

Smoke Management Review Committee Meeting
Oregon Department of Forestry
Santiam Conference Room, Operations Bldg, Salem
0830-1530 February 18, 2004

In Attendance: Stephen Fitzgerald, Gary Stevens, Jim Russell, Erik Christiansen, Mike Dykzeul, Brian Jennison, Jim Brown, Gregory McClarren, Stan Benson, Brian Finneran, Harold Merritt (proxy for Lee Miller), and Mike Ziolko and Cindy Smith (notetaker).

Visitors: Nick Yonker, Mike White (CFPA), and Ken Ockfen (ODF/West Lane).

1. Administrivia

Mike Ziolko, ODF

Mike Ziolko noted that although a scheduled meeting of ODF with DEQ this week had been postponed, the discussion of plastics on piles was now officially on the agencies' agenda.

Harold Merritt is the official proxy for Lee Miller.

Jim Brown inquired about a replacement for Geoff Babb on the Smoke Management Review Committee. As mentioned last month, there would be no replacement for Geoff and the membership quorum had been adjusted accordingly. Stephen Fitzgerald explained that it would be very difficult for a new member to come on this late into the process.

The May meeting of the Smoke Management Review Committee was tentatively rescheduled to May 20, 2004.

Asked about the potential affects of the failure of Measure 30.

- Mike Ziolko responded that there may be some budget reductions but he did not foresee any critical cutbacks within the agency. Smoke management is mostly fee based and would not be affected.
- Gary noted that his is a fee-based program but is subject to the trickle down affect. They end up having to charge higher costs for the same services.
- Mike Ziolko noted that the Board of Forestry was interested in getting some General Fund support for the Smoke Management program and may be looking for some direction from this committee that would support some kind of public share.
- Brian Finneran, DEQ, said they were still evaluating and it was too early to determine.

2. Minutes

The following corrections were made to the minutes of the January 22,2004, Smoke Management Review Committee meeting:

Page 3, third bullet - should be "and" not "an"

Page 2, about 2/3 down the page in comment from Jim Brown, FP should be written out to read Forest Practices

Greg McClarren made the motion, and Mike Dykzeul seconded, that the minutes be accepted. The minutes were approved as corrected.

3. DEQ Regional Haze Rule Revision

Brian Finneran, DEQ

Brian Finneran presented an update on work needed to complete the Fire Section of the Oregon Regional Haze Plan. Handouts addressing each of the two areas needing work and suggested approaches were provided to the Committee.

The SIP was adopted by EQC on December 5, 2005, but the Fire Section was incomplete. Additional work is required in the areas of:

1. Alternatives to Burning
2. Annual Emissions Goals

This information must be provided to EPA within the next six months.

Alternatives to Burning:

The Problem:

1. Brian explained that the Regional Hazed Rule requires that SIPs identify a process or procedure to prompt the use of alternatives. It applies to State, federal and private forest lands.
2. The new SIP states that this will be developed through the Oregon Smoke Management periodic review.
3. The SIP also says that the WRAP Alternatives to Prescribed Fire document will be the primary tool for evaluating non-burning alternatives, and that it will be referenced in the Oregon Smoke Management Plan.

Suggested Approaches:

1. It does not have to be a rule. Suggest citing the WRAP document in the Operational guidance for the Oregon Smoke Management Plan (Directive 1-4-1-601)
2. Peer review of the WRAP document. How and when?
3. Even if the WRAP document is not used, still need to outline a formal procedure forest landowners will use when evaluating alternatives.
4. "Alternatives to Burning" should be added under Program Elements.
5. Also add "Alternatives to Burning" to Basic Unit Information to show how alternatives were evaluated.

Discussion:

- Mike Dykzeul asked if WRAP would be doing a peer review of the alternatives document.
 - Brian Finneran responded that WRAP probably would not.
 - Mike Ziolk added that the document is final and updates would not follow this peer review. Mike explained that the Fire Forum reviewed an earlier version of the document and made comment.
- Mike Ziolk noted that requiring a formal procedure goes beyond directive and could require a Rule change.
- Jim Russell pointed out that NEPA is the formal procedure for the federal government.

