

Oregon Board of Forestry public meeting

June 6, 2018 La Grande, Oregon

Re: Agenda item #3 - **Smoke Management Program Permission for Rulemaking**

Honorable State Forester and Members of the Oregon Board of Forestry,

The proposal before you is not a "recommendation" from the SMRC as called for in the SMRC Charter. It is a kind of 'final offer' in negotiations between SMS staff and the majority of the SMRC members while both sides were attempting to bridge a deep divide over the focus and impact of Oregon's regulation of controlled burning.

The staff proposal makes several important steps away from the existing policy, which is essentially to keep all smoke from controlled burning out of SSRAs. At the same time it is primarily concerned with protecting the public from both long-term and short term exposure to controlled burning smoke.

On the other hand, the controlled burners side of the issue has not been represented as well as it should in the current proposal and I would like to lay out that line of reasoning and facts for you now. But first we need to consider some important developments in the context in which the SMS regulation is now taking place and will increasingly take place...

The first contextual issue is the increased occurrence of wildfires in the West and Northwest including California. This is coupled with the fact that numerous cities have built out into and near their adjacent forests. And this is coupled with climate change and its consequent lengthening of the warm weather season, increased droughts, higher temperatures, etc. - all of which increase the danger to communities of the type of unstoppable wildfire that devastated parts of Santa Rosa last summer (and seven years ago burned 11 houses in a row in 45 minutes in my town, Ashland).

Increased wildfires also mean more wildfire smoke, which can accumulate in communities far from the fires themselves, as was experienced in Portland, the San Francisco Bay Area and the Rogue Valley, last summer. (Ashland had four weeks of continuous smoke that registered some level of "Unhealthy" on the federal AQI scale.)

Also part of the context for today's discussion is the emergence of restoration forestry used for the dual purposes of protecting communities from the direct threat of fire in adjacent forests and to prevent wildfires in general, with their wide-spreading far-traveling smoke. "Restoration forestry" refers to removing by mechanical means excess fuel that has built up in forests due to widespread suppression of fires in over the past 100 years or so. Once this arduous and expensive process has been completed the thinned forests are much more resilient and resistant to wildfire. And the 'natural' process of keeping fuel levels low can be resumed via controlled burning.

One last data point: according to wildfire experts the number of trees currently in our forests is three times what it was before the practice of wildfire suppression was instituted.

To put a point on it from my particular situation: Ashland, with its closely packed old wooden houses and abundant foliage, could be swept away in one hot, dry, windy day in a fire touched off by ignitions in our Watershed from newly grown fuel that has returned after being mechanically removed and which we haven't been able to remove with controlled burning because of the SMS.

Into this unresolved dilemma the staff proposal in good faith extends an optimistic proposition: we will hold you to 74% of the NAAQS (24 hour average) and/or 70% of the top of the "Moderate" category on the AQI (one hour average), whichever you hit first. They point out that this opens up 80% of the previously restricted opportunities for controlled burning and they also offer a different approach (the "matrix") to optimizing burning opportunities even within the existing system.

The controlled burners are encouraged by the 24 standard and then feel the 1 hour standard takes away most of what the 24 hour standard opens up, especially in those crucial burns that must take place close to the borders of inhabited SSRA areas.

They also counter that 1) there is no scientific research offered to substantiate the 1 hour standard; 2) the staff proposal doesn't mention that smoke from wildfires themselves is exempted from regulation, by the EPA while controlled burns both protect SSRA communities from the direct threat of fire but also reduce the likelihood of wildfire smoke wherever it might migrate.

And 4) every minute we discuss this subject, in every restoration forestry wildfire prevention project new fuels are relentlessly replacing fuel removed by mechanical thinning, undoing years of work and the expenditure of 10s of millions of dollars.

Lastly, on the controlled burners side of the discussion is the fact that communities have begun deploying smoke mitigation programs (Ashland's was presented to a subcommittee of the Oregon House two weeks ago.) These programs inform citizens of ways they can protect themselves from what may be a future of unpredictable bouts of wildfire smoke. Ashland's first phase has begun and the second phase we are now planning is intended to provide real time, geographic specific, AQI calibrated information to our smoke vulnerable population.

With this background I would characterize the decision before you today as how to bring together the world of public health, environmental protection and respiratory health NGOs with the world of wildfire prevention and wildfire smoke reduction projects (such as those in Deschutes County, Northeastern Oregon and Ashland) in practical measures that will move us forward to meeting what we all acknowledge are important goals on both sides? Also with high stakes, both social and political, on both sides and

pioneering restoration projects continuously being unravelled because of restrictions on controlled burning.

My suggestion is to approve the staff proposal without the 1 hour standard provisionally for 18 months and administratively, within the DOF, establish working groups of staff and restoration practitioners to:

- 1) Explore the possibilities in actual controlled burns for increasing the number of acres of controlled burning within the new framework;
- 2) Use Adaptive Management (versus punitive regulation) to avoid NAAQS violations; learn how to minimize necessary violations of the one hour standard.
- 3) Discuss with the EPA* getting exemptions to the NAAQS (as wildfire itself is now exempted) for controlled burning that must take place close to or within SSRAs, because of their extreme vulnerability to wildfire.
- 4) Develop and track smoke mitigation measures aimed at smoke-vulnerable individuals.
- 5) Report monthly through the coming fall (2018) and spring (2019) controlled burning seasons and reconvene the SMRC in spring 2019 to resolve contested issues for which we will now have shared experiences plus actual data, to help evolve the SMS to meet the needs of our current and future circumstances.

* This may need to be a direct interaction between restoration forestry projects and the EPA.

Thank you for your consideration,

John Stromberg
Mayor - Ashland, Oregon