

MINUTES
SMOKE MANAGEMENT ADVISORY COMMITTEE (SMAC)
January 30, 2020

477.552 Policy. It is the policy of the State of Oregon:

- (1) To improve the management of prescribed burning as a forest management and protection practice; and
- (2) To minimize emissions from prescribed burning consistent with the air quality objectives of the Federal Clean Air Act and the State of Oregon Clean Air Act Implementation Plan developed by the Department of Environmental Quality under ORS 468A.035. [1989 c.920 §2]

Committee Members Present:

Gregory McClarren, Committee Chair, Public Representative
Rick Graw, Committee Vice Chair, Forest Service Representative, also representing BLM today
Dave Cramsey, Industrial Land Owner Representative
Scott Hanson, Non-Industrial Landowner Representative

Others Present:

Nick Yonker, Smoke Management Manager, Fire Protection Program, ODF Support
Doug Grafe, Chief of Fire Protection Program, ODF
Ron Graham, Deputy Chief of Fire Protection Program, ODF
Michael Orman, Department of Environmental Quality Representative
Peter Brewer, Department of Environmental Quality
Pete Parsons, Smoke Management Meteorologist, ODF Support
Mike White, Coos Forest Protective Association
Shauna Morris, ODF Support
Kyle Williams, OFIC
Christina Clemons, Smoke Management Field Coordinator, ODF
Margaret Miller, Air Quality Specialist, Oregon Department of Environmental Quality
Jim Gersbach, Public Affairs, ODF
Dave Brown, Coos Forest Protection Association
Mike Jackson, Roseburg, Douglas Forest Protective Association
Brenda Hallmark, US Forest Service
Jason McGovern, US Forest Service
Dana Skelly, US Forest Service

WELCOME – INTRODUCTIONS

Gregory McClarren opened the meeting at 9:06 am. Introductions were made. Gregory introduced Margaret Miller, Air Quality Specialist for Oregon DEQ, and will take over as DEQ representative for the SMAC. Margaret has a background in forestry. Gregory also mentioned the new BLM representative, Jason Simmons, who was unable to be here today. Jason has a BS in Fire Science from OSU and helped develop the La Pine wildland urban interface plan.

Action Item 1: Nick Yonker to provide others with Jason's contact information.

MINUTES APPROVAL

Scott Hanson stated his name was misspelled as "Hansen" in the June 2019 minutes. A motion for approval was made by Gregory, noting this correction, and seconded by Scott Hanson. The minutes of the June 25, 2019 Smoke Management Advisory Committee (SMAC) meeting were unanimously approved.

PROTECTION DIVISION REPORT

Ron Graham gave the Protection Division report. He mentioned ODF is currently working on its budget with the financial oversight committee, Macias, Gini and O'Connell financial group (MGO). Ron noted that ODF is in the process of cost containment to find ways to reduce expenditures. He said Smoke Management funds are separate but we are still evaluating priorities of travel and spending for all employees. Ron explained The Governor's Council on Wildfire Response has presented several recommendations related to fuels reduction, prescribed fire, air quality, and landscape restoration. He noted this could lead to expansion of protected areas and introduced the Wildfire Response Legislative Proposal letter from the Governor, dated February 2020. That letter referred to topics on fuel reduction, controlled burns, use of smoke filtration systems during wildfire, landscape restoration, and continuation of the council through 2021. Ron said ODF is watching approximately 18 bills including Senate Bill 1514, reducing wildfire risk on forestland and rangelands, and Senate Bill 1536, which requires electric companies and public utilities to comply with additional regulations. He also noted, if supported by the Governor's Wildfire Council, ODF hopes to add capacity with a new "prescribed fire coordinator" position that will work with policy related to smoke management.

Doug Grafe noted the importance of having this new smoke management position and expertise in this field. He noted that reducing the risk of the negligence concern related to prescribed burning would be an important task for this new position. Doug stated that ODF is making progress with cost recoveries and have closed out the billings for the 2013 and 2014 fire seasons. He noted typical turn around for cost recovery is two to four years. Of note, ODF carries roughly \$40 million until reimbursed from other sources. He stated the State Treasury is no longer providing cash flow services as the department is currently working toward a better avenue to sufficiently carry this financial load.

In response to questions of employee travel abilities by Rick Graw, Ron said ODF has to individually evaluate each request or need for travel. He noted federal partners have been assisting by covering some costs for necessary ODF employee travel. Gregory vocalized concern of these restrictions inhibiting productivity of the new rules.

