

**BOARD ISSUE WORK PLAN**

Agenda Item No.: 6  
Title and # of Issue: Wildfire Risk Management (Smoke Management), Priority Issue #7  
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**Tracking No.**

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**Title:**

Smoke Management Work Plan

**Background:**

The Oregon Smoke Management Plan was developed as a voluntary program in 1969 and adopted as a regulatory program by the State Forester and the Environmental Quality Commission (EQC) in 1972. By law, the plan requires joint approval of both the State Forester and the EQC. The plan has gone through several major revisions since then. The last major revision to the plan was completed in 1992. Minor revisions occurred in the mid-90's and rule changes affecting fees were implemented in 2004.

The Smoke Management Review Committee, a broad-based group, was established in 2002 to provide recommendations to the State Forester about the adequacy and currency of the plan. Periodic reviews of the plan are part of the plan requirements, but major reviews had not been undertaken because of uncertainties about changes in federal air quality regulations.

The plan's overall purpose is to keep the smoke from forestland prescribed burning from being carried to specific designated areas and other areas sensitive to smoke. The plan is a framework through which emission reduction goals have been achieved. The State Forester administers the plan, in cooperation with landowners, land management agencies and air quality agencies. The plan applies to state, federal, and private forestland in Oregon. Mandatory smoke management constraints apply to burning in western Oregon, the Deschutes National Forest, and federal forest lands in the Blue Mountains of northeast Oregon. Voluntary programs are in effect in the Klamath Falls and Lakeview areas. The Oregon Smoke Management Plan contains six principal objectives. These objectives are to:

1. Protect public health
2. Minimize smoke intrusions into designated population areas
3. Reduce emissions from prescribed burning
4. Protect visibility in Class 1 wilderness areas during the summer months
5. Maximize burning opportunities while minimizing emissions, and
6. Coordinate with other state smoke management programs

Changes have occurred in fuel conditions, short-term climate, and state and federal air quality regulations since the last major revision of the Smoke Management Plan.

The Smoke Management Review Committee was charged with: 1) looking at the current objectives and the issues that have developed over the years and 2) making recommendations for changes that are needed in the plan.

### **Issues:**

The Smoke Management Review Committee did provide recommendations based on issues that were identified to them. It also added other issues that arose during the course of its deliberations. The committee's full report will be sent to the Board in a separate mailing prior to the September 7 Board meeting.

The issues that will be addressed as the department works with affected parties to respond to the committee recommendations are:

- A. Are air quality standards being met? The final version to this question also included Question K (below) because the two questions are related.
- B. Are burning objectives being met?
- C. What changes may be needed to address projected increases in prescribed burning for forest health reasons?
- D. How should wildfire vs. prescribed fire impacts be addressed?
- E. Are changes needed to improve regional air quality and visibility in the Oregon Smoke Management Program?
- F. Are designated areas and smoke sensitive areas adequately identified?
- G. How may the administrative rules be changed to reflect current and future fuels and operational issues?
- H. What feasible alternatives to prescribed fire exist, and how can they best be implemented?
- I. What does the Oregon Smoke Management Plan truly cost; how can it be best funded for today and tomorrow?
- J. Can effective communication with, and education of, the public and natural resource managers about Oregon's Smoke Management Program improve operational abilities?
- K. What are the best approaches to address intrusions, visibility issues, and citizen complaints of nuisance smoke?

### **Goal:**

To revise the Smoke Management Plan so that land management objectives and air quality requirements are met. (FPFO- Strategy F, Action F.4)

### **Objectives:**

- 1. Revise the Smoke Management Plan, as appropriate, using the Smoke Management Review Committee's recommendations as a guide.
- 2. Amend policies, rules and directives to clearly describe requirements of the revised Smoke Management Plan.

3. Identify statutory changes that are recommended for the operation of the plan and present proposals to the 2007 Oregon Legislature.
4. Establish a Smoke Management Program funding strategy acceptable to landowners and land managers.
5. Maintain the plan as a leader in the country in the ability to conduct necessary burning while maintaining and improving air quality.

*Objective 1: Revise the Smoke Management Plan, as appropriate, using the Smoke Management Review Committee's recommendations as a guide.*

Actions:

1. Staff will analyze the committee recommendations and propose and/or implement responses to each of the committee's recommendations.
2. Staff will work with the Oregon Department of Environmental Quality and interested parties to develop plan changes.

Products:

1. A set of proposals for changes in the plan, identifying a schedule for plan changes. There will be some changes that take longer to implement than others. The Board will be consulted on significant policy or procedural changes requiring legislative or administrative rule adoption.
2. A revised Smoke Management Plan will be adopted by the State Forester and the Environmental Quality Commission.

