

**MINUTES**  
**SMOKE MANAGEMENT ADVISORY COMMITTEE (SMAC) MEETING**  
**February 06, 2014**

**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, Public Representative  
Mike Dykzeul, Industrial Forest Representative  
Willie Begay, BLM Representative (Conference Call)  
Rick Graw, Forest Service Representative (Absent)  
Lee Miller, Nonindustrial Forest Representative (Absent)

**Others Present:**

Nick Yonker, Meteorology Manager, Fire Protection Program, ODF Support  
Brian Finneran, DEQ Staff Support  
Doug Grafe, Deputy Chief, Fire Protection Program, ODF Support  
Harold Merritt, Plum Creek Timber  
Mike White, Coos Forest Protective Association  
Tracy Guenther, Administrative Support, Fire Protection Program, ODF Support  
Sam Pearcey, Administrative Support, Fire Protection Program, ODF Support

**ADMINISTRATIVE DETAILS – INTRODUCTIONS**

Nick Yonker called the meeting to order at 09:12 a.m.

- Nick introduced the new ODF support staff: Tracy Guenther, Sam Pearcey, and Doug Grafe. Introductions were made around the table.
- Doug Grafe updated the SMAC with our agency administrative staff, Tracy Guenther and Sam Pearcey. They are currently in developmental positions but are here to support the SMAC as needed. A permanent support person should be selected by the next meeting in June.

**MINUTES APPROVAL/MINUTES FORMAT**

- Gregory brought discussion forward to keep track of changes and future discussion outlined in the minutes. This would serve as follow-up at the next meeting. Also, action items could be listed in minutes for follow-up.
- The following changes to the previous meeting minutes were brought forward: Verbiage at the beginning of page 8 under Directive 1-4-1-601, Standards I - Class I Areas; Brian Finneran asked to remove the statements “not results”, so that one sentence reads “Brian replied that effort is required”; and the other sentence reads “...are demonstrations of effort.”
- Mike White added that processes such as a test burns, forecasts, or balloon use, etc. are demonstrations of effort, not “results.”
- Nick held a discussion regarding changing the format of the committee notes for future meetings.
  - Mike D suggested summarizing meeting discussion. If there are task groups formed they would provide notes to the meeting as an addendum to the SMAC meeting notes.
  - Brian noted that from DEQ meetings minutes are essentially a “word for word” capture of the meeting while notes are a summary.
  - Doug mentioned that in reading through past SMAC meeting minutes, it was difficult to see resolution to discussions.

**Action:** The SMAC requested Nick add to the next meeting agenda, further discussion regarding meeting notes, meeting structure, developing a committee charter, and breaking out tasks to individuals.

**INTRUSION REPORT**

Nick presented a PowerPoint presentation of the fall's one smoke intrusion.

- A summary of all intrusions showed three occurred in 2013, all from the Forest Service with one into Lakeview and two into Bend. Details of the fall intrusion follow:

- November 14, 2013 – Bend had a moderate intrusion from burning done the day before from the Crescent Ranger District. The burn was conducted about 45 miles SSW of Bend with 1350 tons burned on 932 acres. The weather pattern showed a ridge coming in the day of the burn (Nov. 13) with a trough following the next day, that eventually cleared the air in Bend. Winds were light and variable with low mixing heights. Approval was given for the burn due to the forecast expecting a light N to NE wind. The smoke originally travelled to the N to NW over Odell Butte. It was suspected the smoke settled into the Wickiup Reservoir and then followed the Deschutes River into Bend the morning of Nov. 14.
  - Brian Finneran asked if ODF summarizes the number of complaints that were received and recommended a summary of complaints in future intrusion presentations.

**Action:** Have Smoke Management staff summarize available complaints associated with intrusion report presentations.

### **FALL BURNING**

Nick presented a handout showing results of burning throughout 2013.

- For the 2013 year, 168,000 acres for 1.2 million tons were prescribed burned in Oregon.
- The “Accomplishment Summary” for the past 10 years showed an above normal amount of burning for 2013, which was most likely due to good weather conditions for burning.
- It was noted that over the past 10 years that while acres burned have remained relatively the same, tons burned have decreased noticeably. This seems to indicate improvement in alternative use and emission reduction techniques.
- Gregory started discussion at developing a future study as to who is causing the intrusions over a 25 to 30 year period. An example would be to look at landowner intrusions vs. how much acreage/tonnage they’ve burned per year. It was mentioned that much of this information is already in the annual report. Brian summarized that the SMAC should review the annual report and submit the type of report they want.

**Action:** Committee members review annual report from the Smoke Management website and submit proposals for further evaluation and action.

### **PUBLIC COMMENT**

Mike D mentioned that he received word from a landowner that in order to make comments on the proposed rule changes from the review, he would have liked to have seen the review report.

### **OREGON PRESCRIBED FIRE COUNCIL OVERVIEW**

Amanda Stamper was not able to give her presentation due to weather conditions.

SMAC held discussion regarding the role and plans of the newly formed Prescribed Fire Council. Concern was expressed regarding their interest in developing a certified burn manager course to absolve landowners of liability for escaped burns. Mike D. expressed doubts that the course could do that. There was agreement to reschedule Amanda’s presentation to the June SMAC meeting.

**Action:** Nick will schedule Amanda to present her talk at the June SMAC meeting.

### **BUDGET FUND REPORT**

Nick presented a handout of a chart and spreadsheet showing the Smoke Management fund balance history.

