



NOTES

2017-18 Smoke Management Review Committee

March 9, 2018
9:00 AM – 1:00 PM

Oregon Department of Forestry
Tillamook Room – Building C
2600 State Street
Salem, OR 97310

Objective: *Discuss and determine final rule changes.*

❖ Welcome & opening remarks

- Doug Grafe opened the meeting, welcoming all. He explained the duties and responsibilities of the agencies (ODF and DEQ) to carry forward recommendations to policy boards and ensure alignment, but also recognizing diversity and difference in opinion of the committee.
- Facilitator Dan Thorpe reviewed the agenda noting the ultimate goals of increasing prescribed burning to reduce the risk of wildfire while maintaining air quality standards.

❖ Presentation of draft agency recommendations (see [PowerPoint](#))

- Nick Yonker presented an overview of what the agencies have heard from the committee since the review began in May 2017 noting the four major areas of discussion and changes to the Smoke Management Plan.
 - Polyethylene (PE) on piles
 - This topic was not discussed in this review but is part of the entire package of recommendations. The use of PE was initially approved from a previous review.
 - A 2009 study of PE determined that burning PE was no more harmful to air quality than burning woody material. The 2015 ODF study showed that covering dry piles with PE produced a significant emission reduction than burning wet piles. DEQ agreed with the study results and the proposed rule language allows the landowner to use as much PE as necessary to achieve rapid ignition and combustion of their piles. Landowners will likely use only as much as necessary because PE is an expensive treatment.
 - Rick Graw asked how much was spent on ODF's study. Nick responded that \$85,000 was spent on the study.
 - Willie Begay asked if the new rules will meet the EPA regional haze standards. Nick confirmed that the goal is to keep smoke out of SSRA's and by using PE on piles, emissions are greatly reduced.

- Intrusion definition
 - In the current Smoke Management Plan, intrusions are measured on a one-hour threshold above background air quality level. A light intrusion, as measured by a light scattering measuring instrument called a nephelometer, consists of smoke just above the background level to 1.8 beta-scattering (b-scat), moderate is 1.8 to 4.9 b-scat), and heavy is above 4.9 bscat.
 - Currently, intrusions are defined as “any smoke from a prescribed burn which enters into a Smoke Sensitive Receptor Area (SSRA).”
 - In the proposed rule, the new definition of intrusion will include both a 24-hour average threshold and a one-hour threshold. If either threshold is exceeded, it is an intrusion. The 24-hour average threshold is meant to protect the National Ambient Air Quality Standard (NAAQS) while the one-hour threshold is meant to protect brief duration smoke impacts that can especially affect sensitive people that include the very young, old, and those with cardiovascular problems.
 - DEQ is proposing a safety buffer of 25% under the NAAQS for the 24-hour threshold.
 - Committee members will have an opportunity to provide additional comments/feedback following this meeting, before final agency recommendations are made.
 - One other federal standard to mention is the annual average federal standard of 12 micrograms/cubic meter. While this standard is not specifically addressed in this review, preventing smoke from reaching the 24-hour NAAQS will help prevent exceeding the annual average standard.
 - “Urgent action level” threshold specifies that not all intrusions are equal. If the urgent action level threshold is exceeded, an immediate discussion between ODF and DEQ needs to occur to determine how to prevent this occurrence in the future.
 - The key takeaway from this presentation is to provide the committee with awareness of internal conversations between the agencies as well as the need for ODF and DEQ to work more closely together when there is a smoke intrusion.
 - We’re moving to allow for more smoke into an SSRA for prescribed burning purposes. DEQ’s goal is to minimize smoke into an SSRA always.

- Communication expectations
 - Action plans will be needed for vulnerable SSRA’s, (SSRAs that have repeated smoke intrusions). There will be a designated alerting agency point of contact (likely the local public health authority).
 - There will be ongoing conversations with the Smoke Management Advisory Committee and other stakeholders about how to best develop these plans and obtain needed resources.