Annual Emissions Goals:

The Problem:

1. Regional Haze Rule requires SIPs to contain Annual Emission Goals that will minimize emission increases from fire.
2. Acknowledges that burning will increase.
3. The requirement can be met by identifying Emission Reduction Techniques (ERT) that are being used for prescribed fire.
4. ERTs are not the same as Alternatives to Burning.

Suggested Approaches that would satisfy the requirements:

1. Describe the ERTs currently being used in Oregon.
2. Estimate the emissions from each ERT.
3. Track the ERTs currently being used annually and estimate the percent of units using ERTs.
4. Provide a rough estimate of the total emissions avoided by using ERTs (annually).
5. Does not need to be a rule. Suggest adding to the Operational guidance for the Oregon Smoke Management Plan (Directive 1-4-601)
6. “Annual Emission Goals” should be added under Program Elements.
7. Describe what ERTs were used under Basic Unit Information.

Discussion:

- Jim Russell asked if there was a system in place for Ag.
 - Brian Finneran responded “Yes”.
- A system in place private land?
 - Brian Finneran responded, Yes, for the big sources of burning and that’s all the RHR SIP requires at this point. DEQ doesn’t have a good handle on outdoor/open burning across the state but for now, it’s not required.
- Gregory McClarren asked how much other burning affects the ability of Agriculture and Forestry to get their work done in terms of emissions i.e. tracking emissions and managing smoke across the landscape?
 - Brian Finneran was unable to answer that but said that Willamette Valley Field burning is a subset of Ag burning and it’s about 80% of all ag burning in Oregon - from a regional Haze standpoint, DEQ is only tracking the large sources. Brian reminded the committee that the focus is looking at impacts on Class 1 areas.
- Mike Dykzeul asked if the ERTs are to be new ERTs over and above what’s currently being used?
 - Brian Finneran responded that it would be the current ERTs, a method for tracking those ERTs and making emissions estimates.
- Mike Dykzeul asked if there was a distribution planned?
 - Brian Finneran said none at present – it would have to be determined.
 - Stephen Fitzgerald noted that since it goes down to the unit level, there needs to be a procedure. He foresees it as a major training/education effort for users.
 - Jim Russell said there was a current agreement in place and it could be added to the Smoke Management Plan as an amendment.
- Jim Russell stated that he does not see emissions tracking as an issue and added that they (USFS & BLM) are being pushed to meet their (ERT) goals. 128,000 acres is planned for treatment for the Forest Service between now and September.
- Stephen Fitzgerald added that there appears to be a backlog of burning in rangeland areas to be completed for ecological reasons, removal of juniper, and this will affect ERTs.

Stephen Fitzgerald asked what Brian needed from this Committee. Brian replied that he would like to bring proposed language to the committee for review and request the Committee members do a peer review of the alternatives document as far as it’s usefulness, if it fit into the workload of the Committee.

4. Develop Matrix Results

In response to Brian Finneran’s presentation, Stephen Fitzgerald suggested working on the alternatives section of the Matrix next. Jim Russell suggested deferring alternatives (Matrix Item H) until after the WRAP document is available for review. Brian will make the WRAP document available to the committee as soon as he receives it.

The committee addressed Matrix Issues A, F and K next. These issues are being combined.

5. Public Comments

There was no public comment at this time but three committee members spoke.

Jim Brown said it had been brought to his attention that there are a number of projects that are looking for markets for small woodland owners – OSU, OSWA, and Healthy Forests, Healthy Communities are involved in those projects. They are looking for cottage industries, etc that would utilize products from the small woodland owner who has lost most of his market. These could pick up materials that are currently being burned.

Stephen Fitzgerald added that OSWA is working with OSU and Northwest Forest Products to put on regional workshops to reach small woodland owners who are losing markets because mills are closing and need to look at other markets. Another is biomass burning. – small five megawatt plants that can be moved. It is currently in the planning/feasibility stage.

Erik Christiansen added that it is a goal of the federal government to use rather than burn and that is precisely what part of the National Fire Plan, Healthy Forest Restoration Act and the Healthy Forest Initiative are all about. Markets for unusable material are limited right now but are hopefully on the increase.

