

Smoke Management Review Committee Meeting
Oregon Department of Forestry
Operations Conference Room, Salem
April 17, 2003
0930-1530

Attendance: Stephen Fitzgerald, Jim Russell, Geoff Babb, Stan Benson, Gary Stevens, Jim Brown, John Head (proxy for Gregory McClarren), David Collier, Chris Jarmer (proxy for Mike Dykzeul), Brian Jennison, Mike Ziolko and Cindy Smith, notetaker.

Visitors: Mike Cunningham (BIA), Kim Metzler (LRAPA), Chris Cline (CFPA), and Rick Smedley (NPS).

Members not in attendance (and no proxy present): Lee Miller and Erik Christiansen.

1. Administrivia

Mike Ziolko, ODF

Members of the committee and visitors were introduced.

2. Minutes

- The minutes of the March 20, 2003, meeting of the Smoke Management Review Committee meeting were approved as written.

3. Forestry Program for Oregon

- A draft letter to the Board of Forestry regarding the FPFO was reviewed and discussed.
- Discussion:
 - Jim Brown noted that the purpose of the letter is to recommend that the Smoke Management Plan should be an integral part of the FPFO. Jim said the SMP is vital and necessary for the operation of the forest industry and other forest managers. He suggested the wording in paragraph 2 should be stronger.
 - Mike Ziolko said it would be a facilitated discussion at the Board and there would be opportunity for additional comment/input.
 - Stephen Fitzgerald asked that suggested wording for paragraph 2 to strengthen the letter be e-mailed to him and added that Jim could reiterate those comments at the Board meeting.
 - In reference to paragraph one, Jim Brown questioned whether all members of the committee “rely heavily” on ODF’s Smoke Management Program and suggested that it would be more appropriate to say “have a keen interest...”
 - Stephen said he would try to work in wording that included the fact that some rely heavily and others have a keen interest in the smoke management program.
 - Brian Jennison suggested “This committee is a diverse group, some of whom (or many of whom) rely heavily on...”
 - “Our committee represents diverse groups that are impacted by...” was also suggested.
 - Regarding the last paragraph on the first page and the top of the second page, Jim Russell said he was uncertain whether the letter needed to address management concepts relative to the smoke management program.
 - Stephen said the sentence starting with “A typical harvest...” could be eliminated.
 - Stan Benson questioned whether it adequately addresses the federal underburning program because it could result in considerable burning increases and is a big item in the popular press.
 - A paragraph on Federal burning increases was suggested.
 - Jim Russell will send Stephen a paragraph based on the National Fire Plan.

- Jim Russell suggested that forest land burning is just one source of particulate matter that could have an effect on visibility and public health and that ultimately at all sources of smoke in the state of Oregon must be considered.
 - Jim suggested inserting “Forest Land burning is just one source that contributes to potential degradation these resources.” into the new paragraph on air quality on page 2. Jim will detail that suggestion to Stephen via email.
 - Jim Russell also suggested adding the word *Leadership* to the last sentence in the second to the last paragraph on page 2.
 - Stan Benson asked what kind of integration there currently is with other types of burning.
 - Mike Ziolk responded that currently we don’t do too much burning in the summer time. There is some coordination of burning with the field-burning program – when field burning is in full swing, we back off. Historically a priority system had been used that gave priority to burning material that could only be burned in the summer (i.e. alder) while other materials that could be burned at other times of the year (i.e. red slash) were given a lower priority during field burning. Now it’s more sharing of information.
 - Stan Benson commented that there could be times when forestry slash burning should be given priority over field burning.

Stephen requested comments by April 18 in order to complete the final letter for presentation to the Board of Forestry on April 24, 2003. Committee member, Jim Brown, will present the letter.

4. Public Comments

- There was no public comment at this time.

5. DEQ Issues List Update

David Collier

Copies of a memo from DEQ to ODF “DEQ Ideas for Oregon SMP Review Topics” were distributed to committee members followed by discussion of the bulleted topics listed under “Important Issues and Topics”.

- Discussion:

Bullet # 1 has to do with the nature of understory burning. Is the basic operational, management and technical structure there to forecast smoke movement?

- Jim Trost responded that it’s possible but it will be a much larger task. For the most part the tools are there.
 - Stephen asked how they would be applied.
 - Jim Trost responded that that it would be on an individual basis – burn by burn rather than by fire weather zone.
- What kind of changes would be needed?
 - Mike said more intensive forecasting would be necessary, more like a spot forecast.
 - Depending on the amount of burning there could be an increased workload.
 - Jim Russell said the vast majority of mechanical treatment now is pile burning – in an underburn scenario if the fuels are high there would have to be preparation work before burning.
 - Administrative rule changes would be necessary to address the underburning issue.