- Doug highlighted the importance of feedback on the language for the communication rule and cautioned on the risk of the ability to deliver a good plan.
- Agency housekeeping
 - Special Protection Zone language in the Department Directive will be moving to rule.

❖ **Public Comment**

- Ed Keith, Deschutes County Forester – Supports the need for prescribed fire to mitigate risk and protect communities (life and property) from wildfire. No fire is not an option. Deschutes County has already begun public engagement for the upcoming prescribed burning season. Encouraged more communication on delivery of message to gain greater public support for prescribed burning.
- Craig Glazer, Region 6 USFS – Important issue to US Forest Service. Appreciates not moving backward, but also not quite moving forward either. For USFS, that means arduous wildfire seasons are the new normal. USFS hopes to continue conversation on this topic.
- Court Boice, Curry County Commissioner - Appreciates work of the committee. Impact from the Chetco Bar fire last year cost the county \$78M, compared to a much larger fire in Montana which cost only \$6M. Air quality is a major concern in Curry County. Part of the recovery for the county is wise timber management. Need to be regimented, dedicated and committed to increasing prescribed burning to reduce wildfire risk.
- Amanda Stamper, The Nature Conservancy (also representing Oregon Prescribed Fire Council) – Have concerns stemming from the review of scientific data. Need to look closer at the data and discuss in further detail. Breaking the one-hour threshold could occur at 3 a.m. when people are sleeping and therefore not have as much affect as a daytime intrusion. Also need to question the value of taking “urgent action” when this occurs but does not trigger the 24-hour threshold. Also concerned that without good scientific data, agencies will default to the precautionary principle which reduces burn opportunities. Public health communication strategy will be key, not the one-hour threshold.

➤ **Discussion on proposed rule changes**

- Committee feedback/comments
 - Dave Collier opened the discussion noting the three areas he would like feedback from the committee on:
 - What you like about the proposal
 - Concerns in terms of meeting needs
 - Areas needing further explanation or discussion

- Merlyn Hough – Agrees that for forest health and wildfire mitigation, we need more prescribed burning. Cautioned committee to not go above the 26 micrograms per cubic meter 24-hour threshold. Recommends smoke reduction strategies (PE on piles) to compliment the Smoke Management Plan. Asked for consideration of two additional proposals: Biomass utilization incentives, and cleaner combustion by utilizing incinerators to burn slash near urban areas.
- Mike McGown - EPA looking for more opportunities to assist with increase in prescribed burning. Agricultural burning in Idaho has never violated the 24-hour NAAQS. From a regulatory perspective, he suggests use of the one-hour threshold versus the 24-hour threshold to ensure more community support. Also concerned with and interested in learning more about long term chronic exposure health effects of wildfire smoke.
- Rick Graw – Appreciates work done to show the need for increased prescribed burning. He has concerns with committee collaboration – hopes to see more in future reviews. Suggests effective fuel treatments on the landscape. With regard to urgent action levels and expectations, prioritizing SSRA’s is important for allowance of more prescribed burning and smoke into communities.
- Kirsten Aird – This is a huge compromise for Oregon Health Authority (OHA). We’re taking steps back with regard to public health. OHA cannot support anything over the NAAQS. In fact, exceeding that is not what communities want. Need to figure out a compromise. OHA has already begun planning a communication strategy for alerting the public to the increase in prescribed burning.
- Jim James – Need to balance health effects with wildfire risk. Concern with communities who haven’t experienced smoke before. Caution to not underscore public relations efforts. If the public doesn’t accept more smoke, they have the authority to say no to more burning. Need to include all agency support.
- Commissioner Kestner – One-hour threshold needs fine-tuning and suggested two-part section to separate time of day for smoke intrusions. Reiterated need for more education, communication and public relations from citizens to agencies to burners.
- Dave Cramsey – Have to at least try and do our best while working together in order for this to be successful, while recognizing this is not going to meet everyone’s needs. Also has concerns with one-hour threshold. Need to place monitors where the people are to ensure accurate measurement in communities. Major concerns with current outreach to public because it doesn’t promote prescribed burning. Need to develop community outreach before putting smoke into communities. Timing of this implementation will be key. Communication plan for sensitive people – if pushed to district level, it will be a patchwork that won’t work. Need to

develop mechanisms for delivering that message and then rollout to district level.