Dave Cramsey and Gregory expressed concern about protecting the Smoke Management fund. Doug stated this fund is utilized by the organization and allows ODF to limit borrowing from other sources. He assured the group that the accounting is accurate and the funds are protected. Doug noted ODF has a \$30 million cash flow currently. He mentioned ODF has gone to the legislature to request system improvements and hopes to have additional information by April.

Doug recognized the committee for outstanding efforts to change culture around the importance of prescribed burning and its necessity in mitigating wildfire.

Gregory requested of Doug and Nick that communication be passed along to stakeholders to help them understand the financial situation of ODF. Doug responded saying that this is a grassroots effort and that the committee be part of communicating that message to their partners in the field.

The Wildfire Response Legislative Proposal was handed out to the committee and staff.

DEQ REPORT

Staffing update

Michael Orman introduced Margaret Miller as part of the team and explained her duties. He said that he would still be involved but Margaret would be taking on a key role.

Smoke Management Plan (SMP) State Implementation Plan (SIP) Update

- DEQ SMP SIP submitted June 11, 2019. Currently being reviewed by EPA.

Monitoring Update – document presented by Margaret Miller and Michael Orman

- Draft map of growing monitoring network presented. Discussed adding city names and districts.
- Rick Graw asked about factors used to make decisions of where monitors are placed. Michael replied that he would need to follow-up but there are various reasons why monitors are placed in a community. For example, the Chiloquin monitor was originally placed to monitor wildfire and woodstove smoke data. Now it also monitors prescribed fire smoke impacts.
- Monitor use will continue to grow according to Michael.
- Dave expressed concern regarding “citizen science” related to personal air monitors. We must maintain controls around accuracy of data collected from varying sources.
- Gregory expressed concern about the public controlling the narrative related to using personal air monitors, which could lead to an initiative to stop prescribed burning.

Grants Update

- Smoke Management Community Planning and Mitigation Projects. \$250,000 available to assist Oregon communities with 1) development of community response plans and 2) the evaluation and implementation of strategies to mitigate the impacts of increased prescribed fire smoke on vulnerable populations. The grant can fund:
 - o Seven \$25,000 projects and one \$75,000 project
 - o Proposals due by January 31, 2020
 - o Declaration of awarded proposals by February 14, 2020
 - o Communities currently preparing proposals include Baker County (Baker City), Oakridge, Lakeview, Ashland and Wallowa County (Enterprise).

Other Topics

- Michael mentioned DEQ has been receiving smoke complaints more often. Navigating and interpreting these complaints can be difficult. He highlighted the importance of educating the public on the importance of prescribed burns. Margaret Miller noted the difficulty in tracking these complaints as they can come from several different sources. We need a system for getting, prioritizing, and communicating this information.
- Nick mentioned that we have a system for recording and tracking complaints.
- Margaret said there needs to be discussion for how we handle and prioritize complaints from different sources, and provide responses that are easily understood.

Action item 2: Follow up on decisions for placing monitors in various locations

Action Item 3: DEQ will initiate and work with ODF on the complaint process from sources outside of DEQ and ODF.

PUBLIC COMMENT

Scott Hanson, non-industrial representative to the SMAC, and part of the Oregon Small Woodland Association (OSWA), shared part of a recent OSWA survey asking the question of landowners, “Who protects your land.” Results showed that many respondents were not sure or chose both rural fire protection and ODF fire protection. 25 percent of survey respondents are in rural fire protection districts and outside ODF protection districts.

MOU for Board of Forestry (BOF) / Environmental Quality Commission (EQC)

Nick Yonker presented the Memorandum of Understanding draft document between ODF, DEQ, and OHA that was requested by the Environmental Quality Commission (EQC) in order to highlight the roles of each agency as they implement the new SMP. The MOU is broken out in the following key parts, explaining what agency is responsible for specific tasks:

- Intrusion Documentation and Reporting (section III)
- Community Response Plan (section IV)
- Exemption Request Process (section V)
- Program Metrics and Reporting (section VI) - Board of Forestry requested reporting progress in development of community response plans and success in approving exemption requests. EQC had additional requests.
- Measures of Success (section VII)

Nick explained that ODF is in the process of getting ready for the requested March BOF/EQC SMP updates. He said the staff report will include tasks completed, tasks in progress, a burning summary, and what next steps are for the SMP.

Dave asked about “measures of success,” and whether or not OHA is a part of this group. Nick noted section VII in the MOU that refers to a meeting between all groups. OHA has also been invited to the SMAC meetings. Nick also explained that OHA will have a new representative for the purposes of implementation of the MOU.

