

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

January 19, 2005 Hearing Room C

9:00 AM, Tapes 1-3

Corrected 9/26/2005

MEMBERS PRESENT: Rep. Patti Smith, Chair

Rep. Brian Boquist, Vice-Chair

Rep. Arnie Roblan, Vice-Chair

Rep. Terry Beyer

Rep. Chuck Burley

Rep. Mark Hass

Rep. Mac Sumner

STAFF PRESENT: Patrick Brennan, Committee Administrator

Jania Zeeb, Committee Assistant

ISSUES HEARD AND WITNESSES:

Organizational Meeting

Adoption of Committee Rules

Introduction of Committee Members and Staff

Informational Meeting

Fire Protection Program

Charlie Stone, Department of Forestry

Paul Washburn, National Wildfire Suppression Association

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 1, A		
004	Rep. Smith	Calls the meeting to order at 9:04 a.m. and opens the organizational meeting.

ORGANIZATIONAL MEETING

010	Patrick Brennan	Committee Administrator. Explains the committee rules (EXHIBIT A).
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023	Rep. Boquist	MOTION: Moves to ADOPT the proposed Committee Rules.
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024		VOTE: 6-0-1 EXCUSED: 1 - Rep. Hass
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	Chair Smith	Hearing no objection, declares the motion CARRIED.
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026	Chair Smith	House District 52. Introduces herself and her background in agriculture and natural resources.
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034	Rep. Sumner	House District 18. Introduces himself, describes his district and his background in agriculture and natural resources.
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039	Rep. Beyer	House District 12. Introduces herself, describes her district and her background in agriculture and natural resources.
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043	Rep. Boquist	House District 23. Introduces himself, describes his district and his background in agriculture and natural resources.
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049	Rep. Hass	House District 27. Introduces himself and his background in agriculture and natural resources.
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054	Rep. Burley	House District 54. Introduces himself, describes his district and his background in agriculture and natural resources.
061	Rep. Roblan	House District 9. Introduces himself, describes his district and his background in agriculture and natural resources.
071	Brennan	Introduces himself and the Committee Assistant.
085	Chair Smith	Closes the organizational meeting and opens the informational meeting.

FIRE PROTECTION PROGRAM INFORMATIONAL MEETING

087	Charlie Stone	Fire Projects Program Director, Department of Forestry (ODF). Submits and presents a PowerPoint presentation on the Fire Protection Program (EXHIBIT B). Begins presentation with historical perspective of ODF.
134	Stone	Explains that as a result of the Compulsory Fire Patrol law, fire protection is mandated on all forest lands in the state. States that Oregon landowner are responsible for providing for protection from fire on their lands.
168	Stone	Gives the background on Forest Protection Associations and their current role in protecting lands. States that associations are key to success in this state because they hold the department accountable on budget issues, helps ODF have a relationship with the landowners they are serving.
194	Stone	Discusses ODF's mission explains the department's priorities.
207	Stone	Reviews and expands on the chart on page three (EXHIBIT B).
240	Stone	Explains the assessment system, which deals with program funding.
270	Stone	Comments on the close relationship ODF has with the Keep Oregon Green Association to help with fire prevention.
339	Stone	Talks about the districts the department is divided into.

384 Stone Explains that the Northwest Compact is and how it shares resources between the listed states.

396 Stone Refers to map of the Forest Protection Districts page four
(EXHIBIT B).

TAPE 2, A

026 Stone Comments on the contract with the federal Bureau of Land Management (BLM) and explains the relationship between the BLM and ODF.

050 Stone Explains that the numbers on ODF Resources slide, page five **(EXHIBIT B)**, are general and not exact.

072 Stone Explains that the first four items in the list on page five **(EXHIBIT B)** are the key to the department's initial attack operation, to help prevent fires or keep the fires small.

103 Stone Makes a reference to the department's Measure 11 responsibilities, and the access it gives ODF to inmate crews through the Department of Corrections (DOC). States that this can create tension with contract crews.

129 Stone Expands on the Cooperator Resources slide page five **(EXHIBIT B)**.

158 Stone Recognizes that one area of concern that complicates fire protection is the wild land-urban interface, and talks about this issue as it relates to SB 360. Expands on SB 360; what it does, and what they are doing as a result of it.