- Rex Storm – Good opportunity to learn ways to improve and advance the science and professional expertise for prescribed burning. Concern with one-hour threshold. Needs to be reviewed under limited set of conditions. Agrees on public outreach and the importance of implementation.
- Gregory McClarren – Encouraged committee to work together to ensure good communication and outreach.
- Courtney Vanbragt – Concern with one-hour threshold. Need to clarify what actions are to be taken when smoke intrusions do occur. Ensure ability for people to learn from intrusions. In addition to outreach to communities, need to meet everyone’s needs and be thoughtful of those community plans currently in place.
- Mike White – Need for communication for implementation across all lines. Concern with some wording of the rules (comments to be provided at a later date). Raising threshold for intrusions but nothing seems to be in rule to give direction to forecasters. Also agrees that communication rollout at district level will cause issues. Need to keep centralized as much as possible.
- Mayor Stromberg – Helped institute smoke mitigation plan and smoke refuges in Ashland where people can get safe air during unhealthy air and how to get home air filters to the vulnerable populations. Masks only work if put on correctly. Registry sign-up for calls alerting of unhealthy air to provide real-time information and updates to community. Getting to know your smoke shed (where smoke collects in certain places) to be able to make community resilient in face of smoke and wildfire which are all connected. Suggested pilot projects to collaborate on smoke mitigation plans.
- David Stowe – Recommendations don’t work for Deschutes Forest Collaborative – nothing changes and forests will still be burning. The correct people are not represented on this committee. Suggested burn bosses from Malheur or Deschutes as well as those opposed to smoke. Suggested a review of committee members for next Smoke Management Review in five years. Sierra Club has an outreach committee which have had good engagement with communities.

Pause for State Forester Daugherty appreciation to committee.

- Peter Daugherty, State Forester, joined to thank the committee for their important work. He encouraged participation in the upcoming rulemaking public hearings to provide support and influence to the Board of Forestry and the Environmental Quality Commission. He

then presented each committee member with a certificate of appreciation.

Resume committee comments.

- Bob Palzer – believes science shows that fuels treatment will not be the solution to catastrophic wildfires. Concern with implementation timeline (Oct. 1) being overly ambitious. Agrees with most of the changes.
- Carrie Nyssen – Changed her personal view on prescribed fire and smoke to realizing the importance. However, it is hard to support in her current position at the American Lung Association (ALA) on the change to the definition of intrusion to include the one-hour threshold for measuring smoke into communities. Carrie also cautioned the agencies on the communication plan funding piece – suggested asking the Legislature in 2019 session noting full support from ALA. Concern that we haven't addressed all the issues so need to continue.
- Mark Webb – Appreciates the intrusion definition change to tie to NAAQS. Supports public outreach plan. Concerned with disproportionate impact on use of prescribed fire relative to other smoke impacts at one-hour level. This is not equitable and ignores environmental benefits of smoke. Not confident that one-hour threshold is scientific. Thinks plan could be better if more scientific data was available. Would also like to see cost associated with one-hour threshold.
- Scott Hanson – Developed good product; hopes to learn; build if things aren't what we need. Need education to spread the message about the importance of prescribed burning.
- Willie Begay – Would like to hear what burners are saying to develop dialogue and collaboration on ground. Noted that it will take time to build community support. Would like to see option for certain communities within an SSRA to get a waiver to burn in certain situations during next review. Stand-alone plan with no fees would be good for BLM. Majority of BLM acres are eligible for non-payment – would like to see that included in next review also. Also has concern with one-hour intrusion in that it will reduce amount of acres BLM and USFS can burn.
- Collin Beck – Coquille Tribe places a high value on prescribed burning and is interested in helping. Encouraged by proposed rule changes, especially PE on piles as well as offering more burning. There's still a gap with intrusion threshold vs. federal attainment threshold – needs to be written into rules to be more effective. If goal is to avoid going over NAAQS, should write that into rules. Concern with one-hour intrusion threshold as it is too prohibitive. Need to be more nuanced regarding time of intrusion and communities at risk of wildfire.