Bullets # 2 & # 3 address the mandatory nature of the smoke management program and the perceived ability of field staff to over-ride the smoke management forecast as well as how to balance competing goals (good smoke dispersion vs. fire escape hazard.)

- Jim Russell said there is no direct evidence to support reports of field managers over-riding smoke management forecasts and said it was a perception problem. The issue may be one of enforcement.
 - Enforcing the regulations is not an issue relative to the plan itself. We still have to submit planned burning, the approval goes out on a forecasting basis. Private burners are under even more oversight. The plan has to be approved, the ODF foresters have to go out and look at the site and concur with the burning. There is a great deal of oversight.
 - Mike Z. added that in the mandatory burn areas if the burn instruction is for no burning, then none occurs. There are exceptions, which are discussed with the forecaster, and it is not outside of the instructions if burning then occurs.
 - As far as an enforcement issue, Mike said ODF doesn't have the ability to check every single burn to see that it complies with the instructions and relies on field people to follow the burn instructions unless they talk to the forecaster.
 - Jim Russell added that the low number of intrusions over the past five years points to effective smoke management.
 - Field managers also have the ability to say no even on a burn day if local conditions warrant.
 - Jim Brown commented that it's more restrictive rather than less restrictive.
 - Mike Ziolko added that air quality has priority. If it's a bad day for air quality then there is no burning allowed even if it would have been a good burn day based on fuels. If it's a good day for air quality but a bad day for burning because of fuel conditions they still won't burn.

Bullet # 4 – Plastic on Slash Piles

- Jim Russell said the USFS and BLM are in the process of writing a memorandum to forest supervisors and district managers telling them to suspend the practice. The practice will be eliminated and there are alternatives. Jim had been in contact with USFS researchers in Missoula to discuss the issue.
 - Is there a health problem?
 - Stephen said he has a problem with perception that burning plastic causes.
 - Jim Russell said the USFS burns about 250,000 acres per year at about 25 pounds of plastic per acre.
 - Mike Ziolko said ODF would need an administrative rule change to specifically ban plastic.
 - Stan Benson noted that covered piles aren't always burned as planned (in the same year) and plastic alternatives don't hold up. An exception would be needed to allow for some use of plastic.
 - Jim Brown asked about removing the plastic before burning.
 - Jim Russell said the plastic would have to be disposed of in a toxic waste facility.
 - Plastic is very difficult to remove.
 - Jim Russell said their contractors have already notified them to expect a one-third increase in contract price if non-plastic alternatives are to be used.
 - Plastic insures total combustion but violates the open burning regulation that currently exists in Washington.
 - Brian Jennison said that from an air quality perspective, it might be better to burn a little bit of plastic. Especially if you are talking risk management.
 - Data would be needed to see what the impacts would be.

- Jim Russell said there is a water quality component as well – the residue goes into the ground and leaches into the water.
 - Jim Russell said that published reports are available to quantify the impacts of burning plastics on piles.
- Jim Brown asked if other kinds of plastic are better to burn and suggested that it be looked into.
- Stephen asked what are the alternatives – the amount of smoke that would be released if the piles were not covered vs. burning plastics.
- Brian Jennison noted that if open burning laws are to be changed, data needs to be collected first.
- DEQ would require some compelling evidence that the trade off would be an environmental benefit in order to exempt plastic burning from open burning rules.
 - Is that the responsibility of smoke management?
 - It would require research.
- Mike Ziolkowski said it may be a gray area as far as the Smoke Management Plan – clearly DEQ open burning regulations do not allow burning plastic. DEQ open burning rule exemptions apply to slash burning administered by the Oregon Department of Forestry except for some conditions and one of those is plastics. It is not allowed. Technically, burning plastic is illegal.
- Jim Russell pointed out that the use of plastic allows burning at the time of the year when burning might not otherwise be possible but causes less impact and covering the pile makes that burn possible.

Bullet #5 - Non Burning alternatives

- Stephen reminded committee members that this is a future agenda item
- Jim Brown asked what the barriers are.
 - Expense
 - Lack of equipment
 - Expertise
 - Location
 - Lack of political will.
- Stephen pointed out that at some point non-burning alternatives would have to be considered – it could become the only choice at some point.
- There will be times when you want to use alternatives to achieve your desired result.
- David Collier noted that the evaluation of whether or not a non-burning alternative is feasible is DEQ's concern, to ensure that non-burning alternatives are given serious consideration.
- Jim Brown added that sometimes it's feasible to do nothing and that is an alternative.
- Mike added that the question could be whether there is documentation that alternatives are being considered.
- David said that DEQ recognizes that burning is often the best practice and that alternatives can be very limiting but want to be certain that the issue of alternatives is given serious consideration before the decision is made to burn.
- Jim Russell said Federal land managers have to go through an extensive process to determine the impacts of prescribed burning – the environment, the air, and everything else including utilization of the materials. The last thing considered is what is the most economic approach.
- Stephen added that not all thinning, for example Douglas fir, required slash abatement.
- Cutting firewood is an alternative

Bullet # 6 – Review of current protected and designated areas

- Jim Russell agreed that periodic review is necessary and is on the list for consideration by this committee.