6. Break

7. Develop Matrix Results (cont)

Matrix Item A – Are Air Quality Standards being met? (NAAQS related question)

- Gary Stevens noted that this is more than just exceeding the PM 10.
- Gregory – this applies to all non-attainment areas.
- Jim Russell – need to add Item F to this discussion.
 - o Stephen suggested keeping F separate but in the report.
 - o Jim Russell noted that within areas that are not Designated Areas and do not have a smoke monitor, when they get smoke, it is subjective and called a nuisance level smoke. The only measurement of the impact is through complaints and nuisances.
 - Gregory McClarren asked if the visibility plan is for the whole state, the whole year and is everyone treated equally, wherever they live?
 - Brian Finneran responded that it's what Item F is all about.
 - Stan Benson noted that part of the basis of the whole land use planning system in Oregon is to allow activity in agriculture. This decision has real ramifications.
 - Jim Brown pointed out that it's difficult to draw a line, but the point of Smoke Management is to get the smoke up and gone, not to prevent people or industry from activity.
 - Jim Russell said that the current way that designated areas are identified works well - community centers within forested areas and there is not a timber management component. He suggested looking at how the Regional Haze Rule will be met for the state relative to what used to be called a restricted area. He added that issuing burn permits on the East Side of the state is a real political issue.
 - Gary Stevens added that the essence of the process is that it can be managed – even in the sensitive areas. It can work.

The Committee agreed to address Matrix Item A, K and F together.

- Mike Ziolkko reminded committee members to keep the charter in mind as they approached each question.
- Erik Christiansen suggested keeping them separate in order to simplify preparation of the summary report later. He suggested addressing Matrix Item F first.

Discussion:

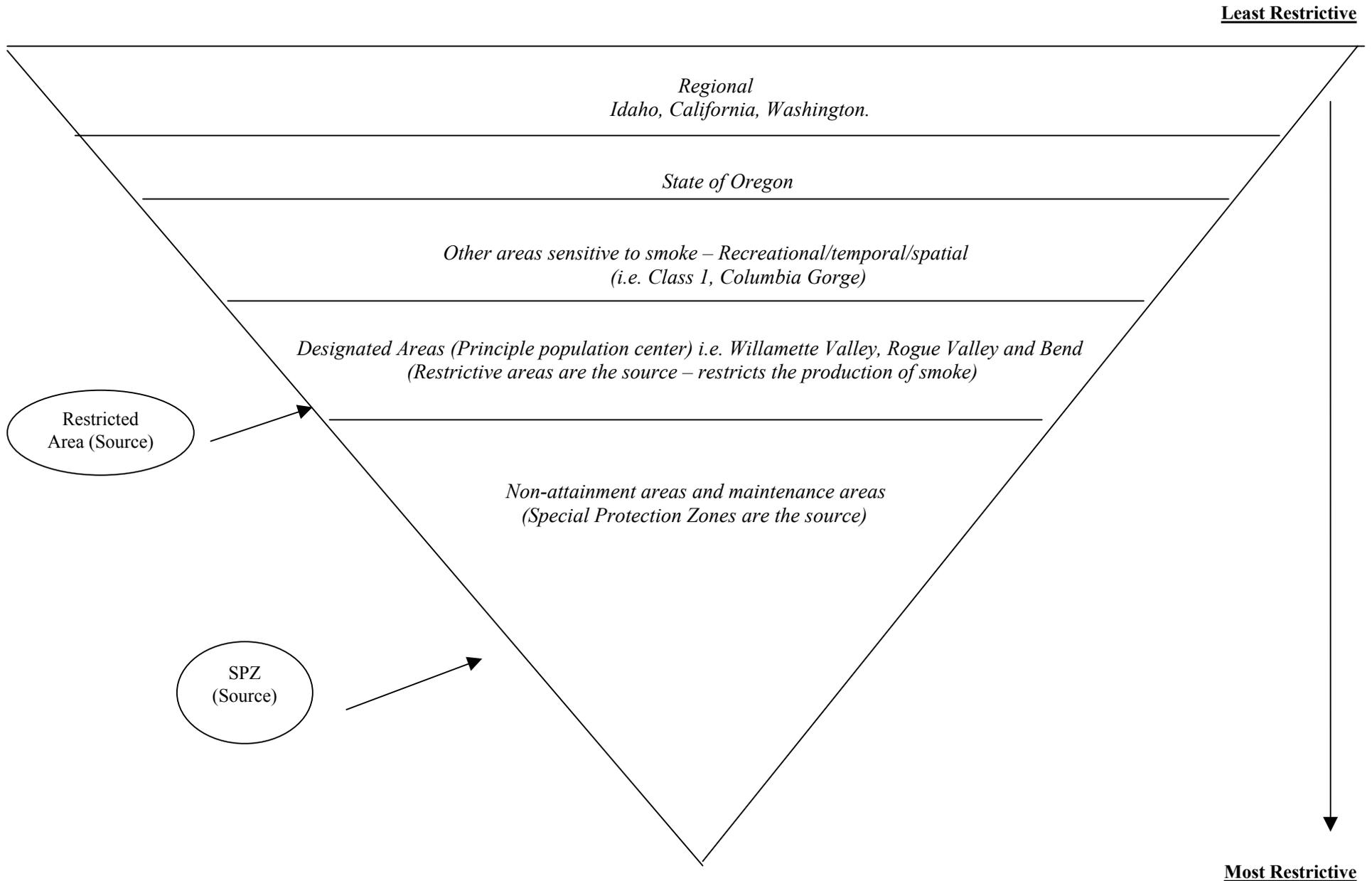
Item F: Are designated areas and smoke sensitive areas adequately defined?

