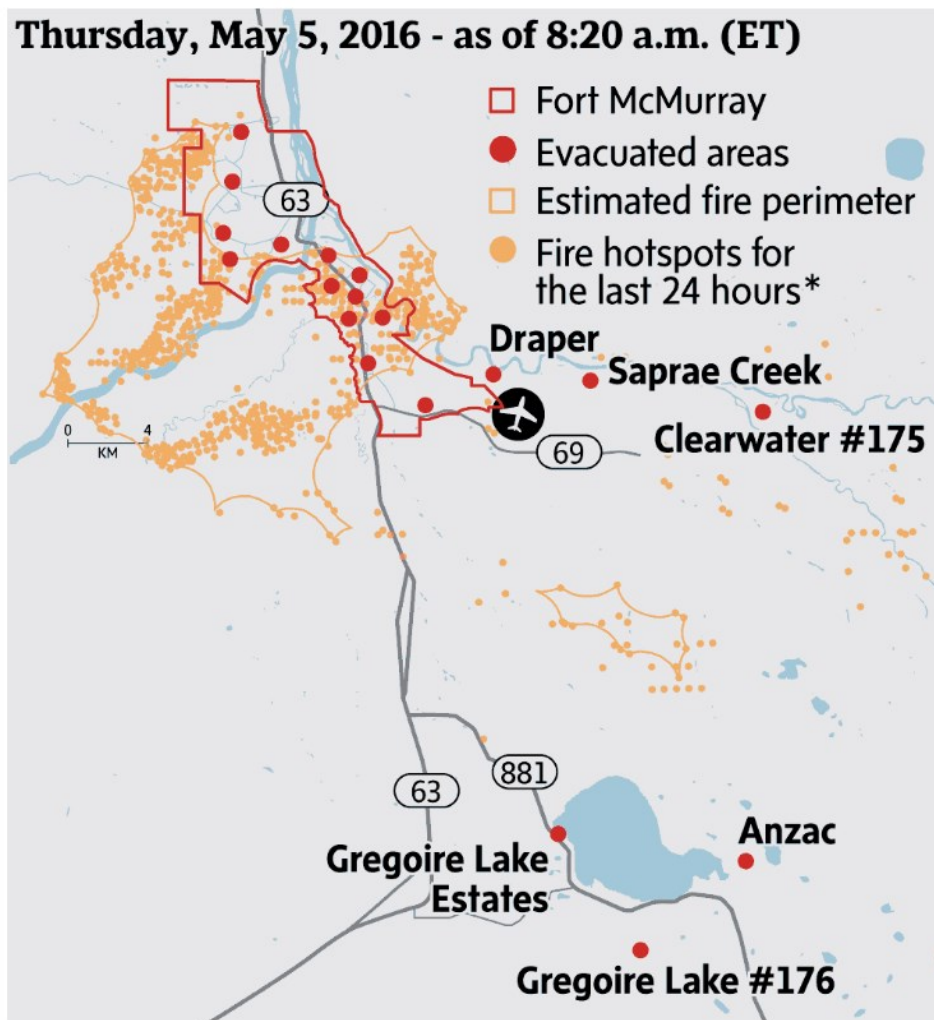


## Fort McMurray Wildfire

Fort McMurray is located in Alberta, Canada and is an important hub for oil and gas production in the province.

On Sunday May 1, 2016, a wildfire was reported southwest of Fort McMurray, Alberta. A local state of emergency was declared at 9:57 p.m. local time. On May 3, 2016, at 5:00 p.m. MDT, the wildfire resulted in a mandatory evacuation of 12 neighbourhoods within the community. More than 29,000 people were affected by the evacuation, marking the event as Alberta's largest evacuation for a wildfire. At 6:49 p.m. MDT, all of Fort McMurray was placed under a mandatory evacuation, affecting more than 80,000 people. An unusually warm May temperature of 32 °C (90 °F), and low humidity at 15 percent, has likely contributed to the fire's growth.

This map depicts known wildfire hotspots (at 8:20 a.m. EST, May 5, 2016) (the situation is, of course, constantly changing).



Map provided by [www.theglobeandmail.com](http://www.theglobeandmail.com)

There are some reports that the fire was caused by human action as the data indicates there were no lightning strikes in the area. *See CTV News*. However, wildfires are common in Canada's boreal



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forests (some 28,000 hectares are burned by wildfires every year). In July 2015, almost 2 million hectares of forest burned in a series of 200 wildfires across British Columbia, Saskatchewan and Alberta, and tens of thousands of people were evacuated.

