in no deaths. It is approximately 90% contained, with full containment expected by Thursday. The cause is under investigation.

Cedar Fire

The largest of all fires in Southern California is the Cedar Fire, affecting Poway, Scripps Ranch, Ramona, Santee, Crest and Alpine communities amongst others. The fire started at 5:37 p.m. October 25 between Julian and Ramona is 0% contained, has burned at least 265,000 acres, destroying 881 structures and claiming 10 lives. At least 2,300 firefighters are attempting to gain some control over the blaze. As of 8 a.m. October 28, borders of the blaze were: Scripps Ranch to the west, Pine Hills near Julian to the east, Old Julian Highway to the north and near Dehesa to the south. The U. S. Forest Service is trying to determine whether a hunter's signal fire caused the blaze.

San Bernardino County

Two major fires in San Bernardino are converging from east to west to form one of the three major fronts in Southern California.

Grand Prix/Old Fire

The Grand Prix Fire and Old Fire have combined to scorch 83,000 acres and forced tens of thousands from their homes. At least 560 structures have been lost and 2 persons killed. Some of the communities affected are Claremont, San Antonio Heights, Rancho Cucamonga, Fontana, Mt. Baldy Village, Crestline, Rimforest, Lake Arrowhead and Running Springs amongst others. At present, over 3,800 firefighters have the blaze at 25-30% containment.

Sheriff's investigators released a composite sketch Monday of a man suspected of starting the Old Fire on October 25. The Grand Prix Fire, which started October 21, is also suspected to be the result of arson.

Ventura, Los Angeles Counties

Two major fires are burning in Ventura County to the northwest of the City of Los Angeles threatening Piru, Porter Ranch, Fillmore, amongst other regions.

Piru Fire

The Piru Fire started October 23 and covers about 50,000 acres, but has not caused loss of life or structures. It began Thursday near Lake Piru, was 90% contained at 1,250 acres early Sunday. But late Sunday, Santa Ana winds blew it out of control. It is now only 5% contained but has a crew of about 1,083 firefighters present.
Simi/Verdale Fire

The Simi/Verdale Fire started on October 25 and covers 96,680 acres and has caused the loss of at least 51 structures. It is only 5% contained with 1,350 firefighters present.

Riverside County

Mountain Fire

The Mountain Fire in Riverside is the smallest of the fires and burns between Hemet and Temecula. It covers 10,000 acres, has destroyed 26 structures and is 55% contained.

Utility Concerns

In San Diego County some neighborhoods at the east end of El Cajon, Flinn Springs, Dunbar Lane, Alpine area have been told to boil water and/or drink bottled water due to sanitation concerns. At least 40,000 people in the Encinitas and Leucadia areas were without power last night for approximately 2 hours starting at about midnight. The cause of the outage has not been determined at this time. About 48 communities across the county have been affected by power outages, primarily in the fire-affected areas. Approximately 32,000 gas and electric customers are currently without power.

In San Bernardino, Los Angeles and Riverside counties, 235,342 homes and businesses served by Southern California Edison have lost power since the fires began. By Monday evening, 40,400 customers continued without power but electricity was being restored steadily. An order to boil water was issued in a few neighborhoods in San Bernardino after a loss of pressure on Saturday raised concerns that the water could be contaminated.

Conclusion

Cozen O’Connor will continue to monitor the rapidly evolving situation in Southern California and will report on any significant developments from the subrogation and recovery perspective. Should you need any additional information regarding this or any other related claim, please feel free to contact us.