Nick explained the role of OHA under this new SMP. OHA will not be a part of rulemaking but will help out in developing community response plans since they are dealing with the health issue of prescribed burning smoke.

Gregory recommended the word “waiver” should be removed, and replaced with “exemption” to keep the language consistent.

Gregory requested those present to forward their comments about “measures of success” to Nick and Margaret Miller within the next two weeks.

Rick requested “measures of success” to include reduce wildfire risk. Michael and Nick noted this MOU is specific to the latest SMP update, not necessarily to the whole mission of ODF.

Dave stated the “measures of success” are vague. Nick replied that these measures are difficult to quantify, yet specifics need to be developed. Michael stated he will connect with OHA and see if these measures can be clearer. Group discussed that metrics need to be developed, and noted a twice-a-year review allows for “measures of success” to be updated.

Educate Board Members

From a previous meeting request, Nick said that it would be extremely unlikely the SMAC could have a separate meeting to specifically educate board members on smoke management.

Action Item 4: Update the MOU to remove “waiver” and replace with “exemption”. Also update the section on “Measures of Success” to develop clear and measurable “measures of success”.

ACTION ITEM REVIEW

Nick Yonker presented a handout of Smoke Management Advisory Committee Action Items and emphasized the following:

- Intrusions (bullet 5) – ODF, DEQ, and land managers have had After Action Reviews for non-SSRAs of Prineville, Chiloquin, and Sisters because of prescribed smoke incidents when an ambient air quality exceedance occurred. Continued exceedances could lead to a non-attainment area in the future.
- Implement new instructions (bullet 6) – Nick and Rick worked on analyzing smoke intrusions to determine how much of an increase in burning could take place in different fire weather zones. However, both analyses met with little success. Thus, Nick decided to base increases in burning from the current instruction model. That model has been working well. Additionally, since we know that poor air quality days will hold smoke in place for long periods to time, percentage increases of burning on those days need to be considerably less than the percentage increases in burning on good air quality days. The new model used this approach and has been in place since October.

Gregory noted there have been an increase in complaints this fall, including complaints received by EPA, regarding the new plan. He noted more smoke incidents as we burned more this fall, perhaps more incidents than we would see in a wildfire. He emphasized the need to be able to answer questions about burning when they arise.

INTRUSION/INCIDENT SUMMARY

Pete Parsons presented the summary of intrusions referencing his PowerPoint slides. He expressed the following main points:

- Nine incidents that would have also been intrusions under the previous limitations
- Four intrusions during Fall 2019
 - o Coos Bay/ North Bend (2), Ashland, and Enterprise
 - o 84 total hours of smoke intrusion
 - o Two intrusions met the one-hour threshold for 4 hours
 - o One intrusion met the one-hour threshold for 4 hours, the first day and the 24-hr threshold the following day
 - o One intrusion met the 24-hr threshold for two consecutive days but never met the one-hour threshold
- Enterprise intrusion 10/24 – Private landowner. Out of prescription. Private forest land burning.
 - o This group backed off from their burning after the intrusion.
- Coos Bay/ North Bend intrusion 11/18 – Private landowner. Forecast was for SW wind, but switched to southerly.
 - o This was categorized as an intrusion based on the reduction in visibility as this was the first day of monitoring using a new air quality sensor.
- Ashland Intrusion 12/3-4 – USFS. The burn boss realized they should have completed ignitions by 3 p.m. as the air mass typically stabilizes around that time in December.
- Coos Bay/ North Bend Intrusion 12/4-5 – Private landowner. There was no air movement the 2nd day - this caused the intrusion.
- Pete noted we would not have gotten any burning done if we were still under the old rules. This new system is better for the smaller burns, giving burn bosses greater ability to burn.
- Incident Summary:
 - o Communities impacted: Prineville (5x), Bend (3x), Klamath Falls, Chiloquin (5x), Coos Bay (3x), Enterprise, Cottage Grove, Lincoln City, Ashland, and Sisters
 - o 256 total hours of smoke incidents
 - o The majority of smoke incidents lasted < 10 hours, with 11 events 10+ hours.
- New prescribed burning rules are allowing for expanded burning, especially close to SSRAs.
- High number of smoke incidents, relative to smoke intrusions, reflects program objectives.

- Unusually dry and stable weather limited fall prescribed burning.

Mike White noted that several hours of smoke in Prineville from prescribed burn prevents wildfire that can bring smoke for several weeks.

Margaret and Dave discussed again the importance of measures to collect with each incident, intrusion information and complaints.