197 Stone Explains the Wildlife/Urban Interface map page six **(EXHIBIT B)**.

220 Rep. Burley Inquires after the kind of assistance that ODS is providing for people to help them comply with SB 360.

226 Stone Responds that SB 360 does not provide direct assistance but it does allow ODF to assess those lands and that money can be spent on implementing the bill. States that the department does have money that is coming in through National Fire Plan grants. Mentions there is also a federal effort in this area so there are fuels modification grants

that ODF can apply for and disperse to the community. Remarks that the money is solely to get the landowners started, and that they will eventually need to maintain it on their own.

- 247 Rep. Burley Comments on the situation in upper Deschutes County as communities there struggle to get funding to implement their plan. Inquires about assistance that can be given to help Deschutes County implement the plan.
- 255 Stone Replies that ODF is attempting to get federal grants, but the department needs to reach all the areas in the state, including areas that have concerns but have not gotten any grant money. Pledges to continue to try to get the money.
- 266 Rep. Roblan Asks if people in the interface belong to associations.
- 269 Stone Answers that they can, but membership is voted on by the members and they typically look for people with larger ownerships and seek to make sure the interests of the association and its members are looked after. Says there is no bar to allowing individuals who own forest land. States that of the 12 associations around the state some have only a few large land owners as members and others have more members with varying amounts of property.
- 285 Chair Smith States that the committee administrator will give the members a copy of SB 360. Asks if it was a 2001 bill.
- 293 Stone Answered the measure was passed during the 1997 Legislative Session.
- 301 Rep. Burley Declares that he wants to follow up on this discussion because of the problems in the upper Deschutes area and the vacant lot issue.
- 308 Stone Explains that SB 360 does not address the vacant lot issue directly. Provides additional details on SB 360.
- 316 Stone Explains the Public Ownership map and Fire Protection Status map on page seven (**EXHIBIT B**).
- 362 Stone Talks about how the program is funded.
- 398 Stone

Explains what the District Budget covers. Differentiates between the District Budget and the Emergency Cost Structure.

TAPE 1, B

014	Stone	Explains diagram representing funding page nine (EXHIBIT B). States that the goal is to deal with the average worst season and to budget to that.
038	Stone	Expands on and explains Severity Resources.
056	Stone	Discusses chart of overall funding structure reviewed page ten (EXHIBIT B).
072	Stone	Lists where the department's funds come from.
089	Stone	Refers to the insurance history chart page 11 (EXHIBIT B). Explains the benefits participating in the insurance system.
118	Stone	Expands on the History of the Number of Fires chart page 12 (EXHIBIT B).
138	Rep. Roblan	Inquires if these amounts include federal amounts.
140	Stone	Answers that the numbers do not include federal amounts, this chart is just the land that the Department of forestry protects.
142	Rep. Roblan	Asks if this is also along with the other associations?
143	Stone	Responds that this is correct.
146	Stone	Expands on ODF Performance Measures chart page 14 (EXHIBIT B).
170	Stone	Explains the chart on Pacific Northwest Fire Agencies fire history 1998-2002, page 12 (EXHIBIT B).
189	Stone	Touches on short-term issues that might be seen this session.

230 Rep. Roblan Concur with him and adds a comment.

235 Stone Thanks Rep. Roblan and continues with presentation.

281 Stone Refers to the long terms issues and discusses the importance of maintaining the ability to aggressively fight fire.

314 Stone Refers to **(EXHIBIT C)**, which is the department's strategic plan for fire protection from 2004 to 2011.

320 Sumner Calls on Mr. Stone to dispel the myth that early settlers would intentionally set fire to forests to create agriculture and grazing land.

333 Stone Responds that humans have used fires in the past to clear land. In terms of the largest fires it is unknown if those were set intentionally.

350 Rep. Roblan Notes that the department makes resources a priority before property, but the federal government reverses those priorities.

358 Stone Responds affirmatively.

361 Rep. Roblan Inquires if another factor that can hamper the aggressive fighting of a fire is because the resources are set in a different area.

364 Stone Responds that Rep. Roblan is correct, that there are a number of factors that are involved. States that fighting fires in wilderness areas requires different resources than those in urban areas.