Recommendation/Polycymaking:

There will be a range of recommendations that will come before the Board regarding proposed changes in the Smoke Management Plan. The options could range from maintaining the status quo in the plan to fully accepting the suite of recommendations from the Smoke Management Review Committee. The range of acceptability of changes may be limited by what options the Environmental Quality Commission is willing to accept. Considerations of EPA's Regional Haze Rule requirements may set the lower limit of changes that would be required in the Smoke Management Plan.

*Objective 2: Amend policies, rules and directives to clearly describe requirements of the Smoke Management Plan.*

Actions:

1. The Board will be asked to approve changes in the Smoke Management Plan.
  - a. Staff will request the Board to authorize joint public hearings with DEQ.

- b. The Board, in concert with the Environmental Quality Commission, will be asked to adopt the changes that are necessary in administrative rule for eventual approval by EPA.
2. ODF and DEQ will submit rule, policy and directive changes to EPA as official changes in the Oregon Clean Air Act State Implementation Plan. DEQ has the legal responsibility for this action.

Products:

1. Revised regulations, policies, directives and operational manuals for the implementation of the Smoke Management Plan.

*Objective 3: Identify statutory changes that are recommended for the operation of the plan and present proposals to the 2007 Oregon Legislature.*

Actions:

1. Staff will develop legislative proposals for Board of Forestry and Governor's office approval. Legislation on funding options and expansion to a statewide program (including rangeland) are expected to be the key legislative proposals.

Products:

1. Proposed legislative concepts and program option packages will be developed for approval by the Board and the Governor. Approved concepts and packages will be submitted to the 2007 Oregon Legislature for its consideration.

Recommendation/Polycymaking:

The Board may be asked to consider changes in funding options for the implementation of the plan. Options will be based upon recommendations that will be provided by landowners, other interested parties and the Smoke Management Advisory Committee.

*Objective 4: Establish a Smoke Management Program funding strategy acceptable to landowners and land managers.*

Actions:

1. Staff will convene the statutorily identified Smoke Management Advisory Committee to specifically address funding issues for the Smoke Management Program. Actions of this committee will be to:
  - Review the specific funding questions raised by the Smoke Management Review Committee.
  - Develop preferred funding proposals.

Products:

1. A set of specific funding proposals for the State Forester, the Board and the legislature to consider as changes for the implementation of the Smoke Management Plan.

*Objective 5: Maintain the plan as a leader in the country in the ability to conduct necessary burning while maintaining and improving air quality.*

Actions:

1. Staff will work with landowners, air quality agencies and other affected parties to implement the plan.

Product:

1. Annual reports describing the plan's progress in meeting its goals and objectives.

Research and Information Gathering:

Much of the research and information gathering has taken place for the stated objectives because of the work that the Smoke Management Review Committee has done.

Staff will work with interested parties to respond to the committee recommendations and develop appropriate recommendations for statute, rule, policy and operational changes. The primary areas where further work will be done are with landowners to develop the funding options and to determine the political viability of expanding the program statewide to include other types of burning.

Monitoring/Continuous Improvement:

The Smoke Management Advisory Committee will receive annual updates on the progress in implementing changes to the Smoke Management Plan. The Board will receive periodic progress reports as issues arise.

Stakeholder/Public Involvement:

Private landowners and federal land managers will be involved in workgroups, through forest protective associations and through the Smoke Management Advisory Committee. Advisory Committee meetings will be open to the public. Input will also be solicited through the formal rule-making process.

#### Timeframe with Milestones:

The time frame for this work plan will extend from September 2005 through 2007 for final amendment of rules and policies. Implementation of rule changes that do not require statute changes would occur in January 2007. Work will continue through 2006 for the development of draft legislation. Approved legislative proposals will then be worked on during the 2007 legislative session.

#### Milestones:

1. September 2005: Board of Forestry reviews and approves the Smoke Management Work plan.
2. March 2006: Introduction of proposed legislation and program option packages to the Board.
3. June 2006: Board approval to hold public hearings for changes in the Smoke Management Plan.
4. July or October 2006: Joint field tour with Environmental Quality Commission
5. July or September 2006: Board approval of proposed legislation and program option packages
6. September – December 2006: Board adoption of revisions to the Smoke Management Plan.
7. January 2007: Implement changes that do not require legislation.
8. July – December 2007: Administrative rule adoption process for changes needed as a result of 2007 legislative action.

#### Resources Required:

Objectives 1-4: One staff position will lead this work with assistance from one or two other primary staff members. Field personnel will be involved to assist in the development and implementation of proposals.

Objective 5: Existing field and staff personnel will work towards achieving this objective, but the success of achieving this objective is also dependent upon legislative, program option package and funding proposals.