Break for lunch at 12:14

Resume 12:37

BURNING SUMMARY (2019)

Nick referred to the handout of Burning Summary charts for 2019 and noted these main points:

- Accomplished Summary by District
 - o 3,238 units, 195,443 acres, approx.1.2M tons burned
 - o Burning more efficiently
 - o Nick explained how emission reduction techniques (ERT) are determined (ie. Piles are an ERT to broadcast or underburning).
 - o Christina Clemons noted these statistics could also reflect that we are developing standards to estimate fuel loading.
- Accomplished Summary by Owner by District
 - o Private owners - 77,000 acres burned
 - o Forest Service – 90,000 acres burned
 - o BLM - 20,000 acres burned
- Accomplished Summary by Owner by burn type
 - o New report requested by Dave Cramsey
- 10-year Accomplishment Summary comparing to 2019 burning:
 - o Acres burned 195,443 is an 11 percent increase over the 10-year average. 38 incidents and six intrusions for a .19 percent intrusions per unit burned.
- Likely will be increasing federal burning in the future
- Dave highlighted that we have a highly successful rate of burned units vs. intrusions. He elaborated that intrusions per ignition is a better measure than per unit.

Action Item 5: Doug wants to send out to the committee a poll by the National Association of State Foresters that asked about what are limitations to burning - mainly weather, resources, and smoke management. The report also showed how many acres we burn compared to other states.

FUND BALANCE / BUDGET UPDATE

Nick referenced the Fund Summary Status chart and table and Smoke Management Fund Balance Actuals and Projected charts highlighting the following:

- Burning increased in the last month of 2019.
- Fund balance ending 2019 was \$824,289.13.
- Dave asked a question about the increase in the balance from last year. Nick stated there have been “manual adjustments” by the finance department.
- Manual adjustment to personnel service costs of \$87,762 – was put back in the program in 2019 to make a “cleaner budget.”

- Adjustments were made from finance due to ODF using Smoke Management funds elsewhere. It is an accounting measure. It is difficult to explain how finance has done the accounting to deal with the cost containment situation the department is in.
- Forest Service is now under a yearly lump sum fee agreement of \$225,000; they pay once every 6 months. This has not been paid exactly at every six months. Note that there is an extra \$112,500 payment in 2019.
- BLM agreement is also a yearly lump sum payment and paid every six months.
- Currently BLM has been overpaying based on the current agreement. Forest Service has been underpaying based on the agreement.
 - o A new two-year agreement is needed for BLM. The goal is to charge less in the new agreement to balance out the overpayment.
 - o The Forest Service has underpaid by at least \$230,000. The new two-year agreement starting in May will rectify the balance.

Nick explained that these federal agreements for lump sum payments were made available as an optional payment plan during the 2008 rule change.

Dave voiced concern about agreements with outstanding balances that float payments and is not in the best interest of the department or landowners.

Nick mentioned the idea that we could raise fees if needed since there has not been a rate change in 12 years. Inflation is approximately 2 percent.

Gregory said we need to have a discussion on the budget for the program and clearly identify the issues.

Doug Grafe noted that although we haven't increased fees, burning has increased and there isn't intent to have a fee increase.

Dave requested transparency with income and expenses as we review federal agreements. He also expressed concerns regarding revenue streams, mid-term impacts and what that does for rates.

Action item 6: Request the accounting issue be addressed and made clearer for the next meeting.

Action item 7: The budget subcommittee should be reconvened to sort out the Smoke Management finances due to the implementation of federal agreements that involve lump sum payments.

KEY PERFORMANCE MEASURES

Nick referred to an email regarding performance metrics and noted the following points:

Rick sent an email with four requests from the members and staff. Nick answered requests one and four regarding metrics the policy boards were looking for and metrics the legislature was looking for. Otherwise, the requests of metrics the public wanted and metrics the burners wanted were not responded to.

Gregory also had asked at an Advisory Committee meeting last year for two or three priority items (needs) the committee members wanted answers to related to metrics. This was not completed.

Nick asked, What do we want to do with these action items?

Rick answered that the metrics were intended to specify measurable actions against the stated objectives in the rule, such as "why we need burning." The annual report doesn't characterize this. Rick asked whether we were reporting the right metrics such as "minimizing smoke emissions."

Nick stated that some of these objectives have been acted on dealing with “minimizing smoke emissions.” We have reported in the annual report the number of acres of emission reduction techniques (ERTs) and alternatives to burning. Some of these statistics can be found in the data system. We also use a survey to get ERT and alternatives acres not reported in the data system. However, recently, we haven’t been able to collect this data either through a yearly survey or directly from the federal agencies.