Media reports presently are concentrating on the evacuation of Fort McMurray, and the destruction wrought by the fire. Current reports indicate that more than 80 percent of homes in Fort McMurray may have been destroyed. The reports are also focusing on the efforts to bring the fire under control. A Google search on “Fort McMurray Fires” results in hundreds of reports. Some of the most useful sources to monitor are the following:

[CBC News Live Blog on the Fires](#)

[The Globe and Mail](#)

[The National Post](#)

[Edmonton Journal](#)

[Regional Municipality \(Fort McMurray\) updates](#)

Cozen O'Connor is monitoring all of those public services and for clients who retain us, we will be pleased to provide summaries to you.

## **Post Fire Investigation and Subrogation Evaluation**

A wildfire bears some similarity to a structure fire, but special qualifications are needed to assess ignition, spread, prevention and damage. Sometimes, there is an inclination to send structure-fire experts to evaluate wildfire claims. There are significant differences between wildfires and other fires that need to be understood. For example, burn patterns might have the same shape, but wildfire V-patterns differ from structure-fire V-patterns. In a structure fire, investigators evaluate vertical V-patterns in the area of origin to establish a cause. In a wildfire, V-shaped patterns show ground-surface burn damage impacted by slope, type of fuel and wind direction. The V widens as the fire goes up the slope or spreads in the wind direction. Near the base of the wildfire V, a heat source that started the fire might be found.

Other clues can be found in the ruins. Unburned grass stems sometimes fall into an area behind the head of the fire. Those grass stems generally point in the direction the fire approached. Similarly, a fire's direction can be ascertained by looking at markings on a tree stump. The burned area of the tree stump usually is consistent with the direction the fire moved. Fires going uphill or with the wind create char patterns with a slope greater than the ground slope. Downslope fires, or those against the wind, create char patterns parallel or even to the ground slope. A fire moving away from the point of origin shows the crown of the trees being more consumed the further the fire goes. Fencing with char depth greater on one side of the fence also indicates the path of the fire.

Wildfire terms include fire head and fire heel. Fire head refers to the fire segment moving most rapidly. Normally, the wind's direction determines a wildfire's path, but topography and slope also play a role. The greatest intensity is at the head of the wildfire. The fire heel is directly opposite the head, with less intense fire sometimes backing or burning slowly away from the head. All the environmental factors preceding and accompanying the event need to be considered along with the evidence left in the fire's wake.

A wildfire's development and spread are affected by the fuel, such as grass, shrubbery, trees or even buildings embedded in the forest, and that fuel's moisture, oil and mineral content. The fuel size, coupled with the weather conditions and topography, bear on ignition and can mitigate or exacerbate a wildfire's spread. Knowledge of these factors is essential in evaluating the overall event and determining cause. Was it a lightning strike? A carelessly discarded cigarette? Campfire? Or did a power line failure cause the fire?

Power lines operated by utility companies have a well-documented history of causing wildfires. Power lines may touch each other or trees, causing arcing, which causes fires. The involvement of the power lines owned and operated by a utility company creates a recovery opportunity for all who suffered fire-related damages, including governmental entities, property owners, and insurers.

Just as important is for utilities to perform timely and effective brush management and debris removal, to prevent electrical failures and arcing incidents from igniting combustibles.

## Preserving Subrogation Rights

Obtaining and preserving evidence of the fire's start and spread, along with the damage from the event, is a key part of the claim handling process, especially when subrogation issues are under investigation. Matters of evidence are complicated by the severity of the destruction and the number of governmental agencies with jurisdiction over loss sites. Video, photographs, flyovers, GPS and other high-tech devices provide crucial evidence needed to evaluate standard-of-care issues for the wildfire's specific cause.

When the fires are extinguished (possibly even before) the process of investigating its origin and cause will begin. It is important that insurers hit the ground running in order to maximize chances of recovery.

As a first and vital step, on behalf of our clients, we are taking immediate action in retaining consultants to investigate the circumstances of the loss, document the fire scenes and origin areas, including the utility lines, including potential use of video, flyovers, and LiDar technology. We have placed various governmental agencies on notice such as the Alberta Emergency Management Agency and the Regional Municipal of Wood Buffalo Emergency Management Branch, requesting that our firm be advised and involved in the investigation as to cause and origin.

As the investigation develops, we will collect and preserve evidence and notify all identified parties of our potential claims, and request they preserve all evidence, interview witnesses and record statements, and gather damage documentation for each of their losses.

In terms of retaining experts, we note that this is a very specialized field and some of the most experienced experts have already been retained by the Alberta government to assist in the investigation. There is therefore a need to act immediately and we recommend that you contact us as soon as possible so that we can assist in protecting your subrogated interest.

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