- Regarding the current language for the special protection zone David said it needs to be updated because it will go into non-attainment status and now there are PM 10 maintenance areas.
 - David Collier noted that maintenance areas need careful protection. Medford is one example. Ensuring that maintenance areas don't see a drift up in their background levels is very important to DEQ whether it's a special protection zone or the protection is supplied through another designation.
- Regarding an air quality strategy for the Columbia River Gorge National Scenic Area, David said it was visibility protection but would not fall under the regional haze rule because it's not a Class I area. It's the nation's only scenic area. He was concerned about learning more about the role of prescribed burning influence on that area and whether or not the area should be included as a designated area or other sensitive area.
 - David mentioned that the Gorge will get some default protection because of Mt. Hood and Mt. Adams protection plans, but will smoke directed away from those areas be sent right up the Gorge? How at risk is the Gorge from prescribed burning?
 - It was suggested that the Gorge is more at risk from wildfire.
 - Mike Ziolko said the Gorge has never been monitored by ODF.

Bullet # 7 - The regional haze rule is coming, should changes be put in place now in anticipation of aligning the Smoke Management Plan with WRAP? What kind of changes would need to be made?

- Jim Russell said it would depend on whether DEQ goes 308 or 309...
- Mike Ziolko explained that it would not require a lot of changes – more tracking for the voluntary areas in EO and coordination with other burning programs and other states.
- Mike Ziolko said it will mainly be a funding issue and added that it depends greatly on what is going to pass muster with DEQ. The Smoke Management Plan not only has to be approved by the Board of Forestry but it also has to go through EQC.
- Jim Russell commented that if Brian wants to ask this committee to consider Regional Haze he could do so.

Bullet # 8 Multi-state, multi-jurisdictional, multi-day burns – What is in place now for coordination? Are improvements needed?

- Mike Ziolko said ODF already has this issue covered in Oregon. It's mandatory program in western Oregon and a voluntary program in the Klamath/Lakeview area. Mike said the bigger question is do you want mandatory programs in Klamath and Lake Counties?
 - David replied that the voluntary approach seems to be working and his concern was more of making sure that everyone involved is talking to each other. He added that at least at some point that coordination was not happening and the Fire Management Plan put together by Lakeview and Klamath BLM, and others, was the result. It has a big emphasis on coordination.
 - Mike Ziolko said coordination is part of ODF's directive.
- Asked if administrative rule speaks enough to coordination of jurisdictions, Mike Ziolko replied that coordination is required and the instruction comes out of Salem. East of the Cascades ODF can't tell private landowners not to burn because of the voluntary nature of the program.

Bullet # 9 - Evaluate the system for tracking intrusions.

- The definition of intrusion is defined in the rules and Mike Ziolko reiterated that an intrusion is an impact into those selected cities at ground level where there is noticeable smoke entering the area.
 - Nephelometer readings are used to classify whether the intrusion is light, moderate or heavy. Where nephelometers are not sited, visibility estimates are used.

- David Collier said his main question is “How is the intrusion caught?” because the system appears to be complaint driven.
 - Mike Ziolko noted that this is true to some degree.
 - Several committee members agreed that it takes someone physically watching and monitoring the nephelometer – that it can’t be done remotely.
 - Jim Russell added that the burner has some responsibility as well.
 - It’s three fold - monitoring the nephelometer, looking at the local area wherever the intrusion was supposed to occur and what is the level of the intrusion considering the time and severity of the intrusion. Jim suggested the need to talk about the difference between a nuisance, visibility and health when talking about intrusions.
- DEQ’s question is whether the system is adequate...are the networks sufficient to track and document an intrusion? Are the numbers of intrusions low because there are few intrusions or because the system is inadequate?

Bullet # 10 –

DEQ asked if consideration is given to what’s going on in the community when a burn is authorized? How would you coordinate with local burning activity?

- Mike Ziolko said they’re in the loop now as far as private burning – ODF districts advise the local fire districts.
- Chris Cline, CFPA, - We are probably the biggest burner in the state and we notify everyone...we fax out all kinds of information.
- Mike Ziolko suggested that maybe it should be written into the directive if the process needs to be formalized. It is probably not something to write in a rule.