Gregory mentioned the DEQ policy board have asked for metrics that are characterized in the MOU between ODF, DEQ, and OHA. Also, the complaint system is a method for education and engagement.

Scott also gathered data from small woodland owners on alternatives to burning. This is a good educational opportunity to use other methods besides burning.

Rick said we need to focus on the objectives and review them in order to report back to our policy boards, but we don’t have a good mechanism to do this.

Rick said we need to address all six objectives. He did not think we’ve addressed “complying with state and federal air quality and visibility requirements” or “coordinating with other state smoke management programs.”

Nick stated we discuss about emissions and annual burning in addition to intrusions in the annual report. Regarding “coordinating with other state smoke management programs” we do this at the annual EPA meeting. However, other states have different needs and different politics. He also noted other agencies come to him to ask advice about how to make their programs better. Our program is proactive due to having a review every five years.

Rick noted smoke from California burning has been coming into our air sheds and how we address that.

Nick said that California emails us their burning they are planning near the border. We are also on the email list with the (California-based) NE Air Alliance. We don’t have an agreement to not put smoke into another state so we can’t tell another state they can’t burn in a certain location.

Rick asked if we have all the metrics in place to give a fair evaluation of our program.

Gregory answered no. We’re only nine months into our new SMP and we haven’t heard from our policy boards nor have we heard from EPA regarding our State Implementation Plan.

Dave asked what the department’s key performance measures are.

Rick said we need to track data to know how we are performing.

Nick said that our key performance measure based on the legislature includes how much burning we’ve done each year and the percentage of units burned vs. smoke intrusions.

Dave requested data about burn type and geographic location, and data if groups are getting everything accomplished that they had planned. Are people getting their burning done around Bend or in other places like west Oregon?

Action item 8: Schedule a follow-on metrics discussion for our objectives during the June meeting agenda.

Action item 9: BOF and EQC update for June meeting agenda.

SMP IMPLEMENTATION UPDATE

Nick referenced the [ODF Implementation Plan for 2017-18 Smoke Management](#) handout. Main updates include:

- Statewide communication framework – completed and sent out 9/19/19 to district foresters, FMOs and health agencies. Framework will be sent out yearly. Goal to send out to media as well.
- Community response plans – Bend plan completed 11/7/19. In process of reaching out to Lane County (LRAPA) for Eugene/Springfield and Cottage Grove, Ashland, Lakeview, John Day, and Baker City (eastern Oregon pilot CRP).
- Exemptions – Bend exemption submitted and accepted 11/7/19. No other requests yet.
- Gregory asked Peter Brewer who has asked for grants – Lakeview, Ashland, Enterprise, Oakridge and Baker City.
- Instruction model update – completed and implemented 10/14/19.
- Dave asked about making forecast model changes and adjustments in the future. Nick replied that we will monitor the burning to determine how it matches with the updated changes to make adjustments. Might need to try test cases. It is a slow process that will take years to “fine-tune.”

ROADSHOW REVIEW

Nick reported that Smoke Management provided 26 presentations in 2019 to state, private, federal, and public stakeholders regarding the update to the SMP. The driving force was to communicate out the new rules so those affected would have a clear understanding of the changes, and an understanding of the challenges and benefits.

Dave asked about educating those land owners that didn't hear about the new rules through Smoke Management's presentations. He was hoping there would be a possibility of reaching out separately to these individuals and groups. Nick said, there's still opportunity to have another meeting inviting land owners.

Action Item 10: Look into having a landowner meeting to discuss the latest rule changes.

DATA SYSTEM UPDATE

Nick met with IT to express the need for public access to the data system be available for stakeholders who don't have access. However IT programming staff dropped to only one programmer. Thus, IT said it's unlikely this change can be programmed in the near future. Nick will continue querying IT when there's enough IT capacity to update the system.

Gregory asked the question whether it was possible to hire an outside consultant to address the IT need. Nick answered that it could cost up to \$100,000 and likely would be too costly.

Action Item 11: Continue checking with IT on the ability to program changes to data system.

EPA ANNUAL MEETING – Ashland

3/30-4/1 Ashland Springs Hotel. Prescribed burning theme. Possible tour of Ashland watershed.

Action Item 12: EPA meeting agenda send out.

NEXT MEETING – Last week in June.

Action Item 13: Nick to set up next SMAC meeting poll soon.
Meeting adjourned at 3:09 pm.