- Pete Caliguiri – Prescribed fire fuel reduction treatment is unequivocal – there’s so much scientific data backing that prescribed burning mitigates risk of wildfire. Buffer against NAAQS support – appreciates that some smoke into communities is acceptable. Also appreciates new partnerships between agencies – federal, state, local. Noted funding support for public outreach, specifically proactive information ahead of prescribed burning. Concerned that these rule changes aren’t going far enough to get ahead - need more prescribed fire, not less. Especially concerned with one-hour threshold – would like to see data supporting how that one-hour threshold is set. Research more how many days exceeded threshold – 2% exceedance was prescribed fire. Burns triggering urgent action levels are right next to communities – should not say those burns should be prevented in the future.

❖ Final thoughts

➤ Close out and next steps

- David Collier closed the meeting noting his appreciation for the candid conversations around the table, including the challenging discussions.
- Doug echoed David’s comments, appreciating the recognition of the complexity of issues discussed. He cautioned the committee to move forward in a way that makes sense for Oregonians – this is an important issue for the public. The collaboration work done among the group is great but the work is far from over.
 - Implementation on final rule changes will be key.
 - The next 6-8 months will be important on communicating the proposed rule changes. ODF, DEQ and OHA will meet immediately to discuss the public outreach plan. Need to ensure full engagement from this group on public outreach and education.
- Next steps
 - Short timeframe to submit additional committee comments (by end of March)
 - ODF timeline
 - Agency recommendations to Board of Forestry (BOF) at June 6, 2018 meeting. If BOF approves, move to public hearings/public comment period throughout summer 2018.
 - Back to BOF in September for rule adoption
 - DEQ timeline
 - Informational item to be presented to EQC in May
 - Concurrent public hearings with ODF staff
 - Presentation to EQC in September for approval then to EPA as part of Oregon’s Clean Air Act.

- Agencies will communicate dates of public hearings when confirmed.
- Final recommendations will be mailed out when finalized by agencies.

❖ Attendees

David Collier, DEQ Project Sponsor
 Doug Grafe, ODF Project Sponsor
 Dan Thorpe, ODF Facilitator
 Nick Yonker, ODF Project Manager
 Jim Gersbach, ODF Public Affairs
 Chrystal Bader, ODF Executive Support
 Gregory McClarren, Public Rep, SMAC Chair
 Dave Cramsey, Large Industrial Landowner Rep
 Scott Hanson, Non-industrial Landowner Rep
 Willie Begay, BLM Rep
 Rick Graw, USFS Rep
 Mike McGown, EPA Idaho
 Courtney Vanbragt (via phone), Klamath County Public Health
 Merlyn Hough, LRAPA Director
 Carrie Nyssen, American Lung Association
 John Stromberg, Ashland Mayor
 Chris Chambers (City of Ashland Fire Dept. – attended with Mayor Stromberg)
 Bob Palzer, Citizen at Large
 Mike White, CFPA
 Rex Storm, Associated Oregon Loggers & Oregon Tree Farm System
 Pete Caligiuri, The Nature Conservancy
 Mark Webb, Blue Mountain Forest Collaborative
 Jim James, Oregon Small Woodlands Association (OSWA)
 Kirsten Aird, Oregon Health Authority
 Ken Kestner, Lake County Commissioner

Public Participants

Ed Keith, Deschutes County Forester
 Peter Brewer, DEQ
 Gary Springer, Starker Forests
 Amanda Stamper, The Nature Conservancy (and Oregon Prescribed Fire Council)
 Jeremy Felty, OSWA
 Jeff Classen, ODF
 Christina Clemons, ODF
 Court Boice, Curry County Commissioner