Gregory McClarren asked if DAs continue to serve a relevant purpose?

Background:

- Erik Christiansen noted that the Administrative Rule defines Designated Area as “those areas... identified as principle population centers.” They are identified on a map – part of the Willamette Valley, Astoria, Tillamook, Lincoln City, Coos Bay, Roseburg, Medford, Ashland, etc. On the East Side, much of Deschutes County and Klamath county. “Principle population centers” are not further defined.
- Sensitive areas are defined as recreation areas, during specific periods of heavy use, i.e. beaches. Recreation/spatial/temporal. There is no map of sensitive areas.
- Brian Jennison suggested an introductory paragraph – “When the SM Plan was developed, the DAs were adequate, but due to population growth in the state, some of these areas may have expanded and additional DAs may be needed.” He suggested that the committee needs to review the DAs and determine if they are still adequate.
- Brian Finneran asked if DAs are still needed? He suggested that the whole state should be a designated area.
- Stan Benson commented that based on the current definition, the department or people in the local area know where those population expansion areas are and, by interpretation, they would automatically be included because of the vagueness of the definition.
 - Stephen Fitzgerald questioned the use of the word “vague”.
 - Mike Ziolkko said yes they were vague. They are just a circle on an 8 ½ x 11 map of the state with no definition of the size of the circle.
 - Stan Benson noted that the map is very vague but the definition is not as vague.
 - Brian Finneran – DEQ open burning rules identifies areas by population density in order to be specific. He added that the original vagueness in the SM Plan might have been to allow for change over time.
 - Gary Stevens said special protection zones are very specific and suggested working work back from there.
 - Stan asked how many of these SPZs are still in non-attainment?
- Gregory said he thought it appeared that there were gaps. Bend is currently a designated area but Redmond, Madras and LaPine do not qualify even though they feel impacted on a regular basis.
- Brian Jennison said the question is whether or not there should be more Designated Areas as a result of this population growth.
- Jim Russell said the SMP recognizes Deschutes County.
- Jim Russell noted that one option is to take the lead from other states and identify DAs at the local level.
- Jim Brown added that Multnomah County is a good example of assigning DAs based on counties.
- Mike Ziolkko referred the committee to a handout of definitions of DAs, SPZs and restricted areas distributed at the June meeting.

Areas impacted - From less restrictive to most restrictive:



8. Prioritization of Burning

Ken Ockfen, ODF

Ken Ockfen, Protection Unit Forester, from Veneta in the Western Lane District was present to answer questions pertaining to prioritization of burning from a field perspective. Ken makes daily smoke management calls and identifies where the “fuse points” would be for the season. Ken works with the timber companies to determine where each company needs to get burning done and noted that there has been a trend away from broadcast burning towards more pile burning. This allows burning partial units and, by covering those piles, broadens the window of opportunity.