384 Tim Keith Assistant State Forester. Submits and presents a PowerPoint presentation regarding the Fire Program **(EXHIBIT D)**.

TAPE 2, B

010 Keith Points out that the department is experience a loss of institutional knowledge due to retirements. Asserts that stakeholders need to remove some of the barriers that keep them from actively participating in the fire fighting process.

016 Keith Discusses the outcome of the 2003 Legislature's direction to review the forest fire fighting system.

026	Keith	Expands on the six key emphasis areas of the fire program review.
047	Keith	Gives the status of the review, where the department is at now with the review and what needs to be implemented.
061	Keith	Remarks that throughout the process of the fire review the department received assistance from Oregon State University's Institute for Natural Resources under Gail Achterman's direction. Refers to draft copies of the final report background (EXHIBIT E) .
073	Rep. Hass	Inquires if they have data on cigarette-caused fires, to what extent cigarette-caused fires are a problem and whether there is anything more that can be done about it.
080	Stone	Replies that the two leading sources of human-caused fires are debris burning and equipment caused fires smoking has declined as a cause but it is third or fourth. In order to do something about it we can use mass media and education in schools, and fire prevention is everyone's responsibility.
095	Keith	Points out that Keep Oregon Green is an important program for the education of the public. Says that ODF is developing strategies to try to improve the messages that they send. Reports that cigarette-caused fires are on a decline.
104	Chair Smith	Inquires if cigarette-caused fire are included in the debris fire group.
105	Stone	Responds that fires caused by cigarettes are in a classification by themselves.
112	Rep. Roblan	Wonders if there are new technologies that are eliminating the need for slash burning to get rid of the debris.
115	Stone	Answers that the overall amount of slash burning has decreased considerably even though the technologies have not changed much (EXHIBIT D) .
151	Paul Washburn	Chairman Pacific Northwest Region, National Wildfire Suppression (NWSA). Submits and presents a PowerPoint presentation on the NWSA (EXHIBIT F) .
205	Washburn	Gives a history of the organization.

- 221 Washburn Refers to graph showing growth of private sector groups, page four (**EXHIBIT F**).
- 260 Washburn Talks about the accountability, or lack there of, as a result of the contracts. Reviews the issue tracking documents pages 6-11 and expands on the issues.
- 287 Washburn Describes the types of contracts with agencies in Oregon, both local and federal.
- 323 Washburn Details the training programs used by the NWSA.
- 345 Washburn Identifies Safety issues mentioned in (**EXHIBIT F**).
- 389 Washburn Discusses the development of a new class code specifically for fire fighting. Indicates that a pilot program will be implemented through SAIF in March to try to lower workers compensation rates.
- 417 Washburn Outlines the accomplishments of the NWSA as presented in (**EXHIBIT F**) page 12.

TAPE 3, A

- 022 Rep. Burley Asks what the NWSA is doing to try to get more accountability with agreements.
- 032 Washburn Responds that currently working toward best value contracting, expected to come out in 2006. Adding that they are developing the criteria right now.
- 045 Washburn Refers to contracts between the Department of Corrections (DOC) and the US Department of Forestry to provide labor crews to do pre-suppression work (**EXHIBIT G**).
- 055 Chair Smith Inquires if Mr. Washburn is opposed to using crews from the DOC.
- 056 Washburn Responds that the NWSA is very opposed to using crews from the corrections system. Explains that the NWSA has unemployed workers in regions, and yet the convicts are doing things that those workers can do. They should not be working at our expense.

080

Chair Smith

Closes the informational meeting and adjourns the meeting at 11:00 AM.

EXHIBIT SUMMARY

- A. Proposed Committee Rules, Staff, 2 pp.**
- B. Fire Protection Program, PowerPoint presentation, Charlie Stone, 16 pp.**
- C. Fire Protection Program, informational material, Charlie Stone, 3 pp.**
- D. Fire Protection Program, PowerPoint presentation, Tim Keith, 3 pp.**
- E. Fire Protection Program, informational material, Jeff Behan, 22 pp.**
- F. Fire Protection Program, PowerPoint presentation, Paul Washburn, 35 pp.**
- G. Fire Protection Program, informational material, Paul Washburn, 2 pp.**