- Chart shows fund balance continuing to go up with increased burning. Burning has especially increased during the winter months due to more dry periods, giving rise to lower risk burning.
- Doug asked Nick what the “low end” (minimum balance) of the fund should be. Nick had not considered that concern but shifted the conversation to the Smoke Management data system and the possibility that the new system may not be able to be integrated into Private Forests’ FERNs notification system. This caused concern among the SMAC.
- Doug mentioned that he would be meeting with Lena Tucker to discuss the FERNs program and then discuss with Nick how to investigate a path to develop the new data system.
- Also discussed was the department’s commitment to investigate a study related to Polyethylene (PE) on piles that came out of the Smoke Management Review in order to allow greater usage of PE in the future. Nick mentioned that in conference calls with the National Wildfire Coordinating Group Smoke Committee, there was the opportunity to submit a proposal to the Joint Fire Science Program (JFSP) for them to investigate emissions from PE on piles. Nick planned to submit a proposal. A study from JFSP may take awhile and will have to be vetted by them to determine if they wish to take on the project.

**Action:** Investigate the pathway to develop a new data system whether as a module on FERNS or an IT stand alone project.  
**Action:** Submit a proposal to JFSP to study burn emissions from piles covered by PE vs. emissions from uncovered piles.

### REVIEW REPORT FORMAT CHANGES

Both Gregory and Mike D. went through the current report prior to this meeting and made several comments and recommendations on the report. Nick stated that the multiple changes and comments Mike provided were easier to edit into the report than the suggestions Gregory made, which included combining and creating some new report sections.

After much discussion some final decisions were made –

- Condense down the large history (Section 2) of the SMAC program, and place in the executive summary. (Gregory will complete)
- Sections 1, 3, 4 and 6 will be placed in the main body of the report.
- Section 5 will become Appendix 1. Move the Medford Special Protection Zone map into item K (Special Protection Zones) in Appendix 1.
- Keep the red line strike outs with recommendations in the main body of the report.

Brian suggested changing the beginning of the executive summary in the first paragraph by making sure that it's clearly stated the editorial comments are coming from the review committee and not from ODF. Brian would also like more clarity in the second paragraph stating that it's not DEQ's review committee. Brian will craft an example of the second paragraph with different language and send to Nick. Also, Brian suggested multiple changes on pages 14, 22, 24, 25, and 30. Mike D. questioned where the language "smoke incident" comes from. It is in OAR 629-048-0110.

**Action:** Nick will edit using Mike and Brian's suggested edits, reformat as shown above, and send the report back out for a final review among the review committee members.

### SMOKE MANAGEMENT PLAN HEARINGS UPDATE

Nick presented the committee with a handout outlining the ODF/DEQ Joint Smoke Management Plan Hearings. Nick reviewed where the hearing dates and locations will be. DEQ added a hearing for DEQ in the Bend area. Nick urged SMAC members to please pass along the meeting schedule to people that may have an interest in attending. Nick stated the hearing format:

- Presentation of key changes to the Smoke Management Plan will be a joint presentation from DEQ/Brian Finneran and ODF/Nick Yonker.
- ODF will begin their hearing on administrative rule changes to OAR 629-048.
- DEQ will then hold a hearing on the State Implementation Plan to include administrative rule changes (OAR 629-048), and operational directive changes (1-4-1-601) – mostly pertaining to changes to Special Protection Zones (SPZs), which is the entire Smoke Management Plan.

Hearing Dates Schedule:

- February 25/6 p.m., La Grande Library, 2006 4<sup>th</sup> St., La Grande, OR. – Joint Hearing
- February 26/6 p.m., DEQ Eastern Region Office, 475 NE Bellevue, Suite 110, Bend, OR. – DEQ Hearing
- March 4/6 p.m., Land Fire Authority, 88050 Territorial Hwy, Veneta, OR. – Joint Hearing
- March 5/6 p.m., Jackson County Roads & Parks, 200 Antelope Rd., White City, OR. – Joint Hearing
- March 6/6 p.m., CU Auditorium, OIT, 3201 Campus Dr., Klamath Falls, OR. – Joint Hearing

Doug asked Nick how he chose the number of hearings. Nick replied that it's based on what we've done before. After the last review there were five hearings. This time he tried to hold hearings where prescribed burning is more significant with two hearings on the west side of the Cascades and two hearings east of the Cascades.

**Action:** Nick will send an email copy of the hearing schedule to the SMAC.

### LANDING VS. OTHER BURN TYPE FEES DISCUSSION

Nick asked Mike D to lead off the discussion regarding the burn fee issue. Mike stated that invoices for burn fees received from some landowners indicated that costs were higher than they should be related to burning landing and other acres on the same day.

- Discussion on the subject included the interpretation of the fee process and how to move forward.
- Harold Merritt explained how the fee rule related to landings came about in the last review. However, the language in the rule did not adequately express the intention of how fees would be paid for when burning landings vs. other acres.
- Nick explained a clarified interpretation came from a later meeting in Coos Bay that discussed burning landings first in order to benefit from paying less additional fees on other acres registered.

- Doug commented that the bottom line is there are too many inconsistencies. We need to go to legal counsel to determine if we can interpret a different view of the fee rules. There needs to be some staff work to review the billings as well as a legal review to open up the rules and our current intent. There's a possibility to clarify the rule through the public hearing process.

**Action:** Doug and Nick will review to determine how to proceed and check with DOJ to see whether they give us flexibility in rule interpretation.

**ITEM 10: NEXT MEETING – ADJOURN**

Nick adjourned the meeting at 1:32 p.m. The next regular meeting of the SMAC will be held June 26, 2014, in Salem.

**Action:** Nick will send out a Doodle Poll to the SMAC to determine the best available date.