Ken noted that some companies have been interested in trying to take advantage of unique weather patterns in the winter. Those companies want to take advantage of nice weather and see a cost savings.

Ken added that locally they are trying to reorganize responsibility by having a forest officer work on smoke management and burning – there will still be one person responsible for the smoke management but three people within the District working with the management plans and doing some of the field work, keeping on top of fuel moistures, etc.

Discussion:

- Gary Stevens asked for an example of a call he would make when the forecast is marginal.
 - Ken replied that it is more an art than a science. Having had a few intrusions Ken explained that there are certain places where they burn that they just know it’s not a good situation and have learned to rely on the forecasters. They have developed a good working relationship with forecasters. Ken added that the possibility of residual smoke the next day is frustrating for the industry on what appears to be a good burn day.
- Gary Stevens asked what the margin for error would be without that experience? Where do they draw the line?
 - Ken replied that one tool they have developed is consistency in measurement of tonnage. Ken explained that the landowner provides the measurement of the pile and they do the conversion. Ken also noted the importance of a good relationship with the forecaster and added that he recommends calling the forecaster for anything outside of the burn instruction. Additionally, Ken said they are sometimes able to get approval to burn a partial unit and if all goes well complete that unit or another portion. The landowner is happy because he at least gets some burning done. Ken pointed out the importance of being sensitive to the needs of the landowner particularly when they have a heavy load and some tough spots.
- Mike Ziolk asked how he decides which unit to give priority to if all things were equal but one unit is closer to Eugene, for example.
 - Ken explained that the unit with the narrowest window to burn would receive the priority. He added that everyone is sensitive to having areas that are difficult to get burned because of location, etc. He likes to break things up and give everyone an opportunity to burn.
- Jim Russell asked Ken what his role is and that of other field personnel in coordinating burns in adjacent areas were.
 - Ken responded that, as a courtesy, he notifies them so they don’t send engines believing that there is a wildfire.
- Jim Russell asked about prioritizing burns between adjacent areas.
 - Ken said it is less of a problem than one might think and added that it would be discussed between the local field representative and the forecaster. Ken noted that when one landowner wants to burn in multiple districts –between Western Lane, Coos and Douglas – he would have them burn in the district in which they had the narrowest window.

- Brian Jennison asked how they receive feedback when there is a smoke impact.
 - Ken said the information comes from Salem. Roseburg uses a plane and calls to report smoke and the public may call the office. He added that they sometimes get call from LRAPA.
- Brian Jennison asked if that information was relayed to Salem.
 - Ken explained that he tallies the complaints and noted that when they get those calls and they talk to the forecasters to find out if they have an intrusion or not. He added that their policy is to return each call and explain to them where the smoke came from.
- Mike Ziolkko asked what the cutoff is in terms of the size of a community or even a neighbor to the burn. (i.e. What local considerations are discussed prior to burning.)
 - Ken said there was not a cutoff in terms of population size or proximity to a neighbor and there can be problems in terms of how close they are to the nearest neighbor. He asks appropriate questions (How close is the nearest neighbor? In what direction?) in order to try to avoid those issues – there is sensitivity to the neighbors.
- Jim Russell asked if Ken had suggestions, based on how the system operated in the past, to make it more efficient.
 - Ken said the things that have been beneficial are the forecasters – they are key. Ken appreciates the two forecasts per day and pus a lot of emphasis on the afternoon forecast in planning for the next day. Even within land management, there is great sensitivity to burning – and a need to avoid even perimeter scorch.
- Gregory asked what one thing would help Ken meet his smoke management goals?
 - Ken replied that more PIBALS and weather stations would make for even better forecasting. He added that it raises confidence in what you are doing. Smoke management isn't the only thing people have to do and good information allows for good, quick decision-making. If the forecasters don't have all the information they need, the forecast may not be as accurate as they would like. There is always the concern that delaying ignition could result in fire control problems.
- Erik Christiansen asked who decides if a particular burn can be done.
 - Ken explained that it's a collaborative decision and that he would not go against the forecaster.
 - Erik – then the actual operational approval is with the field administrator.
- Gary Stevens asked if there were constraints to protect the designated areas particularly if the forecast was minimal.
 - Ken explained that the smoke management instructions must be followed and added that it would be wise to develop a relationship with the forecaster and know one's area because there have been times when you may need to be more restrictive than the forecast and other times a conversation with the forecaster may lead to a partial unit being burned based on information he provides.
- Greg asked if there was something the committee could do to help determine pile measurement and make conversions more accurate.
 - Ken replied that he thought the photo series they have had in the past are out dated as far as fuel loading and was uncertain if there was an updated version available. He added that transects are also used but work better on certain types of terrain than others and noted that the photo series does help folks get a better eye when talking about broadcast burning. As for pile burning, Ken said having the landowner provide the dimensions and having ODF staff do the conversion is working out.
- Mike Dykzeul asked how he would capitalize on optimum burn days.
 - Ken replied that they have a good discussion with the landowner as to what they are actually going to burn and has them report back with information on where the smoke is actually going