Bullet #12 - “Urban-Wildland Interface”

- David Collier said he was not clear on the urban interface issue and the connection to forestry practices. It could be a big public relations and public health issue for DEQ. The funding for doing that work comes through the National Fire Plan down through state forestry. He asked if this group could help make recommendations in terms of providing forecasting if that is appropriate or promote non burning alternatives
 - Stephen said that most of the wildland urban interface on private land would probably look at a lot of the non-burning alternatives and some cases would do some burning under the right conditions.
- David commented that it seems those decisions are made individually by the landowner or group of landowners that have the contract without much guidance from the state or USFS about how they should do what they do, whether there is smoke management help for them or whether there is guidance or financial assistance for non-burning.
 - Stephen said ODF would be overseeing and they could get financial incentives through the national fire plan – almost all burning comes under ODF.
 - Mike Ziolko added that there’s no question that the WUI activity (on forestland being managed for forest purposes) comes under ODF’s smoke management program but must be on forestland for forest management purposes. If it’s a subdivision type lot – it’s under the jurisdiction of DEQ’s rules.
- Jim Brown commented that if you’re going to do any operation on forestland you have to notify the district forester – anything that’s on forestland.
- Stephen added that Deschutes County has developed a program that allows landowners to dispose of yard debris free on certain days at a landfill and it is then made into mulch. It is a non-burning alternative – it’s called the Fire Free program. Other counties have similar programs.
- David Collier asked if communities were supposed to develop a plan to deal with urban interface issues for fuels reduction.

- Jim Russell responded that right now congress expects 67% of all the moneys to go initially into the urban rural interface.
- Jim Russell added that no national fire plan money will be spent on agricultural land

Bullet # 13 – Tribal lands

- Mike Ziolko said they are signatories to the existing Smoke Management Plan through BIA. The burning that they do is at their discretion. We try to coordinate with them.
 - Warm Springs is the only tribal area that does much significant burning.
- Mike Cunningham, BIA, said tribal burning is not reported to the state. You would have to read the national or regional sit report. Warm Springs has a PM10 monitor that runs 24/7. The tribe has a smoke management/air quality person hired who is preparing to monitor PM 2.5. The tribes don't let a lot of people know what they are doing.
- Mike Ziolko said without knowing when they burn it's difficult to say if problems result.
- Mike Cunningham commented that for large multiple day burns the only coordination that occurs is that we let cooperators know about how long it's going to be. We do monitor the state's forecasts and will call them if there is a problem and let them know how much smoke we think we're putting into the air.
 - The tribes look at it from the standpoint that if there's government involvement, they are supposed to go through the state and monitor, but if it's purely a tribal function – it goes through the national EPA.
- Jim Russell noted that there are 247 tribes, each with an individual tribal agreement ...
- Mike Ziolko said Oregon welcomes getting information from Warm Springs and any of the other tribes.
 - Jim Russell asked for the name of the smoke management coordinator for Warm Springs – Mike Cunningham will provide that information.
- David Collier requested a heads up when a big burn is planned.
 - Stephen asked what is a big burn?
 - Tonnage
 - Duration
 - Jim Russell said that notification is available on the USFS web page as well as ODF's smoke management web page.
- Large fires in 2002 led to exceedances in Klamath Falls resulting in a discussion of natural events policies and a natural events action plan. A big part of that is communication. DEQ recognizes that communication with communities regarding smoke impacts from fires could have been improved. Part of that plan is communication in tracking just where the fire plumes are going. Is there a point that through tracking or modeling that when it is apparent that something is going wrong, and the smoke has shifted someone needs to keep DEQ notified.
 - Jim Russell said it's already delegated to ODF and added that it is also the responsibility of the person that struck the match. asked why a procedure is needed for something that is rarely a problem (an intrusion)
- Mike Ziolko said that ODF has an internal process. The first evidence of an intrusion is a report from a district or forest. A preliminary intrusion report is then issued to ODF districts and forests via email. The email is targeted to districts/forests created the impact as well as those who may be on the receiving end of the smoke. David Collier could easily be added to the list. Kim Metzler said she would like to be added to the list also.

6. Break

7. Discussion of Previous Meetings' Issues

- Refer to attached matrix

8. Working Lunch

Continuation of Issues Discussion

- Refer to attached matrix

9. Continuation of Issues Discussion

- Refer to attached matrix

10. Break

11. Public Comments

- There was no public comment at this time.

12. Continuation of Issues Discussion

- Refer to attached matrix

13. Adjourn

- The meeting adjourned at 1530 as scheduled.

Next Meeting May 15, 2003

Committee information may be found on the web at:

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