and, after verifying the data and possibly getting additional weather observations, then make the decision to allow additional burning – if all goes well they are allowed to continue burning.

- Ken was asked how much he works with the BLM.
 - Ken responded that he used to work with BLM a lot but they have had fewer burns recently. He works with BLM just like he would with a private landowner. They usually have a dialogue over the phone and the plan and accomplishment are the only documentation.
 - Ken was asked if the field administrator is the one to permit burning on federal land and under what authority. Ken responded “No.”
- Gary Stevens asked what the priority was if the BLM and private landowner wanting to burn on the same day. Who was in control of the burning?
 - Ken explained that there really has not been an issue and that coordination occurs with the forecasters in Salem.
 - Mike Ziolko added that it is like a three way communication between the BLM, the private landowner (represented by the District) and the forecasters with the forecasters having the overall picture of what’s going on and determining what additional burning could be done.

9. Working Lunch

Continue Matrix Work

- Referring back to the pyramid developed earlier (see page 6) Mike Ziolko explained that SPZs are source areas, similar to restricted areas and do not fit into the pyramid. Non-attainment areas/maintenance areas are the most restrictive areas for the pyramid. But SPZs are linked to non-attainment or maintenance areas. Three examples of different areas are Astoria and Oakridge, which are in DAs. But there is an SPZ around Oakridge but not Astoria, Oakridge is in a Non-attainment area while Astoria is not. On the east side of the Cascades there is an SPZ around Klamath but it is not in a restricted area and it’s not a DA, but it was a non-attainment area.
 - A discrepancy between the map and the directive was pointed out relative to Klamath Falls AND Lakeview.
 - Brian Jennison explained that a maintenance area is a former non-attainment area that was designated by the EPA as a maintenance area for 10 years before it can be redesignated an attainment area. It is on probation to show that they are now in attainment. Maintenance areas are not in the Smoke Management Plan (SMP) because there were none 10 years ago.
 - Mike Ziolko said maintenance area is in the Directive as far as a Special Protection Zone requirements. The Directive says that SPZ provisions apply as long as the city is in PM10 Non-Attainment status or as specifically determined by DEQ, LRAPA, that a specific SPZ is no longer needed for attainment or maintenance of PM10 standard.
 - There is no map of the Klamath Falls SPZ.
 - Eugene and Grants Pass no longer have SPZs but that is not reflected on the map.
 - Mike Ziolko said that for contingency purposes SPZs go back into effect if the maintenance plans don’t work.

10. Develop Matrix Results (Cont.)

Matrix Item F (Cont.) (See attached Matrix.)

Are regional Areas (neighboring states) adequately defined?

Discussion:

- Greg McClarren – No, but it's an emerging issue because of the Northern California Air Alliance – smoke travelling both ways between Oregon and CA.
 - Brian Finneran added that burning in Northern California has already impacted Medford and Klamath Falls.
 - The Plan is silent with regards to coordination with other states, except WA. There is some regional coordination with Washington.
- Brian Finneran - The Northeastern Air Alliance was formed a couple years ago to review the entire smoke management situation in Northern California because it is so decentralized. ODF joined into that discussion to improve regional and interstate smoke issues. They burn under a south wind and there is a string of non-attainment areas right across the border.
- Possibly, for visibility there is some coordination with Washington (the Columbia Gorge), Idaho (Hell's Canyon), Nevada (Drawbridge), and California for Class 1 Visibility areas.
- The Columbia Gorge is a National Scenic Area and Greg said there is a problem with respect to the bi-state commission.
 - The National Scenic area is the same as a Class 1 Area but because 70,000 people already lived there it could not be designated as a Class 1 Area. It is to be treated the same as a Class 1 Area except for degradation. The Smoke Management Plan is silent on this.

Will there be a problem in the future?

- Stan Benson – Probably because of the Regional Haze Rule and changing demographics.
- Brian Finneran stated that the next Regional Haze Plan in 2008 will be required to have a strategy to protect visibility in neighboring class I areas.
 - It's an emerging issue.
 - May need more future coordination especially if burning increases.
 - Yes - the Bi-state commission adopted a no degradation air quality standard.
- Jim Rusesell – Tule Lake Wildlife refuge crosses over the border and is not currently regulated by anyone – it includes rangeland in Modoc and Lake Counties and crosses two states.
- Stan Benson – there could be a future problem between Oregon and Washington – in the Umatilla, Walla Walla, Tri-Cities Valley, and between California and Oregon.

Options for dealing with these issues:

- Jim Russell - Follow the existing WRAP direction (protocol) for the interstate transport and monitoring of smoke and incorporate that direction into each state's smoke management plan.
- Brian Finneran - Periodic meeting between the Smoke Management programs to discuss issues and address particular problem areas.
- Brian Finneran - Need to acknowledge that the Columbia Gorge is special and may need a unique designation if it does not fit under any current designation.
- Stan Benson - Possible Memo of Agreement between states and/or key federal agencies and bi-state commissions.

Require Rule, Statute or Directive Change?

Rule Changes:

- Greg McClarren - Rule change in the policy section to establish protocol.
 - Add a definition for WRAP to the definition section.
- Erik Christianson - A possible change in Part 4 of the Rule under Administration.
- Mike Ziolkowski suggested the Rule could require a change under “Part 3 – Control”, where it refers to designated areas. Map changes or other geographic identification of areas are likely needed.

Directive Changes:

- A reference in the policy section regarding WRAP protocols.
- Also a change in the scope sections regarding WRAP and states.
- SPZs

What are the Barriers and Opportunities?

- Brian Finneran - Opportunities related to WRAP are taking advantage of tools and techniques that have already been developed by the WRAP for interstate smoke issues.
- Consistency is an opportunity.
- Barrier – additional workload and prioritization of time.
- Greg McClarren - Continuity is an opportunity
- Mike Ziolkowski - Barrier could be getting agreement among states to work together.
- Greg McClarren - Barrier – cost of out-of state travel and travel limitations for state employees.
- Jim Brown - Barrier – political football – SMP is to protect the Gorge from smoke. County and state politics are not always in agreement.
- Jim Russell - Opportunity – it supports the management strategy for the Gorge.
- Mike Ziolkowski - Barrier could be real or perceived increase in restrictions on burning.
- Opportunity could be improved relationships with surrounding states.

How will Success be measured?

- Jim Russell - Interstate smoke emissions and impacts are managed to the benefit of all states. (Fewer intrastate impacts and complaints).
- Mike Ziolkowski - With respect to the Gorge, no impacts or intrusions in the Gorge.
- Greg McClarren - NAAQs are met.
- Nuisance visibility problems are not increased.
- Jim Russell - No additional degradation of existing air quality.
- Greg McClarren - Participants perceive meetings as valuable in the endeavor to manage smoke emissions and impacts.

11. Break

12. Public Comments

There was no public comment at this time.

13. Next Step-Interim Summary Report

Stephen Fitzgerald explained that he would like a summary report written for Item B of the Matrix. He foresees it as approximately a two-hour project. Mike Dykzeul and Gregory McClarren volunteered to take this project on. Their work will become the template for succeeding summaries for the remainder of the Matrix Item summaries. They will bring the summary back to the committee for review. Stephen would like to have it by the next meeting. The headings will remain the same as the Matrix.

14. Adjourn

The meeting adjourned as scheduled at 15:30.

Next Meeting March 18, 2004

Committee information may be found on the web at:

http://www.odf.state.or.us/DIVISIONS/protection/fire_protection/smp/SMR/SM_Review.asp